

CHAPTER 5

ZONE REGULATIONS

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10-5-1: **ZONE CLASSIFICATIONS:** The zones dividing the territory of the City in accordance with the provisions of Section 10-2-4 are designated and abbreviated as follows in order generally from the least restricted to the most restricted classification:

OS	Open Space Zone
RE	Estate Residential
R-1A	Single-Family Acre Residential
R-1, 20,000	Single-Family Residential
R-1, 10,000	Single-Family Residential
R-1, 6,000	Single-Family Residential
R-2	Low Density Multi-Family Residential Zone
R-3	Medium Density Multi-Family Residential
R-4	High Density Multi-Family Residential
R-5	Very High Density Multi-Family Residential
BP	Business-Professional
CBD	Central Business District
C	Commercial
CC	Convenience Commercial
HWC	Highway Commercial
HC	Heavy Commercial
I	Industrial
PF	Public Facilities
PD	Planned Development Overlay
PDI	Planned Development Industrial
AO	Airport Overlay Zone (Ord. 1655, 9 Jul 2013)
HO	Housing Opportunity Overlay Zone
CBO	Cannabis Business Overlay Zone

10-5-2: **APPLICABILITY:**

- (A) Provisions of this Chapter imposing regulations for a particular zone classification shall apply uniformly to all zones of that classification; provisions of the general regulations shall also apply to any particular zone whenever the specified circumstances exist.
- (B) The use of lands and structures in each zone is limited to the uses listed in the zone regulations for that particular zone as allowed by right, and to the similar or accessory uses to the purposes of such zone. Such uses may be carried out without a use permit. Any use not so listed is unlawful in such a zone.
- (C) Uses listed in the zone regulations for a particular zone as allowed by use permit, and the similar or accessory uses listed in resolutions adopted by the Commission as conforming to the purposes of such zone, are unlawful in such zone unless a use permit therefore has been granted by the Commission, and all terms and conditions of such permit have been complied with.
- (D) Uses referred to in this Chapter include the structures ordinarily devoted to such uses.
- (E) Failure to comply with the regulations for land and structures for a particular zone is unlawful, unless a variance therefore has been granted by the Commission, and all terms and conditions of such variance have been complied with. (Ord. 1474, 8 Jan 1991)

10-5-3: **OS, OPEN SPACE ZONE:**

- (A) Purpose: To preserve and protect those areas whose primary purpose is to be open space, either natural or design consistent with the open space element of the General Plan.
- (B) Permitted Uses: The following uses and their accessory uses are permitted outright:
 - 1. Natural areas.
 - 2. Parks.
 - 3. Golf courses.
 - 4. Playgrounds.
 - 5. Agricultural uses.
 - 6. Accessory buildings and accessory uses.
 - 7. Cemetery.
 - 8. Water ways and basins.
- (C) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-3 of this Title.
 - 1. Uses stated in Section 10-3-4 of this Title.
- (D) General Regulations:
 - 1. Minimum lot size: Four thousand (4,000) square feet.
 - 2. Maximum building coverage: Thirty five percent (35%).
 - 3. Building Height Limit: Buildings shall not exceed thirty feet (30') in height for a residential building and sixty feet (60') for a public building or a commercial building. (Ord. 1474, 8 Jan 1991)

10-5-4: **RE, ESTATE RESIDENTIAL ZONE:**

(A) Purpose: The purpose of this Zone designation is to:

1. Protect the watershed, preserve steep lands in their natural states and provide open spaces.
2. Preserve lands suited for eventual development, pending proper scheduling for the economical provision of utilities, streets, schools, recreation areas and other necessary facilities at the time demand warrants it.
3. Provide lands for outdoor recreational uses on all types of agricultural activities such as raising crops, fruits and animals, providing they do not constitute a nuisance to adjoining properties.
4. Provide for the development of single-family estates in areas served with limited utilities and facilities.
5. Create conditions conducive to a desirable rural environment, protect it from the encroachment of unrelated uses affecting the development of vacant land and detrimental to existing residences, and limit the continuance of such uses in existence in the area.

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

1. Agricultural use such as raising and grazing of livestock, poultry or other animals; growing and harvesting of trees, fruits, vegetables, flowers, grains or other crops; storage, packing or processing of agricultural products produced on the property, without changing the nature of the products; sale on the property of products produced thereon; provided, that such uses are carried on by a resident of the property, are incidental to the residential use thereof and are not a nuisance to the contiguous properties; employee housing-large. (Ord. 1667, 28 Oct 2014)
2. Domestic violence shelter.
3. Home occupations.
4. One-family dwelling, one guest house; renting of not more than one room.
5. Residential care facilities and residential service facilities for six (6) or fewer residents provided said facility is located at a distance of one thousand feet (1,000') or more from any other existing community care facility as measured from any point upon the outside walls of the structures housing such facilities. (Ord. 1627, 9 Sep 2008)
6. Accessory Dwelling Unit, subject to the requirements within City Code Section 10-4-12. (Ord. 1697, 14 May 2019; Ord. 1692, 24 Oct 2017; Ord. 1627, 9 Sep 2008)
7. Small and medium family day care home.
8. Employee housing-small. (Ord. 1667, 28 Oct 2014)

(C) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-3 of this Title.

1. Uses stated in Section 10-3-4 of this Title. (Ord. 1627, 9 Sep 2008)
2. Mobile home parks. (Ord. 1649, 10 Jul 2012)

(D) General Regulations:

1. Maximum Density: .20 dwelling units per acre.
2. Minimum Parcel Area: Five (5) acres.
3. Maximum Building Coverage: Twenty percent (20%).
4. Minimum Parcel Width: One hundred fifty feet (150').
5. Minimum Yards:
 - (a) Dwelling, front, fifty feet (50'); sides, twenty feet (20'); rear, thirty feet (30').
 - (b) Agricultural structure: front, fifty feet (50'); sides, fifty feet (50'); rear, fifty feet (50').
6. Maximum Building Height: Thirty five feet (35').
7. Minimum Parcel Frontage: One hundred fifty feet (150'). (Ord. 1474, 8 Jan 1991)

10-5-5: **R-1A, SINGLE-FAMILY ACRE RESIDENTIAL ZONE:**

(A) Purpose: The purpose of this Zone is to:

1. Provide for the development of single-family residences in outlying areas and areas having special topographic features, and to prevent a higher population density requiring a higher level of services, or damage to the natural appearance of an area.
2. Create conditions conducive to a desirable low density environment, and protect it from the encroachment of unrelated uses affecting the development of vacant land and of such uses in existence in the area.
3. Provide for sufficient space to enable residents of the property to raise crops and fruits and keep animals in a limited and controlled manner so as to be in keeping with the residential character of the area.

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

1. Domestic violence shelter.
2. Home occupations.
3. One-family dwelling, one guest house, renting of not more than one room. (Ord. 1474, 8 Jan 1991)
4. One stable for not more than two (2) horses, cows or other hooved animals not kept for remuneration, hire or sale, poultry and other small animals provided that the keeping of such animals does not create a nuisance to adjacent properties. (Ord. 1514, 22 Nov 1994)
5. Residential care facilities and residential service facilities for six (6) or fewer residents provided said facility is located at a distance of one thousand feet (1,000') or more from any other existing community care facility as measured from any point upon the outside walls of the structures housing such facilities. (Ord. 1548B, 23 Jun 1998)

6. Accessory Dwelling Unit, subject to the requirements within City Code Section 10-4-12 (Ord. 1627, 9 Sep 2008)
 7. Small and medium family day care home. (Ord. 1474, 8 Jan 1991)
 8. Employee housing-small. (Ord. 1667, 28 Oct 2014)
- (C) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-3 of this Title:
1. Uses stated in Section 10-3-4 of this Title. (Ord. 1627, 9 Sep 2008)
 2. Mobile home parks. (Ord. 1649, 10 Jul 2012)
- (D) General Regulations:
1. Maximum Density: One dwelling unit per acre.
 2. Minimum Parcel Area: One acre.
 3. Maximum Building Coverage: Thirty five percent (35%).
 4. Minimum Parcel Width: One hundred feet (100').
 5. Minimum Yards: Front, thirty feet (30'); sides, ten percent (10%) of the parcel width or ten feet (10') whichever is less; rear, thirty feet (30').
 6. Maximum Building Height: Thirty five feet (35').
 7. Minimum Parcel Frontage: One hundred feet (100'). (Ord. 1474, 8 Jan 1991)

10-5-6: **R-1, 20,000 SINGLE-FAMILY RESIDENTIAL ZONE:**

- (A) Purpose: The purpose of this Zone is to:
1. Provide for single-family residential development in areas with urban level services and facilities, but limited for development by topography, terrain, or other physical and environmental constraints.
 2. Provide housing in areas conducive to low density development and protect such areas from incompatible development.
 3. Insure light, air, privacy and usable open spaces for residential living.
 4. Provide for those facilities primarily serving the neighborhood and serving it best by being located within it, providing such facilities are in the appropriate locations and in harmony with the neighborhood.
- (B) Permitted Uses: The following uses and their accessory uses are permitted outright:
1. Domestic violence shelters.
 2. Home occupations.
 3. One-family dwelling, one guest house, renting of not more than one room.

4. Residential care facilities and residential service facilities for six (6) or fewer residents provided said facility is located at a distance of one thousand feet (1,000') or more from any other existing community care facility as measured from any point upon the outside walls of the structures housing such facilities. (Ord. 1548B, 23 Jun 1998)
 5. Accessory Dwelling Unit, subject to the requirements within City Code Section 10-4-12. (Ord. 1697, 14 May 2019; Ord. 1627, 9 Sep 2008)
 6. Small and medium family day care homes. (Ord. 1474, 8 Jan 1991)
 7. Employee housing-small. (Ord. 1667, 28 Oct 2014)
- (C) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-3 of this Title:
1. Uses stated in Section 10-3-4 of this Title. (Ord. 1627, 9 Sep 2008)
 2. Mobile home parks. (Ord. 1649, 10 Jul 2012)
- (D) General Regulations:
1. Maximum Density: 2.18 dwelling units per acre.
 2. Minimum Parcel Area: Twenty thousand (20,000) square feet.
 3. Maximum Building Coverage: Thirty five percent (35%).
 4. Minimum Parcel Width: One hundred feet (100').
 5. Minimum Yards: Front, twenty feet (20'); sides, ten percent (10%) of parcel width or ten feet (10'), whichever is less; rear, thirty feet (30').
 6. Maximum Building Height: Thirty five feet (35'). (Ord. 1474, 8 Jan 1991)
 7. Minimum parcel frontage: One hundred feet (100'). (Ord. 1627, 9 Sep 2008)

10-5-7: **R-1, 10,000 SINGLE-FAMILY RESIDENTIAL ZONE:**

- (A) Purpose: The purpose of this Zone is to:
1. Provide for single-family residential development in areas with urban level services and facilities, but limited for development by topography, terrain, or other physical and environmental constraints.
 2. Provide housing in areas conducive to low density development and protect such areas from incompatible development.
 3. Insure light, air, privacy and usable open spaces for residential living.
 4. Provide for those facilities primarily serving the neighborhood and serving it best by being located within it, providing such facilities are in the appropriate locations and in harmony with the neighborhood.
- (B) Permitted Uses: The following uses and their accessory uses are permitted outright:
1. Home occupations.
 2. One-family dwelling, one guest house, renting of not more than one room.

