

PLANNING COMMISSION  
Albert Enault, Chair  
Kristina Elder, Vice Chair  
Herbert Dardon, Member  
Vinay Tewari, Member  
Terrence West, Member



PLANNING COMMISSION MEETING

**A G E N D A**  
**REGULAR MEETING OF THE SUISUN CITY**  
**PLANNING COMMISSION**  
**TUESDAY, NOVEMBER 14, 2023**  
**6:30 PM**

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**Suisun City Council Chambers - 701 Civic Center Boulevard - Suisun City, California**

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*PLANNING COMMISSION MEETINGS ARE HELD IN-PERSON  
PUBLIC PARTICIPATION IS ALSO AVAILABLE VIA ZOOM*

*ZOOM MEETING INFORMATION:*

*WEBSITE: <https://zoom.us/join>*

*MEETING ID: **834 2556 2844***

*CALL IN PHONE NUMBER: (707) 438-1720*

*REMOTE PUBLIC COMMENT IS AVAILABLE FOR THE PLANNING COMMISSION MEETING BY EMAILING  
[CLERK@SUISUN.COM](mailto:CLERK@SUISUN.COM) (PRIOR TO 4 PM), VIA WEBSITE OR ZOOM CALL IN PHONE NUMBER: (707) 438-1720.*

*(If attending the meeting via phone press \*9 to raise your hand and \*6 to unmute/mute for public comment.)*

(Next Resolution No. PC 23-06)

**ROLL CALL**

Planning Commissioners  
Pledge of Allegiance  
Invocation

**CONFLICT OF INTEREST NOTIFICATION**

*(Any items on this agenda that might be a conflict of interest to any Commissioners should be identified at this time.)*

**REPORTS: (Informational items only.)**

- 1 Acting City Manager/Staff.

## **PUBLIC COMMENTS**

*(Request by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3. Comments are limited to no more than 3 minutes unless allowable by the Chair. Speaker cards are available on the table near the entry of the meeting room and should be given to the Clerk. By law, no prolonged discussion or action may be taken on any item raised during the public comment period, although informational answers to questions may be given and matters may be referred for placement on a future agenda.)*

## **CONSENT CALENDAR**

*Consent calendar items requiring little or no discussion may be acted upon with one motion.*

- 2 Planning Commission Approval of the Minutes of the Special Meeting of the Suisun City Planning Commission held on October 11, 2023 - (Pock: dpock@suisun.com).
- 3 Planning Commission Approval of the Minutes of the Regular Meeting of the Suisun City Planning Commission held on October 24, 2023 - (Vasquez: bvasquez@suisun.com).

## **PUBLIC HEARING NONE**

## **GENERAL BUSINESS**

- 4 **Zoning Code Update:** Planning Commission Workshop to Discuss the Comprehensive Zoning Code Update – Part II (Continued from October 24) - (Kearns: jkearns@suisun.com).

## **REPORTS: (Informational items only.)**

- 5
  - a. Commission Members
  - b. Commission Chairperson

## **ADJOURNMENT**

### **Public Access To Agenda Documents**

A complete packet of information containing staff reports and exhibits related to each item for the open session of this meeting, and provided to the City Council, are available for public review at least 72 hours prior to a Council /Agency/Authority Meeting at Suisun City Hall 701 Civic Center Blvd., Suisun City. Agenda related writings or documents provided to a majority of the Council/Board/Commissioners less than 72 hours prior to a Council/Agency/Authority meeting related to an agenda item for the open session of this meeting will be made available for public inspection during normal business hours. An agenda packet is also located at the entrance to the Council Chambers during the meeting for public review. The city may charge photocopying charges for requested copies of such documents. To the extent feasible, the agenda packet is available for online public viewing on the City's website: <https://www.suisun.com/Government/City-Council/Agendas>

The City Council/Agency/Authority hopes to conclude its public business by 10:00 p.m. No new items will be taken up after 10:00 p.m., unless so moved by a majority of the City Council, and any items remaining will be agendized for the next meeting. The agendas have been prepared with the hope that all items scheduled will be discussed within the time allowed.

### **Accommodations**

If you require an accommodation to participate in this meeting, please contact the City Clerk at (707) 421-7302 or [clerk@suisun.com](mailto:clerk@suisun.com). The City's reasonable accommodation policy is available for review on the City's website at [www.suisun.com/government/city-council/](http://www.suisun.com/government/city-council/), you may request an electronic copy or have a copy mailed to you.

Please note that for accommodations that are not readily available, you must make your request as soon as you can prior to the time of the meeting.

**Decorum**

All participants are expected to conduct themselves with mutual respect. Conduct that disrupts meetings will be addressed in accordance with Section 54957.95 of the Government Code.

**Ordinances**

Ordinances are city laws contained in the Suisun City Municipal Code. Enacting a new city law or changing an existing one is a two-step process. Government Code 36934 provides, except when, after reading the title, further reading is waived by regular motion adopted by majority vote all ordinances shall be read in full either at the time of introduction or passage; provided, however, that a reading of the title or ordinance shall not be required if the title is included on the published agenda and a copy of the full ordinance is made available to the public online and in print at the meeting prior to the introduction or passage.

**Certification Of Posting**

Agendas for regular and special meetings are posted in accordance with the Brown Act at Suisun City Hall, 701 Civic Center Boulevard, Suisun City, CA. Agendas may be posted at other Suisun City locations including:

- Suisun City Fire Station, 621 Pintail Drive, Suisun City, CA;
- Joe Nelson Center, 611 Village Drive, Suisun City, CA;
- Harbor Master Office, 800 Kellogg Street, Suisun City, CA.

I, Bianca Vasquez, Administrative Assistant for the City of Suisun City, declare under penalty of perjury that the above agenda was posted and available for review, in compliance with the Brown Act.

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PLANNING COMMISSION  
Albert Enault, Chair  
Kristina Elder, Vice Chair  
Herbert Dardon, Member  
Vinay Tewari, Member  
Terrence West, Member



PLANNING COMMISSION MEETING

**MINUTES**  
**SPECIAL MEETING OF THE SUISUN CITY**  
**PLANNING COMMISSION**  
**WEDNESDAY, OCTOBER 11, 2023**  
**6:30 PM**

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**Suisun City Council Chambers - 701 Civic Center Boulevard - Suisun City, California**

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*(Next Resolution No. PC 23-06)*

**ROLL CALL**

Chairperson Enault called the meeting to order at 6:31 PM with the following Planning Commissioners present:

**PRESENT: Commissioners: Dardon, Elder, West, Enault**

**ABSENT: Commissioners: Tewari**

Pledge of Allegiance led by Commissioner Dardon

Invocation given by Principal Planner Kearns

**CONFLICT OF INTEREST NOTIFICATION: NONE**

*(Any items on this agenda that might be a conflict of interest to any Commissioners should be identified at this time.)*

## **REPORTS: (Informational items only.)**

- 1 Acting City Manager/Staff.  
Development Services Director Bermudez reported on the Highway 12 Logistics Center draft Environmental Report. The item may be ready for first review in late December or January.

## **PUBLIC COMMENTS**

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Public Comments were made by James Berg, Steve Orly, and George Guynn

## **CONSENT CALENDAR**

*Consent calendar items requiring little or no discussion may be acted upon with one motion.*

- 2 Planning Commission Approval of the Minutes of the Regular Meeting of the Suisun City Planning Commission held on August 22, 2023 - (Vasquez: [bvasquez@suisun.com](mailto:bvasquez@suisun.com)).

Motioned by Commissioner West and seconded by Commissioner Dardon for approval of the minutes of the meeting held on August 22, 2023. Motioned passed by the following vote;

AYES:	Commissioners:	Dardon, Elder, West
ABSTAIN:	Commissioners:	Enault (Due to absence from August 22, 2023 meeting)
ABSENT:	Commissioner:	Tewari

## **PUBLIC HEARING - NONE**

## **GENERAL BUSINESS**

- 3 **Waterfront District Specific Plan Amendments:** Planning Commission Workshop to Discuss Comprehensive Amendments - (Bermudez: [jbermudez@suisun.com](mailto:jbermudez@suisun.com)).

Development Services Director Bermudez provided background on SB 2 Grant Funding for the Waterfront District Specific Plan Update. Matthew Gerken, with AECOM, an infrastructure and planning consultant firm, gave a presentation and responded to Commissioners questions.

Public Comments were made by James Berg, Steve Olry, George Guynn, and Michelle Chavez..

- 4 **Zoning Code Update:** Planning Commission Workshop to Discuss the Comprehensive Zoning Ordinance Update - (Kearns: [jkearns@suisun.com](mailto:jkearns@suisun.com)).

Principal Planner Kearns gave a presentation. Development Services Director Bermudez and Principal Planner Kearns responded to Planning Commissioners questions.

Public Comment was made by George Guynn regarding parking.

**REPORTS: (Informational items only.)**

a. Commission Member Reports:

- Commissioner Dardon thanked Public Works Director Vue for restriping and filling in the cracks of streets in downtown area.
- Commissioner West reported attending the Grand Opening of Mama Laine's Café at train depot.
- Commissioner Elder reported a new coffee and flower shop is coming to Main Street.

b. Commission Chairperson:

**ADJOURNMENT**

There being no further business the meeting was adjourned at 8:55 p.m.

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Donna Pock, CMC  
Deputy City Clerk

PLANNING COMMISSION  
Albert Enault, Chair  
Kristina Elder, Vice Chair  
Herbert Dardon, Member  
Vinay Tewari, Member  
Terrence West, Member



PLANNING COMMISSION MEETING

**MINUTES**  
**REGULAR MEETING OF THE SUISUN CITY**  
**PLANNING COMMISSION**  
**TUESDAY, OCTOBER 24, 2023**  
**6:30 PM**

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**Suisun City Council Chambers - 701 Civic Center Boulevard - Suisun City, California**

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(Next Resolution No. PC 23-06)

**ROLL CALL**

Vice Chair Elder called the meeting to order at 6:32 p.m. with the following Planning Commissioners present:

**PRESENT: Commissioners: Elder, Dardon, Tewari, West**

**ABSENT: Commissioners: Enault**

**(Commissioner Tewari arrived at the dais at 6:38 PM after roll call)**

Pledge of Allegiance led by Commissioner West

Invocation led by Principal Planner Kearns

**CONFLICT OF INTEREST NOTIFICATION: NONE**

*(Any items on this agenda that might be a conflict of interest to any Commissioners should be identified at this time.)*

**REPORTS: (Informational items only.): NONE**

- 1 Acting City Manager/Staff.

## **PUBLIC COMMENTS**

*(Request by citizens to discuss any matter under our jurisdiction other than an item posted on this agenda per California Government Code §54954.3. Comments are limited to no more than 3 minutes unless allowable by the Chair. Speaker cards are available on the table near the entry of the meeting room and should be given to the Clerk. By law, no prolonged discussion or action may be taken on any item raised during the public comment period, although informational answers to questions may be given and matters may be referred for placement on a future agenda.)*

Public Comments were made by Steve Olry, George Guynn, and James Berg.

## **CONSENT CALENDAR**

*Consent calendar items requiring little or no discussion may be acted upon with one motion.*

- 2 Planning Commission Approval of the Minutes of the Special Meeting of the Suisun City Planning Commission held on October 11, 2023 - (Pock: [dpock@suisun.com](mailto:dpock@suisun.com)).

James Berg commented on item 2.

Commissioner West motioned and seconded by Commissioner Dardon for approval of the minutes based upon the direction of the minutes. Motion passed by the following vote:

**AYES: Commissioners: West, Dardon, Tewari, Elder**

**ABSENT: Commissioners: Enault**

## **PUBLIC HEARING NONE**

## **GENERAL BUSINESS**

- 3 **Zoning Code Update:** Planning Commission Workshop to Discuss the Comprehensive Zoning Code Update – Part II - (Kearns: [jkearns@suisun.com](mailto:jkearns@suisun.com)).

Principal Planner Kearns provided background on Part I of the Zoning Code Update Workshop and gave a presentation on Part II. Principal Planner Kearns and Development Services Director Bermudez responded to Planning Commissioners questions.

Public Comments were made by George Guynn and Steve Olry on item 3

James Berg submitted a Public Comment Card for item 3 but left Council Chambers before his turn.

## **REPORTS: (Informational items only.): NONE**

- 4
  - a. Commission Members
  - b. Commission Chairperson

## **ADJOURNMENT**

There being no further business the meeting was adjourned at 8:43 p.m.

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Bianca Vasquez  
Administrative Assistant II

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## Planning Commission Agenda Report

November 14, 2023

DATE:	November 14, 2023	Files:
TO:	PLANNING COMMISSION	
FROM:	John Kearns, Principal Planner	
RE:	<b>Zoning Code Update:</b> Planning Commission Workshop to Discuss the Comprehensive Zoning Code Update – Part II (Continued from October 24)	

### SUMMARY

As part of a series of planned workshops, staff is bringing forward proposed revisions to Chapters 18.30 through 18.47 of the Zoning Code (ZC). This workshop builds from the initial workshop of October 11 in which Chapter 18.02 through 18.28 as well as Chapter 18.30 which was discussed October 24. The remainder of the draft code will be discussed at a future meeting. From there, all comments collected from the workshops will be implemented into the draft code and brought forward as a complete package to the Commission for City Council recommendation.

### STAFF RECOMMENDATION

Staff recommends that the Planning Commission:

1. Hold a workshop to discuss proposed revisions to Chapters 18.30 through 18.47 of the Zoning Code.

### BACKGROUND

At the last Commission meeting (October 24), staff brought forward a workshop item in which valuable feedback was obtained. The Commission began the workshop but was only able to get through discussion of Chapter 18.30 (“Specific Use Regulations”). Continuing the workshop will allow the update process to advance and will ultimately lead to a recommendation from the Planning Commission to the City Council regarding code adoption.

### DISCUSSION/ANALYSIS

While a General Plan is the policy document for a community, a Zoning Code is the day-to-day tool that implements the vision and policies of a General Plan through development standards and land use regulations. It establishes the permitting and review process for development. A Zoning Code is required to be consistent with the land use designations and policies of the General Plan.

Since its adoption, the ZC has undergone numerous amendments, deletions, additions, and some reorganizations, but the original framework remains. The recent General Plan update in 2015 included only minor edits to the Zoning Code. As a result, comprehensive updates are needed to ensure consistency with City policies and state laws. Rather than make additional patchwork edits to an outdated ZC, it is necessary for a comprehensive update to the Zoning Code to be undertaken to ensure consistency with the General Plan.

Continuation of this workshop will consider Chapters 18.31 “Standards for Residential Districts” through 18.47 “Residential Density Bonus and Density Incentives”. These code sections provide development standards for commercial, residential, and other districts as well as codes on fences/walls and citywide signage are provided. In reviewing the code, the Commission should be paying particular attention to readability, document flow, and weighing in on appropriateness of listed uses in each district. To assist in understanding the proposed revisions, staff has provided a copy of the draft code (Attachment 1) which includes underlines for new language and ~~striketroughs~~ for removed language. Staff has also included a PowerPoint presentation which is intended to guide the discussion at the meeting.

Many of the proposed amendments have been made to come into compliance with current state law. However, other amendments have been made because of emerging trends in the planning field and consistent with how other communities have approached updating their zoning codes. Staff would suggest the Planning Commission pay particular attention to Chapter 18.42 “Parking and Loading Areas,” and Chapter 18.44 “Signs (Commercial).” These chapters are examples in which staff would like to receive direction from the Commission on proposed amendments.

Specific to the signage discussion, staff would like to provide some background and parameters to the discussion as it is the subject of recent legal analysis. In June 2015, the U.S. Supreme Court challenged the way municipalities should approach sign ordinances. In the *Reed v. Town of Gilbert*, the court ruled that if a local agency implements content-based sign regulations then the regulation is presumptively unconstitutional. To validate the regulation the agency must show and make specific findings that the agency has a compelling governmental interest in imposing the regulation, the regulation furthers the objectives and purposes for which the regulation is imposed and the ordinance goes no further than what is required to implement its purpose. This is what the courts refer to as the “Strict Scrutiny Test”. Signage content-based regulations are considered regulations when they apply to particular speech because of the topic discussed or idea or message expressed on the sign. An agency’s sign ordinances have a greater legal defensibility when the municipality adopts an ordinance that is considered “content neutral,” meaning signs are only regulated by the following:

- Time – hours, day, duration a sign can be placed.
- Place – location, where on a site or street a sign may be placed.
- Manner – regulations regarding size, materials, lighting, moving parts, portability, etc. of signage.

As with prior workshops, staff will emphasize sections in which specific direction is needed and more staff explanation is required during the presentation.

As discussed at the October 11 and 24 meetings, staff has chosen to bring the draft document forward in thirds because it is believed to be a manageable size for a workshop setting. At the conclusion of the workshop, staff will be looking to the Commission to determine whether another meeting will be necessary to discuss this portion of code or whether it is advisable to move ahead with the next third. After each portion (or third) has been discussed via workshop, staff will return

with a satisfactory version of the ZC and the Commission will be asked to make a recommendation to the City Council for action on the comprehensive amendments.

**CEQA Review**

The Zoning Code Update itself will be subject to CEQA and staff will complete the appropriate environmental review for the project on a case-by-case basis.

**ATTACHMENTS**

1. Draft Zoning Code Chapters 18.31 through 18.47
2. Zoning Map
3. Zoning Code Update PowerPoint

18.28.060 – Densities and intensities in civic/park/other zones.

Table 18.28.01, Densities and Intensities in Civic/Park/Other Zones, shows the minimum and maximum build-out possible in each residential zone.

Table 18.28.01. Densities and Intensities in Civic/Park/Other Zones			
Zone	Residential Density Minimum/Maximum	Nonresidential Floor Area Ratio (FAR) Minimum/Maximum	General Plan Designation
APS	1 dwelling + 1 second dwelling unit/parcel	0 min-0.5 max	Agriculture and Open Space
P	N/A	N/A	Park
OS	N/A	N/A	Agriculture and Open Space
PQP	N/A	0.1-1.0	Civic
PUD	10-40 du/ac	0.3-1.0	Various
<b>Notes:</b> Notwithstanding any other provision of this <a href="#">Chapter</a> (or Code), all development shall be consistent with the adopted current version of the Travis Air Force Base Land Use Compatibility Plan, which as of writing of this document is the one adopted on October 8, 2015 (Resolution 15-17).			

18.28.070 – Allowable uses [in civic, park, and other zones](#).

~~18.28.02 – Allowable uses in civic, park, and other zones.~~

~~Table 18.28.02 identifies the land uses allowed in civic, park, and other zoning districts in the City. “P” means the use is permitted, “A” means the use is subject to an administrative use permit in accordance with Chapter 18.72, and “UP” means the use is subject to a use permit from the Planning Commission in accordance with Chapter 18.72. Uses not listed here, but consistent with the character and density and intensity of zoning districts, defined in Sections 18.08.010 through 18.08.040, shall be determined by the Director in accordance with Section 18.02.070. The last column of this table either refers to the particular section in the Zoning Code for particular requirements or specific standards are noted in the footnote references at the end of the table. Beyond those requirements and standards identified for each use, other requirements shall be observed in other sections of this Zoning Code, such as off-street parking, signage, landscaping, and fencing and walls.~~

## Chapter 18.30 – SPECIFIC USE STANDARDS

[18.30.010 – Temporary and intermittent uses](#) (New)

A. [Purpose and intent.](#) [The provisions codified in this Chapter provide for certain temporary and intermittent uses. It establishes standards and procedures to assure that such uses are compatible with their surroundings and the intent of these regulations.](#)

[In approving a temporary or intermittent use, the Director may establish requirements related to, but not limited to, days and hours of operation, parking, temporary structures and site planning, in addition to performance standards specified below. The Director](#)

shall determine the extent to which any permanent on-site parking and other facilities may satisfy the requirements for the proposed use. A temporary use approval is not intended to allow a land use that is not allowed in the primary zoning district, other than in the specific cases listed in Section C.

The Director may refer any proposed temporary or intermittent use to an administrative hearing or to the Planning Commission for action.

B. Definitions. A temporary use is one which is established at a particular location for less than 1 year. An intermittent use is one which occurs no more than 90 days in a (calendar) year, but which may continue from year to year. Temporary and intermittent uses for businesses shall consist of activities that represent a variation from the normal business operations, e.g., parking lot sales, benefits and special events. Temporary and Intermittent Uses are not intended to serve the primary purpose of allowing flexibility from Sign Regulations or other City Codes.

C. Specific cases.

1. Real estate sales offices in residential tracts. A temporary real estate sales office may be established in a residential development for the initial sale of property in that development, upon written approval by the Director. Such an office may be located within a residence or a common or temporary building. If a temporary building is used, it shall be removed upon termination of the use.

2. Portable buildings used for construction offices.

a. A mobile home may be used as a temporary office at a construction site for not more than 6 months upon written approval of the Building Official subject to any conditions he deems necessary to protect health, safety and welfare. Upon written request received prior to expiration, the use may be continued for 6 month periods, not to exceed a total of 18 months, by the City Building Official.

b. An administrative use permit is required to allow a mobile home or modular building as a temporary construction office when the mobile home is not located on the same property as the construction site. The same time limitations as stipulated above for an on-site mobile home would apply, with approvals for extensions of the use made by the Director. Also, with the Building Official's or Director's approval, the mobile home may be occupied by a resident guard or caretaker, provided it is properly connected to municipal utilities or other safe means of waste disposal is assured.

3. Mobile home as temporary residence at building site. Upon written approval by the Building Official, a mobile home, trailer or recreational vehicle may be parked on a lot and occupied by the lot owner while he/she is building a dwelling on the lot for his/her own occupancy. The mobile home or vehicle shall be connected to the sanitary sewer system or shall be self-contained, with disposal contracted for. Approval shall be renewable by the Building Official in 6 month intervals, not to exceed a total of 18 months.

4. Recreational vehicle as temporary dwelling or guest residence. Notwithstanding the prohibition set forth in Section 18.36 a recreational vehicle may be parked in a residential parking space or driveway for periods not to exceed 7 days, for the purpose of housing guests of on-site residents only. Such recreational vehicle shall not be parked so as to prevent residents of any dwellings on the site from using their assigned parking spaces, nor shall it discharge waste or sewage into the sanitary sewage system. No hose, electrical cord, pipe, wire or other device extending from the vehicle may be permitted to encroach on any access easement or sidewalk.
5. Construction activities. Construction and demolition, including fabrication of building components and other activities normally associated with property development and maintenance, may be conducted in any zone, provided they are pursued according to plans and procedures approved by the Building Official.
6. Parades, carnivals, fairs and festivals. Use of privately-owned property for parades, carnivals, fairs and festivals requires approval of an administrative use permit. Where these events involve public property, coordination with the City Clerk's Office is required.
7. Other temporary or intermittent uses. Upon approval of an administrative use permit, the Director may approve other temporary or intermittent uses, including but not limited to: musical events, auctions, estate sales, clothing outlet sales, nonprofit benefits, parking lot sales and car shows. At the discretion of the Director, certain small-scale events with limited duration, consisting of activities with no potential to detrimentally affect those working and living in the vicinity may be allowed through administrative action without a public hearing.

~~18.030~~18.3018.30.020 – Outdoor sales on commercial and residential lots.

- A. Sales of Christmas trees and other agricultural products. Upon written approval by the Director, premises within non-residential zones may be used for the sale of Christmas trees, pumpkins, flowers or seasonal produce, subject to the following requirements and any other conditions that the Director deems necessary to improve land use compatibility and/or assure the public's health and safety.
  1. Sales shall be limited to Christmas trees, pumpkins or seasonal produce and related accessory items only, as specified in the letter of approval.
  2. Sales of Christmas trees shall not be conducted before Thanksgiving or after December 26. The duration of pumpkin and seasonal produce sales shall be subject to Director approval.
  3. The site shall be maintained in a neat and orderly manner at all times. All sales items, sales equipment, temporary power poles, other temporary structures and signage shall be kept behind a 10 foot setback from all street rights of way and they shall be removed within 10 days after the close of the sale. Trash and recycling receptacles shall be provided in a convenient location for customers.

4. A camper or trailer for overnight security may be parked on site, subject to the approval of the Building Official, for the duration of the permit, if kept more than 10 feet back from the street right of way.
  5. A sign permit shall be obtained for any proposed signage. Maximum sign area shall not exceed 32 square feet. No bunting strips, banners, flags, whirligigs or other attention getting devices shall be displayed on site without Director approval.
  6. When the use is temporary or intermittent, the applicant may be required to post a refundable deposit, set by the Director to assure site clean-up, if necessary. Deposit shall be in the form of a cashier's check to the City and shall be made prior to occupying the site.
  7. Outdoor sales lots are subject to all fire safety measures, including location of fire extinguishers, subject to approval by the Fire Chief.
  8. Any Christmas trees sold for use in public facilities shall be flame proofed with a state Fire Marshal approved material by a state licensed application.
  9. Applicant shall obtain a City business tax certificate. A copy of the Director's approval and the business tax certificate shall be posted in a conspicuous location at all times when the use is in operation.
  10. The applicant shall secure a building permit for any structure requiring a permit, associated with the use. The plan shall include a site plan that shows the proposed vehicular circulation pattern, parking layout and location of structures. Plans shall also demonstrate compliance with Title 24 requirements for disabled accessibility.
  11. The use shall comply with all requirements of the County Environmental Health Department.
  12. Restroom facilities shall be provided either on-site or on a nearby property, subject to approval of the Chief Building Official.
  13. No sales or display shall take place in the public right-of-way.
  14. Upon written receipt of complaints from the public or the Police Department, the Director's approval may be scheduled for administrative hearing review. At the public hearing, the Hearing Officer may add, delete or modify conditions of approval or may revoke the approval.
- B. Other outdoor sales. Outdoor sales of nonagricultural products, such as food carts, barbecues and swap meets shall be limited to the types of retail sales allowed in the location's zone. "Outdoor sales" may be temporary, intermittent or permanent. "Outdoor sales" do not include incidental outdoor display of merchandise associated with a business occupying a building on the site, nor sale of things usually sold outdoors, such as boats, vehicles and building or landscape materials.
1. Other outdoor sales require approval of an administrative use permit, except in cases where the Director determines a Planning Commission use permit would be more appropriate. Parking requirements, setbacks to sales or storage areas,

safety and aesthetic screening and other development standards usually related to buildings shall be established by use permit approval.

C. Garage and yard sales. On residentially developed parcels, garage or yard sales are allowed a maximum of four times within a 12-month period subject to the following requirements:

1. Each garage or yard sale may not exceed 3 consecutive days.
2. Each unit within multi-family or condominium projects and common interest subdivisions may have up to four garage/ yard sales in approved common areas with the permission of the Homeowner's Association for sales within common areas, property owner or property manager.
3. Items shall consist of normally accumulated household items (clothing, furniture, etc.).
- ~~4.~~ One on-site sign not to exceed 4 square feet shall be permitted during the sale. No other signs are permitted in the area and no signs may be displayed in the public right-of-way. On-site signs shall be consistent with applicable Sign Regulations.
5. Garage/yard sales are not permitted on vacant lots.

~~18.030~~18.3018.30.030 – Public utilities. (New)

- A. Distribution facilities may be located in any zone; provided that equipment on the ground in residential zones shall be screened by landscaped visual barriers.
- B. Transmission lines may be located in any zone, provided the route is approved by the Planning Commission. Where feasible, transmission lines shall be located underground.
- C. Other unmanned public utility structures may be located in any zone with approval by the Director.

~~Chapter 18.30.040~~ – Sidewalk cafes. (Revised from Section 18.64)

- A. Purpose and intent. The purpose of this chapter is to allow for the provision of outdoor café seating areas ancillary to established restaurants, café, coffee shops, and similar eating and drinking establishments. Sidewalk cafés may be established within any designated commercial zone, including commercial mixed use, and within the residential mixed use zone, provided that all relevant stipulations of this chapter can be met. The sidewalk café area must be located adjacent to the restaurant and may be located along a street, within a pedestrian mall or plaza, or alley.