3. Residential care facilities and residential service facilities for six (6) or fewer residents provided said facility is located at a distance of one thousand feet (1,000') or more from any other existing community care facility as measured from any point upon the outside walls of the structures housing such facilities. (Ord. 1548B, 23 Jun 1998)
 4. Accessory Dwelling Unit, subject to the requirements within City Code Section 10-4-12. (Ord. 1627, 9 Sep 2008)
 5. Small and medium family day care home. (Ord. 1474, 8 Jan 1991)
 6. Employee housing-small. (Ord. 1667, 28 Oct 2014)
- (C) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-3of this Title:
1. Uses stated in Section 10-3-4 of this Title. (Ord. 1627, 9 Sep 2008)
 2. Mobile home parks. (Ord. 1649, 10 Jul 2012)
- (D) General Regulations:
1. Maximum Density: 4.36 dwelling units per acre.
 2. Minimum Parcel Area: Ten thousand (10,000) square feet.
 3. Maximum Building Coverage: Thirty five percent (35%).
 4. Minimum Parcel Width: Seventy five feet (75').
 5. Minimum Yards: Front, twenty feet (20'); sides, ten percent (10%) of parcel width or ten feet (10'), whichever is less; rear, twenty feet (20').
 6. Maximum Building Height: Thirty five feet (35').
 7. Minimum Parcel Frontage: Seventy five feet (75'). (Ord. 1474, 8 Jan 1991)

10-5-8: **R-1, 6,000 SINGLE-FAMILY RESIDENTIAL ZONE:**

- (A) Purpose: The purpose of this Zone is to:
1. Provide for the development of medium density single-family uses in areas feasibly served by utilities, streets, schools, recreation areas and other necessary facilities.
 2. Create conditions conducive to a desirable residential environment, protect it from the encroachment of unrelated uses affecting the development of vacant land and detrimental to existing residences, and limit the continuance of such uses in existence in the area.
 3. Insure light, air, privacy and usable open spaces for residential living.
 4. Provide for those facilities primarily serving the neighborhood and serving it best by being located within it, providing such facilities are in the appropriate locations and in harmony with the neighborhood. (Ord. 1474, 8 Jan 1991)

- (B) Permitted Uses: The following uses and their accessory uses are permitted outright:
1. Home occupations.
 2. One-family dwelling, one guest house, renting of not more than one room.
 3. Residential care facilities and residential service facilities for six (6) or fewer residents provided said facility is located at a distance of one thousand feet (1,000') or more from any other existing community care facility as measured from any point upon the outside walls of the structures housing such facilities. (Ord. 1548B, 23 Jun 1998)
 4. Accessory Dwelling Unit, subject to the requirements within City Code Section 10-3-12. (Ord. 1627, 9 Sep 2008)
 5. Small and medium family day care home. (Ord. 1474, 8 Jan 1991)
 6. Employee housing-small. (Ord. 1667, 28 Oct 2014)
- (C) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-3 of this Title:
1. Uses stated in Section 10-3-4 of this Title. (Ord. 1627, 9 Sep 2008)
 2. Mobile home parks. (Ord. 1649, 10 Jul 2012)
- (D) General Regulations:
1. Maximum Density: 7.26 dwelling units per acre.
 2. Minimum Parcel Area: Six thousand (6,000) square feet.
 3. Maximum Building Coverage: Thirty five percent (35%).
 4. Minimum Parcel Width: Sixty feet (60').
 5. Minimum Yards: Front, twenty feet (20'); sides, ten percent (10%) of the parcel width or ten feet (10'), whichever is less; rear, twenty feet (20').
 6. Maximum Building Height: Thirty five feet (35').
 7. Minimum Parcel Frontage: Sixty feet (60'). (Ord. 1474, 8 Jan 1991)

10-5-9: **R-2, LOW DENSITY MULTI-FAMILY RESIDENTIAL ZONE:**

- (A) Purpose: The purpose of this Zone is to:
1. Provide for the development of duplexes and other types of residences, and multi-family dwellings in garden apartments, in areas properly located in relation to commercial and other residential areas, and where utilities, streets, sidewalks, transit, bikeways, schools, recreation areas and other necessary facilities can feasibly serve a high population density.
 2. Create conditions conducive to a desirable multi-family residential environment, protect it from the encroachment of unrelated uses affecting the development of vacant land and detrimental to existing residences, and limit the continuance of such uses in existence in the area.

3. Ensure light, air, privacy and useable open spaces for residential living.
4. Provide for those facilities primarily serving the neighborhood and serving it best by being located within it, providing such facilities are in the appropriate locations and in harmony with the neighborhood.

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

1. Home occupations.
2. Multi-family dwelling units. (Ord. 1649, 10 Jul 2012)
3. Residential care facilities and residential service facilities for six (6) or fewer residents provided said facility is located at a distance of one thousand feet (1,000') or more from any other existing community care facility as measured from any point upon the outside walls of the structures housing such facilities. (Ord. 1548B, 23 Jun 1998)
4. Accessory Dwelling Unit, subject to the requirements within City Code Section 10-4-12. (Ord. 1697, 14 May 2019; Ord. 1627, 9 Sep 2008)
5. Small and medium family day care home. (Ord. 1474, 8 Jan 1991)
6. Employee housing-small. (Ord. 1679, 23 Feb 2016; Ord. 1667, 28 Oct 2014)
7. Single-room occupancy facilities. (Ord. 1664, 23 Sept 2014)
8. Attached single-family dwelling units, including condominiums or townhouse dwellings, subject to the requirements of City Code Section 10-4-13: Attached Single-Family Dwellings and Section 10-4-9: Site Plan Review. (Ord. 1679, 23 Feb 2016)

(C) Conditional Uses:

1. Uses stated in Section 10-3-4 of this Title.
2. Professional offices such as accountants, architects, dentists, lawyers, physicians, and engineers provided that development standards as listed in subsection 10-5-13(F) be incorporated with the proposed use.
3. Detached single-family dwelling, when the Planning Commission finds that due to site circumstances, such as limited parcel area, irregular parcel size, topography, etc., the development of multi-family dwellings is not practicable. (Ord. 1679, 23 Feb 2016; Ord. 1649, 10 Jul 2012)
4. Mobile home parks. (Ord. 1649, 10 Jul 2012)

(D) General Regulations:

1. Maximum Density: Eight (8) dwelling units per acre.
2. Minimum Parcel Area: Six thousand (6,000) square feet or minimum lot area shall be two thousand (2,000) square feet when proposed with various forms of attached single-family dwellings.
3. Minimum Parcel Area per Dwelling Unit: Two thousand (2,000) square feet.
4. Maximum Parcel Coverage: No more than sixty percent (60%) of the total lot shall be devoted to main and accessory building area, parking area, driveway and covered patio area.

5. Minimum Parcel Width: Sixty feet (60') or twenty feet (20') when proposed with attached single-family dwelling.
6. Minimum Yards: Front, twenty feet (20'); sides, ten percent (10%) of the parcel or ten feet (10') whichever is less; rear, fifteen feet (15'); or zero feet (0') setback for all yards where common wall or party wall exist with attached single-family dwellings.
7. Maximum Building Height: Forty feet (40').
8. Minimum room areas as defined in the California Residential Code. (Ord. 1642, 14 Jun 2011)
9. Minimum parcel frontage: Sixty feet (60'). (Ord. 1474, 8 Jan 1991)

10-5-10: **R-3, MEDIUM DENSITY MULTI-FAMILY RESIDENTIAL ZONE:**

(A) Purpose: The purpose of this Zone is to:

1. Provide for the development of duplexes and other types of residences, and multi-family dwellings in garden apartments, in areas properly located in relation to commercial and other residential areas, and where utilities, streets, sidewalks, transit, bikeways, schools, recreation areas and other necessary facilities can feasibly serve a high population density.
2. Create conditions conducive to a desirable multi-family residential environment, protect it from the encroachment of unrelated uses affecting the development of vacant land and detrimental to existing residences, and limit the continuances of such uses in existence in the area.
3. Ensure light, air, privacy and useable open spaces for residential living.
4. Provide for those facilities primarily serving the neighborhood and serving it best by being located within it, providing such facilities are in the appropriate locations and in harmony with the neighborhood.

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

1. Home occupations.
2. Multi-family dwelling units. (Ord. 1649, 10 Jul 2012)
3. Residential care facilities and residential service facilities for six (6) or fewer residents provided said facility is located at a distance of one thousand feet (1,000') or more from any other existing community care facility as measured from any point upon the outside walls of the structures housing such facilities. (Ord. 1548B, 23 Jun 1998)
4. Accessory Dwelling Unit, subject to the requirements within City Code Section 10-4-12. (Ord. 1697, 14 May 2019; Ord. 1627, 9 Sep 2008)
5. Small and medium family day care home. (Ord. 1474, 8 Jan 1991)
6. Employee housing-small. (Ord. 1679, 23 Feb 2016; Ord. 1667, 28 Oct 2014)
7. Single-room occupancy facilities. (Ord. 1664, 23 Sept 2014)

8. Attached single-family dwelling units, including condominiums or townhouse dwellings, subject to the requirements of City Code Section 10-4-13: Attached Single-Family Dwellings and Section 10-4-9: Site Plan Review. (Ord. 1679, 23 Feb 2016)

(C) Conditional Uses:

1. The uses as stated in Section 10-3-4 of this Title.
2. Professional offices such as accountants, architects, dentists, lawyers physicians, and engineers provided that development standards as listed in subsection 10-5-13(F) be incorporated with the proposed use.
3. Detached single-family dwelling, when the Planning Commission finds that due to site circumstances, such as limited parcel area, irregular parcel size, topography, etc., the development of multi-family dwellings is not practicable. (Ord. 1679, 23 Feb 2016; Ord. 1649, 10 Jul 2012)
4. Mobile home parks. (Ord. 1649, 10 Jul 2012)

(D) General Regulations:

1. Maximum Density: Twelve (12) dwelling units per acre.
2. Minimum Parcel Area: Six thousand (6,000) square feet or minimum lot area shall be two thousand (2,000) square feet when proposed with various forms of attached single-family dwellings.
3. Minimum Parcel Area per Dwelling Unit: Two thousand (2,000) square feet.
4. Maximum Parcel Coverage: No more than sixty percent (60%) of the total lot shall be devoted to main and accessory building area, parking area, driveway and covered patio area.
5. Minimum Parcel Width: Sixty feet (60') or twenty feet (20') when proposed with attached single-family dwellings.
6. Minimum Yards: Front, twenty feet (20'); sides, ten percent (10%) of the parcel or ten feet (10') whichever is less; rear, fifteen feet (15'); or zero feet (0') setback for all yards where common wall or party wall exist with attached single-family dwellings.
7. Maximum Building Height: Forty feet (40').
8. Minimum room areas as defined in the California Residential Code. (Ord. 1642, 14 Jun 2011)
9. Minimum Parcel Frontage: Sixty feet (60'). (Ord. 1474, 8 Jan 1991)

10-5-11: **R-4, HIGH DENSITY MULTI-FAMILY RESIDENTIAL ZONE:**

(A) Purpose: The purpose of this Zone is to:

1. Provide for the development of duplexes and other types of residences, and multi-family dwellings in garden apartments, in areas properly located in relation to commercial and other residential areas, and where utilities, streets, sidewalks, transit, bikeways, schools, recreation areas and other necessary facilities can feasibly serve a high population density.

2. Create conditions conducive to a desirable multi-family residential environment, protect it from the encroachment of unrelated uses affecting the development of vacant land and detrimental to existing residences, and limit the continuance of such uses in existence in the area.
3. Ensure light, air, privacy and useable open spaces for residential living.
4. Provide for those facilities primarily serving the neighborhood and serving it best by being located within it, providing such facilities are in the appropriate locations and in harmony with the neighborhood.

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

1. Home occupations.
2. Multi-family dwelling units. (Ord. 1649, 10 Jul 2012)
3. Residential care facilities and residential service facilities for six (6) or fewer residents provided said facility is located at a distance of one thousand feet (1,000') or more from any other existing community care facility as measured from any point upon the outside walls of the structures housing such facilities. (Ord. 1548B, 23 Jun 1998)
4. Accessory Dwelling Unit, subject to the requirements within City Code Section 10-4-12. (Ord. 1697, 14 May 2019; Ord. 1627, 9 Sep 2008)
5. Small and medium family day care home. (Ord. 1474, 8 Jan 1991)
6. Employee housing-small. (Ord. 1679, 23 Feb 2016; Ord. 1667, 28 Oct 2014; Ord. 1649, 10 Jul 2012)
7. Single-room occupancy facilities. (Ord. 1664, 23 Sept 2014)
8. Attached single-family dwelling units, including condominiums or townhouse dwellings, subject to the requirements of City Code Section 10-4-13: Attached Single-Family Dwellings and Section 10-4-9: Site Plan Review. (Ord. 1679, 23 Feb 2016)

(C) Conditional Uses:

1. The uses as stated in Section 10-3-4 of this Title.
2. Professional offices such as accountants, architects, dentists, lawyers, physicians, and engineers provided that development standards as listed in subsection 10-5-13 (F) be incorporated with the proposed use.
3. Detached single-family dwelling, when the Planning Commission finds that due to site circumstances, such as limited parcel area, irregular parcel size, topography, etc., the development of multi-family dwellings is not practicable. (Ord. 1679, 23 Feb 2016; Ord. 1649, 10 Jul 2012)
4. Mobile home parks. (Ord. 1649, 10 Jul 2012)

(D) General Regulations:

1. Maximum Density: Sixteen (16) dwelling units per acre.
2. Minimum Parcel Area: Six thousand (6,000) square feet or minimum lot area shall be two thousand (2,000) square feet when proposed with various forms of attached single-family dwellings.

3. Minimum Parcel Area Per Dwelling Unit: Two thousand (2,000) square feet.
4. Maximum Parcel Coverage: No more than sixty percent (60%) of the total lot shall be devoted to main and accessory building area, parking area, driveway and covered patio area.
5. Minimum Parcel Width: Sixty feet (60') or twenty feet (20') when proposed with attached single-family dwellings.
6. Minimum Yards: Front, twenty feet (20'); sides, ten percent (10%) of the parcel or ten feet (10') whichever is less; rear, fifteen feet (15'); or zero feet (0') setback for all yards where common wall or party wall exist with attached single-family dwellings.
7. Maximum Building Height: Forty feet (40').
8. Minimum room areas as defined in the California Residential Code. (Ord. 1642, 14 Jun 2011)
9. Minimum Parcel Frontage: Sixty feet (60'). (Ord. 1474, 8 Jan 1991)

10-5-12: **R-5, VERY HIGH DENSITY MULTI-FAMILY RESIDENTIAL ZONE:**

(A) Purpose: The purpose of this Zone is to:

1. Provide for the development of high density multi-family housing, in areas properly located in relation to commercial and other residential areas, and where utilities, streets, sidewalks, transit, bikeways, schools, recreation areas and other necessary facilities can feasibly serve a high population density.
2. Create conditions conducive to a desirable high density multi-family residential environment, protect it from the encroachment of unrelated uses affecting the development of vacant land and detrimental to existing residences, and limit the continuance of such uses in existence in the area.
3. Ensure light, air, privacy and useable open spaces for multi-family residential living.
4. Provide for those facilities primarily serving the neighborhood and serving it best by being located within it, providing such facilities are in the appropriate locations and in harmony with the neighborhood.
5. Provide high density housing at a density consistent with the default, or minimum, density requirements set forth in California Government Code Section 65583.2.

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

1. Home occupations.
2. Multi-family housing units.
3. Residential care facilities and residential service facilities for six (6) or fewer residents provided said facility is located at a distance of one thousand feet (1,000') or more from any other existing community care facility as measured from any point upon the outside walls of the structures housing such facilities.
4. Accessory Dwelling Unit, subject to the requirements within City Code Section 10-4-12. (Ord. 1697, 14 May 2019; Ord. 1627, 9 Sep 2008)

5. Small and medium family day care home.
6. Deleted. (Ord. 1665, 23 Sept 2014)
7. Single-room occupancy facilities. (Ord. 1664, 23 Sept 2014)

(C) Conditional Uses:

1. The uses as stated in Section 10-3-4 of this Title.
2. Professional offices such as accountants, architects, dentists, lawyers, physicians, and engineers provided that development standards as listed in subsection 10-5-13(F) are incorporated with the proposed use.
3. Attached Single family dwelling units, including condominiums or townhouse dwellings, subject to the requirements of City Code Section 10-4-12: Attached Single-Family Dwellings. (Ord. 1679, 23 Feb 2016; Ord. 1665, 23 Sept 2014)
4. Mobile home parks.

(D) General Regulations:

Residential Density: Housing development density shall be determined at the time the site is rezoned to the R-5 Zone. The density shall be based on the State mandated minimum of twenty (20) dwelling units per acre but will allow for the maximum of twenty-four (24) dwelling units per acre. The minimum required density for a site shall be the net density. Net density shall be based on the developable areas of the site, considering site specific environmental complaints such as slope, water courses, road right-of-way and/or easements, etc., and the R-5 development regulations of this section. (Ord. 1679, 23 Feb 2016; Ord. 1665, 23 Sept 2014)

2. Minimum Parcel Area: Six thousand (6,000) square feet or minimum lot area shall be two thousand (2,000) square feet when proposed with various forms of attached single-family dwellings.
3. Minimum Parcel Area Per Dwelling Unit: Two thousand (2,000) square feet.
4. Maximum Parcel Coverage: No more than sixty percent (60%) of the total lot shall be devoted to main and accessory building area, parking area, driveway and covered patio area.
5. Minimum Parcel Width: Sixty feet (60') or twenty feet (20') when proposed with attached single-family dwellings.
6. Minimum Yards: Front, twenty feet (20'); sides, ten percent (10%) of the parcel or ten feet (10') whichever is less; rear, fifteen feet (15'); or zero feet (0') setback for all yards where common wall or party wall exist with attached single-family dwellings.
7. Maximum Building Height: Forty feet (40').
8. Minimum room areas as defined in the California Residential Code.
9. Minimum Parcel Frontage: Sixty feet (60'). (Ord. 1651, 14 Aug 2012)

(E) Specific Regulations: (Ord. 1679, 23 Feb 2016)

1. Environmental Review: The California Environmental Quality Act (CEQA) environmental review will be completed for sites designed under the R-5 Zone at the time the sites are rezoned. All identified site specific development standards and CEQA mitigation measures during the rezone process shall be applicable to the development of residential housing for the site. Subsequent environmental review may be required if, and to the extent necessary, to comply with CEQA. (Ord. 1679, 23 Feb 2016)
2. Multi-family residential housing, when developed per Government Code Sections 65583.2 and Section 65589.5 [or "WHEN REQUIRED BY STATE LAW"] for either low-income, very-low income or extremely-low income households, shall be developed by-right in that the use and density shall not require a conditional use permit, planned unit development or other discretionary action for the use or density of the site. Housing development must include legal commitments to the City to ensure the continued availability of the affordable housing for a minimum period of thirty (30) years at the low, very-low, extremely-low income household or in combination. (Ord. 1679, 23 Feb 2016)
3. Design Review: Site Plan Review (Section 10-4-9) shall be required for all housing development proposed within the R-5 Zone that are not developed per Section 10-5-12 (E) 2, and conditional uses under Section 10-5-12 (C). (Ord. 1679, 23 Feb 2016)

10-5-13: **BP, BUSINESS-PROFESSIONAL ZONE:**

- (A) Purpose: The Business-Professional Zone is intended to provide for the development of professional offices and facilities devoted to professional uses.
- (B) Criteria: The following criteria are hereby established for use in the classification or reclassification of land to business-professional office use:
1. General Plan: Compliance with the General Plan.
 2. Utilities: The existing utilities system (water, sewer, drainage, electrical, gas and communications facilities) shall be adequate or new systems shall be constructed to adequately service the business-professional development of the property.
 3. Environmental: The development will be consistent with good commercial development and will be reviewed in light of its impact on traffic circulation, width of street, open space areas which surround the property, drainage, environmental controls, ingress and egress, fire protection, and accessibility of the property to emergency vehicles. Development shall be compatible with the surrounding zoning.
- (C) Permitted Uses: The following uses and their accessory uses are permitted outright:
1. Administrative offices.
 2. Financial offices.
 3. Hospitals.
 4. Medical, dental clinics, laboratories, pharmacies, and related facilities.
 5. Medical training and related facilities.