- B. Permit Required. The establishment of a sidewalk café shall require an encroachment permit from the public works department. A permit application shall be submitted to the Public Works Department, including all information required by the permit application checklist. Depending on the extent of appearance changes proposed, the application may be subject to design review approval.
- C. Performance standards. Standards that are maintained by the Public Works Director are applicable to all sidewalk café uses. The Public Works Director, in collaboration with the Director may also approve exceptions to parking requirements to allow shared parking arrangements

#### Chapter 18.58 PETS AND POULTRY IN RESIDENTIAL DISTRICTS

##### ~~18.58.010 Purpose.~~

~~The purpose of this chapter is to allow for the keeping of animals in residential neighborhoods for private use and enjoyment. Pets and animals may be kept in residential districts as defined in this chapter.~~

##### ~~18.58.020 Applicability.~~

~~This chapter applies to pets and poultry that may be reasonably accommodated in a residential neighborhood under the stipulations of this chapter. It does not apply to the commercial animal husbandry and sale.~~

##### ~~18.58.030 Definitions.~~

~~"Dangerous pets." Animals that under ordinary circumstances would pose a menace or public nuisance if not confined to a cage or pen.~~

~~"Pets." Animals kept for interest or companionship rather than for food or for the production of food products.~~

~~"Poultry." Domesticated fowl (chickens, guinea fowl, pea hens, etc.) which are not to exceed ten pounds at maturity.~~

##### ~~18.58.040 Pets in residential districts.~~

~~A. — Pets may be kept in the RL, RM, RH and RMU districts.~~

~~B. — No dangerous pets may be kept in residential districts unless such animals are kept securely locked in pens, cages, or other positive restraints.~~

~~C. — All premises where pets are allowed must be kept in a clean and sanitary condition.~~

~~D. — Numbers of adult pets are to be limited to those shown in the following table. Professional breeding stock may be kept in excess of these numbers, subject to a CUP and in compliance with County Code Chapter 4, Animal and Fowl, and Government Code section 25800-25803.~~

Animal	Number of Adults Permitted
Cats	3
Dogs	3
Rabbits	3
Rodents (small caged animals)	Varies based on adequate space
Birds	Use by special review
Reptiles, amphibians or other exotic pets	Use by special review
Poultry	See Section 18.58.050

~~E. — Manure shall be removed in a regular and reasonable manner or otherwise composted or spread in such a manner as to protect surface and groundwater, minimize the breeding of flies, and to control odors. Manure shall not be buried.~~

~~18.58.050 Poultry in residential districts.~~

~~A. — Poultry are permitted in the RL district only, and then only subject to the restrictions of this chapter.~~

~~B. — Poultry shall consist of hens only. Roosters are not permitted in any residential district.~~

~~C. — Poultry are to be limited to a maximum of three adults on a single residential property.~~

~~D. — Poultry shall be confined to an enclosed cage, coop, or pen. The boundaries of poultry enclosures must have adequate space depending on species.~~

~~E. — Poultry shall not be slaughtered on any residential property.~~

~~F. — All poultry shall be registered with Solano County Animal Licensing.~~

~~18.03018.3018.30.050 – Mineral extraction.~~ (New)

Commercial mining, including geothermal activities is prohibited within city limits.

~~18.03018.3018.30.060 – Gas stations and vehicle repair facilities (VRF).~~

A. Purpose and intent. It is the purpose and intent of this Chapter to provide for the orderly regulation of gas stations and VRF in commercial zones. It is recognized that these

facilities, by their very nature, have some objectionable characteristics, such as noise, idling vehicles and traffic conflicts. In order to protect and preserve public health, safety and welfare, special regulation review of these uses is necessary.

B. Permit required. Gas stations and VRF are permitted subject to a use permit as specified in the zoning district regulations, subject to certain performance standards:

C. Performance standards. All gas stations and VRF shall meet the applicable criteria and standards as required by this Chapter or any other regulation of the City, provided that the Planning Commission or City Council, as the case may be, may relax such standards or impose stricter standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this Chapter or to protect the health, safety and welfare of the public, community and the environment.

1. Premises adjoining residential zones shall be screened from gas stations and VRF by a 6 foot high landscaped visual barrier, subject to the limitations of Section 18-20.070. Fences, walls and hedges.

2. Street frontage between driveways shall have a low wall or other landscape barrier to prevent vehicles from being driven or parked on the sidewalk.

3. Bells or other sound signals shall be turned off between 10:00 p.m. and 7:00 a.m. if the gas station and/or VRF is located next to a residential zone or next to a residence.

4. Pump islands shall be located at least 15 feet from any street right of way line or setback line, except that roofs may extend to a point at least 5 feet from such lines.

5. Repair work shall be conducted and dismantled vehicles shall be stored inside a building or area screened so that it is not visible from off the premises.

~~18.030~~18.30.070 – Car washes. (New)

A. Purpose and intent. It is the purpose and intent of this Chapter to provide for the orderly regulation of businesses that have car wash facilities in commercial zones. It is recognized that these facilities, by their very nature, have some objectionable characteristics, such as noise, idling vehicles and traffic conflicts. In order to protect and preserve public health, safety and welfare, special regulation review of these uses is necessary.

B. Permit required. Car washes are permitted subject to a use permit as specified in the zoning district regulations, subject to the following standards:

C. Performance standards. All car washes shall meet the applicable criteria and standards as required by this Chapter or any other regulation of the City, provided that the Planning Commission or City Council, as the case may be, may relax such standards or impose stricter standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this Chapter or to protect the health, safety and welfare of the public, community and the environment.

D. Automated car washes.

1. No automated car wash building or structure shall be located within 25 feet of any public street right-of-way.
2. Walls. Other than along a street frontage, an automated car wash facility shall be separated from an adjacent property by a masonry wall of not less than 5 feet nor more than 6 feet in height. If the location of the ingress and egress areas of the site may hinder or obstruct vehicular visibility to and from the subject site, the Planning Commission may allow the wall to be reduced to a minimum of 3 feet in height for a maximum distance of 18 feet from the street frontage property line. Materials, texture, colors and design of all walls shall be compatible with the design of the principal structures on the subject site.
3. No automated car wash building can exceed 20 feet in width, 50 feet in depth and 20 feet in height.

E. Manual and automated car washes.

1. Queuing of vehicles. An on-site queuing plan shall be approved by the City Engineer. Traffic circulation shall be designed to ensure efficient circulation on and off the subject site and ensure that the car wash will not obstruct the use of the service station gasoline dispensers, drive aisles, back-up areas or parking spaces. Furthermore, vehicles should not queue onto a public street, alley or driveway.
2. Water recycling. Recycling of water used for vehicle washing shall be maximized. The use of recycling water systems and the disposal of water fluids and solids shall comply with applicable state and federal guidelines/standards.
3. Noise. All car washes must comply with the City's Noise Ordinance. The use of outdoor loudspeakers or public address systems is prohibited.

~~18.030~~18.30.080 – Drive-through facilities. (New)

- A. Purpose and intent. It is the purpose and intent of this Chapter to provide for the orderly regulation of businesses that have drive-through facilities in commercial zones. It is recognized that these facilities, by their very nature, have some objectionable characteristics, such as noise, idling vehicles and traffic conflicts. In order to protect and preserve public health, safety and welfare, special regulation review of these uses is necessary.
- B. Permit required. Drive-through facilities are permitted subject to a use permit as specified in the zoning district regulations, subject to the following performance standards:
- C. Performance standards. All drive-through facilities shall meet the applicable criteria and standards as required by this Chapter or any other regulation of the City, provided that the Planning Commission or City Council, as the case may be, may relax such standards or impose stricter standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this Chapter or to protect the health, safety and welfare of the public, community and the environment.

1. Entries and/or exits to drive-through facilities should be a minimum of 100 feet from any intersection or from another drive-through facility on the same side of the street, except within a shopping center. Shorter distances from road intersections may be approved if the City Engineer determines that public safety and/or the efficiency of traffic circulation will not be compromised.
2. Drive-through stacking lanes should be a minimum 100 feet from any residential zoned lot.
3. Sound attenuation walls, landscaping or other mitigation measures may be required as necessary to mitigate drive through speaker and traffic noise on nearby residential uses.
4. Drive-through aisles should have a minimum 12-foot width on curves and a minimum 11-foot width on straight sections.
5. Drive-through aisles should provide sufficient stacking area behind the menu board to accommodate a minimum six cars (approximately 114 feet).
6. No drive-through aisles should exit directly into a public right-of-way. Aisles should be integrated with the on-site circulation and should merge with the driveway.
7. Drive-through aisles should be separated from landscaping areas by a six-inch high, poured in place, concrete curb or other suitable protective device meeting City approval.
8. Landscaping should screen drive-through aisles to the extent feasible.

~~18.030~~18.30.085 – Mobile Food Vendors (Revised from Section 18.57)

- A. Purpose, intent and applicability. It is the purpose and intent of this Chapter to provide for the orderly regulation of businesses that consist of mobile food vending. It is recognized that these operations by their very nature, have some objectionable characteristics, such as noise, odors, and traffic conflicts. In order to protect and preserve public health, safety and welfare, special regulation review of these uses is necessary. Where these regulations are silent, the county regulations shall apply (for example, as regards food sanitation). Mobile food vendors may include mobile food and beverage carts (e.g., hot dog or espresso carts) or mobile food trucks that serve ready-made foods (e.g., cold trucks or hot trucks).
- B. Licensing and inspections. Mobile food vendors shall be subject to the following:
  1. Mobile food vendors must apply for a business license through the City Finance Department and pay all applicable licensing fees. The license must be conspicuously displayed on the vehicle.
  2. Mobile food carts and trucks and any appurtenances thereto must meet the health and safety standards found in California Health and Safety Code, Sections 113700 et seq. These standards are administered and monitored by the county department of resource management, environmental health services division. A valid health permit must be acquired from the county department of resource

management, environmental health services division and displayed on the mobile food cart or truck.

3. Mobile food trucks must be registered with the state department of motor vehicles. Drivers must maintain a valid California driver's license.

4. Mobile food carts and mobile food trucks may apply for a special event food vendor permit through the county.

**A-C.** Performance standards. All mobile food vendors shall meet the applicable criteria and standards as required by this Chapter- as follows:

1. Hours of operation must be between 8:00 a.m. and 10:00 p.m., except during special events, which are permitted separately and may have hours associated with the event. Hours of operation should be consistent with the type of product sold, seasonal constraints (e.g., ice cream during warmer months), and the location of the vehicle (e.g., in a commercial area that closes at 5:00 p.m.).

2. Mobile food vendors must obtain a city permit that identifies location(s) of operation. The permit may specify a single location, multiple locations, or in the case of mobile food trucks, areas of operation.

3. Service parking for mobile food carts may be at a pre-approved public venue (such as a park, waterfront, or downtown plaza) or at a private location (such as a medical facility, or pedestrian plaza at an office, mall or large commercial establishment).

4. If parked in a pedestrian right-of-way, mobile food carts must keep a minimum five feet of clear space for pedestrian passage.

5. Service parking for mobile food trucks may be at a pre-approved public or private venue where the vehicle does not obstruct pedestrian or vehicular traffic (such as parking lots near sports fields, commercial centers, and parks) or at a private venue (a factory parking lot or mall).

6. For multiple vehicles, overnight parking must be at a commissary, restaurant, fleet yard, or other approved location. Overnight parking may not be on a public street, unless it is a single mobile food cart or truck located at the vendor's residence.

7. When traveling on a public roadway, mobile food vendors shall observe and obey all traffic regulations and parking restrictions.

8. When stopped on a public roadway, mobile food trucks may not block, impede traffic or motorist sight distance.

9. Mobile food trucks must dispense food from the sidewalk side of the vehicle (not the street side). An approved restroom with hand washing facilities are to be located within 200 feet of the mobile food truck or food cart, if the cart or vehicle is parked in a single location for over an hour. The restroom must be readily available for use by the operator. Hand washing facilities must include a clean and reliable

supply of hot and cold water, soap dispensers, and towel dispensers. Approved restroom facilities may also be located on the mobile food truck.

10. Liquid waste from the mobile food cart or mobile food truck shall be disposed of at a commissary, restaurant, or other approved facility. Waste shall not be disposed of in the sanitary sewer/storm drainage, or in public waste receptacles, such as those intended for pedestrians.

11. Mobile food trucks and food carts must provide an external trash receptacle available for customer use. Trash from customers shall be removed and disposed of daily at the commissary, restaurant, or fleet center.

~~12.~~ All mobile food vendors shall comply with all other related county mobile food vendor regulations.

~~18.030~~18.30.090 – Second-hand goods.

A. Purpose and intent. It is the purpose and intent of this chapter to provide for the orderly regulation of businesses that sell second-hand goods, including antiques, pawn shops. Also, in accordance with California Business and Professional Code Sections 21300 and 21641, these regulations provide for licensing of these types of businesses by the City. These regulations, by their nature, have some objectionable characteristics and when concentrated, can contribute to the blighting or downgrading of the surrounding neighborhood. In order to protect and preserve public health, safety and welfare, special regulation review of these uses is necessary.

B. Permit and clearances required. Any retail sales of second-hand goods, including antique stores, second hand or thrift shops, and/or pawn shops shall require clearance from the Police Department and a seller's permit from the from the California Board of Equalization. Second hand, thrift shops, and/or pawn shops shall require a use permit as specified in the zoning district regulations, subject to the following performance standards:

C. Performance standards. All retail sales of second hand goods shall meet the applicable criteria and standards as required by this Chapter or any other regulation of the City, provided that the Planning Commission or City Council, as the case may be, may relax such standards or impose stricter standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this Chapter or to protect the health, safety and welfare of the public, community and the environment. Where applicable donation drop-off activities shall either take place inside the building with donators entering the building and leaving items with an employee or if done outside the building the Items must be directly given to a store employee.

1. All donations at retail storefront sites are to be accepted during normal business hours as there are to be no donations accepted or left outside the facility after normal business hours. Donation drop-off activities shall either take place inside the building with donators entering the building and leaving items with an employee or if done outside the building the Items must be directly given to a store employee.

2. All storage and sales of second-hand goods, including drop off items shall be within an enclosed building.

3. Unattended donation boxes shall be prohibited.

#### D. Unattended Donation Boxes

1. Definitions (for donation box facilities are referenced in Chapter 18-04 under donation box facilities).
2. Purpose. The purpose of these regulations is to promote the health, safety, and/or welfare of the public by providing minimum blight-related performance standards for the operation of unattended donation/collection boxes (UDCBs). This includes establishing criteria to ensure that material is not allowed to accumulate outside of the UDCBs, the UDCBs remain free of graffiti and blight, UDCBs are maintained in sanitary conditions, and residents and/or users are fully informed of those who operate the UDCBs so that they can be contacted if there are any blight-related questions or concerns.
3. Responsibility. The parcel owner and the UDCB operator (operator) have joint and several liability for blight-related conditions and/or compliance with this chapter, including fees, administrative citations, civil actions, and/or legal remedies relating to a UDCB. The parcel owner remains liable for any violation of duties imposed by this chapter even if the parcel owner has, by agreement, imposed on the operator the duty of complying with the provisions of this chapter.
4. Maintenance.
  - a. No blight shall be within 20 feet of the UDCB including, but not limited to donation/collection overflow, litter, debris, and dumped material.
  - b. UDCBs shall be maintained and in good working order. Items to be repaired, removed, and/or abated include, but are not limited to graffiti, removed or damaged signs and notifications, peeling paint, rust, and broken collection operating mechanisms.
  - c. UDCBs shall be serviced not less than weekly between 7:00 a.m. and 7:00 p.m. on weekdays and 10:00 a.m. and 6:00 p.m. on weekends. This servicing includes the removal of donated/collected material and abatement of the blight described this section.
  - d. The operator shall maintain an active email address and a 24-hour telephone service with recording capability for the public to register complaints.
  - e. UDCBs cannot be used for the collection of solid waste and/or any hazardous materials.
5. Standards and Requirements
  - a. A UDCB is only permitted on a lot that also contains a principal building that contains at least one operating business.
  - b. UDCBs are prohibited within any of the following locations:

- 1) Fifty feet from lots that lie in a residential, detached unit residential, or mixed housing type residential zone as designated in the City's zoning maps;
  - 2) The public right-of-way and 20 feet of the public right-of-way;
  - 3) Five feet from any property line; or
  - 4) Landscaping.
  - c. UDCBs cannot block or impede access to:
    - 1) Required parking or driveways;
    - 2) Pedestrian routes;
    - 3) Emergency vehicle routes;
    - 4) Building ingress and egress;
    - 5) Required handicapped accessibility routes;
    - 6) Required easements; or
    - 7) Trash enclosure areas or access to trash bins/trash enclosures.
  - d. No more than one UDCB is permitted per parcel unless documented evidence is submitted to the Director that a second bin is required due to the volume of items delivered to the site. A UDCB must be operating at a site for at least 90 days in order to establish that a second bin is required. Both UDCBs shall have the same operator. No fee is required to submit an application for this second bin.
  - e. The donation/collection area must be visible from the principal building and be no more than ten feet from a continually operating light source of at least one foot candle
6. Contact Information Required. The UCDB must have the following information conspicuously displayed on at least two-inch type visible from the front of the UDCB:
- a. The name, address, 24-hour telephone number, and, if available, the Internet Web address, and email address of the owner and operator of the UDCB and the parcel owner/owner agent;
  - b. Address and parcel number of the site;
  - c. Instructions on the process to register a complaint regarding the UDCB to the City Code Enforcement Division;
  - d. The type of material that may be deposited;

- e. A notice stating that no material shall be left outside the UDCB;
- f. The pickup schedule for the UDCB;
- g. The parcel containing the UDCB shall display a sign with text in at least two-inch typeface stating that no material shall be left outside the UDCB. This sign shall be installed at a visually conspicuous location within a radius of 20 feet from the UDCB.

7. Maintenance.

- a. No blight shall be within 20 feet of the UDCB including, but not limited to donation/collection overflow, litter, debris, and dumped material.
- b. UDCBs shall be maintained and in good working order. Items to be repaired, removed, and/or abated include, but are not limited to graffiti, removed or damaged signs and notifications, peeling paint, rust, and broken collection operating mechanisms.
- c. UDCBs shall be serviced not less than weekly between 7:00 a.m. and 7:00 p.m. on weekdays and 10:00 a.m. and 6:00 p.m. on weekends. This servicing includes the removal of donated/collected material and abatement of the blight described this section.
- d. The operator shall maintain an active email address and a 24-hour telephone service with recording capability for the public to register complaints.
- e. UDCBs cannot be used for the collection of solid waste and/or any hazardous materials.

18.30.1200 – Alcoholic beverage regulations. (New)

A. Purpose and intent. It is the purpose and intent of this Chapter to provide for the orderly regulation of businesses that sell alcohol for on-sale or off-sale consumption in commercial zones. Also, in accordance with California Alcoholic Beverage Control (ABC) Act, as may be amended from time to time, these regulations provide for licensing of these types of businesses by the City. It is recognized that these establishments, by their very nature, have some objectionable characteristics and when concentrated, can contribute to the blighting or downgrading of the surrounding neighborhood. In order to protect and preserve public health, safety and welfare, special regulation and review of these uses is necessary.

A-B. Permit and clearances required. Alcoholic beverage sales, including adding to the capacity, floor area or shelf space devoted to alcoholic beverages, may be permitted once applicants have secured clearances from the California Alcoholic Beverage Control Department and the Police Department, upon securing either a use permit from the Planning Commission or an administrative use permit from the Director depending on the specific sales activity as defined in Table 18.30.010.

**Table 18.30.01. Alcoholic Beverage Use**

<u>Sales Activity</u>	<u>Required Permit</u>
<u>Sells or serves beer and wine only</u>	<u>Administrative Use from the Director</u>
<u>Sells or serves alcoholic beverage (except beer and wine alone)</u>	<u>Use Permit from the Planning Commission</u>

C. Performance standards. All alcoholic beverage sales shall meet the applicable criteria and standards as required by this Chapter or any other regulation of the City, provided that the Director, Planning Commission or City Council, as the case may be, may relax such standards or impose stricter standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this Chapter or to protect the health, safety and welfare of the public, community and the environment.

D. Criteria for approving an alcoholic beverage use permit. When approving a use permit for alcoholic beverage sales, the following circumstances related public convenience or necessity shall be considered by the decision-making body:

1. The number of businesses having authority to sell alcoholic beverages in the census tract of applicant;
2. The extent to which crime reporting has been experienced within the project vicinity neighborhood or area;
3. The extent to which the ratio of on-sale retail establishments or off-sale retail establishments, including consideration of the size of those establishments, of the census tract in which the project is located exceeds the population ratio of on-sale or off-sale, respectively, of county;
4. The concentration of other similar liquor-related businesses within the project vicinity or area;
5. The proximity of the project to schools, parks, playgrounds, recreational centers, day cares or similar use.
6. Other criteria that may come under consideration when reviewing the application for the use permit, including, but not limited to:
  - a. The proposed establishment will promote the City's economic health, contribute to the Suisun General Plan policies or further district purposes;
  - b. The economic benefits associated with the establishment could not reasonably be achieved without the proposed alcohol sales;
  - c. The applicant has not operated a licensed establishment, which has been the subject of verified, complaints or violations regarding alcohol, public safety or nuisance statutes or regulations;
  - d. The Police Department has reported that the proposed establishment would not be expected to add to crime in the area;

- e. The extent to which products other than alcoholic beverages are sold by applicant and the extent to which alcoholic beverages are incidental to the other products; and
- f. The extent to which the particular alcohol products being sold may be subject to abuse.

B-E. Performance standards: All alcoholic beverage sales shall meet the applicable criteria and standards as required by this Chapter or any other regulation of the City, provided that the Director, Planning Commission or City Council, as the case may be, may relax such standards or impose stricter standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this Chapter or to protect the health, safety and welfare of the public, community and the environment as referenced in Table 18.30.020.

<b>Table 18.30.02. <u>Alcoholic Beverage Performance Standards</u></b> <b><u>Performance Standards for Alcoholic Beverage Sales</u></b> <b><u>NSB-On Site Alcoholic Beverage Sales</u></b> <b><u>FSB-Off Site Alcoholic Beverage Sales</u></b>	
<b><u>Applicable To</u></b>	<b><u>Performance Standard</u></b>
<u>NSB/FSB</u>	<u>All servers within 90 days of employment receive “responsible beverage service training,” and have documentation of this training, retained on the premises.</u>
<u>NSB/FSB</u>	<u>All graffiti shall be removed on any part of the property within 48 hours of its appearance.</u>
<u>NSB/FSB</u>	<u>A sign concerning the California law prohibiting minors to drink alcohol and a sign prohibiting loitering or public drinking must be posted on the site at all time.</u>
<u>NSB/FSB</u>	<u>A copy of the conditions of approval must be kept on premises and available upon request.</u>
<u>NSB/FSB</u>	<u>Trash receptacles shall be located at convenient locations outside the establishment and operators of the business shall remove all trash on a daily basis.</u>
<u>NSB/FSB</u>	<u>If any of conditions are found to be disregarded, the use permit for alcohol sales may be revoked and this aspect of the business operation may be immediately suspended</u>
<u>NSB</u>	<u>No sale of alcohol for off-site consumption.</u>
<u>NSB</u>	<u>Establish and maintain a “complaint response/community relations” program with the Police Department.</u>
<u>NSB</u>	<u>Dancehall, roadhouse, nightclub, commercial club, or any establishment where liquor is served, or commercial place of amusement or recreation shall not be allowed in any district closer than 200 feet to any boundary of any residential district, unless a use permit is first secured from the Planning Commission in accordance with Chapter 18.73.</u>
<u>FSB</u>	<u>No sale of alcohol for on-site consumption;</u>

~~18.030~~18.30.1310 – Tobacco products. (New)

A. Purpose and intent. It is the purpose and intent of this Chapter to provide for the orderly regulation of businesses that sell tobacco in commercial zones. It is recognized that these establishments, by their very nature, have some objectionable characteristics and when concentrated, can contribute to the blighting or downgrading of the surrounding neighborhood. In order to protect and preserve public health, safety and welfare, special regulation and review of these uses is necessary.

A-B. Permit and clearances required. Except for specific prohibited tobacco product referenced in Subsection D of this section, tobacco product sales, including adding to the capacity, floor area or shelf space devoted to tobacco products, may be permitted upon securing clearances from the Police Department, in accordance with Chapter 18.60 of these regulations a Cigarette and Tobacco Products Retailer's License from the California Department of Tax and Fee Administration in accordance with Section 22971 of the Business and Professions Code and upon securing either a use permit from the Planning Commission or may be permitted by right depending on the specific sales activity as defined in Table 18.30.030 as defined in Section 22971(p) of the California Business and Professions Code) must have a Cigarette and Tobacco Products Retailer's License.

Table 18.30.03. <u>Tobacco Products Use</u>	
<u>Sales Activity</u>	<u>Required Permit</u>
<u>Tobacco product non-specialized retail sales.</u>	<u>Allowed by right within commercial zoning and mixed- use zoning districts (subject to compliance of Performance Standards, Subsection C of this code.</u>
<u>Tobacco product specialized retail sales.</u>	<u>Use Permit from the Planning Commission</u>

C. Performance standards. All tobacco retail sales shall meet the applicable criteria and standards as required by this Chapter or any other regulation of the City, provided that the Planning Commission or City Council, as the case may be, may relax such standards or impose stricter standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this Chapter or to protect the health, safety and welfare of the public, community and the environment.

1. No self-service displays or vending machines for tobacco products, paraphernalia or electronic smoking devices shall be allowed.
2. Tobacco product retail sales shall be located within a fixed location within an enclosed building.
- ~~1-3.~~ No tobacco product specialized retail sales shall be located within 600 feet of any public school as measured from the closest point on the property line of the parcels containing the tobacco sales and the school.

D. Prohibition on sale of certain tobacco products.

It is unlawful to sell, offer to sell, or exchange or offer to exchange for consideration any of the following products in the city of Morro Bay (commencing December 1, 2020):

1. Electronic cigarettes.
2. Electronic cigarette paraphernalia.
3. Cigars meeting any of the following criteria:
  - a. Any single cigar, whether or not packaged for individual sale, unless the retail price exceeds five dollars; or
  - b. Any number of cigars fewer than the number contained in the manufacturer's original consumer packaging designed for retail sale to a consumer; or
  - c. Any package of cigars containing fewer than five cigars.
  - d. Flavored tobacco products (excepting smokeless tobacco products).

18.30.1420 – Cultivation of cannabis for personal use. (New for Point of Reference)

- A. Purpose and intent. It is the purpose and intent of the City to regulate personal cultivation of cannabis within the City in order to preserve the public peace, health, safety and general welfare of the citizens of the City of Suisun City.
- B. Applicability. Personal cultivation of cannabis within the City is subject to the provisions of Chapter 18.49.

18.30.1530 – Cannabis dispensaries (storefront dispensary). (New for Point of Reference)

- A. Purpose and intent. It is the purpose and intent of the City to regulate cannabis dispensaries within the City in order to preserve the public peace, health, safety and general welfare of the citizens of the City of Suisun City.
- B. Applicability Limitation. Cannabis dispensaries shall be limited to a maximum of one (1) within the City and located within the Cannabis Business Zone.
- C. Cannabis Business Use Permit Required: Cannabis business use permits, which may be revocable, conditional or valid for a term period, may be issued by the Planning Commission for any of the uses or purposes for which such permits are required or permitted by, and subject to all of the provisions of Chapter 18.49.

18.30.1640 – Commercial cannabis businesses (other than storefront dispensaries). (New for Point of Reference)

- A. Purpose and intent. It is the purpose and intent of the City to regulate commercial cannabis businesses, such as commercial cultivation, manufacturing, distribution and testing within the City in order to preserve the public peace, health, safety and general welfare of the citizens of the City of Suisun City.
- B. Applicability. Commercial cannabis businesses, such as commercial cultivation, manufacturing, distribution, testing laboratories, and delivery only dispensaries may be allowed in the Cannabis Business Zone with the City's Use Regulations (Chapter 18.49).

18.30.1750 – Adult businesses. (New for Point of Reference)

- A. Purpose and intent. It is the purpose and intent of the City to regulate adult businesses in order to preserve the public peace, health, safety and general welfare of the citizens of the City of Suisun City.
- B. Applicability. Adult entertainment may be allowed in certain areas within the Commercial Service and Fabricating (CSF) Zoning District in accordance with Chapter 18.48 of this code.