6. Professional offices, such as offices for architects, attorneys, dentists, engineers, optometrists, physicians, chiropractors, real estate brokers, physical therapists, and other similar type professions.
 7. Public buildings and facilities.
 8. Reconstruction of single-family dwellings provided that the other regulations of this Title are met.
 9. Residential uses, residential service facilities and employee housing-small when above or below the ground floor. (Ord. 1667, 28 Oct 2014; Ord. 1666, 23 Sept 2014)
 10. Any other use deemed by the Planning Commission to be compatible with the intent of the Business-Professional Zone and surrounding uses.
- (D) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-4 of this Title.
1. Office supply stores, gift shops, barber shops, beauty shops, florist shops, etc., may be considered, provided the applicant can submit economic data to show that said retail business will provide services to establishments and workers within the area.
 2. Restaurants and coffee shops.
- (E) Uses Prohibited: The following prohibited uses are deemed incompatible with the uses permitted in the Business-Professional Zone and are, therefore, prohibited:
1. Industrial uses.
 2. Retail commercial uses other than those specifically listed or provided for in subsections (C) and (D) of this Section.
- (F) General Regulations: The following developmental standards shall apply to the Business-Professional Zone unless a waiver (a deviation of not more than 5%) of one or more of the standards has been granted by the Planning Commission and City Council:
- A request for such waiver shall be submitted in writing and the justification shall be based upon improving the quality of the development or assisting the logical and practical utilization of the Zone while still maintaining its intent and purpose. This waiver shall not be used for increasing a building by deleting a requirement under the standards. The Planning Department will analyze the request and, based upon its content, shall make a firm recommendation to the Planning Commission.
1. Minimum Lot Area: Six thousand (6,000) square feet.
 2. Minimum Lot Width: Sixty feet (60').
 3. Maximum Building Height: Forty feet (40').
 4. Yards and Building Setbacks:
 - (a) Front Yards: Ten feet (10'), except when abutting a residential zone the setback shall be twenty feet (20').
 - (b) Side Yard: Ten feet (10').
 - (c) Rear Yard: Five feet (5'), except where abutting a residential zone the setback shall be not less than twenty five feet (25').

- (1) Rear yards may be used for parking when the yard is of adequate size and depth and the provisions of the parking Section, subsection 10-5-13(F)6, and the regulations for "Off-Street Parking and Loading" are met.
5. Maximum Building Coverage: Sixty percent (60%). (Ord. 1487, 14 Jan 1992)
6. Minimum Parcel Frontage: Sixty feet (60'). (Ord. 1627, 9 Sep 2008)
7. Off-Street Parking: Off-street parking requirements shall comply with Section 10-4-4 of the City Code.
8. Landscaping:
 - (a) All open areas, with the exception of vehicular accessways, parking areas and pedestrian walkways, shall be landscaped and irrigated. Such landscaping and irrigation shall be permanently maintained.
 - (b) A minimum of twenty four (24) square feet of planting area with a tree (minimum 15 gallon container size) shall be provided for every ten (10) open, single rows, or twenty (20) open, double rows, of parking stalls.
 - (c) Landscaping shall consist of combinations of trees, shrubs and ground covers, with careful consideration given to eventual size and spread, susceptibility to disease and pests, durability and adaptability to existing soil and climatic conditions. Fountains, ponds, sculptures, and decorative screen-type walls, as an integral part of the landscaping scheme, are permitted and encouraged.
 - (d) Trees shall be planted in the parkway area in front of the development and along the parkway area of corner lots in accordance with the specifications of approximately one tree (minimum 15 gallon container size) for each forty feet (40') of property abutting a City right of way.
 - (e) Existing trees, to the greatest extent possible, shall be protected and incorporated into any proposed development plan.
9. Refuse Storage:
 - (a) All materials, refuse and wastes from business-professional uses shall be stored outdoors only in closed containers, and outdoor facilities for refuse or waste disposal shall have a minimum dimension of five feet by seven feet (5' x 7') and shall be screened on all sides from public view by a minimum five and one-half foot (5 1/2') high decorative concrete, block or masonry wall, and the openings provided with a gate of durable wood or comparable material. Such area shall be so located as to be easily accessible for trash pickup. No materials, refuse or waste shall be deposited in such form or manner that they may be transferred off the property by natural causes or force.
 - (b) Driveways or designated parking areas may not be used for storage of vehicles and/or equipment.
10. Lighting: All lighting of the building, landscaping, parking area, or similar facilities shall be so hooded and directed as to reflect away from adjoining properties.

11. Mechanical Equipment: All ground mechanical equipment shall be completely screened and all roof top mechanical equipment shall be screened to be completely restricted from all view from ground level.
12. Signs: The provisions of Section 10-4-17 of this Title shall apply. (Ord. 1474, 8 Jan 1991)

10-5-14: **CBD, CENTRAL BUSINESS DISTRICT ZONE:**

(A) Purpose: This Zone is established in order to:

1. Provide for a broad range of pedestrian-oriented commercial, institutional and public uses.
2. Protect the downtown area from encroachment by unrelated and incompatible uses.
4. Differentiate the downtown area from all other land use designations because of its unique character. (Ord. 1487, 14 Jan 1992)

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

1. Business and professional offices.
2. Eating and drinking establishments.
3. Government facilities.
4. Hotels and motels.
5. Institutional uses.
6. One or more multi-family dwellings, residential service facilities and employee housing-small when above or below the ground floor. (Ord. 1667, 28 Oct 2014; Ord. 1666, 23 Sept 2014)
7. Reconstruction of single-family dwellings provided that the other regulations of this Title are met.
8. Retail sales. (Ord. 1487, 14 Jan 1992)
9. Antique stores, pawn shops and consignment stores. (Ordinance 1636, 27 Apr 2010)

(C) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-3 of this Title:

1. Bus or taxi station.
2. Formula Businesses.
3. Gasoline service stations.
4. Parking facilities and parking lots.
5. Places of entertainment.
6. Used merchandise stores. (Ordinance 1636, 27 Apr 2010)

7. Uses as stated in Section 10-3-4 of this Title. (Ord. 1597, 10 Feb 2004)
8. Single-room occupancy facilities when above or below the ground floor. (Ord. 1664, 23 Sept 2014)

(D) General Regulations:

1. Minimum Parcel Area: None.
2. Maximum Building Coverage: One hundred percent (100%).
3. Minimum Parcel Width: None. (Ord. 1474, 8 Jan 1991)
4. Minimum Yards: None. (A marquee, canopy, eaves, unenclosed and uncovered balcony and other similar projections, appendages or overhangs may be allowed to encroach beyond the front yard setback and into the public right of way upon the issuance of an encroachment permit by the Engineering Division and a building permit by the Building Division. Signs will be allowed to extend into the front yard setback and into the public right of way, and said signs shall conform with the provisions of Section 10-4-17 of this Title.) (Ord. 1585, 14 May 2002)
5. Maximum Building Height: Forty feet (40').
6. Minimum Parcel Frontage: None.
7. Maximum Floor Area Ratio: 3.0. (Ord. 1487, 14 Jan 1992)

10-5-15: **C, COMMERCIAL ZONE:**

(A) Purpose: This Zone is established in order to:

1. Provide the land necessary for retail sales and services, entertainment and other light commercial activities to serve the residents of the community.
2. Provide for the development of commercial facilities concentrated in well-planned areas properly located in relation to access, topography and residential areas.
3. Create conditions conducive to a convenient and desirable environment for customers and employees, and protect it from the encroachment of objectionable or dangerous uses and uses which could be located in areas less suited for light commercial activities. (Ord. 1474, 8 Jan 1991)

(B) Permitted Uses: The following uses and their accessory uses are permitted outright (Ord. 1654, 25 Jun 2013):

1. Club or association.
2. Domestic violence shelter.
3. Hospital, sanitarium, dispensary, clinic, mortuary.
4. Motel and hotel.
5. One- or multi-family dwellings, residential service facilities and employee housing-small, when above and/or below the ground floor. (Ord. 1667, 28 Oct 2014)
6. One sign not to exceed the allowable size established by Section 10-4-17 of this Title.

7. Place of worship and accessory social activities.
8. Professional or business office bank, studio, place of entertainment and new and used retail sales when fully enclosed in a building, eating or drinking establishments, retail service, exclusive of fast-food restaurants and automobile sales or service.
9. Public utility structure, Fire station.
10. Reverse vending machines.
11. School, park, playground, golf course cemetery. (Ord. 1598, 22 Jun 2004)
12. Used merchandise stores, pawn shops, consignment stores and antique stores. (Ord. 1636, 27 Apr 2010)

(C) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-3 of this Title:

1. Animal hospital and/or shelter. (Ord. 1474, 8 Jan 1991)
2. Arcade
3. Bus or taxi station.
4. Fast-food restaurant.
5. Gasoline service station, new and used automobile sales and service, bulk petroleum sale, underground storage, bulk storage, wholesale operations, and other light industrial activity.
6. Helicopter take-off and/or landing sites. No use permit is necessary for emergency landings or take-offs by any law enforcement agency, forest service, fire department, hospital or similar emergency service.
7. Parking facilities and parking lots.
8. Place of entertainment, new and used retail sales and retail service.
9. Small collection and large collection recycling facilities.
10. Uses permitted in Section 10-3-4 of this Title. (Ord. 1474, 8 Jan 1991)
11. Single-room occupancy facilities when above or below the ground floor. (Ord. 1664, 23 Sept 2014)

(D) General Regulations:

1. Minimum Parcel Area: Six thousand (6,000) square feet.
2. Maximum Building Coverage: Sixty percent (60%).
3. Minimum Parcel Width: Sixty feet (60').
4. Minimum Yards: Front, four feet (4'); sides and rear, five feet (5') or on the property line if fireproof wall without opening is provided. Exceptions: a marquee, canopy

eaves, unenclosed and uncovered balcony and other similar projections, appendages or overhangs may be allowed to encroach beyond the front yard setback and into the public right-of-way upon the issuance of an encroachment permit by the Engineering Division and a building permit by the Building Division. (Ord. 1474, 8 Jan 1991)

Signs will be allowed to extend into the front yard setback and into the public right of way, and said signs shall conform to the provisions of Section 10-4-17 of this Title. (Ord. 1585, 14 May 2002)

5. Maximum Building Height: Forty feet (40').
6. Minimum Parcel Frontage: Sixty feet (60'). (Ord. 1474, 8 Jan 1991)

10-5-16: **CC, CONVENIENCE COMMERCIAL ZONE:**

(A) Purpose: The purpose of this Zone is to:

1. Provide for small convenience-oriented commercial centers to satisfy limited shopping and service needs to the neighborhood in which it is located. The intent of this designation is to provide an expanded version of what has been historically known as the corner store. It is intended that this classification will not be introduced into already developed neighborhoods, but will be limited to newly developing neighborhoods around the perimeter of the City and its periphery. As these new neighborhoods develop, they will be farther from the center of the City, and thus it is deemed desirable to include well-defined and designed convenience commercial centers in such areas. Architecturally, development in this designation must be compatible with the neighborhood in which it is located, and be carefully regulated as to landscaping, signage, glare, noise, parking and hours of operation.
2. Create conditions conducive to a convenient and desirable environment for customers and employees.
3. Differentiate convenience commercial uses from those of the downtown business district, highway commercial areas, and other light commercial areas.
4. Create conditions to promote pedestrian, bicycle, and handicap usage.

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

1. Markets (excluding gasoline sales), delicatessens (either take-out or sit-down), dry cleaners, laundries, and barber and beauty shops.
2. Reconstruction of single-family dwellings provided that the other regulations of this Title are met.
3. Residential uses, residential service facilities and employee housing-small when above or below the ground floor. (Ord. 1667, 28 Oct 2014; Ord. 1666, 23 Sept 2014)

(C) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-3 of this Title:

1. The uses stated in Section 10-3-4 of this Title.

(D) General Regulations:

1. Minimum Parcel Area: Ten thousand (10,000) square feet.

2. Maximum Building Coverage: Twenty five percent (25%).
3. Minimum Parcel Width: One hundred feet (100').
4. Minimum Yards:
 - (a) Along an arterial street: twenty five feet (25').
 - (b) Along a collector street: twenty feet (20').
 - (c) Along a sub-collector street: fifteen feet (15').
 - (d) Between parcels in a CC Zone: no setback.
 - (e) Adjacent to another zone: same setback as required along the property line of the adjacent zone.
 - (f) No parking will be allowed within setback areas and all setback areas will be landscaped. Landscaping plans shall be reviewed and approved by the Planning Commission.
5. Maximum Building Height: Thirty feet (30').
6. Minimum Parcel Frontage: One hundred feet (100').
7. Floor Area Ratio: 0.25.
8. Maximum Floor Area Per Center: Five thousand (5,000) square feet.
9. Maximum Floor Area Per Occupancy: Three thousand (3,000) square feet.
10. Minimum Landscape Requirement: Twenty five percent (25%). (Public right-of-way area adjoining the use shall be landscaped and shall not count toward 25% landscape requirement.)
11. Hours Of Operation: The hours of operation shall be limited from six o'clock (6:00) A.M. to eight o'clock (8:00) P.M. However, a Conditional Use Permit can be granted which would allow operation to ten o'clock (10:00) P.M. In no case shall any business operate between ten o'clock (10:00) P.M. and six o'clock (6:00) A.M. (Ord. 1487, 14 Jan 1992)

10-5-17: **HWC, HIGHWAY COMMERCIAL ZONE:**

- (A) Purpose: The purpose of this Zone is to:
1. Provide for freeway-oriented uses, such as fast-food restaurants, gas stations and other uses which are necessary and convenient to the traveling public.
 2. Provide for the development of highway commercial facilities concentrated in well defined and designed areas.
 3. Create conditions conducive to a convenient and desirable environment for customers and employees.
 4. Protect areas in this designation from encroachment by unrelated and incompatible uses.

5. Differentiate freeway and travel-oriented uses from those of the downtown business district and other light commercial areas. (Ord. 1487, 14 Jan 1992)
- (B) Permitted Uses: The following uses and their accessory uses are permitted outright:
1. Business professional and office uses. (Ord. 1506, 23 Nov 1993)
 2. One emergency shelter. (Ord. 1650, 10 Jul 2012)
 3. Hotels and motels, retail sales and services, eating and drinking and entertainment establishments, financial institutions, one- or multi-family dwellings, residential service facilities and employee housing-small, when above or below the ground floor. (Ord. 1667, 28 Oct 2014; Ord. 1666, 23 Sept 2014)
 4. Reconstruction of single-family dwellings provided that the other regulations of this Title are met. (Ord. 1506, 23 Nov 1993)
- (C) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-3 of this Title.
1. Auto sales and services.
 2. Fast-food restaurants.
 3. Gasoline service stations.
 4. Reverse vending machines. (Ord. 1487, 14 Jan 1992)
 5. Used merchandise stores, pawn shops, consignment stores, and antique stores. (Ord. 1636, 27 Apr 2010)
 6. The uses stated in Section 10-3-3 of this Title. (Ord. 1649, 10 Jul 2012; Ord. 1538, 11 Feb 1997; Ord. 1487, 14 Jan 1992)
- (D) General Regulations:
1. Minimum Parcel Area: Six thousand (6,000) square feet.
 2. Maximum Building Coverage: Sixty percent (60%).
 3. Minimum Parcel Width: Sixty feet (60').
 4. Minimum Yards: None.
 5. Maximum Building Height: Forty feet (40').
 6. Minimum Parcel Frontage: Sixty feet (60').
 7. Floor Area Ratio: .6. (Ord. 1487, 14 Jan 1992)

10-5-18: **HC, HEAVY COMMERCIAL ZONE:**

- (A) Purpose: The purpose of this Zone is to:
1. Provide the land necessary for wholesale, bulk storage, industrial services, manufacturing, processing, packing and other heavy commercial activities to serve the community, and provide employment and income for its residents.

2. Provide for the development of heavy commercial, industrial and service facilities, concentrated in well planned areas properly located in relation to utilities, access, topography and residential uses.
3. Create conditions conducive to a convenient and desirable working environment, control the objectionable or dangerous effects of certain uses necessary in the community but detrimental to other areas, and protect the areas designated under this Zone against the encroachment of uses which could be better located in areas less suited for heavy commercial activities. (Ord. 1487, 14 Jan 1992)

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

1. Animal clinic or shelter.
2. Bulk storage, wholesale, packing, truck, bus, taxi or rail terminal.
3. Gas station, new and used automobile sales and services.
4. Manufacturing, processing, services or research, provided that no odor, gas, fumes, dust, smoke, noise, vibrations, glare, heat, electrical interference, radioactive or waste material is produced or emitted beyond the confines of the property onto contiguous properties or into the air or watercourses, to an extent constituting a nuisance, and provided it does not constitute a physical hazard to persons or properties beyond the confines of the property by reason of fire, explosion or similar cause.
5. Office or retail sale.
6. One dwelling or one mobile home for caretaker, watchman or person primarily employed on the property and his/her immediate family.
7. One sign not to exceed the allowable size established by Section 10-4-17 of this Title.
8. Public utility structure, fire station.
9. Reconstruction of single-family dwellings provided that the other regulations of this Title are met.
10. Trade school. (Ord. 1654, 25 Jun 2013; Ord. 1598, 22 Jun 2004; Ord. 1585, 14 May 2002 amd.; Ord. 1487, 14 Jan 1992)

(C) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-3 of this Title:

1. A processing facility for recyclable materials.
2. Excavation of earth or building materials, mining or drilling for minerals and petroleum, garbage and rubbish fill and disposal, junk and wrecking yards.
3. Parking facilities and parking lots.
4. Small collection and large collection recycling facilities.
5. Used merchandise stores, pawn shops, consignment stores and antique stores. (Ord. 1636, 27 Apr 2010)

6. The uses as stated in Section 10-3-4 of this Title.

(D) General Regulations:

1. Minimum Parcel Area: Six thousand (6,000) square feet.
2. Maximum Building Coverage: Sixty percent (60%).
3. Minimum Parcel Width: Sixty feet (60').
4. Minimum Yards: Front, ten feet (10'); sides and rear, five feet (5') or on the property line if there is a fireproof wall without opening.
5. Maximum Building Height: Fifty feet (50').
6. Minimum Parcel Frontage: Sixty feet (60'). (Ord. 1487, 14 January 1992)

10-5-19: **I, INDUSTRIAL ZONE:**

(A) Purpose: The purpose of this Zone is to:

1. Provide for manufacturing uses, including assembly operations and industrial services, to serve the community, and provide employment and income to its residents.
2. Provide for the development of industrial facilities concentrated in well-defined and planned areas, properly located in relation to utilities, access, topography and residential uses.
3. Create conditions conducive to a convenient and desirable working environment.
4. Control the objectionable effects of certain uses necessary in the community but detrimental to other areas.
5. Protect areas in this designation from encroachment of uses which could be better located in areas less suited for industrial activities.

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

1. Manufacturing, processing, assembly, outdoor storage, wholesale and retail sales, parking facilities.
2. Reconstruction of single-family dwellings provided that the other regulations of this Title are met.

(C) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section of this Title

1. A processing facility for recyclable materials.
2. Excavation of earth or building materials, mining or drilling for minerals and petroleum, garbage and rubbish fill and disposal, junk and wrecking yards.
3. Small collection and large collection recycling facilities.
4. Uses permitted in Section 10-3-4 of this Title.

(D) General Regulations:

1. Minimum Parcel Area: Six thousand (6,000) square feet.
2. Maximum Building Coverage: Sixty percent (60%).
3. Minimum Parcel Width: Sixty feet (60').
4. Minimum Yards: Front, ten feet (10'); sides and rear, five feet (5') or on the property line if there is a fireproof wall without opening.
5. Maximum Building Height: Fifty feet (50').
6. Minimum Parcel Frontage: Sixty feet (60'). (Ord. 1487, 14 Jan 1992)

10-5-20: **PF, PUBLIC FACILITIES ZONE:**

(A) Purpose: This Zone is intended to provide for those uses and activities customarily conducted by government agencies and philanthropic nonprofit organizations.