18.30.160 – Recycling facilities. (New)

- A. Purpose and intent. The purpose and intent of the City is to make redemption and recycling of reusable materials convenient to the consumer in order to reduce litter and to increase the recycling of reusable materials and to regulate the construction, installation, location and activities of recycling facilities and to adopt a comprehensive and easily understood program of permitting and regulating such uses. However, it is recognized that these facilities, by their very nature, have some objectionable characteristics, such as noise and traffic conflicts that require special consideration. In order to protect and preserve public health, safety and welfare, special regulation and review of these uses is necessary.
- B. Exempt facilities. Exemptions to the provisions of this Chapter shall be granted by the City subject to the provisions of state law. Recycling facilities intended for use by the City are exempt from the regulations of this Chapter. Reverse vending machines located within an existing commercial or industrial building are commercial or industrial accessory uses and are exempt subject to compliance with performance standards.
- A-C. Permit required. Unless exempt from this Chapter, recycling facilities may be permitted subject to a use permit as specified in the zoning district regulations, subject to the performance standards referenced in Table 18.30.04 provided that the Planning Commission or City Council, as the case may be, may relax such standards or impose stricter standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this Chapter or to protect the health, safety and welfare of the public, community and the environment as referenced in the following table. Reverse vending machines located outside a building shall be subject to a use permit.

**Table 18.30.04. Recycling Facilities Performance Standards**

RVM-Reverse Vending Machines (outside a building)  
SRC-Small Recycling Centers  
LRC-Large Recycling Centers  
RPC-Recycling Process Centers

<u>Applicable To</u>	<u>Performance Standard</u>
<u>RSM</u>	Shall be located within 30 feet of the entrance to the commercial structure and shall not obstruct pedestrian or vehicular circulation.
<u>RSM, SRC</u>	Shall not occupy parking spaces required by the primary use.
	Shall occupy no more than 50 square feet of floor area per installation, including any protective enclosure and shall be no more than 8 feet in height.

<b>Table 18.30.04. <u>Recycling Facilities Performance Standards</u></b> <u>RVM-Reverse Vending Machines (outside a building)</u> <u>SRC-Small Recycling Centers</u> <u>LRC-Large Recycling Centers</u> <u>RPC-Recycling Process Centers</u>	
<u>Applicable To</u>	<u>Performance Standard</u>
<u>RSM</u>	<u>Shall be constructed and maintained with durable waterproof and rustproof material</u>
<u>RSM</u>	<u>Shall be clearly marked to identify the type of material to be deposited, operating instructions and the identity and phone number of the operator or responsible person to contact if the machine is inoperative.</u>
<u>RSM</u>	<u>Machines shall be maintained in good appearance and condition and kept clean.</u>
<u>RSM</u>	<u>Shall be in operation at least during the operating hours of the host use.</u>
<u>RSM</u>	<u>Shall be illuminated to ensure comfortable and safe operation if operating hours are between dusk and dawn. All illumination shall require prior City authorization.</u>
<u>SRC</u>	<u>Shall accept only glass, metals, plastic containers, papers and reusable items. Used motor oil shall not be accepted in commercial zoning districts.</u>
<u>SRC</u>	<u>Shall not use power-driven processing equipment except for reverse vending machines.</u>
<u>SRC/LRC/RPC</u>	<u>Shall use containers that are constructed and maintained with durable waterproof and rustproof material, covered when the site is unattended, secured from unauthorized entry or removal of material and shall be of a capacity sufficient to accommodate materials collected and collection schedule.</u>
<u>SRC</u>	<u>Shall store all recyclable material in containers or in the mobile unit vehicle and shall not leave materials outside of containers when attendant is not present.</u>
<u>SRC/LRC</u>	<u>Shall be maintained free of litter and any other undesirable materials; mobile facilities, at which trucks or containers are removed at the end of each collection day, shall be swept at the end of each collection day; containers shall be maintained in good appearance and condition and be kept clean.</u>
<u>SRC/LRC</u>	<u>Recycling facilities shall not be located within 50 feet of a residential property; attended facilities located within 100 feet of a residential property shall operate only during the hours between 8:00 a.m. and 5:00 p.m. on weekdays and 9:00 a.m. and 5:00 p.m. on weekends.</u>
<u>SRC/LRC</u>	<u>Containers for the 24-hour donation of materials shall be at least 50 feet from any property zoned or occupied for residential use unless there is a recognized service corridor and/or acoustical shielding between the containers and the residential use.</u>
<u>SRC</u>	<u>Containers shall be clearly marked to identify the type of material which may be deposited; the facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation and display a notice stating that no material shall be left outside the recycling</u>

<b>Table 18.30.04. <u>Recycling Facilities Performance Standards</u></b> <u>RVM-Reverse Vending Machines (outside a building)</u> <u>SRC-Small Recycling Centers</u> <u>LRC-Large Recycling Centers</u> <u>RPC-Recycling Process Centers</u>	
<u>Applicable To</u>	<u>Performance Standard</u>
	<u>enclosure or containers.</u>
<u>SRC</u>	<u>Shall be landscaped for screening purposes as determined by the Planning Commission.</u>
<u>SRC</u>	<u>Shall operate at least 30 hours per week between the hours of 9:00 a.m. and 5:00 p.m., of which 5 hours must be on Saturday.</u>
<u>LRC/RPC</u>	<u>Does not abut a property zoned or planned for residential use or is at least 150 feet from property zoned or planned for residential use.</u>
<u>LRC</u>	<u>Shall be screened from the public right-of-way by operating in an enclosed building or located within an area enclosed by a screening fence or wall between 6 to 8 feet in height with landscaping.</u>
<u>LRC</u>	<u>All exterior storage of material shall be in sturdy containers which are covered, secured and maintained in good condition. Storage containers for flammable material shall be constructed of nonflammable material. Oil storage must be in containers approved by the City Official. No storage, excluding trailers and transport containers, will be visible above the height of the fencing. Trailers and transport containers shall not be stacked on top of each other.</u>
<u>RPC</u>	<u>Shall operate in a wholly enclosed building except for incidental storage or within an area enclosed on all sides by a screening fence or wall not less than 8 feet in height and landscaped on all street frontages; such fences or wall shall be set back a minimum of 20 feet from the front property line.</u>
<u>RPC</u>	<u>Power-driven processing shall be permitted, provided all noise level requirements are met. Recycling Processing Centers shall be limited to baling, briquetting, crushing, compacting, grinding, shredding and shorting of source-separated recyclable materials and repairing of reusable materials.</u>
<u>RPC</u>	<u>Storage containers for flammable material shall be constructed of nonflammable material. Oil storage must be in containers approved by the Fire Chief. No storage, excluding truck trailers and transport containers, will be visible above the height of the fencing; trailers and transport containers shall not be stacked on top of each other.</u>

18.30.1970 – Cargo Containers. (New)

- A. Purpose and intent. The purpose of these regulations is to allow limited use and/or temporary installations of cargo containers (containers that were originally designed as an intermodal freight container that could be transported by ships, trains, cargo planes and trucks) with reasonable standards to preserve neighborhood character and quality of appearance.
- B. Permit required. Temporary cargo containers (those used for no more than 6 months for construction projects, storage for events or for commercial uses in non-residential or mixed use zones, are subject to administrative approval by the Director and subject to

certain performance requirements provided in this section. Permanent cargo containers installations within the Commercial Services and Fabricating (CSF) Zone shall require approval of an Administrative Use Permit issued by the Director and shall be subject to certain performance requirements provided in this Chapter. Administrative use permits are subject to approval by the Director, who may add, delete or modify conditions to further the intent of the ordinance.

C. Performance standards. All cargo containers shall meet the applicable criteria and standards as required by this Chapter or any other regulation of the City, provided that the Director, in order to implement the general intent of this Chapter or to protect the health, safety and welfare of the public, community and the environment.

1. Temporary storage for industrial uses. Cargo containers may be permitted as temporary storage for industrial uses and shall be subject to the following standards:

- a. Be visually screened from residential areas if located within 100 feet of a residential zone;
- b. Not be stacked;
- c. Not occupy any required parking spaces, landscaped area or pedestrian access (may occupy parking areas if there is sufficient parking and they do not preclude safe access);
- d. Be painted a uniform color subject to approval by the Director;
- e. Not incorporate any signs or advertising;
- f. Be maintained free of graffiti; and
- g. Not be used for any human occupancy.

Cargo containers that do not comply with these performance standards may be approved with a use permit from the Planning Commission.

2. Permanent Storage for Industrial Uses. Any other installation of cargo containers (other than temporary storage) shall be considered permanent structures, shall only be permitted in the CSF Zone and shall be subject to all zoning requirements and design review, including installation on a permanent foundation. Cargo containers as permanent installations shall be subject to the following standards:

- a. Be visually screened from residential areas if located within 100 feet of a residential zone;
- b. Not be stacked;
- c. Not occupy any required parking spaces, landscaped area or pedestrian access (may occupy parking areas if there is sufficient parking and they do not preclude safe access);

- d. Be painted a uniform color on the project site approved by the Director;
- e. Not be used for human habitation; and
- f. Not have separate sewer, water or electrical services except for needed lighting purposes.

Permanent cargo containers that do not comply with these performance standards are subject to design review approval and may be approved with a use permit from the Planning Commission.

18.30.20180 – Portable storage units. (Revised from Section 18.30.230.)

- A. Purpose and intent. The purpose of these regulations is to allow limited use and/or installations of portable storage units (excluding cargo containers) for use on residentially zoned property with reasonable standards to preserve neighborhood character and quality of appearance.
- B. Allowed or permit required. Portable storage units are allowed for a period not to exceed thirty days within a six month period. For portable storage units that exceed this period, they are subject to approval by the Director and subject to certain performance requirements provided in this section. The Director may add, delete or modify conditions to further the intent of the ordinance.
- C. Performance standards. All portable storage units shall meet the applicable criteria and standards as required by this Chapter or any other regulation of the City, provided that the Director, in order to implement the general intent of this Chapter or to protect the health, safety and welfare of the public, community and the environment.
  - 1. Located in residential and mixed use residential zones. Portable storage units shall not exceed a cumulative gross floor area of 140 square feet for each dwelling unit (excluding accessory dwelling units).
  - 2. Located in commercial, industrial, or public/semi-public zones, portable storage units shall only be permitted as accessory uses incidental to a permitted commercial, industrial or public/semi-public principal use.
  - 3. Portable storage units shall not exceed a height of eight and one-half feet and a length of 16½ feet.
  - 4. Portable storage units shall not be located in any required open space, landscaped area, on any street or sidewalk or in any public right-of-way or utility easement, in any location that interferes with vehicular or pedestrian circulation, in any required off-street parking space, in any location that restricts safe ingress or egress of buildings, in any location that hinders access to fire hydrants or utility shut-off valves, or in any location that obstructs a clear sight triangle or clear sight distance.

18.30.24190 – Vending machines. (New)

- A. Purpose and intent. The purpose of these regulations is to allow limited use and/or installations of vending machines with reasonable standards to preserve neighborhood character and quality of appearance.
- B. Allowed and performance standards. Indoor vending machines are accessory to allowed uses. Outdoor vending machines are allowed in all commercial, mixed-use and industrial zones subject to the following performance standards:
1. Shall be located along the face of a building or against a structure designed to accommodate them;
  2. Shall be visible from access drives or public streets;
  3. Shall occupy not more than 10% the length of the wall facing the street or access drive or 20 feet, whichever is less;
  4. Shall not obstruct private pedestrian walkways; a minimum of 44 inches shall be kept clear of obstructions or more if pedestrian traffic volume warrants. They are not allowed on public sidewalks.

Vending machines that do not comply with these performance standards are subject to design review approval.

18.30.2200 – Small residential solar energy systems. (Revised from Chapter 18.60.)

- A. Purpose and intent. The purpose and intent of these regulations is to encourage energy sustainability by allowing the development of small residential solar energy systems for the production of electricity in order to balance the need for clean, renewable energy resources with the protection of the health, safety and welfare of the community
- B. Permit required and expedited processing. Small residential solar energy systems may be allowed in all zones subject to design review in accordance with Chapter 18-33 subject to certain performance standards referenced in this section. The permit process for residential rooftop solar systems shall be expedited consistent with the most current version of the California Solar Permitting Guidebook adopted by the Governor's Office of Planning and Research.
- C. Performance standards. All small solar energy systems shall meet the applicable criteria and standards as required by this Chapter or any other regulation of the City, provided that the Director, Design Review Board, Planning Commission or City Council, as the case may be, may relax such standards or impose stricter standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this Chapter or to protect the health, safety and welfare of the public, community and the environment.
1. They shall meet applicable health and safety standards and requirements imposed by the City and the State of California.

2. Systems that heat water shall be certified by an accredited listing agency as defined by the California Plumbing and Mechanical Code.
3. Systems that produce electricity shall meet all applicable safety and performance standards established by the California Electrical Code, the Institute of Electrical and Electronics Engineers and accredited testing laboratories such as Underwriters Laboratories and, where applicable, rules of the Public Utilities Commission regarding safety and reliability.
4. Solar technologies may be installed on non-historic buildings in a historic district in accordance with this section, which seek to maximize the performance of solar installations while also minimizing the visibility of solar installations from the public right-of-way.
5. Solar installations may be installed on historic buildings where they do not alter the character-defining features of the building. Solar installations on historic buildings may include:
  - a. PV panels located on an area of a pitched roof, or on a flat roof, or behind a roof parapet, that is not visible from the public right-of-way and does not structurally alter the historic building, and/or
  - b. Use of building integrated solar technologies that are selected and installed in a manner consistent with the visual character of the historic building (for example, solar tiles on a building that historically included the use of tiles as a roofing material).

18.30.210 – Small wind energy systems. (Revised from Chapter 18.62.)

- A. Purpose and intent. The purpose and intent of these regulations is to encourage energy sustainability by allowing the development of small wind energy systems for the production of electricity in order to balance the need for clean, renewable energy resources with the protection of the health, safety and welfare of the community. These systems consist of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity of not more than ten (10 kW) of power.
- B. Permit required. Small wind energy systems may be allowed in all zones subject to design review and subject to certain performance standards referenced in this section.
- C. Performance standards. All small wind energy systems shall meet the applicable criteria and standards as required by this section or any other regulation of the City, provided that the Director, Design Review Board, Planning Commission or City Council, as the case may be, may relax such standards or impose stricter standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this Chapter or to protect the health, safety and welfare of the public, community and the environment.
  1. They must have been approved by the California Energy Commission (CEC) as qualifying under the Emerging Renewables Fund of the Commission's Renewables Investment Plan or certified by a national program recognized and approved by the Energy Commission.

2. A minimum parcel size of 5,000 square feet is required for the placement of any small wind energy system. The maximum rated capacity for lots less than 0.5 acres is 2 kW and less. The maximum rated capacity for lots greater than 0.5 acres is 10 kW and less.
3. No part of a small wind energy system shall be located within or over drainage, utility or other established easements.
4. A maximum of one small wind energy system per parcel is permitted on parcels less than 1 acre in size. A maximum of 1 small wind energy system per acre is permitted on parcels greater than 1 acre in size.
5. They shall comply with the minimum setbacks for the zoning district. The location may be modified as part of the design review process to place the wind energy system as far as possible from the property lines. The small wind energy systems shall not be allowed in the front yard or a side yard with frontage.
6. The maximum height of a small wind energy system for lots less than 0.5 acres is 30 feet and 40 feet for lots greater than 0.5 acres. Tower height shall mean the height above grade of the fixed portion of the tower, excluding the wind turbine itself.
7. No portion of the turbine or tower shall be illuminated.
8. Any climbing foot pegs or rungs below 12 feet of a freestanding tower shall be removed to prevent unauthorized climbing. For lattice or guyed towers, sheets of metal or wood may be fastened to the bottom tower section so it cannot readily be climbed.
9. Each small wind energy system shall be equipped with both manual and automatic controls to limit the rotational speed of the blade within the design limits of the rotor. An external, manual shut-off switch shall be included with the installation. The minimum distance between the ground and any protruding blades utilized on a small wind energy system shall be 10 feet as measured at the lowest point of the arc of the blades.
10. No small wind energy system or combination of small wind energy systems on a single parcel shall create noise that exceeds a maximum of 60 CNEL (Community Noise Equivalent Level), as measured at the closest neighboring dwelling. These levels, however, may be exceeded during short-term events such as utility outages and severe wind storms.
11. The system's tower and supporting structures shall be painted a single, neutral, non-reflective, non-glossy color that visually blends with the surrounding natural and built environments.
12. Electrical Wires. All electrical wires leading from the tower to electrical control facilities shall be located underground.
13. They shall be maintained in good repair, as recommended by the manufacturer's scheduled maintenance or industry standards and shall be free from rust.

14. Signs/Labels. All signs, with the exception of manufacturer's, installer's identification, appropriate warning signs or owner identification, are prohibited.
15. They shall comply with applicable FAA (Federal Aviation Administration) regulations, including any necessary approvals for installations.
16. If found to be unsafe by the Building Official they shall immediately cease operation upon notification by City and shall be repaired by the owner to meet Federal, State and local safety standards or be removed within 6 months.
17. Small wind energy systems that are not operated for a continuous period of 12 months shall be removed by the owner of the small wind energy system.
- +18. When a small wind energy system is removed from a site, all associated and ancillary equipment, batteries, devices, structures or support(s) for that system shall also be removed. For the purposes of this section, non-operation shall be deemed to include, but shall not be limited to, the blades of the small wind energy system remaining stationary so that wind resources are not being converted into electric or mechanical energy.

18.30.2420 – Satellite dish antenna. (Revised from Section 18.30.160.)

- A. Purpose and intent. To establish regulations which regulate the installation of dish type satellite antenna to help protect public safety and preserve view corridors and neighborhood character.
- B. Residential performance standards.  
The installation of dish type satellite antenna may be permitted in all residential zones subject to the following criteria:
  1. Antenna size: Maximum diameter to be 10 feet.
  2. Setback: No part of a satellite dish antenna may be located in any required street or other yard. Antennas located outside a street yard setback but between the residence and the street are prohibited.
  3. Height: Maximum antenna height to be 13 feet. All satellite dishes higher than side or rear yard fences shall be screened from neighboring properties. Roof-mounted installations or pole-mounted installations attached to eaves are prohibited except by use permit. Any antenna that may block significant views from neighboring buildings or from public areas shall be subject to design review.
  4. Number: One dish type satellite antenna is allowed per site, in addition to normal television and radio antennas.
- C. Commercial performance standards. The installation of dish type satellite antenna may be permitted in the office, commercial and industrial zones subject to the following criteria:
  1. Installation shall be subject to design review in accordance with the adopted Design Review Committee Ordinance and guidelines.

2. Installations shall not be permitted within street yard.
3. Installations shall be located so as to minimize visibility from adjoining properties and rights-of-way.

D. Exceptions.

1. Dish-type satellite antenna installations that are less than one meter in diameter are exempt from these regulations unless proposed on a historic building.
2. Dish type satellite antenna installations that cannot meet the performance standards included in paragraphs C and D above may be considered if an administrative use permit is obtained. Conditions imposed as part of use permit approval would typically include requirements to minimize the visibility of the installation, including blockage of significant public and private views of hillsides, city vistas or open space areas. Acceptable techniques to reduce the visibility of dish installations include use of alternative materials (wire mesh instead of solid surface), painting the dish in a subdued or natural color and landscaped screening.

E. Open Space/Conservation Standards. The installation of dish type satellite antennas may be permitted in the Open Space/Conservation Zone subject to an administrative use permit and subject to design review in accordance with the adopted ARC ordinance and guidelines.

F. Building Permit Required. All satellite dish installations require issuance of a building permit. This is to ensure that dishes are structurally sound and properly grounded. Plans submitted for a building permit for a roof-mounted or pole-mounted installation require certification by a registered engineer.

18.30.2530 – Electric vehicle charging stations. (New)

- A. Purpose and intent. The purpose and intent of these regulations is to encourage energy sustainability by allowing the development of electric vehicle charging stations for the production of electricity in order to balance the need for clean, renewable energy resources with the protection of the health, safety and welfare of the community
- B. Permit required and expedited processing. Electric vehicle charging stations may be allowed in all zones subject to design review and subject to certain performance standards. Consistent with California Government Code § 65850.7, the process of reviewing an electric vehicle charging station shall be expedited consistent with the “Zero-Emission Vehicles in California: Community Readiness Guidebook” as published by the Governor’s Office of Planning and Research.
- C. Performance standards. All electric vehicle charging stations shall meet the applicable criteria and standards as required by this Chapter or any other regulation of the City, provided that the Director, Design Review Board, Planning Commission or City Council, as the case may be, may relax such standards or impose stricter standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this section or to protect the health, safety and welfare of the public, community and the environment.

1. Shall meet the requirements of the California Electrical Code, the Society of Automotive Engineers, the National Electrical Manufacturers Association and accredited testing laboratories such as Underwriters Laboratories and rules of the Public Utilities Commission or a Municipal Electric Utility Company regarding safety and reliability.
2. Shall meet the electrical code requirements of Article 625 and all applicable provisions of the California Electrical Code.
3. Shall be incorporated into the load calculations of all new or existing electrical services and shall meet the requirements of the California Electrical Code. Electric vehicle charging equipment shall be considered a continuous load.
4. Shall be anchored by either floor-mounted or wall-mounted electric vehicle charging stations shall meet the requirements of the California Building or Residential Code as applicable per occupancy and the provisions of the manufacturer's installation instructions. Mounting of charging stations shall not adversely affect building elements.

18.30.2640 – Wireless telecommunication facilities. (New)

- A. Purpose. To establish standards for the development, siting and installation of wireless telecommunications facilities on private property; to protect and promote public health, safety and welfare; and to preserve view corridors and avoiding adverse visual and environmental impacts. These standards are not intended to be all-inclusive. Projects may be subject to additional standards deemed appropriate through design review and use permit application processing to address site-specific conditions.
- B. Exempt facilities. The following wireless telecommunication facilities are exempt from the requirements of this section:
1. Government-owned communications facilities used primarily to protect public health, welfare and safety.
  2. Facilities operated by providers of emergency medical services, including hospital, ambulance and medical air transportation services, for use in the provision of those services.
  3. Satellite dish antennas for residential and commercial use, solely for the use of the occupants of the site, subject to compliance with development standards set forth in Section 18.30.2420.
  4. Any facility specifically exempted under federal or state law.
  5. Wireless proposals located within public rights-of-ways which are addressed in Chapter 12.28 of the City Code.
- C. Planning applications and approvals required.

1. Installation of a new wireless telecommunication facility or significant modification as determined by the Director, of an existing installation shall require administrative use permit approval and design review.
  2. The co-location of a new wireless telecommunication facility with an existing approved installation or minor modification of an existing installation shall subject to design review approval.
  3. The applicant shall submit application materials and fees as required by the Community Development Department.
- D. Building permit required. Wireless communications facilities shall not be constructed, installed or modified prior to obtaining a City building permit.
- E. Site development and performance standards.
1. Setbacks. All facility towers and accessory structures shall comply with the setback requirements of the applicable zoning district.
  2. Height. The height of any antenna or support equipment shall be determined as part of the use permit on a case by case basis. All facilities shall be designed to the minimum necessary functional height.
  3. Site access. Telecommunication facilities should use existing roads and parking whenever possible. New and existing access roads and parking shall be improved and surfaced where necessary to the satisfaction of the Director.
  4. Aesthetics and visibility. Facilities shall be creatively designed to minimize the visual impact to the greatest extent possible by means of placement, screening and camouflage. The applicant shall use the smallest and least visible antennas possible to accomplish the coverage objectives. Each installation shall be designed to blend into its surroundings so that the antenna(s) and equipment are not apparent to the casual observer.
    - a. Building mounted facilities shall appear as an integral part of the structure. Equipment and antennas shall be compatible and in scale with existing architectural elements, building materials and site characteristics. Wall mounted antennas shall be integrated architecturally with the style and character of the structure. If possible, antennas and equipment shall be located entirely within an existing or newly created architectural feature so as to be effectively unnoticeable.
    - b. Ground mounted support equipment shall be undergrounded or otherwise screened from view so as to be effectively unnoticeable.
    - c. All connections and conduits between the base of the antenna(s) and support equipment shall be undergrounded. Connections and conduit above ground shall be fully enclosed to the satisfaction of the Director. Electrical and telephone service to the support equipment shall be undergrounded.

- d. Ground mounted antennas, poles, structures, equipment or other parts of a wireless facility, which would extend above a ridgeline so as to silhouette against the sky shall be discouraged. Where allowed, they shall be designed to be indistinguishable from the natural surroundings.
5. Lighting. All telecommunication facilities, not otherwise required to have lighting pursuant to Federal Aviation Administration rules, shall be unlit, except when authorized personnel are actually present at night and except for exempt facilities.
6. Equipment upgrades. It shall be the responsibility of the owner/operator of a telecommunications facility to provide the City with a notice of intent to modify site equipment in any way. At the time of modification, co-location or upgrade of facilities, existing equipment shall be replaced with equipment of equal or greater technical capacity and modified to reduce aesthetic impacts by reducing the size of the facility or introducing camouflaging techniques to the satisfaction of the Director. Unused or obsolete equipment or towers shall be removed from the site within 90 days after their use has ceased.
7. Number of facilities per site. The City shall retain the authority to limit the number of antennas with related equipment and providers to be located at any site and adjacent sites in order to prevent negative visual impacts associated with multiple facilities.
8. Co-location. All facilities shall provide co-location opportunities to other operators to the extent technically feasible without significant impairment to broadcast or reception capabilities. All applicants shall demonstrate reasonable efforts in developing a colocation alternative for their proposal. Facilities shall also provide co-location opportunities to accommodate governmental emergency communication equipment and operation to the extent that such communication equipment and related operations will not adversely affect broadcast or reception capabilities of the applicant's facility. Failure to comply with colocation requirements may result in the denial of a permit request or revocation of an existing permit.
9. Noise. Each facility shall be operated in a manner that minimizes any possible disruption caused by noise to people working and living in the vicinity. At no time shall equipment noise from any source exceed an exterior noise level of 55 dB at the property line or within 20 feet of such equipment, whichever is less. This requirement may be modified at the discretion of the Director where typical ambient noise levels exceed 55 dBI. Outdoor noise producing construction activities shall take place only on weekdays between the hours of 8:00 a.m. and 5:00 p.m. unless a different schedule is approved as part of the use permit.
10. Backup generators. Unless specifically exempt by the Planning Commission, all facilities shall use a temporary backup generator that can provide backup power for a minimum for 72 hours. These generators shall be required to meet or exceed Air Pollution Control District Standards. All generators shall be fitted with approved air pollution control devices. Projects that propose to include backup generators shall require review and approval from the Air Pollution Control district. Project plans shall indicate location, size, horsepower and type of fuel used for any proposed generator. Generators shall only be operated during power outages and

for testing and maintenance purposes. Testing and maintenance shall only take place on weekdays between the hours of 8:00 a.m. and 5:00 p.m.

11. Biological impacts. Wireless telecommunication facility shall minimize potential impacts to biological resources.
12. Cultural impacts. Wireless telecommunication facility shall minimize potential impacts to cultural resources (including Native American resources).
13. Radio interference. Interference with municipal radio communication is prohibited. Any telecommunication facility that the City has reason to believe is interfering with municipal radio communication shall cease operation immediately upon notice from the City and shall be subject to use permit review and possible revocation. Testing shall be done prior to any permanent installation and frequencies shall be monitored at regular intervals after installation established by the use permit, at the expense of the facility owner/operator.
14. Radio frequencies and electromagnetic exposure.
  - a. Wireless telecommunications facilities operating alone or in conjunction with other telecommunications facilities shall not produce radio frequency radiation in excess of the standards for permissible human exposure as adopted by the Federal Communications Commission (FCC). Applications for facilities shall include a radio frequency radiation (RFR) report that measures the predicted levels of RF radiation emitted by the proposed facility. The radio frequency radiation report shall compare proposed project levels to levels allowed by the FCC and shall show output of the proposed facility in combination with other facilities located or proposed in the vicinity.
  - b. The City may require one or more post-construction RFR reports as a condition of project approval, to verify that the actual levels of RFR emitted by the approved facilities, operating alone or in combination with other approved facilities, substantially conform to the pre-approval RFR report and do not exceed current standards for permissible human exposure to RFR as adopted by the FCC.
15. Signs. Explanatory warning signs shall be posted at all access points to cellular telecommunication facilities in compliance with the American National Standards Institute (ANSI) C95.2 color, symbol and content conventions.
16. Nuisance. Facility generators, mechanical equipment, construction, testing and maintenance shall be operated or performed in such a manner that no nuisance results. At the discretion of the Director, upon receipt of written complaints, the use permit allowing a telecommunications facility may be scheduled for public review. At the hearing, conditions of approval may be added, deleted or modified or the use permit may be revoked.
17. Interference with public services and facilities. Telecommunication facilities within public parks shall not interfere with park operations or limit public use of park

facilities. Installations in conjunction with other public facilities shall be held to a similar standard.