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

1. Charitable and philanthropic institutions.
2. Governmental buildings and facilities designed for public use and accommodation.
3. Public libraries, museums and schools.
4. Reconstruction of single-family dwellings provided that the other regulations of this Title are met.
5. Uses, buildings and structures incidental, accessory and subordinate to permitted uses.
6. Water and wastewater treatment plants, substations and other public service facilities of a similar nature.
7. Any other use deemed by the Planning Commission to be compatible with the intent of the PF Zone and surrounding uses.

(C) General Regulations:

1. Minimum Lot Area: Six thousand (6,000) square feet.
2. Minimum Lot Width: Sixty feet (60').
3. Maximum Building Height: Forty five feet (45').
4. Yards and Building Setbacks:
 - (a) Front Yards: Ten feet (10'), except when abutting a residential zone the setback shall be twenty feet (20').
 - (b) Side Yard: Ten feet (10').
 - (c) Rear Yard: Five feet (5'), except where abutting a residential zone rear yard shall be required except as provided in subsections (C)1 and (C)2 of this Section. The setback shall be not less than twenty five feet (25').

- (d) Encroachments into required yards shall comply with subsection 10-4-3 (B) of the City Code.

5. Maximum Building Coverage: Sixty percent (60%). (Ord. 1487, 14 Jan 1992)

10-5-21: **PD, PLANNED DEVELOPMENT OVERLAY:**

- (A) Purpose: The purpose and intent of this Section is to allow an option for more flexible design than is permissible under the conventional zoning codes. The design should stress energy efficiency, architectural creativity and innovation, use the natural features of the landscape to their greatest advantage, provide a quality of life equal to or greater than that provided in developments built under the standard zoning codes, be aesthetically pleasing, provide for more efficient land use, and reduce the impact of development on the natural environment and neighborhood. This Section may be used in any zone. The intent of this overlay is to maintain the density of the zone.
- (B) Permitted Uses: The uses permitted in the zone used in conjunction with this Section.
- (C) Procedure:
 - 1. Preliminary Development Plan:
 - (a) A preliminary development plan shall be submitted to the Development Services Department. The preliminary development plan shall include maps or drawings in schematic form and shall include the surrounding areas to show the relationship of the PD to existing adjoining uses. The preliminary development plan shall include the following:
 - (1) Proposed land uses; the number of dwelling units; acres and population density for all residential areas.
 - (2) Proposed circulation system, indicating both public and private streets and off-street parking.
 - (3) Public uses, if any, including schools, parks, recreation areas and other open spaces.
 - (4) The use and description of each different type of structure.
 - (5) An indication of any proposed modification in the regulations applicable to the subject property.
 - (6) The expected schedule and sequence of development.
 - (b) Action by the Development Services Department: The Development Services Department shall review said development plan and schedule a public hearing before the Planning Commission within thirty (30) days after submission. If the Development Services Department feels that revisions should be made before presentation to the Planning Commission, a representative of the Development Services Department shall meet with the applicant to review the proposed changes.
 - (c) Public Hearing Before Planning Commission: At the time and place for public hearing, the Planning Commission shall review the preliminary development plan considering the Development Services Department's report thereon, following which the Commission shall either:

- (1) Disapprove the application and abandon proceedings, or
- (2) Instruct the applicant to prepare a proposed development plan for the Planning Commission's consideration and further action. The applicant shall submit the proposed development plan within six (6) months of this action. If no proposed development plan is submitted in the above said time, the application shall automatically be terminated, or
- (3) Continue the public hearing to a date certain and refer the petition and preliminary development plan back to the petitioner with recommendations as to amending the petition and preliminary development plan to be consistent with the requirements and intent of this Section.

2. Proposed Development Plan:

(a) The Development Services Department shall review the proposed development plan which consists of the following listed details and formulate a recommendation thereon to the Planning Commission:

(1) Identification and Description:

- A. Proposed name.
- B. Location by legal description.
- C. Names and addresses of applicant and designer who made the plan.
- D. Scale of plan, preferably one inch to twenty feet (1" to 20').
- E. Date.
- F. North point.

(2) Existing Conditions:

- A. Contours at an interval to be specified by the Development Services Department.
- B. Boundary lines of proposed planned development indicated by a solid line, and the total acreage therein.
- C. Location, widths and names of all existing or prior plotted streets or other public ways, railroad and utility rights of way, parks and other public open spaces, permanent buildings and structures and their use, permanent easements and City boundaries within three hundred feet (300') of the proposed development.
- D. Existing sewers, water mains, culverts and other underground facilities within the development, indicating pipe sizes, grades, manholes and their general locations.
- E. The land ownership.
- F. Location, type and size of trees.

- (3) Proposed Conditions:
- A. Land Use:
 - 1. A land use plan indicating all proposed uses.
 - 2. Any areas proposed for interior circulation. If the developer proposes that any of these be public spaces, he/she shall indicate them.
 - 3. Open space that is to be maintained and controlled by the owners of the property, and their successors in interest, for this planned development.
 - B. Contours and Drainage:
 - 1. Contours as they will be after development.
 - 2. Drainage system and sanitary sewers.
 - 3. Preliminary grading and erosion control plans.
 - 4. Soils report.
 - C. Circulation:
 - 1. A street system and lot design with appropriate dimensions.
 - 2. A traffic flow map showing circulation pattern within and adjacent to proposed development. Any special engineering features and traffic regulation devices needed to facilitate or insure the safety of the circulation pattern shall be shown.
 - 3. Location and dimensions of pedestrian walkways and malls.
 - D. Parking and Loading:
 - 1. Location, arrangement, number and dimension of automobile garages and parking spaces, width of aisles, width of bays and angles of parking.
 - 2. Location, arrangement and dimensions of loading spaces and docks.
 - E. Plans:
 - 1. Types of buildings and their site locations.
 - 2. General description of units and any available plans or elevations which would be helpful to the Planning Commission.
 - 3. The approximate location, height and materials of all walls,

fences and screen planting.

4. Location, size and tree species to be removed.
5. A tree preservation plan for pre and post construction periods prepared by a tree professional.
6. A landscaping plan.

F. Miscellaneous:

1. Tables showing the total number of square feet and their distribution use, including off-street parking, streets, parks and open spaces as shown on the proposed development plan.
2. Drafts of covenants, conditions and restrictions (CC&Rs), providing for the maintenance of any common open space, drafts of required dedications of development rights.
3. For purposes of information, a time schedule indicating when construction is to begin, the anticipated rate of development and the approximate completion date.
4. For purposes of information, the stages, if any, to be constructed in the development of the planned development. Such stages shall be clearly indicated on the proposed development plan.
5. Such other information as the Commission shall require.

3. Continued Public Hearing Before the Planning Commission:

(a) At the time and place set for the continued public hearing before the Planning Commission, the Commission shall consider the proposed development plan, recommendations of the Development Services Department, the appropriate environmental documentation, and any other information available, and shall take one of the following actions:

- (1) The Planning Commission may recommend approval to the City Council, refer the proposed development plan back to the developer with recommendations as to amending, or may deny the request, or
- (2) The Planning Commission shall not recommend approval of the application and recommend the establishment of a PD Overlay unless it makes the following findings:
 - A. That the proposed development is so designed to provide a desirable environment within its own boundaries.
 - B. That any exceptions to the standard requirements of the zone regulations are justified by the design and topography of the development.

4. Action by the City Council:

(a) At the time and place set for public hearing on the PD Overlay the City Council shall consider the recommendation of the Planning Commission,

appropriate environmental documentation, together with any comments and testimony thereon; and take one of the following actions:

- (1) Approve the PD Overlay and adopt the proposed development plan with any conditions placed thereon, or
- (2) Continue the public hearing to a date certain and refer the application and proposed development plan to the Commission with recommendations to amending said application and proposed development plan, or
- (3) Disapprove the application and proposed development plan and abandon proceedings thereon.

5. Filing of Official Development Plan:

- (a) Certified copies of the official development plan shall be on file in the Development Services Department.

6. Relationship of PD Procedures to Other City Regulations:

- (a) Compliance with the provisions of this Section does not relieve the applicant from compliance with any other applicable ordinance or resolution of the City, if no waiver has been granted by the City from compliance with any other ordinance or resolution.

- (1) Subdivision maps, Site Plan Review or Conditional Use Permits shall be processed concurrently with the proposed development plan required under this Chapter.

- (2) Environmental impact reports or negative declarations of environmental impact shall be prepared in draft form and presented to the Development Services Department. This will normally be prepared after the public hearing by the Planning Commission on the preliminary development plan. The final document shall be considered by the City Council concurrently with the proposed development plan.

7. Procedure Prior to Issuance of Building Permit: No building permit shall be issued for any building, structure or use which does not conform to the official development plan.

8. Dedication Prior to Issuance of First Building Permit: To assure that open space shall be available for the proposed development, public sites and development rights to required open spaces shall be dedicated or conveyed in advance of development. In any event, whether a subdivision map is required or not, dedication or conveyance of public sites and development rights to required open spaces for the entire PD Overlay or any portion thereof shall be made before the first building permit is issued. Other dedications or conveyances may be required before the issuance of the first building permit.

9. Procedure After Adoption of the Official Development Plan:

- (a) Minor changes in the adopted official development plan may be approved by the Development Services Department provided that such changes:

- (1) Do not change the boundaries of the subject property.

(2) Do not change any use as shown on the official development plan.

(3) Do not change the intent of the official development plan.

(b) Major changes in the official development plan after it has been adopted by the Council shall be considered the same as if a new application were filed and shall be made in accordance with the requirements of this Section.

10. Post Approval Review: If, after eighteen (18) months from final action approving the development plan, the land has not been developed as approved, the Commission may hold a public hearing to consider a recommendation to the City Council for the revocation of the approved development plan. (Ord. 1474, 8 Jan 1991)

(D) Planned Development Overlays: Planned Development Overlays (PDO) shall not be exempt from the provisions of subsection 10-4-2(D)4 of this Code. However it is recognized that in order to conform with subsection 10-4-2(D)4, PDO's have to be calculated differently in order to determine the relationship between the slope of the property and the density allowed. PDO shall not have a density greater than a subdivision designed to the provisions of Title 10 (Zoning Ordinance) of the City Code. Therefore an application for a PDO shall include a subdivision map which conforms to all provisions of Title 10 (Zoning Ordinance) of the City Code except for Section 10-5-21 (Planned Development Overlay). This map will be used to:

1. Determine the density to which the PDO project will be limited; and
2. Will be compared to the PDO project to determine if the PDO accomplishes the purpose as described in subsection 10-5-21 (A) of this Code.

Once the density for the project has been established using the map described above, the applicant shall redesign the subdivision using the more flexible provisions of Section 10-5-21 (Planned Development Overlay) to produce a final design. (Ord. 1502, 14 Sep 1993)

10-5-22: **PDI, PLANNED DEVELOPMENT INDUSTRIAL:**

(A) Purpose: The purpose of this Zone is to:

1. Provide for manufacturing uses including assembly operations and industrial services to serve the community and provide employment and income to its residents.
2. Provide for the development of industrial facilities concentrated in well defined and well planned areas properly located in relation to utilities, access topography, and residential uses.
3. Create conditions conducive to a convenient and desirable working environment.
4. Provide an area for incubator industries or cottage industries to flourish and grow within an historic setting.
5. To provide an area that encourages tourist oriented uses such as campgrounds, recreational vehicle parks and conference facilities, stores, restaurants and other recreational uses and to insure that such uses are constructed in such a way as to be compatible with adjoining planned industrial uses.
6. To provide for uses and areas that will encourage economic growth and encourage tourism both locally and regionally.

(B) Permitted Uses: The following uses and their accessory uses are permitted outright:

1. Assembly.

2. Incidental wholesale and retail sales.
3. Manufacturing.
4. Outdoor storage.
5. Processing.
6. Public and quasi-public facilities and uses.

(C) Conditional Uses: The following uses and their accessory uses are permitted when authorized in accordance with the provisions of Section 10-3-3 of this Title.

1. A processing facility for recyclable materials.
2. Amphitheaters.
3. Campgrounds and recreational vehicle parks.
4. Conference facilities.
5. Equestrian centers.
6. Restaurants.
7. Small and large collection recycling facilities.
8. Stores.
9. The uses as stated in Section 10-3-4 of this Title.

(D) General Regulations:

1. Minimum Parcel Area: Six thousand (6,000) square feet.
2. Maximum Building Coverage: Sixty percent (60%).
3. Minimum Parcel Width: Sixty feet (60').
4. Maximum Building Height: Forty feet (40').
5. Minimum Parcel Frontage: Sixty feet (60').
6. Minimum Yards: Front, twenty feet (20'); sides, twenty feet (20'); rear, twenty feet (20').
7. Maximum Floor Area Ratio: 0.40.

(E) Definitions:

CAMPGROUND: A plot of ground upon which two (2) or more campsites are located, established or maintained for occupancy by camping units of the general public as temporary living quarters for recreation, education or vacation purposes.

EQUESTRIAN CENTER: A facility for horseback riding, staging, showing, keeping, training and accessory uses for horses. (Ord. 1510, 23 Aug

10-5-23: **AO, AIRPORT OVERLAY ZONE**

(A) Purpose: The purpose of this Zone is to:

1. Implement the Placerville Airport Land Use Compatibility Plan (ALUCP) in accordance with state law, adopted by the El Dorado County Airport Land Use Commission (ALUC) and incorporated into the General Plan Land Use Element by City Council Resolution 8105;
2. Implement the City's General Plan policy to provide for land uses surrounding the Placerville Airport that is consistent with the Placerville ALUCP;
3. Protect land uses around the airport from potential hazards of airport operations;
4. Identify a range of uses compatible with airport accident hazard and airport noise exposure;
5. Prohibit the development of incompatible uses that are detrimental to the general health, safety and welfare and to existing and future airport operations;
6. Require noise attenuated construction within the airport environs; and
7. Comply with federal aviation administration (FAA) regulations.

(B) Applicability: The standards and regulations of this Section apply to all lands within the AO overlay zone mapped on the official zoning map. The AO overlay zone is conterminous with the Placerville Airport Influence Area as identified in the adopted ALUCP Influence Area Map in Chapter 4 and defined under Section 2.7 of Chapter 2 of the ALUCP.

Regulations in the AO overlay zone modify and supplement the underlying zoning designation regulations. Within the AO overlay zone district, the Noise Impact Zones, Airport Safety Zones, Airspace Protection and Aircraft Overflight Zone policies of the ALUCP apply.

(C) Permitted Uses: All of the uses permitted in the underlying zone, provided the use is consistent with the land use compatibility policies and criteria with respect to airport-related noise, public safety, airspace protection, and aircraft overflight areas established in the ALUCP.

(D) Development Review Procedures: The Placerville ALUCP in effect at the time an application was deemed complete shall be the basis for compatibility review.

1. Development Services Department Review:

- (a) New development or expansion of existing development within this overlay zone shall be subject to review by the Development Services Director, or designee for ALUCP consistency. Depending on the type of land use development, a consistency review could also involve action by the Planning Commission and possibly City Council as part of other land use requests authorized within this Title. Examples of other land use requests include but are not limited to Site Plan Reviews, tentative subdivision maps, general plan amendments, zone changes, variances, Conditional Use Permits, etc.

Proposed land uses within the Zone shall be consistent with the following compatibility policies and maps in Chapter 4 and 6 of the Placerville ALUCP:

- (1) Noise Compatibility Policies: Subsection 4.2.1 through 4.2.4 of Section 4.2, the Noise Compatibility Criteria in Table 1 of Chapter 4, and the Noise Zones Policy Map of Chapter 6;
 - (2) Safety Compatibility Policies: Subsection 4.3.1 through 4.3.8 of Section 4.3, the Safety Compatibility Criteria in Table 2 of Chapter 4, and the Safety Zones Policy Map of Chapter 6;
 - (3) Airspace Protection Policies: Subsection 4.4.1 through 4.4.5 of Section 4.4 of Chapter 4 and the Airspace Protection Zones Policy Map of Chapter 6;
 - (4) Overflight Policies: Subsection 4.5.1 through 4.5.3 of Section 4.5 of Chapter 4 and the Overflight Zones Policy Map of Chapter 6;
 - (5) Special Circumstances Policies: Section 4.6 of Chapter 4;
 - (6) Additional Compatibility Policies: PLA.1 of Chapter 6.
- (b) Minimum Submittal Requirements for Development Review:
- (1) Property location data (assessor's parcel number, street address, subdivision name, lot number).
 - (2) An accurately scaled map depicting the project site location in relationship to the airport boundary and runways.
 - (3) A description of the proposed use(s), current general plan and zoning designations, and the type of land use action being sought from the City (e.g., zoning variance, Conditional Use Permit, Site Plan Review, building permit).
 - (4) When determined by the Development Services Director or designee: a detailed site plan and supporting data showing: site boundaries and size; existing uses that will remain; location of existing and proposed structures, open spaces, and water bodies; ground elevations (above mean sea level) and elevations of tops of structures and trees. Additionally:
 - A. For residential uses, an indication of the potential or proposed number of dwelling units per acre (excluding any secondary units).
 - B. For nonresidential uses, the total floor area for each type of proposed use, the number of auto parking spaces, and, if known, the number of people expected to occupy the total site or portions thereof at any one time during busiest periods.
 - (5) Identification of features, during or following construction, that would increase the attraction of birds or cause other wildlife hazards to aircraft operations on the airport or in its environs (see Policy 4.4.3(a)(6)). Such features include, but are not limited to the following:
 - A. Open water areas.
 - B. Sediment ponds, retention basins.

- C. Detention basins that hold water for more than 48 hours.
 - D. Artificial wetlands.
 - E. Conservation areas.
- (6) Identification of characteristics that could create electrical interference, confusing or bright lights, glare, smoke, or other electrical or visual hazards to aircraft flight.
 - (7) Submittal requirements as part of other land use requests authorized within this Title.
 - (8) Other relevant information that the ALUC or ALUC Executive Director, in consultation with the City Development Services Director, determine to be necessary to enable a comprehensive review of the proposed action.

2. Airport Land Use Commission Review:

- (a) Prior to the City approving any of the following land use actions located within Placerville Airport Influence Area as shown on the ALUCP Influence Area Policy Map (PLA-1) in Chapter 6 of the ALUCP, the Development Services Department shall refer the proposed action to the ALUC for a formal determination of consistency with the policies of the ALUCP:
 - (1) The adoption or approval of any new general or specific plan or any element thereto.
 - (2) The adoption or approval of a zoning ordinance, including any proposed change or variance to any such ordinance, general regulation or development standard.

The land use action project applicant shall submit to the ALUC the applicable ALUC review fee set by the ALUC. Per Public Utilities Code Section 21676(d), the ALUC has 60-days to make a determination. Failure by the ALUC to make a determination within the 60-day period, the action will be deemed consistent with the ALUCP.

- (b) The Development Service Department shall refer to the ALUC for informal review and comment prior to the City approving any of the following land use actions located within the Placerville Airport Influence Area as shown on the ALUCP Influence Area Policy Map (PLA-1) in Chapter 6 of the ALUCP:
 - (1) Any proposed expansion of the City's sphere of influence, pre-zoning associated with future annexation of land to the City, development agreements or amendments to such agreements.
 - (2) Any subdivision of land for residential purposes, including parcel divisions consisting of five (5) or more parcels or dwelling units, or the construction of residential units other than on a designated single-family residential parcel.
 - (3) All discretionary development proposals having a building floor area of twenty thousand (20,000) square feet or greater unless only ministerial approval is required.
 - (4) Any discretionary development proposal for projects attracting more than 100 people to outdoor activities on the project site.