18. City inspection. The City shall have the right to access facilities after 24-hours written or verbal notice.

F. Abandonment. It shall be the responsibility of the owner/operator of a telecommunications facility to provide the City with a notice of intent to vacate the site a minimum of 30 days prior to ceasing operation. Any wireless telecommunication facility that is not operated for a continuous period of 90 days shall be removed within 90 days of the date upon which the operation ceased.

G. Revocation of a permit. Wireless telecommunication service providers shall fully comply with all conditions related to any permit or approval granted under this section. Failure to comply with any condition shall constitute grounds for revocation. If a condition is not remedied within a reasonable period, the Director may schedule a public hearing before the Director to consider revocation of the permit.

18.30.2750 – Home occupation. (Revised from Chapter 18.50.)

A. Purpose and intent. The provisions set forth in this section are intended to allow the conduct of home as an accessory activity of a non-residential nature which is performed within a living unit or within a garage or accessory building reserved by an occupant of the living unit and which is customarily incidental to the residential use of the living unit. These uses are intended to be incidental to and compatible with surrounding residential neighborhood. A "home occupation" is gainful employment engaged in by the occupants of a dwelling.

B. Permit required.

1. The conduct of home occupation requires the approval of a home occupation permit from the Director, who may establish additional conditions to further the intent of this section. A permit is required when a person does business in his/her home, uses his/her home address as a business address on business licenses and tax certificates. Home occupations may be conducted from dwellings located in residential zones or from dwellings located in commercial zones where dwellings are an allowed or conditionally allowed use. Home occupation permits are not required for employees telecommuting.

2. State licensed child day care centers for fourteen or fewer children are exempt from home occupation regulations or as provided under applicable sections of the Health and Safety Code.

C. General requirements.

1. Home occupations shall not involve customer access or have other characteristics which would reduce residents' enjoyment of their neighborhoods. The peace and quiet of residential areas shall be maintained.

2. There shall be no customers or clients except for:

- a. Private instruction, such as education tutoring, music or art, on an individual basis, provided there are not more than eight visits in any one day.
  - b. Physical therapists, including massage or other therapists, who shall have no more than one client on site at any time and no more than eight visits in any one day.
  - c. Attorneys, accountants and other low visitation consultants who shall have no more than one client on site at any time (except for overlapping appointments) and no more than eight visits in any one day.
  - d. Businesses with customer access shall maintain at least one (1) on-site customer parking space in addition to their required residential parking. For the purposes of this section only, parking in a driveway that has a minimum depth of 20 feet from the back of sidewalk or street right of way (whichever is more restrictive) and is made available to customers during business hours of operation shall meet the definition of a parking space.
3. Activities shall be conducted entirely within the dwelling unit or an enclosed accessory building and shall not alter the appearance of such structures. (Horticultural activities may be conducted outdoors.)
  4. There shall be no sales, rental or display on the premises (internet and phone sales allowed).
  5. There shall be no signs other than address and names of residents.
  6. There shall be no advertising of the home occupation by street address except that street address may be included on business cards and business correspondence originating from the home.
  7. No vehicle larger than a van or three-quarter-ton truck may be used in connection with a home occupation. A marked commercial vehicle used in conjunction with the occupation shall have no more than 2 square feet of advertising. Licensed vehicles and trailers used in connection with a home occupation are limited to 1 additional vehicle and/or trailer.
  8. The home occupation shall not encroach on any required parking, yard or open space area.
  9. Parking for vehicles used in connection with the home occupation shall be provided in addition to parking required for the residence.
  10. Activities conducted and equipment or materials used shall not change the fire safety or occupancy classifications of the premises, nor use utilities in amounts greater than normally provided for residential use.
  11. No use shall create or cause noise, dust, vibration, smell, smoke, glare or electrical interference or other hazard or nuisance.

12. No employees other than residents of the dwelling shall be allowed to work on-site. (Visitors, babysitters or domestic servants are not considered employees of a home occupation.)
13. Clients or customers shall not visit the home occupation between the hours of 7:00 p.m. and 7:00 a.m.
14. If the home occupation is to be conducted from rental property, the property owner's written authorization for the proposed use shall be submitted to the Director.
15. No delivery or commercial pick-up shall be by vehicles larger than a typical delivery van (Fed Ex, UPS, etc.). Direct customer pick-up is prohibited.

D. Prohibited uses. The following uses by their operation or nature may interfere with residential welfare and diminish the convenience intended for commercial zones and therefore shall not be permitted as home occupations; however, off-site work is permitted:

1. Automotive repair (body or mechanical) or detailing, sound systems, upholstery or painting of automobiles, when performed on the same site as the home occupation.
2. Personal services, such as beauticians and estheticians.
3. Carpentry or cabinet making.
4. Welding or machining.
5. Medical offices, clinics, laboratories, except that counseling is permitted, when no more than one client visit or group session is held at one time.
6. Appliance, radio or television repair.
7. Print shop or photograph development; digital photo production is permitted.
8. Gun or ammunition sales, except for off-site sales (subject to approval by the Police Chief).
9. Storage, repair or reconditioning of motorized vehicles boats or recreation vehicles or large equipment, repair or reconditioning of major household appliances, including refrigerators, freezers, clothes washers and dryers, dishwashers, stoves, heating and air conditioning equipment when performed on the same site as the home occupation.
10. Tow truck and ambulance services.

18.30.2860 – Child and adult day care.

A. Purpose and intent. The provisions set forth in this section are intended to enable child and adult day care opportunities throughout the City, to ensure that day care facilities will be compatible with residential uses and to comply with applicable sections of the Health and Safety Code of the State of California.

B. Permits required.

1. Adult day care facilities serving six or fewer clients on site at one time and small family day care homes for eight or fewer children are considered residential uses for the purposes of zoning regulation. They may be established in all zones where dwellings are allowed. No use permit is required.
2. Adult day care facilities serving seven to 12 clients on site at one time and large family day care homes for children may be established in any zone where dwellings are allowed, subject to performance standards listed below. These facilities require written approval by the Director, consistent with the following review procedures:
  - a. Public notice. Mailed notice of the proposed use shall be given to all property owners within no more than a 100-foot radius of the exterior boundaries of the proposed facility site, no fewer than 10 days prior to the Director's action to approve or deny an application for a day care facility serving seven to 12 adults or 9 to 14 children. If no written request for hearing is received by the Community Development Department within 10 days from the mailing of these notices, the Director may approve the requested use upon submission of all required information and without further notice or public hearing.
  - b. Public hearing. A public hearing shall be required if requested in writing by the applicant or any other affected person.
  - c. Approval. The Director is authorized to approve day care facilities serving seven to 12 adults or 7 to 14 children. In accordance with applicable sections of the California Health and Safety Code, the Director shall approve the use when the Director determines that the proposed facility:
    - 1) Complies with all applicable provisions of the Fire Code regarding health and safety; and
    - 2) Complies with property development standards Chapter 18.44.
    - 3) Has been issued a day care license from the State of California, Department of Social Services; and
    - 4) Will satisfy performance standards of this section relating to noise, traffic and parking.
  - d. City regulatory authority for family day care homes: In accordance with the California Health and Safety Code, the City cannot deny an application for a large family day care home, but can apply standards of conditions of approval to address concentrations of these types of uses within a neighborhood, traffic control and parking and noise control. Also, in accordance with State law, the City may not impose fees for small or large family day care home applications or business licenses.

3. Day care facilities serving more than 12 adults or more than 14 children require approval of an administrative use permit where not otherwise allowed or prohibited, consistent with Section 18.30.280. These facilities are subject to the performance standards outlined below.

C. Performance standards for day care facilities serving more than six adults or more than fourteen children.

1. Noise. The day care facility shall be subject to all applicable provisions of the City's Noise Regulations and General Plan Noise Element. Where the day care facility is adjacent to housing in a residential zone, outdoor play and activities shall be prohibited prior to 9:00 a.m.
2. Traffic. Designated delivery and pick up areas shall not pose any traffic or safety hazards. Operators of day care facilities shall provide carpool-matching services to all clients.
3. Parking.
  - a. Day care facilities with seven to 12 adults or nine to 14 children, one on-site parking space is required, in addition to parking required for the residence, except when the Director finds that adequate on-street parking exists for dropping off and picking up clients.
  - b. Day care centers with more than 12 adults or more than 14 children must provide two spaces per facility and one space for each 12 day care clients (based on the facility's license), rounded to the nearest whole number, in addition to any spaces required for the residential use.

D. Day care as an accessory use. When day care facilities are accessory to another use requiring a permit, only one permit application need be filed and acted on. As accessory uses to schools and churches and where an employer provides onsite childcare to 14 or fewer children for the exclusive use of employees, day care is allowed by right, providing the primary use meets City parking standards.

E. Exceptions. Nothing in this section shall prohibit applicants from requesting exceptions or variances from the strict interpretation of the Zoning Regulations to the extent allowed by said regulations. The Director may authorize minor exceptions to performance standards upon finding that:

1. The modification is in accordance with the intent and purpose of the Zoning Regulations and consistent with City day care policy.

A-F. Nonconforming status. All day care facilities licensed by the State at the time of ordinance adoption (2020) shall be considered legal nonconforming uses, consistent with Chapter 18.68 of these regulations, except that nonconforming day care facilities may not be changed to another nonconforming use.

18.30.2970 – Bed and breakfast businesses. (Revised from Section 18.30.040.)

- A. Purpose and intent. To establish standards for the development and operation of bed and breakfast establishments within all residential zones of the City upon conforming to set criteria and conditions. The intent of these standards is to ensure that the location, concentration and design of bed and breakfast establishments is consistent with or does not negatively affect the character or function of the neighborhood and surroundings. Bed and Breakfast businesses located in mixed-use and commercial zoning districts are considered hotels and not subject to the criteria of this section.
- B. Applications and approvals required. A Bed and Breakfast Inn is allowed as specified in Chapters 18.06, 18.08 and 18.14-. In addition to the applicable Use Permit requirement, review by the Design Review Committee may be required depending upon the type of changes proposed to any structure intended for use as a Bed and Breakfast Inn.
- C. Performance standards. These standards apply to all bed and breakfast homes or inns.
1. The use permit is subject to review at any time and may be revoked after a hearing by the Planning Commission and a finding by the Planning Commission that the use has become detrimental to the surrounding neighborhood.
  2. A bed and breakfast inn must comply with all other provisions of the zone in which it is located and must comply with all other ordinances of the City.
  3. A City business license is required and remittance of transient occupancy tax and short-term rentals is required.
  4. Any other conditions deemed essential and desirable by the Planning Commission may be imposed on such a use.
  5. The home shall not be used by the public or paying guests for the hosting of receptions, private parties or the like.
  6. Meals, if provided, shall be served only to residents and overnight guests of the bed and breakfast home.
  7. There shall be no separate or additional kitchen facility for the guests.
  8. No alteration shall be allowed to the exterior of the dwelling or yard that alters the residential characteristics of the premises.
  9. Any signage for a bed and breakfast establishment shall comply with the City's Sign Regulations (refer to Section 18.48).
  10. The main building of the Bed and Breakfast establishment must be the "primary residence" of the "owner" or "manager" of the bed and breakfast use.
  11. Accessory buildings and structures may also be used for bed and breakfast guest rooms.

12. Factors used in determining the appropriate number of guest rooms that may be permitted in any location shall include the relationship of the site to parking, access, character, size and scale of surrounding uses.

13. All bed and breakfast facilities shall maintain garbage and recycling services from City's selected service agency.

~~14.~~ Provision of parking in compliance with Section 18.48.

~~15.~~ No person who is paying rent in exchange for lodging shall occupy a guest room on the premises for more than 14 consecutive nights.

#### 18.30.30280 – Vacation rentals. (New)

A. Purpose and intent. To establish standards for the development and operation of vacation rentals within all residential and mixed use most residential zones in the City. The purpose of these regulations are to allow rental of a residential dwelling unit as a vacation rental: owner-occupied dwelling unit where bedrooms are provided for compensation for fewer than thirty consecutive days) in the City with reasonable standards to preserve the residential neighborhood character and quality of life.

B. Violation-Nuisance-Applicability. The provisions of the section shall apply to all vacation rentals except where there is a primary owner in residence. It is unlawful and a violation of this Chapter, and is hereby declared a public nuisance, for any person or entity owning, renting, leasing, occupying, or having charge, control or possession of any real or improved property within the City of Suisun to cause, permit, maintain or allow any violation of this Chapter to exist thereon. Any violation of this Chapter is punishable as a misdemeanor and/or as otherwise permitted by this code. Each and every violation of this Chapter that exists constitutes a separate and distinct violation as does each and every day, or portion thereof that any violation exists. Vacation rentals shall not be permitted in non-habitable structures. Vacation rentals shall also not be permitted within secondary, accessory or junior accessory dwelling units, nor in structures or dwellings with City covenants or agreements restricting their use including but not limited to affordable housing units, agricultural employee units, or farmworker housing, farm family units. Tents, yurts, RVs, and other provisions intended for temporary occupancy are not allowed as a part of a vacation rental.

C. Permits Required. Vacation rentals that meet the standards outlined in this section shall be allowed as provided by the underlying zone, subject to issuance of a vacation rental permit through an administrative approval by the Director, who may add, delete or modify conditions to further the intent of the ordinance.

D. Term of Permit. Zoning permits shall run with the landowner and shall automatically expire upon sale or transfer of the property.

E. Permit Requirements.

1. Maximum Number of Guestrooms. Vacation rentals may have a maximum of five (5) guestrooms or sleeping rooms. Vacation rentals with more than five(5) guestrooms or sleeping rooms may only be allowed if adequate sewage disposal capacity exists and neighborhood compatibility can be demonstrated to be

determined by the approval of a use permit from the Planning Commission. For purposes of determining the appropriate level of permit required, the actual number of bedrooms in the structure plus any additional rooms intended or used for sleeping shall be used.

2. Maximum Overnight Occupancy. Maximum overnight occupancy for vacation rentals shall be up to a maximum of two (2) persons per sleeping room or guestroom, plus two (2) additional persons per property, up to a maximum of twelve (12) persons, excluding children under three (3) years of age. Vacation rentals with larger overnight occupancies may only be allowed subject to the granting of a use permit. For homes on a conditional or non-standard septic system, or those with capacity limited by a voluntary repair, the maximum overnight occupancy for vacation rentals shall be equal to the design load of the septic system. The property owner shall ensure that all contracts and online listings and advertisements clearly set forth the maximum number of overnight guests permitted at the property.
3. Maximum Number of Guests and Daytime Visitors. The maximum number of total guests and visitors allowed at any time in a single vacation rental shall not exceed the maximum overnight occupancy plus six (6) additional persons per property during the daytime, or eighteen (18) persons, whichever is less, excluding children under three (3) years of age. Daytime visitors shall not be on the property during quiet hours (10 p.m. to 7 a.m.).
4. Owner Occupancy. All vacation rentals shall be owner occupied which means that the owner of the vacation rental unit shall occupy the rental dwelling unit at least 51% of the time during the year.
5. Parking. Parking shall be provided in compliance with the City's Parking requirements (Section 18.42)
6. Noise Limits. All activities associated with the vacation rental shall meet the general plan noise standards contained below. Quiet hours shall be from 10:00 p.m. to 7:00 a.m. The property owner shall ensure that the quiet hours and limits on outdoor activities are included in rental agreements and in all online advertisements and listings.
7. Amplified Sound. Outdoor amplified sound shall not be allowed at any time associated with a vacation rental.
8. Pets. Pets, if allowed by owner, shall be secured on the property at all times. Continual nuisance barking by unattended pets is prohibited.
9. Trash and Recycling Facilities. Recycling and refuse storage bins shall not be stored within public view unless in compliance with neighborhood standards. Recycling and trash receptacles shall be returned to screened storage areas within 24 hours of trash pick-up.
10. Outdoor Fire Areas. Outdoor fire areas, when not prohibited by state or local fire bans, may be allowed but shall be limited to 3 feet in diameter, shall be located on a non-combustible surface, shall be covered by a fire screen, and shall be

extinguished as soon as it is no longer in use or by 10:00 p.m., whichever is earlier. No fire or fire area shall be located within 25 feet of a structure or combustible material.

11. Septic Systems and Sewer Connections. The owner shall maintain a properly functioning septic system or sewer connection. In some cases, a per- room sewer fee may be applied.
12. Transient Occupancy Tax. The vacation rental owner or authorized agent shall maintain a transient occupancy tax certificate and remain current on all required reports and payments. Owner or authorized agent shall include the certificate number on all contracts or rental agreements, and in any advertising or websites.
13. 24-hour Property Manager. All vacation rentals operating within the City must have a verified property manager who is available 24 hours per days, 7 days per week during all times that the property is rented or used on a transient basis. Verified property managers may be professional property managers, realtors, property owners, or other designated person provided that the individual is identified on the property's permit application, all contracts or rental agreements and in any advertising or websites. Property managers must be located within a 30-mile radius of the vacation rental and must be available to respond to complaints at all times during the rental period. Any requested change to the property manager for a vacation rental property shall be made through submittal of a new Vacation Supplemental Application or similar form provided by the City and shall include the signature of the property manager and the desired effective date of the change. In no case may a vacation rental operate without a current verified property manager. Operation of a vacation rental without a verified property manager shall be considered a violation of this section. The name and 24-hour contact information of the verified property manager shall be provided to any interested party upon request. Owner occupancy requirements under Subsection E-4 of this section will require owner to also comply with this provision.
14. Emergency Access. The owner of any vacation rental located behind a locked gate or within a gated community shall provide gate code or a lockbox with keys ("Knox Box" or similar) for exclusive use by law enforcement or fire services departments.
15. Posting and Neighbor Notification of Permit and Standards. Once a vacation rental permit has been approved, a copy of the permit listing all applicable standards and limits shall be posted within the vacation rental property. The owner shall post these standards in a prominent place within six (6) feet of the front door of the vacation rental and include them as part of all rental agreements. At the permit holder's expense, the City shall provide mailed notice of permit issuance to property owners and immediate neighbors of the vacation rental unit using the standard 300' property owner mailing list. All advertising handouts, flyers, internet listings, or any other information provided for vacation rentals shall conform to the approved occupancy limits and standards as stated on the vacation rental permit. Advertising may only be conducted for properties operating under a valid permit. Advertising for a particular property inconsistent with the approvals for that property shall be considered a violation of these performance standards.

16. Requirements for All Internet Advertisements and Listings. All online advertisements and/or listings for the vacation rental property shall include the following:

- a. Maximum occupancy, not including children under 3;
- b. Maximum number of vehicles;
- c. Notification that quiet hours must be observed between 10:00 p.m. and 7:00 a.m.;
- d. Notification that no outdoor amplified sound is allowed; and,
- e. The Transient Occupancy Tax Certificate number for that particular property.

F. Enforcement Process.

1. Initial complaints on vacation rentals shall be directed to the property manager identified in the zoning permit or use permit, as applicable. The certified property manager shall be available 24 hours during all times when the property is rented and shall be available by phone during these hours. Should a problem or arise and be reported to the verified property manager, the property manager shall be responsible for contacting the tenant to correct the problem within 60 minutes, or within 30 minutes if during quiet hours, including visiting the site if necessary to ensure that the issue has been corrected. The property manager shall complete the online reporting form to report any such complaints, and their resolution or attempted resolution(s), to the City within 24 hours of the occurrence. Failure to respond to complaints or report them to City shall be considered a violation of this section and shall be cause for revocation of certification status.

If the issue reoccurs, the complaint will be addressed by City code enforcement who may conduct an investigation to determine whether there was a violation of a zoning or use permit condition. Police reports, online searches, citations or neighbor documentation consisting of photos, sound recordings and video may constitute proof of a violation. If code enforcement verifies that a zoning or use permit condition violation has occurred, a notice of violation may be issued, and a penalty may be imposed in accordance with the Suisun City Code.

At the discretion of the Director, the zoning permit may be revoked. If the permit is revoked, a zoning permit for a vacation rental may not be reapplied for or issued for a period of at least one (1) year after revocation.

2. Enhanced penalty for non-permitted rentals. A vacation rental that is determined to be operating without the necessary permit required under this section shall be subject to a penalty of ten times the normal application fee.

3. Three Strikes Penalty. Upon receipt of any combination of three administrative citations, verified violations, or hearing officer determinations of violation of any of the permit requirements or performance standards issued to the owner or occupants at the property within a two year period, the vacation rental zoning

permit is summarily revoked, subject to prior notice and to appeal, if requested within 10 days. Should such a revocation occur, an application to reestablish a vacation rental at the subject property shall not be accepted for a minimum period of two years.

4. Violation of Performance Standards – Administrative Citations. In addition to all other legal remedies, criminal or civil, which may be pursued by the City to address any violation of the City Code, this subsection provides for Administrative Citations.

- a. Use of Administrative Citations shall be at the sole discretion of the City.
- b. This subsection is adopted pursuant to the authority conferred by the California Government Code, including § 53069.4.
- c. Violations of the following permit requirements and performance standards may be deemed infractions for the purposes of this subsection, and are subject to administrative citation:
  - 1) Conduct of a cultural event, special event, party, wedding or other similar activity exceeding the allowable maximum occupancy;
  - 2) Exceeding the maximum permitted occupancy, not including children under 3 years of age;
  - 3) Noise violations, as set forth in Subsection F-1 of this section, above, including the use of outdoor amplified sound;
  - 4) Violations of quiet hours (10:00 p.m. – 7:00 a.m.);
  - 5) Exceeding maximum number of vehicles
  - 6) Exceeding fire limits, including lighting fires during bans
  - 7) Unsecured pets and/or nuisance barking;
  - 8) Operation of a vacation rental without a certified property manager;
  - 9) Failure of the property owner to include the specified limits in rental agreements and online listings or advertisements;
  - 10) Failure to include the individual property's Transient Occupancy Tax Certificate number in all contracts, advertising and online listings;
  - 11) Failure of the property owner to maintain current Transient Occupancy Tax status.

G. Monitoring and Enforcement Fee.

- 1. An annual fee may be adopted by the City Council and collected by the City to pay for monitoring and enforcement of vacation rentals.

18.30.34290 – Live-work units. (Revised from Chapter 18.52)

- A. Purpose and intent. To establish standards for the development and operation of live-work units to provide flexibility by fostering the development of units that include both work and living space, with the work space as the primary use and the living space as the secondary use.
- B. Permit required. Live-work units may be allowed in various zones in accordance with Use Table, Section 18.08.02 subject to certain performance standards referenced in this section. The Director may add, delete or modify conditions to further the intent of these regulations.
- C. Performance standards.
1. Live-work units must be primarily designed such that the residential function of the building is secondary to the commercial-business establishment.
  2. The exterior design of live-work units must be compatible with the exterior design of the commercial or residential buildings in the immediate local; may be subject to design review approval in accordance with Section 78.
  3. Living space must include, at a minimum, cooking space, a bathroom, and dedicated sleeping space.
  4. Live-work units located at the ground floor level in the CMU zone must include the work space at the ground floor level.
  5. Live-work units that are intended to accommodate employees should be designed with separated work and living space (so-called “live near” arrangements).
  6. Where the live-work units is a “hazardous occupancy” in which hazardous materials and/or procedures are part of the production process (e.g., welding or wood shop equipment) open, studio style live-work units are not permitted, and work and living spaces must be separated by walls.
  7. At least one resident in each live-work unit shall maintain a valid city business license.
  8. Persons who do not reside in the live-work unit may work there, provided that required parking is established. (See Chapter 18.42, “Parking and Loading Areas.”)
  9. The maximum number of employees who may work at the live-work unit but who do not reside there is two.
  10. Client and customer visits to live-work units are permitted if the following are met:
  11. Parking requirements for a commercial establishment of the type associated with the use of the unit. On-street parking may be considered by the development services director if the applicant can demonstrate that this is available.

12. ADA accessibility shall be requirement.
13. A live-work unit is not divisible, and no portion of a live-work unit may be rented or sold as separate commercial space or living space.
14. No live-work unit, or a portion of a live-work unit, may be rented or sold to persons who do not live or work on the premises.
15. Any change in use of a live-work unit is subject to a obtaining all related performance standards and new review and approval by the Director.

18.30.3200 – Housing developments. (New)

A. Purpose, intent and applicability. The purpose of this section is to establish regulations related to the development of housing projects in compliance with California Government Code §§ 65940 to 65950 regarding the review process for residential developments.

1. The City's Design procedures outlines the requirements for the ministerial review and approval of housing development in accordance with Chapter 18.78.
2. If the project constitutes an affordable housing development, it shall not be subject to discretionary review, including environmental review. Otherwise, the project shall be processed in accordance with the Housing Accountability Act of 2019 as amended, California Government Code § 65940 (until the Act's expiration).
3. If the project is considered a "Streamline Housing Development project, the project shall be subject to the submittal of a complete application as required by California Government Code § 65913.4 and as provided in the Design Review Manual. Also, in accordance with California Government Code § 66300 (b) (1) C) any design standards for housing development shall be limited to objective criteria that involves no personal or subjective judgment.
4. The Planning Department shall maintain a required checklist of information for submittal for a complete application in accordance with California Government Code § 65940, this list shall be limited to only those items noted by law as being required.
- ~~1-5.~~ In accordance with California Government Code § 65905.5 the City may not conduct more than five public hearings on a housing development project if the project complies with objective general plan and zoning standards in effect at the time the application is deemed complete. Public hearings include workshops and reviews by the Planning Commission and/or City Council. They do not include legislative hearings to address general or specific plan or zoning amendments that may be needed to accommodate the project.

18.30.3310 – Accessory and junior accessory dwelling units. (Revised from Section 18.30.170.)

A. Purpose and intent. In accordance with California Government Code § 65852.150, to expand housing opportunities for low-income and moderate-income or elderly households by increasing the number of rental units available within existing neighborhoods, accessory and junior accessory dwellings are encouraged to be produced. Upon meeting

the requirements of this section, accessory and junior accessory dwelling units may be established in all locations by zone that allow single-family and multiple family residential uses.

B. Approvals. The following approvals apply to ADUs and JADUs under this section:

1. Building-permit only. If an ADU or JADU complies with each of the general requirements listed below, it is allowed with only a building permit.
2. Converted on single-family lot. One ADU or JADU on a lot with a proposed or existing single-family dwelling on it, where the ADU or JADU:
  - a. Is within the space of a proposed single-family dwelling; within the existing space of an existing single-family dwelling; or within the existing space of an accessory structure, plus up to 150 additional square feet, if the expansion is limited to accommodating ingress and egress;
  - b. Has exterior access that is independent of that for the single-family dwelling; and
  - c. Has side and rear setbacks sufficient for fire and safety, as dictated by applicable building and fire codes.
3. Limited detached on single-family lot. One detached, new-construction ADU on a lot with a proposed or existing single-family dwelling (in addition to any JADU that might otherwise be established on the lot under this subsection, if the detached ADU satisfies the following limitations:
  - a. The side- and rear-yard setbacks are at least 4-feet. The Building Official and the Fire Chief shall confirm that side and rear setbacks are sufficient for fire safety.
  - b. The total floor area is 800 square feet or smaller.
  - c. The peak roof height above-grade is 16 feet or less.
4. Converted on multifamily lot. Multiple ADUs within portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited, to storage rooms, boiler rooms, passageways, attics, basements or garages, if each converted ADU complies with state building standards for dwellings. At least 1 converted ADU is allowed within an existing multifamily dwelling, and up to 25% of the existing multifamily dwelling units may each have a converted ADU under this paragraph.
5. Limited detached on multifamily lot. No more than 2 detached ADUs on a lot that has an existing multifamily dwelling, if each detached ADU satisfies the following limitations:
  - a. The side- and rear-yard setbacks are at least 4-feet.
  - b. The total floor area is 800 square feet or smaller.