- (5) Major infrastructure or other capital improvements which would promote urban uses in undeveloped areas, and proposed land acquisitions by the City for any facility accommodating a congregation of people.
 - (6) Any project involving a building, antenna or other built structure having a height that requires review by the Federal Aviation Administration (FAA) in accordance with Part 77 of the Federal Aviation Regulations.
 - (7) Any project that may cause electrical (interference with radio communications or navigational signals) or visual hazards to aircraft in flight (lighting which could be mistaken for airport lighting, or glare in the eyes of pilots using the airport).
 - (8) Any project (e.g. water treatment facilities, waste transfer or disposal facilities, parks with open water areas) or plan (e.g. Habitat Conservation Plan) having the potential to cause an increase in the attraction of birds or other wildlife that can be hazardous to aircraft operations in the airport vicinity.
 - (9) Any replacement or expansion of existing structures or uses on a site with new or additional structures or uses to replace an existing use at a density or intensity that may vary from the existing use.
3. Amendment Request to an Approved Development Permit: A request to amend an approved development permit (e.g. Site Plan Review, Conditional Use Permit, variance, subdivision map) that is not in substantial conformance with the previously approved permit shall be made compatible with the Airport Land Use Compatibility Plan in effect at the time the application for a development permit amendment is deemed complete.
 4. Development Review Exemptions: The following shall be exempt from the requirements of this Division:
 - (a) Development that is limited to interior modifications or repairs, or any exterior repairs or maintenance, that does not increase the density, floor area ratio or height of an existing structure;
 - (b) Special Temporary Uses approved in accordance with Section 10-4-7 of the Zoning Ordinance. (Ord. 1655, 9 Jul 2013)

10-5-24: HOUSING OPPORTUNITY OVERLAY ZONE (HO) (Ord No. 1680)

- (A) Purpose. The Housing Opportunity Overlay Zone is intended to:
1. Provide an overlay zoning district to be applied to sites that may include, but are not limited to, the potential sites identified as inventoried in the Housing Element of the General Plan as potential sites for housing, as a part of the implementation of the Housing Element goals, policies and programs, or where it can be reasonably demonstrated that the rezoning of the site is necessary to meet the goals of the Regional Housing Need Allocation (RHNA).
 2. Provide for the continuation of the ability to develop land uses permitted by the existing base (underlying) zoning of a property unless the property is developed for residential uses in accordance with the HO Overlay Zone.

3. Provide a means of achieving the residential housing objectives of the Housing Element of the General Plan, particularly by encouraging new multi-family residential development that includes affordable housing, housing for persons with disabilities, housing for persons with developmental disabilities, and housing that supports aging in place.
- (B) Applicability: A parcel that has the HO Overlay Zone may be developed either in the manner provided under this section or the manner provided in the base (underlying) zone, but not both. Once the parcel has developed in the manner provided in the base zone, the property owner shall relinquish the right to redevelop the land using the HO Overlay Zone.
- (C) Permitted Uses: The following uses and their accessory uses are permitted outright:
1. Home occupations.
 2. Multi-family housing units.
 3. Single-family dwellings, attached.
 4. Medium family day care home.
- (D) General Regulations. The HO Overlay Zone allows for the following:
1. Density: The density for the development of affordable multi-family housing and various forms of affordable attached single-family residential housing shall be based on State housing law of twenty (20) dwelling units minimum per acre but will allow for a maximum of twenty-four (24) dwelling units per acre. The minimum required density may be determined by allocating the density to the total acreage of the site (gross) or by aggregating the developable area of a site to remove areas considered to be environmentally sensitive, and all areas for driveways and roadways from the developable area, whichever is more suitable for the site (net). The minimum number of potential units will be determined by multiplying the developable acreage by twenty (20). Where such calculation results in a fractional number, the number of units shall be determined by rounding down to the nearest whole number.
 2. Minimum Parcel Area: Six thousand (6,000) square feet or minimum lot area shall be two thousand (2,000) square feet when proposed with various forms of attached single-family dwellings.
 3. Minimum Parcel Area Per Dwelling Unit: Two thousand (2,000) square feet.
 4. Maximum Parcel Coverage: No more than sixty percent (60%) of the total lot shall be devoted to main and accessory building area, parking area, driveway and covered patio area.
 5. Minimum Parcel Width: Sixty feet (60') or twenty feet (20') when proposed with attached single-family dwellings.
 6. Minimum Yards: Front, twenty feet (20'); sides, ten percent (10%) of the parcel or ten feet (10') whichever is less; rear, fifteen feet (15'); or zero feet (0') setback for all yards where common wall or party wall exist with attached single-family dwellings.
 7. Maximum Building Height: Forty feet (40').
 8. Minimum room areas as defined in the California Residential Code.
 9. Minimum Parcel Frontage: Sixty feet (60').

(E) Specific Regulations:

1. Environmental Review: The California Environmental Quality Act (CEQA) environmental review will be completed for sites designed under the HO Overlay Zone at the time the sites are rezoned. All identified site specific development standards and CEQA mitigation measures during the rezone process shall be applicable to the development of residential housing for the site. Subsequent environmental review may be required if, and to the extent necessary, to comply with CEQA.
2. Affordability Provisions: A minimum of fifty percent (50%) of all housing must be affordable to very low and low-income households, subject to the minimum mix of affordable dwelling units:
 - (a) Very low-income households: thirty percent (30%) of the total units in the development;
 - (b) Low-income households: twenty percent (20%) of the total units in the development.Housing development must include binding commitments to the City to ensure the continued availability of the affordable housing for a minimum period of thirty (30) years at the low and very-low income household level.
3. Density Bonus: The HO Overlay Zone provisions under this Section shall not apply if a housing development applicant requests a density bonus under the City's Density Bonus provisions set forth in Section 10-12-1 to 10-12-14.
4. Energy and Environmental Efficiency: Multi-family and attached single-family residential housing developed within the HO Overlay Zone is encouraged to utilize energy efficient design techniques and environmentally sensitive design and building materials.
5. Accessibility: Multi-family and attached single-family residential housing developed within the HO Overlay Zone is encouraged to include units accessible for persons with physical disabilities, persons with developmental disabilities, and that support aging in place.
6. Housing Opportunity Overlay Zone Development Incentives:
 - (a) Incentives: Applications meeting the Purpose and Applicability (Section 10-5-24 (A) and (B)) of the HO Overlay Zone will qualify for one of several incentive options for the creation of affordable housing. The following development incentives are available to qualifying residential developments:
 - (1) Deferment of City generated construction and impact fees until project completion or occupancy.
 - (2) Payment of construction and impact fee over a twelve (12) month or longer period after project completion.
 - (3) Reduction of City generated fees for specific facilities or services for which the applicant can show a connection between the lower fee and lower facility/service demand from project residents.

(F) By-Right Development: When required by State law, housing development that is affordable to low-income and very low-income households for sites within a HO Overlay Zone shall be developed by-right in that the use and density shall not require a Use Permit, Planned Unit Development Plan or other discretionary action for the use or density of that site. For these sites, the following standards and alternative process shall apply:

1. The developable acreage of the site and the required number of units will be determined as described in Section 10-5-24 (D) 1.

2. Environmental review, as required by the California Environmental Quality Act, will be completed as part of the process for the rezoning of such sites into the HO Overlay zone to address the uses and minimum densities allowed by the HO Overlay Zone. Subsequent environmental review may be required if, and to the extent, necessary to comply with CEQA.
3. In addition to assigning density, the HO Overlay Zone shall outline site specific development standards and any CEQA mitigation measures adopted for each site at the time the site is rezoned. All identified site specific development standards and CEQA mitigation measures shall be included within all development of multi-family housing on an HO site shall be done in compliance with the rezone.
4. All development proposals within the HO Overlay Zone, which meet the by-right provision, are subject to zoning compliance and Building Permit issuance and the payment of all applicable building permit and mitigation fees, which are otherwise applicable to the development proposal.
5. Development proposals shall be subject to an administrative design review process at the staff level. An application for design review shall be filed with the Development Services Department on a form furnished by the Department and a fee set by the City.

The Development Services Department shall use all established and adopted City guidelines, development and construction standards, general regulations including but not limited to grading, water quality, aesthetics, landscaping, lighting, and air quality when evaluating a development proposal under design review.

6. Prior to Building Permit Issuance, it shall be the responsibility of the land owner or developer to provide written documentation from the applicable public utility, water and sewer service provider demonstrating that adequate public utilities, water and sewage disposal is available to accommodate the use and minimum densities required for a site. If the property does not have direct access to adequate public utilities to serve the anticipated development of the site, it shall be the responsibility of the property owner or developer to provide adequate infrastructure to serve the site consistent with the rules, regulations and standards of the applicable utility provider.
7. Prior to Building Permit Issuance, it shall be the responsibility of the land owner or developer to provide written documentation from the fire protection district demonstrating that the site has adequate fire flow, emergency escape routes, fire equipment access, and is designed to meet all applicable requirements of the California Fire Code.
8. If a property does not have direct access to a City maintained roadway, it shall be the responsibility of the land owner or developer to provide written documentation as to their legal right to utilize and improve the road(s) that provide ingress and egress to the site, including secondary access if required, and that the road(s) meet the City minimum standards to serve the development proposed. The land owner or developer shall also be responsible for providing an offer of dedication of the road(s) for acceptance into the City maintained road system, if required by the Development Services Department. If roads are determined to be inadequate, in width, size, surfacing, capacity, safety or some other standard, it shall be the responsibility of the land owner or developer to bring the road up to the minimum standard required by the Development Services Department prior to issuance of a certificate of final occupancy.
9. Subdivision: Development that includes approval of a Tentative Map is subject to the provisions of the Subdivision Map Act and the Subdivision Regulations under Chapter VII of the Zoning Ordinance. Where a tentative map is proposed, the public hearing may be expanded to address findings under the Subdivision Map Act. Wherever possible the environmental review performed at the time the site was designated under the HO Overlay Zone will be utilized in the processing of the subdivision.

10-5-25: CANNABIS BUSINESS OVERLAY ZONE (CBO) (Ord No. 1695)

- (A) Purpose: The purpose of this section is to establish regulations to allow for the establishment of commercial cannabis businesses permitted and licensed in accordance with City Code Title 5, Chapter 28 to limited areas that may include the cultivation, manufacture, processing, laboratory testing, transporting, dispensing, distribution, or sale of cannabis or a cannabis product.
- (B) Definitions: The definitions under City Code Section 5.28.5 shall apply in the interpretation of this chapter.
- (C) Applicability: A parcel of land that has the Cannabis Business Overlay Zone may engage in a commercial cannabis business activity when permitted, licensed and in compliance with City Code Title 5, Chapter 28. Said CBO Zone shall only be applied to Commercial, Highway Commercial, Heavy Commercial, and Industrial Zone Districts.
- (D) Permitted Uses: All of the uses permitted by-right or by conditional use permit shall be those listed in the underlying zone district and to include commercial cannabis business activities as authorized herein.
- (E) Regulations: The regulations under City Code Title 5, Chapter 28 shall supplement all development standards and general regulations in the underlying zone district.
- (F) Review process: Prior to engaging in a commercial cannabis business activity, a Certification from the Development Services Director must be obtained in accordance with City Code Section 5.28.23.
- (G) Terms and Renewal: The terms and renewal process for commercial cannabis business permits shall be in accordance with City Code Section 5.28.13.
- (H) Inspection and Enforcement: Inspection and enforcement shall be in accordance with City Code Section 5.28.46 et seq. of this code (Ord. 1695, 1/22/19).