6. ADU permit:

- a. No ADU may be created without a building permit.
- b. The City may charge a fee to reimburse it for costs incurred in processing ADU permits, including the costs of adopting or amending the City's ADU ordinance. The ADU permit processing fee is determined by the City Council by resolution.

7. Process and timing:

- a. An ADU permit is considered and approved ministerially, without discretionary review or a hearing.
- b. The City must act on an application to create an ADU or JADU within 60 days from the date that the City receives a completed application, unless either:
  - 1) The applicant requests a delay, in which case the 60-day time period is tolled for the period of the requested delay, or
  - 2) In the case of a JADU and the application to create a junior accessory dwelling unit is submitted with a permit application to create a new single-family dwelling on the lot. The City may delay acting on the permit application for the JADU until the City acts on the permit application to create the new single-family dwelling, but the application to create the JADU will still be considered ministerially without discretionary review or a hearing.

8. Zoning:

- a. An ADU or JADU subject only to a building permit under Subsection 6 above may be created on a lot in a residential or mixed-use zones).
- b. An ADU or JADU subject to an ADU permit under Subsection 6 above may be created on a lot that is zoned to allow single-family dwelling residential use or multifamily dwelling residential use.

9. Fire sprinklers. Fire sprinklers are required in an ADU, if sprinklers are required in the primary residence.

10. Rental term. No ADU or JADU may be rented for a term that is shorter than 30 days.

11. No separate conveyance. An ADU or JADU may be rented, but no ADU or JADU may be sold or otherwise conveyed separately from the lot and the primary dwelling (in the case of a single-family lot) or from the lot and all of the dwellings (in the case of a multifamily lot).

12. Owner occupancy:

- a. All ADUs created before January 1, 2020 are subject to the owner-occupancy requirement that was in place when the ADU was created.
- b. An ADU that is created after that date but before January 1, 2025, is not subject to any owner-occupancy requirement.
- c. All ADUs that are created on or after January 1, 2025 are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property as the person's legal domicile and permanent residence.
- d. All JADUs are subject to an owner-occupancy requirement. A natural person with legal or equitable title to the property must reside on the property, in either the primary dwelling or JADU, as the person's legal domicile and permanent residence. However, the owner-occupancy requirement of this section does not apply if the property is entirely owned by another governmental agency, land trust or housing organization.

C. Other ADU requirements. The following requirements apply only to ADUs that require an ADU permit under Subsection B.6 above.

1. Maximum size:

- a. The maximum size of a detached or attached ADU subject to Subsection A.6 is 850 square feet for a studio or 1-bedroom unit and 1,000 square feet for a unit with 2 bedrooms. No more than 2 bedrooms are allowed.
- b. An attached ADU that is created on a lot with an existing primary dwelling is further limited to a maximum 50% of the floor area of the existing primary dwelling.
- c. Application of other development standards in this section, such as lot coverage, might further limit the size of the ADU, but no application of lot coverage or open-space requirements may be required if the ADU is less than 800 square feet.

2. Lot coverage. No ADU subject to this section may cause the total lot coverage of the lot to exceed 50%, subject to Subsection B.1.c. above.

3. Minimum open space. No ADU subject to this section may cause the total percentage of open space of the lot to fall below 50%, subject to Subsection B.1.c above.

4. Height:

- a. A single-story attached or detached ADU may not exceed 16 feet in height above grade, measured to the peak of the structure.
- b. A second story or 2-story attached ADU may not exceed the height of the primary dwelling.

- c. A detached ADU may not exceed 1-story in height.
- 5. Passageway. No passageway shall be required for an ADU.
- 6. Parking:
  - a. Generally. One off-street parking space is required for each ADU. The parking space may be provided in setback areas or as a tandem parking space.
  - b. Exceptions. No parking shall be required in the following situations:
    - 1) The ADU is located within one-half mile walking distance of public transit.
    - 2) The ADU is located within an architecturally and historically significant historic district.
    - 3) The ADU is part of the proposed or existing primary residence or an accessory structure.
    - 4) When on-street parking permits are required but not offered to the occupant of the ADU.
    - 5) When there is an established car share vehicle stop located within one block of the ADU.
  - c. No replacement. When a garage, carport or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU, those off-street parking spaces are not required to be replaced.
- 7. Flood Hazards. For sites within a Flood Hazard Area on the adopted Federal Emergency Management Agency Flood Insurance Rate Map, the finished floor of any new or legalized accessory dwelling unit shall be elevated at least one (1) foot above the Base Flood Elevation as "new construction" under Chapter 15.30 Flood Damage Prevention of the Municipal Code. The applicant shall submit an Elevation Certificate based on construction drawings with the building permit plans and a final Elevation Certificate shall be required prior to project final.
- 8. Property Line Encroachments. If any portion of an existing structure crosses a property line, the structure may not be converted to or replaced with an accessory dwelling unit. For an existing structure within four feet of a property line, the applicant must submit a survey demonstrating that the structure does not cross the property line.
- 9. Design Review: Design standards for Units that Exceed 800 square feet. Accessory dwelling units that are greater than 800 square feet and/or are built at a height exceeding 16 feet shall be designed with materials, colors, and style that match the exterior of the primary housing unit including roof, eaves, windows, accents, and doors. For units that are less than 800 square feet, accessory

dwelling units design shall comply with the City's Single-Family Dwelling objective design standard in accordance with Table 17.01.040.3.

D. Fees.

1. Impact fees:

- a. No development impact fee will be required for an ADU that is less than 750 square feet in size.
- b. Any impact fee that is required for an ADU that is 750 square feet or larger in size must be charged proportionately in relation to the size of the primary dwelling unit square footage of the primary dwelling unit (e.g., the floor area of the primary dwelling, divided by the floor area of the ADU, times the typical fee amount charged for a new dwelling). "Impact fees" here does not include any connection fee or capacity charge for water or sewer service.
- c. Waiving Development Impact Fees. For Accessory Dwellings that Exceed 750 square feet in size. Development impact fees for accessory dwellings that exceed 750 square feet in size, will be waived if the applicant/property owner of the accessory dwelling unit records a deed restriction on the property prior to building permit issuance, as approved by the Director, limiting the rent to low or very low-income. The deed restriction shall be binding upon any successor in ownership of the property. Lack of compliance shall be cause for code enforcement and/or revoking the City's approval of the accessory dwelling unit. The deed restriction shall lapse upon removal of the accessory dwelling unit.

2. Utility fees:

- a. Converted ADUs and JADUs on a single-family lot, created under Subsection A.4, above, are not required to have a new or separate utility connection directly between the ADU or JADU and the utility. Nor is a connection fee or capacity charge required unless the ADU or JADU is constructed with a new single-family home.
- b. All ADUs and JADUs not covered by Subsection C.2.a above require a new, separate utility connection directly between the ADU or JADU and the utility. The connection is subject to a connection fee or capacity charge that is proportionate to the burden created by the ADU or JADU, based on either the floor area or the number of drainage-fixture units (DFU) values, as defined by the Uniform Plumbing Code, upon the water or sewer system. The fee or charge may not exceed the reasonable cost of providing this service.

E. Nonconforming ADUs and Discretionary Approval. Any proposed ADU or JADU that does not conform to the objective standards set forth in this section may be allowed by the City with a conditional use permit.

F. Acts to Eliminate ADU Entrance or Permanent Provisions for Eating, Cooking, and Sanitation. Acts to remove accessory or junior accessory units and/or permanently remove eating, cooking and sanitation facilities shall require separate City approval as follows:

1. A building permit shall be required to remove the separate entrance or permanent provisions for eating, cooking, and sanitation in an accessory dwelling unit.
2. No building permit shall be issued to remove permanent provisions for eating, cooking, and sanitation or the separate entrance for an accessory dwelling unit created by converting or demolishing a garage, carport, or covered parking structure in conjunction with the construction of an accessory dwelling unit unless either:
  - a. The project includes restoring the garage for vehicle parking prior to the first inspection on the permit; or
  - b. The site has the required number of on-site parking spaces as required by the Parking City's Parking Requirements in Section 18.42.
3. No building permit shall be issued to remove permanent provisions for eating, cooking, and sanitation or the separate entrance for an accessory or junior accessory dwelling unit created with side or rear yard setbacks that are less than required under the development standards of this Chapter unless the project includes removing the area within the setback or a variance is approved.

18.30.3520 – Other accessory structures. (New)

A. Purpose and intent. The purpose of this section is to establish regulations for the development of accessory structures, other than accessory dwelling units and guest quarters, such as a garage, storage shed or shop, approved as an accessory use based on the following criteria:

1. Regulations on accessory structures are established to provide a distinction between non-habitable accessory structures (e.g. garage, storage shed, shop building) and accessory living spaces (e.g. accessory dwelling units, guest quarters, office, pool house, etc.). These regulations establish standards which prevent the conversion of accessory structures into unpermitted living space to ensure that such structures are not used as separate dwelling units.
2. Unpermitted conversion of accessory structures is detrimental to the public health, safety and welfare of the community.

B. General requirements – Accessory structures. "Accessory structures" are located upon the same site as the structure or use to which it is accessory. Acc shall be subject to the following requirements: The Director may relax such standards or impose stricter standards as an exercise of discretion upon a finding that such modifications are reasonably necessary in order to implement the general intent of this Chapter or to protect the health, safety and welfare of the public, community and the environment.

1. Accessory structure use and size: Accessory structures may consist of detached structures or additions to primary structures. The use of an accessory structure is incidental and subordinate to the use of the principal structure or to the principal land use of the site. "Accessory structures" that include habitable space, as defined by the California Building Code, shall be no larger than 450 square feet.
2. This section does not apply to legally established dwellings or accessory dwelling units and guest quarters.
3. This section does not apply to legally established accessory structures permitted prior to the effective date of this ordinance.
4. Accessory structures shall conform to all applicable zoning regulations such as height, yards, parking, building coverage, etc.
5. No kitchen facilities. Kitchens may not be installed and plumbing shall be provided for bathroom use only.
6. Design review required. All requests shall be subject to design review approval.
7. Owners' agreement with the City. Prior to the issuance of construction permits, the Director may require a covenant agreement shall be recorded which discloses the structures approved floor plan and status as an "accessory structure" which cannot contain living space, including bathing facilities or a kitchen. This agreement shall be recorded in the office of the County Recorder to provide constructive notice to all future owners of the property. The covenant agreement also may contain authorization for annual inspections and to allow the City upon reasonable time and notice, to inspect the premises for compliance with the agreement and to verify continued compliance with requirements of this section and health and safety codes.

18.30.3630 – Emergency shelters and low barrier navigation centers. (Revised from Section 18.30.090.)

- A. Purpose and intent. The purpose of these regulations is to allow operation of emergency shelters and low barrier navigation centers in the City to help people in need of housing that are temporarily homeless. Reasonable standards have been established to preserve the neighborhood character and quality of life in Suisun. Low barrier navigation centers may be permitted for the time determined valid under Government Code §§ 65660 through 65668.
- B. Application and permit required. Emergency shelters are allowed by right subject to approval of an administrative permit from the Director, within the Commercial Services and Fabricating (CFS) Zone subject to the below standards. These standards may be applied to an emergency shelter proposed in any other zoning district with a use permit from the Planning Commission. Emergency shelters which require use permit approval may be subject to conditions of approval with requirements that vary from and supplement these standards. Low barrier navigation centers meeting the requirements of Govt. Code section 65662 are allowed by right in areas zoned for mixed use and nonresidential zones permitting multifamily uses.

C. Standards for emergency shelters and low barrier navigation centers.

All emergency shelters and low barrier navigation centers shall be subject to the following standards:

1. The emergency shelter or low barrier navigation center shall be operated by a responsible social service provider.
2. The emergency shelter or low barrier navigation center shall provide at least one qualified on-site supervisors at all times, plus one attendant for each 50 occupants.
3. An emergency shelter shall not be approved when another emergency shelter exists within 300 feet of the proposed site. This requirement may be modified by obtaining a use permit from the PC.
4. Emergency shelters proposed in residential neighborhoods shall require design review to ensure the shelter design provides for adequate privacy between uses and minimizes potential impacts of the proposed shelter to adjacent residences.
5. Parking shall be supplied in accordance with Sections 18-20.090 and 18-20.100.
6. Each emergency shelter shall be limited to a maximum occupancy of 250 persons (in total), including warming shelters and daytime facilities.
7. A management plan shall be required to address how the immediate sheltering needs of individuals who may be turned away from the shelter will be handled. The management plan shall establish a maximum the length of time which clients may be accommodated.
- ~~4-8.~~ Low barrier navigation center applications shall be process in accordance with California Government Code § 65664 provides timelines for action; the City must notify the developer within 30 days if the application is complete under § 65493 and then must act on the application within 60 days from the date the application has been deemed complete.

18.30.3740. – Warming shelters. (New)

- A. Purpose and intent. The purpose of these regulations is to allow temporary operation of a warming shelter in the City to help people in need to stay warm during inclement weather. Reasonable standards are hereby established to preserve the neighborhood character and quality of life in Suisun.
- B. Application and permit required. Warming shelters are subject to approval of an administrative permit from the Director within the Industrial (I) Zone, and may be established in any other zoning district with a use permit. Warming shelters which require use permit approval may be subject to conditions of approval with requirements that vary from these standards.

C. Standards for warming shelters

1. No more than one warming shelter shall be permitted within the City temporarily on an annual basis.
2. Maximum operation time shall not exceed 2 months, unless an extension is approved by the Police Chief. Extensions shall not exceed 30 days.
3. Use permits for warming shelters may be denied based on past performance and experiences that the City has had that have exceeded the City's expectations for public services, such as police and fire services and impacts on the neighborhood.
4. Off-street parking shall be provided in accordance with Section 18-20.090 and 18-20.100.
5. There shall be adequate space inside the structure such that prospective and current users are not required to wait on sidewalks or any other public rights-of-way.
6. Lighting shall be provided for appropriate surveillance subject to approval of the Police Department.
7. A management plan shall be provided to address management experience and good neighbor issues. Such plan shall be submitted to and approved by the City. Minimum standards and practices in the plan shall be as follows:
  - a. The shelter shall be operated by a responsible agency or organization, with experience in managing or providing social services.
  - b. The shelter shall have an identified administrator and representative to address community concerns.
  - c. A minimum of one staff member per 15 beds shall be awake and on duty when the facility is open. Facility staff shall be trained in operating procedures, safety plans, and assisting clients. The facility shall not employ staff who have been convicted of a felony or who are required to register as a sex registrant under Penal Code 290.
  - d. The shelter shall be maintained in a safe and clean manner and free from refuse or discarded goods.

D. Appeal. Appeal procedures for this section shall be as provided by Chapter 18.84.

E. Revocation of a permit. Upon receipt by the Director of substantiated written complaints from any citizen, Code Enforcement Officer or Police Department Officer, which includes information and/or evidence supporting a conclusion that a violation of the permit or of City ordinances or regulations applicable to the property or operation of the facility has occurred, the Director may set a permit review hearing before the Planning Commission. At the time of permit review, to ensure compliance with applicable laws and conditions of the permit, conditions of approval may be added, deleted, modified or the permit may be revoked. Review by the Planning Commission shall be subject to a public review process as provided under Section 18-28.030.

18.30.3850 – Safe parking. (New)

- A. Purpose and Intent. Safe parking provides homeless individuals and families with vehicles a safe place to temporarily park overnight in order to facilitate the transition to permanent housing. The provisions set forth in this section enable safe parking in various zoning districts in the City subject to specific performance standards and permit requirements. It is the purpose and intent of this Chapter to provide for the orderly regulation for safe parking in the City. It is recognized that these facilities, by their very nature, have some objectionable characteristics, such as noise and traffic conflicts. In order to protect and preserve public health, safety and welfare these special regulations are necessary. These standards and requirements are intended to ensure that safe parking facilities will be compatible with surrounding uses and effective at facilitating participants' transition to permanent housing.
- B. Permit Required. The establishment of a safe parking use in various zoning districts shall either require an administrative Use Permit from the Director or a Use Permit from the Planning Commission in accordance with use table from Chapters 18.06 through 18.26. In addition to the applicable Use Permit requirement, review by the Design Review Committee may be required depending upon the type of changes proposed to the parking lot and any structures intended for use a safe parking facility.
- C. Performance standards. These standards apply to all safe parking uses.
1. The use permit is subject to review at any time and may be revoked after a hearing by the original approval body (Director, Planning Commission, or City Council) and a finding is made by that body that the use has become detrimental to the surrounding neighborhood.
  2. The use/facility shall be managed by a qualified social service provider
  3. Participants must be paired with a case manager and enrolled in a self-sufficiency program to facilitate the transition to permanent housing.
  4. Prospective participants shall submit to a criminal history background check. Participant exclusion shall be determined by the social service provider on a case-by-case basis
  5. Restroom, water and trash facilities shall be provided, maintained and accessible to participants during safe parking facility hours.
  6. Monitoring and oversight shall be provided by the social service provider during safe parking facility hours.
  7. Social service provider shall give preference to those with proof of residency in Solano County for a minimum period of six months within the last two years. Evidence of residency may include, but not limited to, items such as rental agreements, mortgage, utility, hotel and medical facility bills, paystubs and intake from homeless service programs.
  8. Participant vehicles shall maintain a minimum buffer of 50 feet from any property that contains a residential use. Buffers less than 50 feet may be permitted through

the use permit application review process on a case-by-case basis when determined to be compatible with the neighborhood. Buffers greater than 50 feet may be necessary for neighborhood compatibility, which will be determined on a case-by-case basis as part of the Use Permit review process.

9. Social service provider shall ensure that only vehicles registered in the program are parked overnight during program hours. A parking permit shall be provided to all participants to be displayed in vehicle windows in a form to be approved by the Police Chief.
10. At all times, the social service provider shall maintain a roster of the names and vehicle license numbers of each participant who is authorized to park overnight.
11. A neighborhood relations plan shall be provided for each safe parking facility location to address any complaints in a timely manner, including consistency with any adopted Good Neighbor Policy.
12. Only participants who have entered into a written agreement with a social service provider shall be allowed to use parking spaces overnight. The written agreement between the social service provider and participant must include, but not limited to, the following terms and conditions:
  - a. Only one vehicle is allowed per participant.
  - b. At least one participant per vehicle shall possess a current driver's license, vehicle registration, and insurance for the vehicle that will be parked overnight. Social service provider shall keep a copy of all three on record.
  - c. Vehicles may only be occupied by participants and approved registered household members. Guests shall not be allowed.
  - d. Participants shall not use or possess any illegal drugs or alcohol either on their person or in their vehicle.
  - e. Participants shall not use or possess any weapons or firearms of any kind in program vehicles.
  - f. No fires of any kind shall be permitted.
  - g. No music may be played that is audible outside participants' vehicles.
  - h. No cooking or food preparation shall be performed outside of the participants' vehicles. Cooking inside vehicles is prohibited unless the vehicle was manufactured with cooking appliances.
  - i. Camping tarps or equipment beyond the participant's vehicle are prohibited.
  - j. Participants shall maintain control of animals. Animals shall be kept on a leash at all times and animal waste shall be picked up immediately and disposed of properly.

- a-k. Participants shall not dump sewage or other waste fluids or solids, deposit excreta outside a vehicle, or park vehicles that leak excessive fluids (i.e. gasoline, transmission or radiator fluid, or engine oil).

18.30.3960 – Other uses generally allowed. (New)

- A. Purpose and intent. The purpose of this section is to establish regulations for the addressing uses not defined specifically in this ordinance, but that possess characteristics of unique and special form as to make their use acceptable in any district under certain specific conditions, compatible with the neighborhood. Conditions may be established through the use permit process by the Planning Commission to avoid life safety threats, adverse neighborhood parking, traffic congestion and noise/vibration impacts, characteristics and avoid the creation of nuisances.

### ARTICLE III – GENERAL DEVELOPMENT REGULATIONS

#### Chapter 18.31 – STANDARDS FOR RESIDENTIAL DISTRICTS

18.31.005 – Table of development standards in residential zones.

Note: There are different standards for the RMU, Mixed Residential Use Zoning District, beyond those indicated below. Refer to Section 18.14.

Table 18.31.01. Development Standards in Residential Zones					
Development Standards	RL (Low-Density Residential)	RM (Medium-Density Residential)	RH1 (High-Density Residential 1)	RH2 (High-Density Residential 2)	RMU (Residential Mixed Use)
<b>Lot Size</b>					
Min Lot Area	3,600 sf	1,800 sf	1,200 sf	800 sf	800 sf
Max Lot Coverage	40% of the Lot <sup>1</sup>	80% of the Lot <sup>1</sup>	80% of the Lot <sup>1</sup>	80% of the Lot <sup>1</sup>	80% of the Lot <sup>1</sup>
Min Lot Width	40 ft Interior; 45 ft Corner	25 ft	None	None	None
Min Lot Depth	65 ft	55 ft	None	None	None
<b>Setbacks (in feet)</b>					
Front	10 min – 20 max <sup>2</sup>	10 min – 20 max <sup>2</sup>	0 min – 15 max	0 min – 15 max	0 min – 15 max
Side to Side, Interior	5 min	0 min – 5 max	0 min – 5 max	0 min – 5 max	0 min – 5 max
Side to Front, Interior / Rear to Front, Interior	10 min	20 min <sup>5</sup>	20 min <sup>5</sup>	20 min <sup>5</sup>	20 min <sup>5</sup>
Side, Corner, Street Side	5 min – 10 max	5 min – 15 max	0 min – 15 max	0 min – 15 max	0 min – 15 max

Table 18.31.01. Development Standards in Residential Zones					
Development Standards	RL (Low-Density Residential)	RM (Medium-Density Residential)	RH1 (High-Density Residential 1)	RH2 (High-Density Residential 2)	RMU (Residential Mixed Use)
Rear <sup>3</sup>	10 min	5 min <sup>6</sup>	5 min <sup>6</sup>	5 min <sup>6</sup>	5 min <sup>6</sup>
Maximum Height Limit	35	35	55	55	55
Accessory Structure (in feet)					
Minimum Side Setback, Interior	5 ft	5 ft	0 ft	0 ft	0 ft
Minimum Side Setback, Street	10 ft	10 ft	5 ft	5 ft	5 ft
Minimum Rear Setback <sup>3</sup>	5 ft	5 ft	5 ft	5 ft	5 ft
Maximum Height of Stand-alone Unit (except for accessory dwelling units)	20 ft	20 ft	20 ft <sup>4</sup>	20 ft <sup>4</sup>	20 ft
Usable Open Space	See Sections 18.31.010 and 18.31.202				
Parking	See Chapter 18.42				
Water-Efficient Landscaping	See Title 20				
Fences and Walls	See Chapter 18.34				
Single-family Dwellings, including Manufactured Houses					
Minimum Size	Minimum Dwelling Unit Sizes: Except as required for Accessory and Junior Accessory Dwellings, per Section 18.30.330 of this Chapter, single-family detached dwellings, including manufactured homes, shall have a minimum 750 square feet floor area (exclusive of garages and carports).				
Minimum Design Standards	Shall have a minimum, roof overhang of 12" on all sides of the structure. In general, Roofing materials shall not be metal or vinyl; siding materials shall not be metal or vinyl; the home shall be placed on a permanent foundation system; roof pitch shall be a minimum of 5/12 .If building has an elevated foundation, skirting of the same or similar material of the outside wall of the home shall be installed. If structure is moved to site, moving devices shall be removed.				
Notes:					
<sup>1</sup> Lot coverage includes primary buildings, accessory buildings, covered parking, and covered patios					
<sup>2</sup> Garage shall not be closer than 15 feet to the front property line					
<sup>3</sup> Garage setback shall be no closer than three feet to the rear property line					
<sup>4</sup> A secondary dwelling shall not exceed 20 feet in height, except when the unit is attached to the primary unit, the maximum height shall be that established for the primary dwelling in the underlying zoning district.					
<sup>5</sup> For courtyard and green court site plans, and to allow for paseos and other pedestrian pathways, where included in the site design.					

**Table 18.31.01. Development Standards in Residential Zones**

Development Standards	RL (Low-Density Residential)	RM (Medium-Density Residential)	RH1 (High-Density Residential 1)	RH2 (High-Density Residential 2)	RMU (Residential Mixed Use)
<sup>65</sup> No required maximum to allow for parking lots and courtyards, as relevant to the design of the dwelling units.					

18.31.010 – Usable open space in the medium-density residential zone.

- A. For the RM district, the following types of usable open space are recommended for multi-family units:
  1. To provide access to planned or existing spaces and facilities that accommodates family needs and active play areas for kids, and/or passive open space areas (such as walking trails) within 0.25 miles of 90% of the multi-family units.
  2. Each multi-family unit should also have access to a combination of private open space (balconies or small patios, for example) and publicly accessible open space (common greens, community room, pool area, etc.).
- B. The method of computation of usable open space provided for multi-family units should be as follows:
  1. Private patios, when directly accessible to the dwelling unit to which it is appurtenant; such patios shall be completely enclosed on all sides by a fence which is a minimum of three feet in height.
  2. Balconies and lanais, when directly accessible to the unit to which they are appurtenant; such balconies and lanais must have a minimum dimension of five feet.
  3. Swimming pool areas, including the hard-surface deck, which normally surrounds such pools.
  4. Indoor recreation activity rooms, provided these rooms are permanently maintained for the use of tenants for various recreation activities. Such activity rooms shall not include lobbies, but may include common steam rooms, sauna baths, or the like.

18.31.020 – Usable open space in the high-density residential (RH1 and RH2) and residential mixed-use zones.

- A. For the RH1, RH2, and RMU districts, the following types of usable open space are recommended for multi-family units:
  1. To provide access to planned or existing spaces and facilities that accommodates family needs and active play areas for kids, and/or passive open space areas (such as walking trails) within 0.25 miles of 90% of the multi-family units.

2. Each multi-family unit should also have access to a combination of private open space (balconies or small patios, for example) and publicly accessible open space (common greens, community room, pool area, etc.).

B. The method of computation of usable open space provided should be as follows:

1. The following areas should be computed at one and one-quarter times the area actually devoted to such use:
  - a. Private patios, when directly accessible to the dwelling unit to which it is appurtenant; such patios shall be completely enclosed on all sides by a fence which is a minimum of 5 feet in height.
  - b. Balconies and lanais, when directly accessible to the unit to which they are appurtenant; such balconies and lanais must have a minimum dimension of 5 feet;
  - c. Swimming pool areas, including the hard-surface deck, which normally surrounds such pools.
  - d. Indoor recreation activity rooms provided these rooms are permanently maintained for the use of tenants for various recreation activities. Such activity rooms shall not include lobbies, but may include common steam rooms, sauna baths or the like.

## Chapter 18.32 – STANDARDS FOR COMMERCIAL DISTRICTS

18.32.010 – Table of development standards in commercial zones.

Note that there are different standards for the CMU, Mixed Commercial Use Zone beyond those indicated below. Refer to Section 18.22.

Table 18.32.01. <u>Objective</u> Development Standards in Commercial Zones				
Development Standards	CR (Commercial Retail)	CSF (Commercial Services And Fabricating)	O (Business and Office)	CMU (Commercial Mixed Use)
<b>Lot Size</b>				
Minimum Lot Area	2,400 sf	7,500 sf	2,500 sf	2,500 sf
Maximum Lot Coverage	100%	80%	80%	100%
Minimum Lot Width	40 ft	75 ft	75 ft	40 ft
Minimum Lot Depth	60 ft	100 ft	100 ft	60 ft
<b>Setbacks (in feet)</b>				
Front	0	10	???	0 min-10 max
Side, Interior	0	See standards below		0 min-10 max
Side, Corner, Street Side	0	See standards below		0 min-15 max

Table 18.32.01. <a href="#">Objective</a> Development Standards in Commercial Zones				
Development Standards	CR (Commercial Retail)	CSF (Commercial Services And Fabricating)	O (Business and Office)	CMU (Commercial Mixed Use)
Side Adjacent to Residential	???	20	Varies <sup>2</sup>	
Side Adjacent to Non-Residential	???	0	0 min-10 max	???
Rear <sup>3</sup>	10	10	10	15 min
Maximum Height Limit	45, 3 stories <sup>1</sup>	45, 3 stories <sup>1</sup>	45, 3 stories <sup>1</sup>	45, 3 stories <sup>1</sup>
<b>Parking and Loading</b>	See Chapter 18.42			
<b>Water-Efficient Landscaping</b>	<a href="#">See Chapter 18.48</a> <del>See Title 20</del>			
<b>Fences and Walls</b>	See Chapter 18.34			
<b>Signs</b>	See Chapter 18.44			
<b>Notes:</b>				
<sup>1</sup> May be exceeded with a <a href="#">Conditional</a> Use Permit.				
<sup>2</sup> Side setback must be at least the minimum side setback of the adjacent residential zone on each relevant side.				
<sup>3</sup> May be located at back of sidewalk if adjacent to nonresidential use or up to 20 feet, if located adjacent to residential.				

## Chapter 18.33 – STANDARDS FOR CIVIC/PARK/OTHER DISTRICTS

18.33.010 – Table of development standards in civic/park/other zones.

Table 18.33.01. <a href="#">Objective</a> Development Standards in Civic/Park/Other Zones			
Development Standards	APS (Agricultural Production Sales)	P (Park)	P/QP (Public/Quasi-Public)
<b>Lot Size</b>			
Minimum Lot Area	2 acres	Refer to level of service standards.	Determined by use, after required setbacks and parking have been satisfied.
Maximum Lot Coverage	40%	80%	80%
Minimum Lot Width	100 ft	75 ft	75 ft
Minimum Lot Depth	250 ft	100 ft	100 ft
<b>Setbacks (in feet)</b>			
Dwelling Front	20		
Nonresidential Front	10	20	0 min- 20 max <sup>3</sup>

Table 18.33.01. <a href="#">Objective</a> Development Standards in Civic/Park/Other Zones			
Development Standards	APS (Agricultural (Production Sales)	P (Park)	P/QP (Public/Quasi-Public)
Dwelling Side adjacent to residential	10	???	???
Nonresidential Side adjacent to residential	30	20	0 min- 20 max <sup>4</sup>
Dwelling Side adjacent to nonresidential	10	???	???
Nonresidential adjacent to nonresidential	20	10	0 min- 20 max
Dwelling Rear <sup>3</sup>	15	???	???
Nonresidential Rear	20	15	0
Maximum Height Limit	50	35, 2-stories <sup>1</sup>	Determined by Adjacent Ase <sup>5</sup>
Parking and Loading	See Chapter 18.42		
Water-Efficient Landscaping	<a href="#">See Chapter 18.48</a> <del>See Title 20</del>		
Fences and Walls	See Chapter 18.34		
Signs	See Chapter 18.44		
Notes:			
<sup>1</sup> May be exceeded with a <a href="#">Conditional-Use Permit</a> .			
<sup>2</sup> Side setback must be at least the minimum side setback of the adjacent residential zone on each relevant side.			
<sup>3</sup> May be located at back of sidewalk if adjacent to nonresidential use or up to 20 feet, if located adjacent to residential.			
<sup>4</sup> Minimum side setbacks shall be at least the minimum adjacent residential setbacks ( <a href="#">except for accessory dwelling units per Section 18.30.320</a> ).			
<sup>5</sup> When adjacent to a residential zone, height(s) of PQP building(s) may not exceed maximum height limit of residential zone. When adjacent to a nonresidential zone, height of PQP building(s) to be determined by use, but heights over 45 feet (four stories) must be approved by a <a href="#">use permitCUP</a> .			

## Chapter 18.34 – FENCES AND WALLS

18.34.010 – Fence and walls by zoning district.

- A. The height of side and rear yard fences, hedges, or walls behind the front setback line in any residential district shall not exceed [6](#) feet.
- B. Fence and wall height by zoning district are shown in Table 18.34.01.

Table 18.34.01. Height Limits by Zoning District			
Zone	Location	Height	Materials <sup>1</sup>
RL / RM <sup>2</sup>	Front Yard	3 ft max, if solid 4 ft max, if 50% or more open.	Metal, wood, hedge and stucco; stone and brick permitted for posts.
	Side Yard	6 ft max, if 5 ft setback provided 3 ft max, if within 5 ft setback 6 ft max on interior side yard.	Metal, wood, hedge and stucco; stone and brick permitted for posts.
	Rear Yard	6 ft max	Wood
RH1 / RH2 <sup>2</sup>	Perimeter	6 ft max	Metal and wood
	Service Areas	6 ft max	Metal, masonry, concrete block and brick
RMU / CMU	Residential use defined by RL Commercial uses defined by CR		???
CR / CSF / O	Front yard	Not permitted	???
	Side yard	Not permitted	???
	Rear yard	Not Permitted	???
	Service areas	8 ft max storage areas <sup>4</sup>	Metal, masonry, concrete block and brick
APS	Residential uses defined by RL Commercial uses defined by CR		
OS, P	To demarcate use areas 3 ft max		
	Service areas	6 ft max.	Metal, masonry, concrete block and brick
PQP	To demarcate use areas	3 ft max	Hedge, wood, brick, stone and stucco
	Service areas	6 ft max	Metal, masonry, concrete block and brick
Notes:			
<sup>1</sup> Chain link fence is not permitted in any district.			
<sup>2</sup> Fencing for front and corner side yards in single-family residential districts, and perimeter fencing in multi-family districts (other than <a href="#">soundwallsound walls</a> ) must be permeable to allow visibility into the yard from exterior vantage points to promote security. Permeable fencing must be a minimum of 50% open. Refer also to standards for specific conditions in Section 18.34.050 and <a href="#">seoundwallsound wall</a> standards in Section 18.34.060.			
<sup>3</sup> Refer also to Section 18.34.020 for fences and walls around storage areas and Section 18.34.030 for requirements for outdoor sales, storage, or rental lots.			

#### 18.34.020 – Fences and walls around storage areas.

Outdoor storage yards, corporation yards or light industrial uses may be enclosed by a fence or walls not to exceed eight feet in height. The fence shall be of solid construction to adequately screen the enclosed area from view.

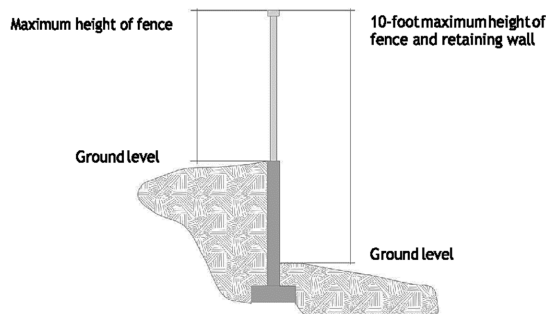
18.34.030 Outdoor sales, storage, or rental lot.

~~Outdoor sales, storage, and rental lots shall show that adequate measures and controls will be taken to prevent offensive lights, noise, odors, and dust and shall have a minimum six-foot high solid board fence, or equal, separating the lot from abutting residential uses. Where these activities are approved subject to a conditional use permit, the development services director or may require additional screening as deemed to be appropriate.~~

18.34.040-030 – Measuring fence and wall height.

- A. Fence and wall height shall be measured from the ground level beneath the fence or wall to the top of the fence or wall.
- B. Where fences are installed on sloping property, the height of the fence can be measured from the ground level on the uphill slope or the highest parcel to the top of the fence, as shown in Figure 18.34.01.
- C. Where a fence or wall rests on a retaining wall, the overall combined height may not exceed ten feet, as measured from the ground level at the bottom of the retaining wall to the top of the fence or wall, as shown in Figure 18.34.01.

Figure 18.34.01.



18.34.050-040 – Other fence and wall standards.

- A. Fences and Walls within Publicly Accessible Areas. Fencing around multi-family development is intended to protect the safety of children and serve as a visual enhancement, not to screen units, which must remain visible from publicly accessible areas. Fencing for single-family rear yards adjacent to publicly accessible areas or open space, must consist of perimeter fencing that is a minimum 50% open. Where fences and walls are not adjacent to publicly accessible areas such as, residential dwellings adjacent to uses in the CSF zone, fencing may be solid.
- B. Swimming Pool Enclosure. Swimming pools in multi-family developments must be enclosed by a fence or wall that is a minimum six feet high to protect children.
- C. Recreational court fencing, such as tennis and basketball courts, must be constructed to conform to relevant American Society for Testing and Materials (ASTM) standards.



#### 18.34.060-050 – ~~Soundwalls~~Soundwalks.

The use of ~~soundwalls~~sound walls is discouraged in the City to promote continuous circulation patterns and enhanced visual accessibility. However, where ~~soundwalls~~sound walls are required, they must conform to the following standards:

- A. ~~Soundwalls~~Sound ~~must~~walls must be constructed of fire-resistant materials, such as masonry, precast concrete, brick, or a similar material, and treated with a graffiti-resistant coating.
- B. ~~Soundwalls~~Sound walls must incorporate breaks at streets, trails, live-end cul-de-sacs, and at pedestrian access routes to schools, parks, and commercial districts. Where such pedestrian connections do not exist, ~~soundwalls~~sound walls must include breaks at a minimum of every 500 feet.
- C. Sound walls should include decorative elements, such as pilasters, posts and capitals, stamped designs, and/or landscape screening to improve their appearance from the street.



#### 18.34.070-060 – Prohibited materials.

It is unlawful to erect any electrically charged fence or any fence composed of barbed wire, razor wire or other material which is designed to cause injury upon contact on or adjacent to any residential use regardless of the underlying zoning. Chain link fences may not be constructed after passage of the ordinance from which this title is derived in the front or reducible front yard of residential uses and residential zoning districts.

## Chapter 18.36 – YARDS

### 18.36.010 – Measurement from official roadway lines.

In any case where an official plan line for a new roadway has been established as a part of a subdivision, planned unit development, specific plan, or other development project, yards adjacent to the street shall be measured from such official plan lines and shall not extend beyond measurement from such official plan line.

### 18.36.020 – Projection of architectural features.

Architectural features, to include cornices, eaves, awnings, cantilevered walls, and fireplaces and chimneys may extend no more than two feet into the required side yard setback, provided that the distance between the projecting object and the side yard lot line is not less than five feet. The minimum side yard setback shall be measured from the wall from which the architectural feature projects.

### 18.36.030 – Projection of porches, stairways, fire escapes, landings.

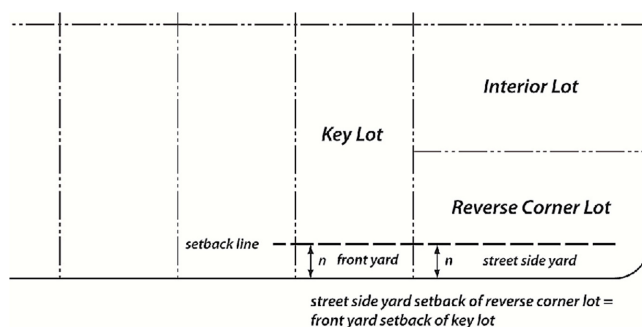
Porches, stairways, fire escapes, or landings may extend into any required front or rear yard setback no more than six feet. Porches, stairways, fire escapes, or landings may extend into any required side yard setback no more than three feet, provided a minimum of five feet is maintained between the porch and the side yard lot line.

### 18.36.040 – Front yard by average in improved areas.

In a residential [zoning](#) district (RL, RM, RH, RMU) where 50% or more of the building sites on any one block in the same district have been improved with buildings, the required front yard of an infill building shall be of a depth equal to the average of the front yards of the existing buildings on that block, not exceeding the maximum specified for the zone in which the building site is located.

### 18.36.050 – Corner lots.

In the case of a reverse corner lot adjacent to a key lot, the required side yard on the street side for any building shall be equal to the front yard required on the key lot. On a corner lot, fences not more than six feet in height may be placed on the required street side yard setback, as depicted in the figure below.



18.36.060 – Double-frontage lots.

To efficiently use space and infrastructure, double-frontage lots are not permitted. Existing double-frontage lots must be designed and maintained with front yard setbacks facing both streets.

18.36.070 – Prohibited activities in front and street side yards.

- A. The following are unlawful and are declared to be public nuisances in the front and side yards and are not permitted:
1. The parking, repairing, assembly/disassembly, or other activities associated with any airplane or aircraft, or any part or parts thereof;
  2. The parking, storing, or keeping for a period of time greater than 72 consecutive hours of any household appliance, equipment, machinery, or furniture, or of any construction equipment, machinery, or materials other than that temporarily used or stored during the improvement of the lot and any associated structures or facilities;
  3. The parking, storing or keeping in any such area, for a period of time in excess of 72 consecutive hours, of any motor vehicle or vehicles that is or are disabled or inoperative because of the need of repairs or for any other reason;
  4. The parking, storing or keeping of vehicle in any such area of front driveway, side driveway, or is visible to the public must be registered;
  5. The wrecking, dismantling, disassembling, manufacturing, fabricating, building, remodeling, assembling, repairing, painting, washing, cleaning or servicing in any such area of any motor vehicle, boat, trailer, machinery, equipment, appliance or appliances, furniture or other personal property, excepting the repairing, washing, cleaning or servicing by an owner, lessee, or occupant of the lot, for a period not to exceed 72 hours.
- B. For purposes of this subsection, “front” and “street side yard” are defined as the following:
1. The front building setback area of any interior or corner lot located within any zoning district;
  2. The side building setback area of any corner lot located within any zoning district, except where such side building setback areas are not located adjacent to a public street. Where not adjacent to a public street, the side yard must be enclosed by a solid fence or impenetrable hedge not less than six feet in height so that the premises are not visible from the street;
- C. For the purpose of determining whether or not a motor vehicle or airplane or other item of property has been unlawfully parked, stored, or kept in any area for a period of time greater than 72 consecutive hours, the hours during which the unlawful activity is done shall be deemed consecutive, notwithstanding the fact that such property may have been removed from restricted setback area for an intervening period of time if such intervening period of

time is less than 72 hours, or if the property in question is parked, stored, or kept during such intervening period of time within or upon any public street.

**18.36.080 – Clear vision triangle.**

At all vehicular intersections with public streets, clear vision (no visual obstructions, such as signs, fencing, landscaping, etc., will be allowed within this clear vision triangle) shall be maintained as follows:



Corner Lot

Minor deviations may be permitted by the Planning Commission at the recommendation of the Director and Public Works Director.

**18.36.090 – Bufferyards.**

- A. Bufferyards are classified from less opaque (“Class A”) to more opaque (“Class E”). The width and composition of bufferyards shall be as set out in Table 18.36.090-101. A Bufferyard Classifications. Example plans and profiles for each bufferyard type are illustrated in Figure 18.36.090-101, Bufferyard Examples.

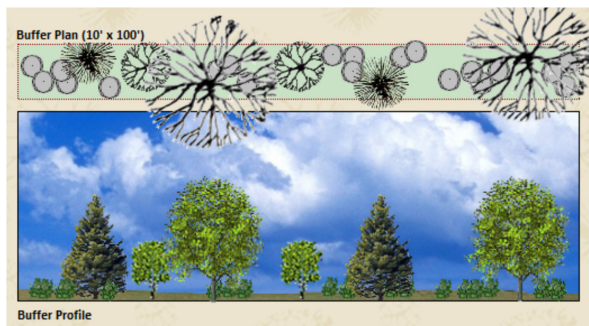
Table 18.36.01. Bufferyard Classifications						
Type	Width	Required Plantings per 100 Linear Feet				Berm or Opaque Wall or Fence
		Canopy Trees	Understory Trees	Evergreen Trees	Shrubs	
Type A	5 ft	1	1	1	10	-
Type B	10 ft	2	2	2	20	-
Type C	25 ft	3	3	3	30	3 foot high berm, wall, or fence
Type D	40 ft	3	3	3	30	6 foot high berm, wall, or fence
Type E	50 ft	4	4	4	40	6 foot high berm, wall, or fence
<b>Notes:</b> Tree and plant selections and design lay out for bufferyards shall be consistent with the City’s Landscape Standards provided in the Design Review Manual.						

- B. Reduction of Width. The width of a bufferyard may be reduced if the requirements of this subsection would result in an area of bufferyards that occupies more than 20% of the parcel proposed for development, the bufferyard width may be reduced to a width that results in a maximum bufferyard area of no more than 20% of the development.
- C. Minimum Width. No part of a required bufferyard shall be reduced to a width of less than three feet.
- D. Bufferyard Standards. Table 18.36.090-202 District Boundary Bufferyard Standards sets out the classification of bufferyard that is required between zoning districts that are not separated by a public street. The table is a matrix in which all districts are shown. Rows show the zoning of the parcel proposed for development, and columns show the zoning of the adjoining land. Two letters are shown for each condition (for example, A and C). The bufferyard required for the proposed use is listed first. The letter listed second is the buffer that is required on the adjoining property. A dash/hyphen (-) means that no bufferyard is required.

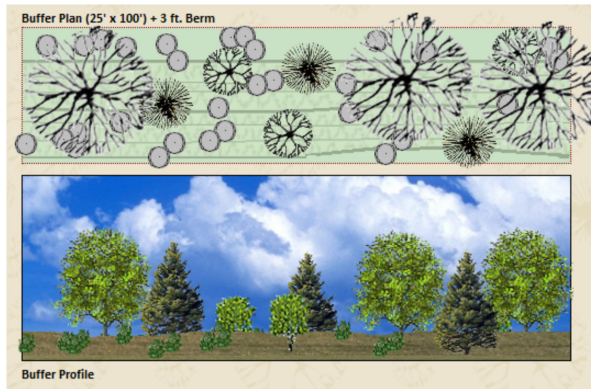
**Figure 18.36.01. Bufferyard Examples**



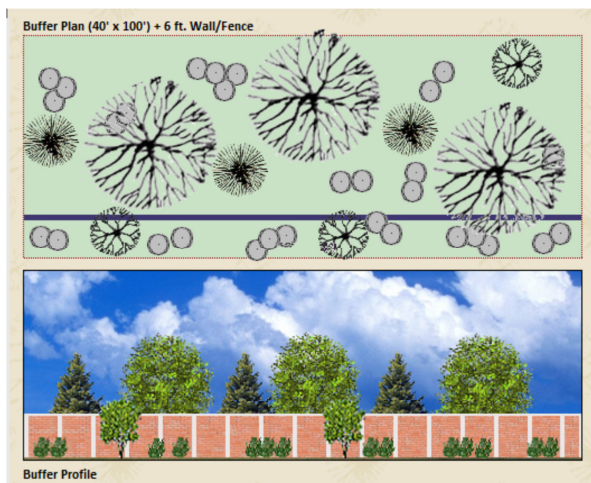
**Type A – 5 feet wide**



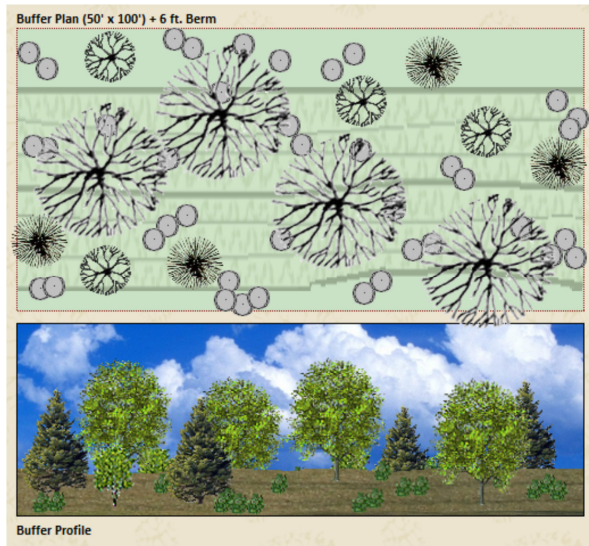
**Type B – 10 feet wide**



**Type C – 25 feet wide with berm**



**Type D – 40 feet wide with wall**



**Type E – 50 feet wide with berm**

Table 18.36.02. District Boundary Bufferyard Standards								
Zoning of Proposed Development	Adjoining District							
	RL	RM	RH1 / 2	RMU	CR / O	CMU	DWSP	Other
RL	- / -	- / B	- / B	- / C	A / -	- / B	- / -	- / -
RM	B / -	- / -	/ B	A / B	A / -	- / C	A / C	A / D
RH1 / RH2	B / -	A / A	- / -	A / B	A / -	A / A	A / C	A / C
RMU	C / -	B / A	B / A	- / -	B / -	A / A	A / B	A / A
CR / O	- / A	- / A	- / A	- / B	- / -	- / C	- / C	- / C
C-S	B / -	B / A	B / A	B / A	C / -	- / -	- / -	- / A
CMU	- / -	C / A	C / A	B / A	C / -	C / -	- / -	- / -
DWSP	- / -	D / A	C / A	A / A	C / -	C / -	- / -	- / -
CMU	B / -	E / A	D / A	C / A	E / -	C / A	B / -	B / -
Other	- / -	E / A	D / A	C / A	E / -	A / A	B / A	A / -

- E. Existing Adjacent Development without Bufferyards. Where the adjoining property is already developed and does not have the required bufferyard, the proposed development shall provide a bufferyard of the next most opaque classification than the more opaque of the two bufferyards required (e.g., if the requirement is C / A, and the adjoining property is already developed and does not have a bufferyard, then the developer must install a Type D bufferyard).

- F. Buffering Existing Residential Development. The City may require an increase in the level of opacity of a bufferyard (e.g., from Type A to Type B) between new residential development and existing residential development, if:
1. The lot widths of the new development are less than 80% of the lot widths of the nearest lots of the existing development;
  2. The building height of the new development is more than eight feet taller than the building height of the existing development; or
  3. The housing types that are located on the lots that abut existing development are different from the housing types of the existing development (e.g., new townhome lots abutting existing single family detached lots).
- G. Existing Trees, Fences, and Walls. Existing trees, fences, and walls may be counted towards bufferyard requirements, provided that the trees are in good health and are not invasive species, and the fences or walls are in good repair.
- H. Bufferyards for Roads and Railroads. The bufferyard standards in Table 18.36.000-303 Bufferyard Requirements for Roads and Railroads, address the type of bufferyard that is required along minor or major arterial, minor or major collector, local streets, or railroads.

Table 18.36.03. Bufferyard Requirements for Roads and Railroads				
Zoning of Proposed Development	Adjoining Road or Railroad (per General Plan)			
	Arterial/Expressway and Major Expressway	Collector	Local Road	Railroad
RL	C <sup>2</sup>	B <sup>2</sup>	-	D
RM / RH1 / RH2	C	B <sup>3</sup>	-	D
RMU	B	-	-	C
DWP / CR / CSF / O	A	A	-	B
CMU	B	A	A	A
<del>OTHER</del> Other	B	B	A	- <sup>3</sup>
<b>Notes:</b> <sup>1</sup> For agricultural use only, no buffer is required. However, residential subdivisions shall follow the requirements for the RL district. <sup>2</sup> Single-family cluster, conservation subdivisions, and preservation subdivisions shall provide a Type D bufferyard along expressway and arterials and a Type C bufferyard along collectors. <sup>3</sup> Not required along minor collectors within traditional neighborhood developments. <sup>4</sup> Generally, no buffer is required. However, where there is unbuffered residential on the other side of the railroad right-of-way, a Type B buffer is required.				

## Chapter 18.38 – HEIGHT LIMITS

### 18.38.010 – Chimneys, vents, and flues.

Chimneys, vents, and flues that present a fire hazard may extend above the height limit for a specific zoning district only to the extent necessary to ensure fire safety, based on National Fire Prevention Association codes and standards, or comparable state and local codes and standards,

where these apply, and subject to approval by the [Director](#). The required extension above the height limit will vary, depending on the chimney, vent, or flue.

18.38.020 – Skylights, antennas, flagpoles, and other appurtenances.

Appurtenances affixed to the roof of a building may not exceed the height limit of the zoning district by more than [10%](#) of the overall building height, or [4 feet](#), whichever is less.

18.38.030 – Towers, poles, and water tanks.

Towers, poles, water tanks, and similar structures not affixed to a building may be erected to a greater height than the limit established for the district in which they are to be located, based on the construction specifications of the manufacturer, and subject to approval by the [development services director](#) [Director](#). Local distribution poles for public utilities shall be allowed in all districts and to greater heights than allowed for the districts.

18.38.040 – Height of buildings above district limits.

Any building may be erected to a greater height than the limit established for the district in which the building is to be located, to a maximum of two additional stories, provided that the setbacks are increased proportionally ([except for accessory dwellings per Section 18.30.320](#)).

18.38.050 – Height of buildings in the PQP zoning district.

Since buildings in the PQP district are likely to be single-use, and located adjacent to other land uses, the height of buildings in the PQP district shall be based on the height of adjacent zoning districts. The height of buildings in the PQP district may exceed the height limit of the greatest height limit in an adjacent zoning district by one story. Any greater increase in height shall be subject to a [use permit](#) [CUP](#), provided the required setbacks are increased by five feet per additional story.

~~18.38.060 Communications, utility, transit structures.~~

~~Communications equipment buildings, public utility distribution and transmission substations, radio, and transmission towers, and underground transmission facilities shall be permitted in all districts without limitation as to height and without the necessity of first obtaining a use permit provided that the proposed use shall not be a nuisance or safety hazard under provisions of Chapter 18.66, "Performance Standards."~~

## **Chapter 18.40 – BUILDING SITE AREA AND FRONTAGE EXCEPTIONS**

18.40.010 – Lots of record.

The use of land in the zoning district in which it is located shall be permitted on a building site of less area or frontage than that required by the regulations for such district, providing such is shown as a lot on a subdivision map of record or is a parcel of land which was under one ownership on the effective date of the ordinance codified in this title and provided that in either case the owner of such lot has not owned or purchased any adjoining property since the effective date of the ordinance codified in this title.

18.40.020 – Frontage on private drive.

- A. A building site may have its principal frontage on a public or private street. Land that has its principal frontage on a private street shall be considered a building site only if the land is connected by a private drive serving only one building site and meeting the following standards:
1. If the private drive exceeds 600 feet in length, the driveway shall be at least 60 feet wide.
  2. If the private drive is more than 75 feet and less than 600 feet in length, it shall be at least 50 feet wide.
  3. If a private drive is more than 75 feet and less than 300 feet in length, it shall have at least 30 feet of paved surface, provided a 12-inch by 18-inch "No Parking at Any Time" sign is installed on each side at the entrance of the drive. The private drive shall also have installed a 24-inch by 24-inch stop sign consistent with city standard designs located on the egress side of the private drive where it enters a public street. The signs shall have a clearance of not less than seven feet to the bottom of the sign.
  4. A private driveway more than 50 feet in length and serving more than two dwelling units shall be not less than 15 feet in width.

**Chapter 18.42 – PARKING AND LOADING AREAS**

18.42.010 – Purpose.

These regulations are established to assure that parking facilities are properly designed and located to meet the parking needs of specific uses. Such uses generate vehicular traffic according to their specific characteristics and thus require differing amounts of off-street parking and loading areas. The purpose of these regulations is to ensure properly designed parking areas with adequate numbers of parking spaces in order to reduce traffic congestion, promote business, and enhance safety.

18.42.020 – Applicability.

Any building and land use generating traffic shall be required to provide and permanently maintain off-street parking and loading facilities in accordance with the provisions of this chapter. Every lot shall have off-street parking spaces sufficient to provide for the uses of the property, including employee, customer, client, and supplier parking and loading needs created by the use. These parking spaces and loading spaces shall be provided, maintained, developed, and used as required by this article.

18.42.030 – Basic regulations for off-street parking.

- A. Off-street parking shall be provided subject to the provisions of this chapter for:
1. Any new building constructed;
  2. Any addition or enlargement of an existing building and use; and

3. Any change in the occupancy of any building or the manner in which any use is constructed that would result in additional parking spaces being required.
- B. The required parking spaces or garages shall be located on the same building site or development.
- C. All off-street parking spaces and areas required by this chapter shall be designed and maintained to be fully useable for the duration of the use requiring such areas and spaces.
- D. On-street parking within public or private streets, driveways, or drives shall not be used to satisfy the off-street parking requirements, except where allowed by this chapter.
- E. Whenever the computation of the number of off-street parking spaces required by this section results in a fractional parking space, one additional parking space shall be required for one-half or more fractional space and any fractional space less than one-half of a parking space shall not be counted.
- F. Temporary use of off-street parking spaces for non-parking purposes is defined in Section 18.73.120, "~~Temporary~~ Use Permits."
- G. Parking facilities constructed or substantially reconstructed subsequent to the effective date of this chapter, whether or not required, shall conform to the design standards set forth in this chapter.

#### 18.42.040 – Design standards.

The following standards shall apply to all zoning districts:

- A. Standard Stall Size. Each standard parking space shall consist of a rectangular area not less than nine feet wide by 19 feet long. All parking spaces should have a vertical clearance of not less than eight and one-half feet.
- B. Compact Stall Size. Stalls designated for use by compact cars may be reduced in size to a minimum of eight feet in width and 16 feet in length.
- C. State Law. All provisions for handicapped spaces shall conform to state law.
- D. Paving. Parking and loading facilities shall be surfaced and maintained with asphaltic, concrete, or other permanent, impervious surfacing material sufficient to prevent mud, dust, loose material, and other nuisances. Alternate porous surface materials will be considered by the ~~development services director~~Director and public works director if shown that such material will not cause adverse effects and that it will remain in a usable condition.
- E. Drainage. All parking and loading facilities shall be graded and provided with permanent storm drainage facilities. Surfacing, curbing, and drainage improvements shall be sufficient to preclude free flow of water onto public streets or alleys, and to preclude standing pools of water within the parking facility.
- F. Safety Features. Parking and loading facilities shall meet the following standards:

1. Safety barriers, protective bumpers or curbing, and directional markers/signage shall be provided to ensure pedestrian/vehicular safety, efficient utilization, protection to landscaping, and to prevent encroachment onto adjoining public or private property.
  2. Visibility of pedestrians, bicyclists, and motorists shall be ensured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility.
  3. Internal circulation patterns, and the location and traffic direction of all access drives, shall be designed and maintained in accordance with accepted principles of traffic engineering and traffic safety.
- G. Lighting. Lights provided to illuminate any parking facility or paved area shall be designed to reflect away from residential uses and motorists. It is the intent to maintain light standards in a low-profile design and to be compatible with the architectural design. Light standards shall not exceed 15 feet in overall height from the finished grade of the parking facility. No lighting shall create illumination on adjacent properties which exceeds five footcandles.
- H. Noise. Areas used for primary circulation, for frequent idling of vehicle engines, or for loading activities shall be designed and located to minimize impacts on adjoining properties, including provisions for screening or noise attenuation.
- I. Screening. Unenclosed off-street parking areas shall be screened from view from public streets and adjacent more restrictive land uses. Screening may consist of one or any combination of the following methods, upon the approval of the ~~development services director~~Director:
1. Low-profile walls, three and one-half feet in height shall consist of stone, brick, or similar types of decorative solid masonry materials;
  2. Plant materials when used as a screen, shall consist of compact evergreen plants. They shall be of a kind, or used in such a manner, so as to provide screening, have a minimum height of three and one-half feet within 18 months after initial installation;
  3. Berms. Earthen berm at least three and one-half feet above grade;
  4. Combination of the above.
- J. Landscaping. The following basic standards shall be observed:
1. A minimum of 10% of the total off-street parking area shall be landscaped. Landscaping shall consist of a minimum of irrigation systems, groundcover (mulch or decomposed granite), and a tree program with the approval of the ~~development services director~~Director. Trees shall be a minimum of 15-gallon size tree. The ~~development services director~~Director and the chief of police, in considering the landscape plans, shall review for safety and security of pedestrian movement within the parking lot. The area shall be computed by adding the areas used for

access drives, aisles, stalls, maneuvering, and landscaping within that portion of the premises that is devoted to vehicular parking and circulation.

2. Planter required every other row of parking stalls of at least three feet in width.
  3. Such planters to contain approved trees on 20-foot centers or as permitted by the standards below.
  4. Each unenclosed parking facility shall provide a perimeter landscaped strip at least five feet wide (inside dimension) where the facility adjoins a side property line, unless specifically waived by the ~~development services director~~ Director. The perimeter landscaped strip may include any landscaped yard or landscaped area otherwise required, and shall be continuous, except for required access to the site or to the parking facility.
  5. All landscaping shall be protected with curbs, wheel stops, or equivalent barriers.
  6. All landscaping shall be continuously maintained free of weeds, debris, or litter.
  7. Planters shall be separated from maneuvering and parking areas by a six-inch raised curb or equivalent barriers. The innermost two feet of each parking space (between the curb and planter, sidewalk, or bumper) may remain unpaved and planted with low groundcover to expand the planting area and reduce impervious surface area.
  8. Islands of a minimum area of 60 square feet shall be established at an average separation of ten continuous parking stalls. The islands shall be landscaped with groundcovers and at least one 15-gallon tree planted with each. Alternatively landscaped tree wells, of a minimum 25 square feet, may be provided with an average separation of five continuous parking stalls.
- K. Striping. All parking stalls shall be clearly outlined with single lines on the surface of the parking facility or any other permanent space designator (tree, shrubs, etc.), approved by the ~~development services director~~ Director. In all parking facilities, all aisles, approach lanes, and maneuvering areas shall be clearly marked with directional arrows and lines to expedite traffic movement.
- L. Maneuvering. Parking and maneuvering areas shall be arranged so that any vehicle entering a public right-of-way can do so traveling in a forward direction, except for single-family residential developments.

#### 18.42.050 – Residential.

The following design standards shall apply to residential developments:

- A. Covered off-street parking spaces in a garage or carport shall be a minimum of nine feet in width and 19 feet in depth of unobstructed area provided for parking purposes. The required minimum measurements may not include the exterior walls or support of the structure.

- B. Driveways providing access to garages, carports and parking areas serving four or less dwelling units shall be a minimum of 20 feet in width of unobstructed area. Exceptions may be approved by the ~~development services director~~ Director for individual single-family homes.
- C. Driveways providing access to garages, carports, and open parking spaces serving five or more dwelling units shall be a minimum of 24 feet wide.
- D. Notwithstanding Subsections B.2.? and B.3.c of this section, all driveways and access way widths and designs must be approved by the fire department for purposes of emergency accessibility.
- E. No property owner shall sublease, ~~subrent~~ sub rent, or otherwise make available to residents of other properties, the off-street parking spaces required by this section.
- F. All required covered off-street parking spaces shall be located conveniently accessible to the dwelling unit served by such parking space.
- G. Residential developments which provide private streets shall be planned, designed, and constructed to meet the minimum engineering and fire department requirements for private streets.

#### 18.42.060 – Commercial, public/quasi-public facilities.

The following design standards shall apply to commercial, institutional, and community facility uses:

- A. Those areas designated for use by motorcycles shall consist of a minimum usable area of 54 square feet.
- B. Access driveways on-site shall be a minimum of 24 feet wide unless otherwise approved by the ~~development services director~~ Director and public works director.
- C. Notwithstanding Subsection .2, all driveway and access way widths and designs must be approved by the fire department for purposes of emergency accessibility.

#### 18.42.070 – Special requirements.

The following parking requirements are applicable to all commercial, industrial, and office land uses. These special stalls shall be closest to the facility for which they are designated in order to encourage their use. The following standards, with the exception of the requirement for handicapped spaces, may be modified by the Planning Commission, if the proponent demonstrates that a different standard would result in an equal or better site plan or design:

- A. Motorcycles. Facilities with 25 or more parking spaces should provide at least one designated parking area for use by motorcycles. Areas delineated for use by motorcycles shall meet standards set forth in Section 18.42.060.
- B. Compact Cars. Parking facilities may provide up to 35% of its parking for use by compact cars. Spaces delineated for compact car use shall meet standards set forth in Section 18.42.040.

- C. Bicycles. Bicycle parking shall be provided as required by the California building code. All commercial and office areas shall provide adequate locking facilities for bicycle parking at any location convenient to the facility for which they are designated. Whenever possible, weatherproofing or covering should be used.
- D. Universal Access. Spaces for handicapped persons shall be provided at a ratio of one space for each 40 required spaces, or portion thereof, to be located as close to the main entrance of the building as feasible.

#### ~~18.42.080~~ – Drive-through facilities

~~Drive-through facilities require special consideration as their design can significantly impact the vehicular circulation on a site. The following requirements apply to any use with drive-through facilities:~~

~~A. Each drive-through lane shall be separated from the routes necessary for ingress or egress from the property, or access to any parking space.~~

~~B. Each drive-through lane shall be striped, marked, signed, or otherwise distinctly delineated.~~

~~C. The vehicle stacking capacity of the drive-through facility and pick-up facilities will be determined by the development services director and public works director based on appropriate traffic engineering and planning data. The applicant shall submit to a traffic study addressing the following issues:~~

- ~~1. Nature of the product or service being offered;~~
- ~~2. Method by which the order is processed;~~
- ~~3. Time required to serve a typical customer;~~
- ~~4. Arrival rate of customers;~~
- ~~5. Peak demand hours;~~
- ~~6. Anticipated vehicle stacking required.~~

#### 18.42.090-080 – Shared parking.

Parking facilities may be used jointly with parking facilities for other uses when operations are not normally conducted during the same hours, or when hours of peak use vary. Requests for the use of shared parking are subject to the approval of the ~~development services director~~Director and must meet the following conditions:

- A. The applicant must demonstrate to the director's satisfaction that substantial conflict shall not exist in the principal hours or periods of peak demand for the uses for which the joint use is proposed.
- B. The number of parking stalls which may be credited against the requirements for the structures or uses involved shall not exceed the number of parking stalls reasonably anticipated to be available during differing hours of operation.

- C. Parking facilities designated for joint use should not be located further than 300 feet from any structure or use served.
- D. A written agreement shall be drawn to the satisfaction of [the City](#) attorney and executed by all parties concerned assuring the continued availability of the number of stalls designated for joint use.

18.42.~~100-090~~ – Parking structures.

Where the height of the structure is limited by other sections of this [Title 18](#), one additional floor or story may be allowed subject to approval by the [Planning Commission](#) under the following conditions:

- A. At least [75%](#) of the ground floor is used for off-street parking, access and maneuvering;
- B. Use of the remaining ground floor area is limited to manager's offices, elevators, service facilities and building access facilities including entrance foyer or lobby; [and](#)
- C. Ground floor parking shall be screened, insofar as practicable, from surrounding uses and from public view.

18.42.~~110-100~~ – Parking tables.

Table 18.42.01. Parking in the RL, RM, RH1, RH2 <a href="#">and</a> RMU Zoning Districts		
Residential Use Type	Parking Spaces Required	Loading Space <sup>1</sup>
Community care facility, small	2 per dwelling, one in garage	-
Community care facility, large	1 per every 4 beds	Yes
Day care center	1 per employee	1 per 8 children
Dwelling, single-family detached	2 per dwelling, one in garage	-
Dwelling, two-family	1 up to 1,000 sf of dwelling space in garage; 2 over 1,000 sf of dwelling space, one in garage	-
Dwelling, multi-family <sup>2,3,4</sup>		
Studio -1 bedroom	1 covered per unit, plus .25 guest parking	
2 bedrooms	1 covered per unit, plus .5 uncovered, .25 guest Parking	
3+ bedrooms	1 covered per unit, plus .1 uncovered, .25 guest Parking	
Senior	1 covered per unit, plus .25 guest parking	
Dwelling, accessory <a href="#">and junior accessory</a>	<del>1 covered per unit</del> <a href="#">Refer to Section 18.30.320</a>	-

Table 18.42.01. Parking in the RL, RM, RH1, RH2 and RMU Zoning Districts		
Residential Use Type	Parking Spaces Required	Loading Space <sup>1</sup>
Emergency <del>shelters</del> <a href="#">shelters, low barrier navigation centers, and warming centers</a>	1 per employee, plus 1 per every 10 shelter resident	yes <a href="#">if greater than 10 residents</a>
Family day care home, small	2 per dwelling, one in garage	-
Family day care home, large	1 stall per employee, 1 stall per every 5 children	yes
Live-work units	Reference dwelling, multi-family above	-
Mobile home, single	2 per dwelling unit	-
Mobile home, park	2 per dwelling unit, plus .5 guest parking	-
Rooming and boarding house	2 per unit, plus 0.5 per sleeping room	-
Single-room occupancy units	1 per unit	-
<b>Notes:</b> <sup>1</sup> One loading space, plus one additional loading space per 20,000 square feet of floor space. <sup>2</sup> In addition to the required number of parking spaces for each unit, one off-street uncovered parking space shall be provided for each four units for visitor parking. For single-family zero lot line, patio homes, and duplexes, on-street parking may be substituted for visitor parking, where sufficient street pavement width and distance between driveways has been provided. <a href="#">For accessory and junior accessory dwelling units refer to Section 18.30.320.</a> <sup>3</sup> For developments, containing five or more units, up to 35% of the required uncovered spaces may be compact-car size. <sup>4</sup> <a href="#">Parking requirements of no more than one space per dwelling for multi-family development that comply with low-income criteria of the State's housing code.</a>		

Table 18.42.02. Parking in the CR, CSF, O and CMU Zones Zoning District		
Use Type	Parking Spaces Required	Loading Space <sup>1</sup>
<b>Commercial/Retail Use Types</b>		
<a href="#">Agri-tourism</a>	<a href="#">1 space per 3 persons of the maximum capacity.</a>	
Alcoholic beverage establishment	1 per 100 sf *	Yes
Auto, motorcycle, RV, sales or rental	1 per 400 sf	Yes
Auto parts (sales without repair)	1 per 250 sf	Yes
Auto service and repair	1 per 400 sf, plus 1 per service bay	Yes
Automated teller machine	1 per ATM	-
Bank, teller	1 per 250 sf	Yes
Building materials, garden supplies, ≥ 40,000 sf	1 per 300 sf, plus 1 per 1,000 sf of outdoor display area	Yes

<b>Table 18.42.02. Parking in the CR, CSF, O and CMU <del>Zones</del> Zoning District</b>		
<b>Use Type</b>	<b>Parking Spaces Required</b>	<b>Loading Space <sup>1</sup></b>
Building materials, garden supplies, ≤ 40,000 sf	1 per 300 sf, plus 1 per 1,000 sf of outdoor display area	3 spaces min.
Business support services	1 per 300 sf	Yes
Café, coffee shop, bakery	1 per 100 sf	Yes
Car wash, full service and detailing	1 per 3 times washing capacity, plus parking for washing and drying, and 100 linear feet for stacking	-
Car wash, automatic	1 per drying and vacuum, plus 100 linear feet for stacking	-
Car wash, self-service	2 per wash stall	-
Catering	1 per 300 sf	Yes
Community social service	1 per 250 sf	-
Convenience store	1 per 100 sf	Yes
Drive-through food sales	1 per 50 sf	Yes
Educational services, tutoring, art/dance/music schools	1 per 3 student capacity of classrooms, plus 1 per faculty/employee	-
Farm equipment and supplies	1 per 3 employees, plus additional visitor spaces as prescribed by <del>development services director</del> Director.	Yes
Furniture sales	1 per 400 sf	Yes
Food sales, specialty	1 per 100 sf	Yes
Food sales, full service grocery	1 per 300 sf	2 spaces min.
Gallery	1 per 400 sf	Yes
Gasoline service station, with convenience sales	1 per 300 sf, with 5 spaces minimum	Yes
Gasoline service station, without	5 spaces convenience sales	-
Health club, gym, spa	1 per 150 sf	-
Hotel/motel	1 per guest room, plus 1 per every 2 employees	Yes
Liquor store	1 per 300 sf	Yes
Kennel, animal boarding	1 per 10 animal stalls	Yes
Medical, clinic/lab	1 per 150 sf	Yes
Medical, office	1 per 200 sf	Yes
Medical, health care facility	1.8 per hospital bed	Yes
Medical, general or psychiatric hospital	1.5 per patient bed or 1 per doctor, plus 1 per 3 employees on largest shift, plus 1 per 3 beds	Yes

<b>Table 18.42.02. Parking in the CR, CSF, O and CMU <u>Zones-Zoning District</u></b>		
<b>Use Type</b>	<b>Parking Spaces Required</b>	<b>Loading Space <sup>1</sup></b>
Merchandise, general (art, antiques, books, clothing, florist, pharmacy)	1 per 250 sf	Yes
Mortuary, funeral home	1 per 3 fixed seats, or 1 per 25 sf of assembly area	Yes
Nightclub	1 per 2 occupants or as determined by <a href="#">a use permit</a> <sup>CUP</sup>	Yes
Nursery (plants)		Yes
Office, professional	1 per 250 sf	Yes
Personal services	1 per 250 sf	Yes
Restaurant, full service	1 per 100 sf	Yes
Restaurant, accessory to primary use	1 per 200 sf	Yes
Retail sales, agricultural products	1 per 250 sf produced on premises (≤1,000 sf)	Yes
Retail store, warehouse	1 per 300 sf	Yes
Retail store, shopping center format	1 space per 200 sf	Yes
Retail store, accessory to primary use	1 space per 200 sf	Yes
Veterinary clinic	1 per 150 sf	Yes
Winery, tasting facility	1 per 100 sf	Yes
<b>Manufacturing, Processing and Warehousing</b>		
Contractor's and corporation yard	1 space per 3 employees	Yes
Food processing, bakery, creamery	1 per 1,000 sf	Yes
General services and repair (auto cabinet shop, plumbing, welding)	1 per 750 sf of floor area, or 1 space per 3 repair, employees	Yes
Manufacturing/processing, light	1 per 400 sf, or 1 per each employee on maximum shift *	Yes
Mini-storage	4 spaces, plus 2 for office	Yes
Recycling collection facility for office	1 per 10,000 sf of storage yard, 1 per 250 sf	Yes
Research and development	1 per 3,000 sf	Yes
Warehousing and distribution	1 per 1,000 sf	Yes
<b>Open Space Use Types</b>		

**Table 18.42.02. Parking in the CR, CSF, O and CMU Zones-Zoning District**

Use Type	Parking Spaces Required	Loading Space <sup>1</sup>
Resource protection and restoration	Determined during design review	-
Resource relation recreation	Determined during design review	-
<b>Public/Quasi-Public Use Types</b>		
Aquarium	Determined during design review	Yes
Auditorium	1 per 35 sf, where no fixed seats are provided	Yes
Community center	1 per 75 sf	Yes
Community garden	1 space per 2 plot owners	Yes
Library	1 per 300 sf	Yes
Lodges, fraternal groups, and clubs	1 space per 75 sf	Yes
Museum	1 per 400 sf	Yes
Public safety and fire substations	1 per employee (based on the maximum number of employees per shift)	Yes
School, elementary	2 per classroom	Yes
School, secondary	1 per classroom, plus 1 for every 5 students	Yes
School, university	1 for every two employees, 1 for every 3 students or to be determined during Design Review	Yes
Religious facility	1 per every 4 fixed seats; or 1 per 24 linear inches of bench; or 1 per every 35 sf of open auditorium seating area with no fixed seats	Yes
Theater, live entertainment	1 per every 3 seats, plus 1 for each employee	Yes
Theater, motion picture (1-3 screens)	1 per every 3 seats, plus 1 for each employee	Yes
Theater, motion picture (4+ screens)	1 per every 4 seats, plus 1 for each employee	Yes
<b>Notes:</b> * per gross floor area <sup>1</sup> One loading space, plus one additional loading space per 20,000 square feet of floor space		

**Table 18.42.03. Parking in the APS, P, OS and, P/QP Zones**

Use Types	Parking Spaces Required	Loading Space <sup>1</sup>
<b>Agricultural Use Types</b>		
Agricultural accessory structures	N/A	—

**Table 18.42.03. Parking in the APS, P, OS and P/QP Zones**

Use Types	Parking Spaces Required	Loading Space <sup>1</sup>
Agriculture, crop production	N/A	Yes
Agriculture, animal - poultry	N/A	Yes
Agriculture, animal - grazing	N/A	Yes
Agriculture, animal - dairy	N/A	Yes
Agriculture, apiary	N/A	-
Agricultural processing, products produced on or off premises	1 per 1,000 sf	Yes
Nursery, plants display area	1 per 300 sf, plus 1 per 1,000 sf of outdoor	Yes
Stable, arena, riding academy	1 per 5 horses boarded on premises	Yes
Winery, production	1 per 1,000 sf	Yes
<b>Recreational Use Types</b>		
Campground	2 per camp site, plus 1 per employee	-
Golf course	6 per hole, plus 1 per employee	Yes
Indoor amusement/entertainment center	1 per 200 sf	Yes
Outdoor amusement/recreation center	Based on amusement type and defined as part of Design Review	Yes
Park	2 per 0.5 acre	-
<b>Notes:</b>		
<sup>1</sup> One loading space, plus one additional loading space per 20,000 square feet of floor space.		

**Chapter 18.44 – SIGNS (COMMERCIAL)****18.44.010 – Purpose.**

The purpose of this chapter is to establish sign regulations that are consistent with the goals, objectives, and policies of the general plan and [the City's](#) visual and aesthetic goals and to provide adequate identification for establishments. [The City](#) recognizes that signs are an essential element of a community's visual appearance and provide a means to identify communities and promote commerce, provide useful information to the public, and should not become visual distractions along public roadways. These regulations are intended to protect the public health, safety, and welfare and provide for the integrity of [the City's](#) aesthetics.

In addition, these regulations are intended to:

- A. Promote economically stable and visually attractive communities within [the City](#).
- B. Promote signs that are attractive, pleasing, and harmonized with the physical character of the structure and environment of surrounding properties.

- C. Prevent an inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular noncommercial message over any other noncommercial message.
- D. Encourage individuality among communities and businesses through signage.
- E. Encourage consolidation of signs to reduce visual clutter.
- F. Improve traffic safety and the smooth and efficient flow of pedestrians, bicyclists, vehicles, and emergency/fire protection services to their destinations.
- G. Direct persons to various activities and enterprises, in order to provide for maximum public convenience.

(Ord. No. 743, § 3, 3-21-2017)

#### 18.44.020 – Definitions.

As used in this chapter, the terms below are defined as follows:

“Abandoned sign.” Any display or sign remaining in place or not maintained which no longer identifies an ongoing business, product, or service available on the premises where the display or sign is located or where the structure, business, or establishment to which the display or sign is related has ceased operation.

“A-frame sign.” A sign made of wood, cardboard, plastic, or other lightweight and rigid material having the capability to stand on its own support(s) and being portable and movable. See Figure 18.44.01, A-Frame Sign.

**Figure 18.44.01. A-Frame Sign**



“Animated sign.” Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

“Awning, canopy, or marquee.” Any structure made of metal or a flexible material covering a metal frame attached to a building, whether or not the same is so erected as to permit its being raised to a position flat against the building when not in use.

"Balloon sign." A flexible bag made of a material such as rubber, latex, polychloroprene, or a nylon fabric that is filled with a gas such as helium, hydrogen, nitrous oxide, or air. A balloon qualifies as a "sign" when it is larger than 8 cubic feet in volume or is stationed at or above 10 feet above the ground. See Figure 18.44.02, Balloon Sign.

**Figure 18.44.02. Balloon Sign**



"Banner." A temporary sign (typically for grand openings or special events) composed of lightweight material either enclosed or not enclosed in a rigid frame, secured or mounted so as not to allow movement of the sign.

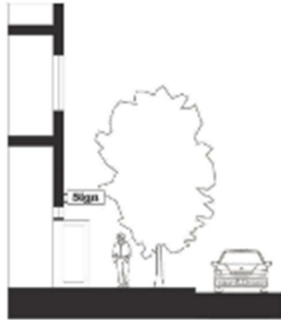
"Billboard." A sign which meets any one or more of the following criteria (also see off-site sign):

- A sign structure which is used for the display of off-site commercial messages.
- A sign structure which constitutes a principal, separate, or secondary use, as opposed to an accessory use, of the parcel on which it is located.
- An outdoor sign used as advertising for hire, e.g., on which display space is made available to parties other than the owner or operator of the sign or occupant of the parcel (not including those who rent space from the sign owner, when such space is on the same parcel or is the same development as the sign), in exchange for a rent, fee, or other consideration.
- An off-site outdoor advertising sign on which space is leased or rented.

"Blade sign." A small, pedestrian-oriented sign that hangs underneath an awning, canopy, or pedestrian overhang. Similar to an under-canopy sign. See Figure 18.44.14, Under-Canopy Sign.

"Bracket sign." A small, pedestrian-oriented sign that projects perpendicular from a structure. See Figure 18.44.03, Bracket Sign.

**Figure 18.44.03. Bracket Sign**



“Building-attached sign.” A sign placed on a wall or canopy, projecting from a wall, or hung underneath a canopy or overhang structure, or placed in a window. This sign category includes wall signs, canopy signs, projecting signs/bracket signs, under-canopy signs/blade signs, and window signs as defined herein.

“Building frontage, primary.” For the purposes of signage, refers to the building frontage that faces the street. In cases where a building has more than one street frontage, the longest of the street frontages shall be considered the primary building frontage. In cases where a business has no building frontage facing a street, the building frontage with the primary business entrance shall be considered the primary building frontage. For multi-tenant buildings, ground-floor tenants may have their primary frontage determined independently of the rest of the building based on the aforementioned rules.

“Building sign.” A sign lettered to give the name of a building itself or the date constructed, as opposed to the name of occupants or services.

“Canopy sign.” Any sign that is part of or attached to an awning, canopy, or other material, or structural protective cover (excluding a marquee) over a door, entrance, window, or outdoor service area.

“Can sign.” A sign which contains all the text and/or logo symbols within a single enclosed cabinet that is mounted to a wall or other surface. It specifically does not include the sign cabinet that is part of a freestanding sign. See Figure 18.44.04, Can Sign.

**Figure 18.44.04. Can Sign**



"Changeable copy sign." A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged manually without altering the face or surface of the sign. A sign on which the messages or characters change more than 12 times per day shall be considered an animated sign and not a changeable copy sign for purposes of this chapter.

"Channel letter sign." A type of sign comprising individual letters that are independently mounted to a wall or other surface with a covered face, where the "air space" between the letters is the building façade. A logo may also be considered a channel letter provided it is clearly distinguishable from other sign elements. See Figure 18.44.05, Channel Letter Sign.

**Figure 18.44.05. Channel Letter Sign**



"Commercial message." Any sign, wording, logo, or other representation that names or advertises a business, product, service, or other commercial activity, primarily concerns the economic interest of the message sponsor or audience, or proposes a commercial transaction.

"Construction sign." A temporary sign mounted or displayed on the site of a construction project during the time when actual physical construction is ongoing.

"Copy." The words, letters, numbers, figures, designs, or other symbolic representations incorporated into the visually communicative elements of a sign.

"Digital display." Display methods utilizing light emitting diode (LED), liquid crystal display (LCD), plasma, projected images, or any functionally equivalent technology and which is capable of automated remote or computer control to change the image, either in a "slide show" manner (series of still images), or full motion animation, or any combination of them. Also known as dynamic signs and commercial electronic variable message signs (CEVMS).

"Digital sign." See electronic (digital) message sign.

"Directional sign." Any sign (building-attached or freestanding) intended to be permanently affixed and utilized only for the purpose of indicating the direction of any object, place, or area.

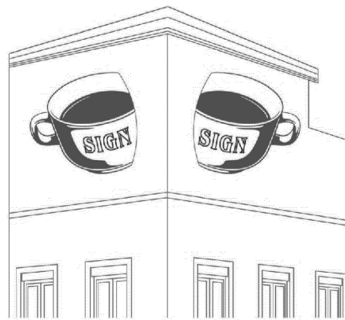
"Directory sign." A pedestrian-oriented sign that identifies or lists the names and locations of tenants at a multi-tenant site.

"Double-face sign." A single sign structure with two parallel sign faces back-to-back.

"Electronic (digital) message sign." A sign whose primary advertising focus is the intermittent display, stream, or movement of electronic, computerized, digital, or similarly produced letters, numerals, words, or messages as part of the advertising message. An electronic message sign is different from an illuminated sign in that the illumination of the display creates the message, rather than an internal or external light source illuminating the message.

"Figurative sign." A sign that comprises a three-dimensional object that graphically or iconically brands an establishment or development (e.g., provides a representational message rather than text messages). Such signs may be used as either building-attached or freestanding signs. See Figure 18.44.06, Figurative Sign.

**Figure 18.44.06. Figurative Sign**



"Flag." Any fabric, banner, or bunting containing distinctive colors, patterns, or design that displays the symbol(s) of a nation, state, local government, company, organization, belief system, idea, or other meaning.

"Flashing sign." An illuminated sign that exhibits changing light or color effect by blinking or any other such means so as to provide non-constant illumination.

"Freestanding sign." A permanent sign that is self-supporting in a fixed location and not attached to a building. A freestanding sign can be connected or attached to a sign structure, fence, or wall.

that is not an integral part of a building. Freestanding signs include, but are not limited to, monument/pylon signs and pole signs as defined in this section.

“Garage, yard, estate, and other home-based sales signs.” Signs advertising the occasional non-business public sale of secondhand household and other goods incidental to household uses by a person or persons from a residential use.

“Gas pricing sign.” A sign identifying the brand, types, octane rating, etc., of gasoline for sale, as required by state law.

“Governmental/civic sign.” Any temporary or permanent sign erected and maintained by or required by [the City](#) or by [the City](#), state, or federal government for the purpose of providing official governmental information to the general public, including, but not limited to, traffic direction, city entrance, or designation of direction to any school, hospital, historical site, or public service, property, or facility.

“Highway-oriented sign.” A sign located on property which is adjacent to a highway and meant to be seen from the highway.

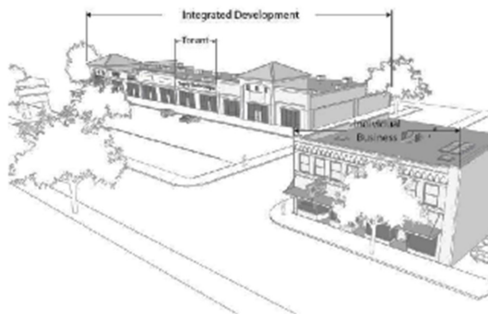
“Illegal sign.” Any sign or advertising statuary which was not lawfully erected or maintained, or was not in conformance with the ordinance in effect at the time of the erection of the sign or advertising statuary, or which was not installed with a valid permit from [the City](#).

“Illuminated sign.” A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign. This includes signs made from neon or other gas tube(s) that are bent to form letters, symbols, or other shapes.

“Incidental sign.” A sign, emblem, or decal informing the public of goods, facilities, or services available on the premises, including but not limited to restrooms, phones, credit cards, or hours of business.

“Individual business.” A freestanding development that is not considered to be part of an integrated development. See Figure 18.44.07, Integrated Development, Tenant and Individual Business.

**Figure 18.44.07. Integrated Development, Tenant, and Individual Business**



"Inflatable sign." Any sign which is inflated, floats, is tethered in the air, or is activated by air or moving gas, whether located in the air, on the ground, or on a building.

"Integrated development." A development consisting of three or more separate tenants/uses that share structures, public spaces, landscape, and/or parking facilities.

"Interior sign." A sign displayed in any fashion within a business or residence, as long as such sign meets this [Zoning Code](#)'s definition of an interior sign (one which is not displayed so as to be viewed from any public space).

"Legal nonconforming sign." A sign lawfully erected and legally existing at the time of the effective date of an ordinance, but which does not conform to the provisions of this chapter.

"Marquee." Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building for a distance of five or more feet, generally designed and constructed to provide protection from the weather.

"Marquee sign." Any sign attached to, in any manner, or made a part of a marquee. See Figure 18.44.08, Marquee Sign.

**Figure 18.44.08. Marquee Sign**



"Mobile billboard sign." An off-site, outdoor advertising sign on which space is leased or rented and is attached to a wheeled, mobile, non-motorized vehicle that carries, pulls, or transports a sign or billboard. A vehicle which advertises the company of its primary use is not considered a mobile billboard.

"Monument sign." A freestanding sign detached from a building and having a support structure that is a solid-appearing, contiguous structural base constructed of a permanent material, such as concrete block or brick. This sign type also includes multi-tenant signs as shown in Figure 18.44.09, Monument Sign.

**Figure 18.44.09. Monument Sign**



“Mural.” A painted or otherwise attached or adhered image or representation on the exterior of a structure that is visible from a public right-of-way or neighboring property, does not contain commercial advertisement (is noncommercial in nature), and is designed in a manner so as to serve as public art, to enhance public space, and to provide inspiration.

“Nameplate.” A sign attached to a wall that identifies the occupant.

“Noncommercial message.” A message that addresses topics of public debate and concern.

“Nonstructural trim.” The molding, battens, caps, nailing strips, latticing, cutouts, or letters which are attached to the sign structure.

“Off-site” or “off-premise sign.” A sign that directs attention to a business, profession, commodity, service, or entertainment conducted, sold, or offered at a location other than where the sign is located. This definition shall include billboards, posters, panels, painted bulletins, and similar advertising displays. An off-site sign meets any one of the following criteria and includes only commercial messages:

- A permanent structure sign which is used for the display of off-site commercial messages.
- A permanent structure which constitutes a principal, separate, or secondary use, as opposed to an accessory use, of the parcel on which it is located.
- An outdoor sign used as advertising for hire, e.g., on which display space is made available to parties other than the owner or operator of the sign or occupant of the parcel (not including those who rent space from the sign owner, when such space is on the same parcel or is the same development as the sign), in exchange for a rent, fee, or other consideration.

“On-site” or “on-premise sign.” A sign which directs attention to a business, profession, commodity, service, or entertainment conducted, sold, or offered upon the lot or parcel on which the sign is placed. In the case of multiple-tenant commercial or industrial development, a sign is considered on-site whenever it is located anywhere within the development.

“Painted sign.” A sign that comprises only paint applied on a building or structure.

“Pennant.” Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, attached to a rope, wire, or string, usually in a series, designed to move in the wind and attract attention.

“Permanent display case.” A case or cabinet constructed of durable, permanent materials such as metal, plastic, and glass, used to display commercial messaging.

“Permanent sign.” A sign that is entirely constructed of durable materials and is intended to exist for the duration of time that the use or occupant is located in the premises.

“Pole sign.” An on-site freestanding sign, supported by a sign structure from the ground, which identifies businesses located on the same parcel or in the same development on which the sign is located. Generally, pole signs are supported by one or more metal or wood posts, pipes, or other vertical supports. The support structure is not integrated into the overall design of the sign. See Figure 18.44.10, Pole Sign.

**Figure 18.44.10. Pole Sign**

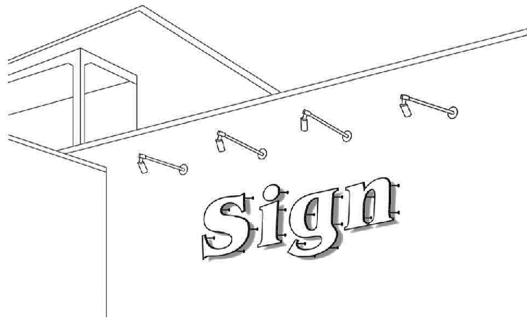


“Portable sign.” Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported. Portable signs include, but are not limited to, signs designed to be transported by means of wheels, A-frame signs, menu and sandwich board signs, and umbrellas used for advertising. Clothing or other aspects of personal appearance are not within this definition.

“Projecting sign.” A sign attached to and extending outward from the face of a structure. Includes, but is not limited to, a blade/bracket sign or a marquee sign.

“Push pin letter sign.” A sign made up of individual letters that are independently mounted to a wall or other surface. Such sign may be illuminated by an external light source, such as pendant lighting, where the “air space” between the letters is not part of the sign structure but rather the building façade. See Figure 18.44.11, Push Pin Letter Sign.

**Figure 18.44.11. Push Pin Letter Sign**



"Pylon sign." A freestanding sign detached from a building where the sign face is usually over six feet high and separated from ground level by one or more concealed supports such as poles, pole covers, or columns. See Figure 18.44.12, Pylon Sign.

**Figure 18.44.12. Pylon Sign**



"Real estate sign." Any temporary sign advertising the sale or lease of the property upon which it is located. The sign may include the identification and contact information of the person and/or company handling such sale, lease, or rent. This definition does not include occupancy signs at establishments offering transient occupancy, such as hotels and motels.

"Reverse channel letter sign." A sign comprising individual letters that are independently mounted to a wall or other surface, with lights mounted behind the letters that face the wall behind. Lights illuminate the space around the channel letters rather than the channel letters themselves, creating a "reverse" lighting effect (e.g., halo effect). The "air space" between the letters is not part of the sign structure but rather is part of the building façade. See Figure 18.44.13, Reverse Channel Letter Sign.

**Figure 18.44.13. Reverse Channel Letter Sign**



“Roof sign.” A sign placed upon, projecting from, or above the eaves of the roof or the roof itself. A sign hanging from and below a roof eave is not a roof sign.

“Sign.” Any medium, including its structure and component parts in view of the general public, which is used to attract attention for advertising or identifying purposes.

“Sign face.” That area or portion of a sign on which copy is intended to be placed.

“Sign structure.” Any structure which supports or is capable of supporting any sign as defined in this chapter. A sign structure may or may not be an integral part of the building.

“Temporary sign.” A structure or device used for the public display of visual messages or images, which is easily installed with common hand tools or without tools, and which is not intended for or suitable for long-term or permanent display, due to the lightweight or flimsy construction materials. Examples include, but are not limited to, A-frame signs, banners, pennants, streamers, or similar nonpermanent sign made of paper, cloth, canvas, lightweight fabric, or other nonrigid material, with or without frames.

“Tenant.” An independent business that is part of an integrated development. See Figure 18.44.07 (Integrated Development, Tenant, and Individual Business).

“Under-canopy sign.” A pedestrian-oriented sign hung from underneath an awning, canopy, or overhang structure/breezeway. See Figure 18.44.14, Under-Canopy Sign.

**Figure 18.44.14. Under-Canopy Sign**



“Vehicle sign.” A sign that is attached to and is an integral part of a motorized vehicle or bicycle used directly for the purpose of a particular business and not used primarily as a sign base or for general advertising.

“Wall sign.” A sign attached directly to an exterior wall of a building or dependent on a building for support, with the exposed face of the sign located in such a way as to be substantially parallel to such exterior building wall to which it is attached or is supported by, and which does not extend above the roof, parapet, building façade, or any outermost edge of the building or structure.

“Window sign.” Any sign, picture, letter, character, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service that is placed on and/or inside and/or within three feet of a window for the purpose of being visible from the exterior of the window.

**18.44.030 – Sign policies.**

Except as otherwise specifically noted herein, the following requirements shall apply to all signage in all areas of the City:

- A. **Regulatory Interpretations.** The requirements of this chapter shall not be interpreted to nullify any easements, covenants, or other private agreements that provide more restrictive sign regulations than required by this chapter.
- B. **Message Neutrality.** In adopting this chapter, the City intends to regulate signs within the scope of this chapter in a way that does not favor commercial speech over noncommercial speech and does not regulate noncommercial speech based on message content. The message of any sign shall not be reviewed except to the minimum extent necessary to identify the type of sign.
- C. **Message Substitution.** Subject to the property owner's consent, a constitutionally protected noncommercial message of any type may be substituted in whole or in part for the message displayed on any sign for which the sign structure or mounting device is authorized in compliance with this chapter, without consideration of message content. Such substitution of message may be made without any additional approval or permitting. This provision is to prevent any inadvertent favoring of commercial speech over noncommercial speech or favoring of any particular protected noncommercial message

over any other protected noncommercial message. In addition, any on-site commercial message may be substituted, in whole or in part, for any other on-site commercial message, provided the sign structure or mounting device is authorized in compliance with this chapter, without consideration of message content.

- D. This provision does not create a right to increase the total amount of signage on a parcel, lot, or land use; does not affect the requirement that a sign structure or mounting device be properly permitted; does not allow a change in the physical structure of a sign or its mounting device or location; does not allow the substitution of an off-site commercial message in the place of an on-site commercial or noncommercial message; and does not authorize the conversion of an existing sign to general advertising for hire.
- E. On/Off-Site Distinction. In this chapter, the distinction between on-site and off-site applies only to commercial messages. Off-site non-commercial messages are allowed consistent with Sections 18.44.050 (Exempt Signs), 18.44.100 (Allowed Off-Site Sign Regulations), and 18.44.130 (Signs on City Property).
- F. General Prohibition. Permanent signs not expressly allowed by this chapter are prohibited.
- G. Exceptions to Limitations. Any exception to the limitations and/or sign development standards stated or shown in this chapter shall require a variance in compliance with Section 18.80 (Variance). However, consideration of the variance request shall not evaluate the message or graphic design of the sign.
- H. Indecent or Obscene Matter. To the extent allowed, indecent or obscene matter will be addressed in accordance with state law.

#### 18.44.040 – Permit requirements and review procedures.

This [section](#) describes permit requirements and review procedures applicable to all signage in all areas of [the City](#). Signs proposed within communities that have City-adopted local sign standards or guidelines shall conform to those standards/guidelines.

- A. Sign Permit Required. Sign permits shall be required for specified types of permanent signs prior to erection, relocation, alteration, or replacement, as listed in Table 18.44.03 (Allowed Permanent On-Site Signs by Land Use Type), unless otherwise exempted by this chapter.
  - 1. No planning approvals shall be required for general maintenance of existing conforming signs or replacement of a conforming sign face (including message) when the area of the sign is not being changed, subject to Section 18.44.070 (General Sign Standards).
  - 2. Sign permit(s) shall be required as part of the review of any discretionary application that includes proposed signage. The sign permit shall be in addition to the discretionary application or permit.
  - 3. Sign permits are not required for the display of temporary signs. However, temporary signs shall be consistent with the development standards and time duration limits established in this chapter.

B. Uniform Sign Program Required. A uniform sign program shall be required for all new multi-tenant shopping centers, office parks, and other multi-tenant, mixed-use, or otherwise integrated developments of three or more separate tenants/uses that share structures, public spaces, landscape, and/or parking facilities. A uniform sign program provides a process for the City's review of, and decisions related to, requests for signs for multi-tenant projects. The uniform sign program allows the integration of a project's signs with the design of the structures to achieve a unified architectural statement and to approve common sign regulations for multi-tenant projects. The ~~development services director~~Director is the decision-making authority for uniform sign programs. However, if part of an application is reviewed and decided by the Planning Commission or the City Council, the uniform sign program shall be decided by same higher-level approving authority in conjunction with other entitlements. Deviations from the sign standards of this chapter of up to 10% over maximum allowance are allowed through the uniform sign program. At a minimum, the uniform sign program shall include the type, number, size, location/placement, and general design parameters of all permanent building-attached and freestanding signs. Modifications to any uniform sign program shall be made in the same manner as the original approval. In order to approve a uniform sign program, the approving authority shall make all of the following findings.

1. The proposed uniform sign program is consistent with the objectives of the general plan.
2. The proposed uniform sign program is consistent with all adopted specific plans, master plans, and design guidelines applicable to the project.
3. The proposed uniform sign program establishes a unified design theme for all permanent building-attached and freestanding signs within the project.
4. The proposed deviations from the sign standards of this chapter contribute to the character and vitality of the project and do not negatively impact surrounding properties.

C. Creative Sign Program Required. A creative sign program provides a mechanism that is available for the benefit of property owners and businesses to request deviation from the sign standards in this chapter for creative or unique signs that do not meet all of the specified standards in this chapter. A creative sign program is a discretionary entitlement decided by the Planning Commission, which allows an applicant to request up to a maximum of 2% deviation from the specified sign standards in this chapter. Modifications to any creative sign program shall be made in the same manner as the original approval. In order to approve a creative sign program, the approving authority shall make all of the following findings.

1. The proposed creative sign program is consistent with the objectives of the general plan.
2. The proposed creative sign program is consistent with all adopted specific plans, master plans, and design guidelines applicable to the project.
3. The proposed creative sign program establishes unique project signage that exhibits a high degree of imagination and visual interest, which contribute positively to the visual character of the community.

4. The proposed deviations from the sign standards of this chapter contribute to the character and vitality of the project and do not negatively impact surrounding properties.

D. Community Sign Program Required. The [City Council](#) is the decision-making authority for all new community sign programs. All decisions of [the City Council](#) are final. Three types of community sign programs are outlined below.

1. Community Directional Sign Program. Said program shall establish directional wayfinding signs as off-site signs on public streets or public rights-of-way to encourage, facilitate, and assist visitors and residents to find points of interest, recreational and historical areas, parks, neighborhoods, lodging, and tourist industries in [the City](#) (e.g., subdivision directional signs, downtown district wayfinding signs).
2. Community Identification Sign Program. Said program shall establish a means for individual communities within [the City](#) to designate the community's name at main point(s) of entry to the community. Such signage can be unique to each community as a means to define its character, quality, or historic contribution to [the City](#) (e.g., district or neighborhood identity signs).
3. Community Event Sign Program. Said program shall establish general standards for both promoting and informing the public of special events within the individual communities or [the City](#) as a whole (e.g., service club signs, public parade, event signs).

E. Highway-Oriented Sign Permit. A highway-oriented sign permit shall be required for all highway-oriented signs located within 100 feet of a designated state highway. This permit would allow consideration of freestanding signs taller and larger than otherwise permitted by this chapter and would be in addition to other permanent on-site freestanding signs allowed pursuant to Table 18.44.03 (Allowed Permanent On-Site Signs by Land Use Type). The highway-oriented sign permit also allows for the consolidation of commercial messages for businesses in a designated area proximate to the highway to collocate one or more freestanding signs for maximum highway visibility and minimal aesthetic impact. The [City Council](#) is the decision-making authority for highway-oriented sign permits. All decisions of [the City Council](#) are final and not subject to appeal.

#### 18.44.050 – Exempt signs.

The following sign types are expressly exempted from the permit requirements of this chapter but must satisfy any and all other applicable permit requirements when applicable (e.g., building, electrical, plumbing, grading, encroachment). These exemptions shall apply in all areas of [the City](#).

A. Exempt Signs Without Limitations. The following signs are exempt from sign permit requirements with no specific limitations.

1. Conforming signs that change messages, but do not alter size, location, or illumination. This provision does not authorize the conversion of an existing legal sign to a general advertising for hire use or to a digital display.

2. All devices which are excluded from the definition of a "sign" as set forth in this chapter.
  3. Official traffic signs or other municipal governmental signs, legal notices, advertisements, and notices prescribed by law and placed by governmental entities, and signs indicating the location of buried utility lines or any notice posted by a governmental officer in the scope of his or her duties.
  4. Direction, warning, or information signs or structures required or authorized by law, or by federal, state, county, or city authority, including, but not limited to, traffic control signs (e.g., stop, yield), railroad crossing signs, highway route number signs, and construction zone or site signs.
  5. Noncommercial utility company signs identifying cables, conduits, and dangerous situations.
  6. Holiday decorations.
  7. Street address signs on structures and building identification signs consistent with [the City](#)-adopted building code or relevant provisions of this [Zoning](#) Code. Notwithstanding anything in this section, street address signs may be illuminated and may contain reflective paint or material.
  8. Tablets and plaques installed by [the City](#), or by a state, federal, or city recognized historical organization exempt from federal taxation under United States Code, Title 26, [§ 501](#) (IRS Code) including names of structures and date of erection, or signs authorized and installed by city, state, or federal agencies on publicly owned lands.
  9. Gas pricing signs, as required by state law, which identify the brand, types, octane rating, etc., of gasoline for sale within [the City](#) ([California Business and Professions Code §§13530-13540](#)). This does not limit the approval and design requirement for permanent or temporary placement and approval provisions listed herein.
  10. Signs on currently registered and operable vehicles and vessels, including license plates, license plate frames, registration insignia, noncommercial messages, messages relating to the establishment for which the vehicle or vessel is an instrument or tool (not including general advertising, such as mobile billboard), and messages relating to the proposed sale, lease, or exchange of the vehicle or vessel.
  11. Signs and advertising located on buses and bus shelters.
  12. Murals on nonresidential structures.
- B. Exempt Signs with Limitations. The following sign types are expressly exempted from the permit requirements of this chapter but must meet the size, height, duration, and/or maximum number limitations listed below and satisfy any and all other applicable permit requirements (e.g., building, electrical, plumbing, grading, encroachment):
1. A-frame, sandwich board, or similar portable signs, subject to the following:

- a. Maximum of one sign per tenant space.
  - b. Maximum sign area of six square feet and a maximum height of three feet, measured from the ground to the top of the sign structure.
  - c. A-frame signs are allowed in any front yard, foyer, portico, or other building entry provided they do not interfere with required pedestrian access, ingress, and egress.
  - d. A-frame signs shall be placed at least five feet behind the face of curb and outside of the City right-of-way. Where there is no sidewalk or curb, A-frame signs shall be located outside of the City right-of-way.
  - e. A-frame signs shall not be placed where they may obstruct vision or create other public safety hazards. A-frame signs shall comply with clearance rules under the Americans with Disabilities Act.
  - f. A-frame signs may be placed in the visibility triangle area depicted below, provided they are less than three feet in height.
  - g. A-frame signs may not be illuminated.
  - h. A-frame signs shall be removed during all times when the business establishment is closed.
2. Window signs that do not exceed 25% coverage of any window. Window signs do not count toward cumulative allowable sign area. This limitation is considered industry best practice for natural surveillance that serves to increase the risk of detection for offenders, enable evasive actions by potential victims, and facilitate intervention by police (crime prevention through environmental design and defensible space). As such, window signs that exceed 25% of any window are not allowed.
  3. Flags, not subject to the standards set forth in Section 18.44.080 (Allowed On-Site Sign Regulations), meeting the following requirements:
    - a. Flag poles shall be located outside of the public right-of-way.
      - 1) The maximum height for flag poles is 30 feet.
      - 2) The maximum size for any one flag is 30 square feet.
  4. Signs on property undergoing construction or remodeling not exceeding 32 square feet each in area and limited to one sign for each street frontage. Such signs shall not be illuminated. Such signs shall be removed within 30 days of the earliest of the following events: final building inspection approval, issuance of a valid certificate of occupancy, opening for business to the public, or expiration of the building permit.
  5. SignsSign's warning against trespass on the premises not to exceed two square feet per sign.

6. Signs on property that is currently offered for sale, lease, or rental:
  - a. On residential zoned property, one sign not exceeding six square feet per face and not exceeding a height of five feet, exclusive of support structures. On weekends and holidays, up to four signs to direct traffic to the subject property are allowed, provided each sign does not exceed six square feet in area and three and one-half feet in height. A sign shall not be placed on a sidewalk, street, or public right-of-way. A sign shall not create a safety hazard. Such signs shall not be illuminated.
  - b. On nonresidential zoned property, one sign per street or road frontage, not exceeding 32 square feet in area per face and 12 feet in height. The sign shall not be illuminated.
7. Signs on private property where there is a garage, yard, or estate sale taking place. Such signs may be posted for no more than 48 hours and must be removed at the end of the sale. A maximum of six square feet is allowed per sign.
8. On-site directional and parking signs, such as exit, entrance, or other on-site traffic directional signs. The maximum height of any directional sign shall not exceed three and one-half feet and the maximum size shall not exceed six square feet. No advertising or message other than for traffic direction shall be displayed on the signs authorized by this subsection.
9. Professional nameplates and occupational signs denoting only the name and occupation of an occupant in a commercial or public institutional building, not to exceed three square feet in area. Signs may be externally illuminated only.
10. Identification nameplates or signs on apartment houses, boardinghouses, rooming houses, or similar uses, not to exceed two square feet in area. Signs may be externally illuminated only.
11. Temporary signs displaying noncommercial messages subject to:
  - a. A maximum of six square feet of signage per sign, set back at least five feet from the public right-of-way, and not projecting above the roofline of any structure.
  - b. During the time period beginning 90 days before a special, general, or primary election and ending three weeks after such election, the total allowed sign area for noncommercial messages may be 32 square feet in area. The same setback and height restrictions listed above shall apply to this additional area.
    - 1) Such signs shall not be posted on any private utility property or public property, including, but not limited to, streets, traffic signs and poles, sidewalks, parkways, medians, city parks, and trees.
    - 2) Such signs shall not be located within 100 feet of a polling place, in accordance with the California Elections Code.

- 3) Such signs shall not be posted without prior written approval of the property owner.
  - 4) Such signs shall not be illuminated.
12. Home occupation signs in any residential zone for businesses with a current, valid business license are allowed a maximum sign area of 3 square feet. Signs shall be not be illuminated.
  13. Temporary Promotional Signs. Temporary promotional signs include, but are not limited to, commercial signs advertising a special product, sale, or event. See additional temporary sign allowance for business transitions in subsequent [Subsection B.14](#). Temporary promotional signs are allowed by right consistent with the following limitations:
    - a. Banners made of paper, cloth, canvas, lightweight fabric, or other nonrigid material, with or without frames, may be permitted. Such signs must be adequately anchored and composed of materials durable enough to withstand exposure to the elements.
    - b. Display periods for temporary promotional signs shall be limited to a maximum of 90 days per calendar year.
    - c. Temporary promotional signs may be displayed in windows, attached to a building façade or mounted in a permanent display case.
    - d. A maximum of two signs are allowed with a maximum combined area consistent with the standards in Table 18.44.01, Temporary Promotional Sign Standards.

Table 18.44.01. Temporary Promotional Sign Standards	
Size of Establishment	Maximum Sign Area
Less than 5,000 sf	40 sf
Greater than 5,000 sf	60 sf
<b>Notes:</b> <ol style="list-style-type: none"> <li>1. Window signs are not included in the maximum allowable sign area above. Window signs fall under exempt signs with limitations (see <a href="#">Subsection B</a>).</li> <li>2. Temporary promotional signs may not be illuminated.</li> </ol>	

14. Temporary Business Transition Signs. Temporary business transition signs include, but are not limited to, commercial signs for grand openings, change of ownership, or going out of business. Temporary business transition signs are allowed by right consistent with the following limitations:
  - a. Banners, pennants, streamers, or similar nonpermanent signs made of paper, cloth, canvas, lightweight fabric, or other nonrigid material, with or without frames, may be permitted. Such signs must be adequately anchored and composed of materials durable enough to withstand exposure to the elements.

- b. Display periods for temporary business transition signs shall be limited to a cumulative maximum of 45 days per calendar year, either consecutive or intermittent.
- c. Temporary signs displaying a commercial message shall be limited to on-site signage only. Temporary off-site signage displaying a commercial message is prohibited.
- d. Temporary business transition signs shall not encroach on or above the public right-of-way or be attached to utility poles.
- e. A maximum of two building-attached signs are allowed with a maximum combined area consistent with the standards in Table 18.44.02 (Temporary Business Transition Sign Standards).

Table 18.44.02. Temporary Business Transition Sign Standards	
Size of Establishment	Maximum Sign Area
Less than 5,000 sf	40 sf
Greater than 5,000 sf	60 sf
<b>Notes:</b> 1. Window signs are not included in the maximum allowable sign area above. Window signs fall under exempt signs with limitations (see <a href="#">Subsection B</a> ). 2. Temporary promotional signs may not be illuminated.	

18.44.060 – Prohibited signs.

- A. General Prohibition. All off-site commercial signage on private property is prohibited unless otherwise allowed in this chapter. Existing off-site signs (e.g., billboards) are considered nonconforming signs as regulated by Section 18.44.120 (Illegal, Abandoned, and Nonconforming Signs). Off-site signs on city property are regulated by Section 18.44.320 (Signs on City Property).
- B. The signs listed in this section are prohibited in all zones. Except as otherwise specifically noted herein, these prohibitions apply in all areas of [the City](#).
  - 1. Any sign not specifically allowed by this chapter.
  - 2. Billboards as defined herein. This does not prohibit relocation agreements as authorized by state law (California Business and Professions Code [§ 5412](#)).
  - 3. Roof signs or signs placed above the roofline.
  - 4. Animated, flashing, scrolling, digital, or video screen signs except time and temperature signs.
  - 5. Revolving signs.
  - 6. Signs placed on the public right-of-way or affixed to an element or structure on the public right-of-way, or located on a publicly owned tree, fence, or utility pole or

otherwise posted on public property, except where required by a governmental agency.

7. Inflatable balloon signs, including, but not limited to, individual balloons, balloon strings, and other inflatable objects made of a flexible material and inflated so as to be lighter than air.
8. Signs painted on a fence or freestanding wall.
9. Mobile billboards advertising displays traversing or parked on a public right-of-way for the primary purpose of advertising.
10. Signs attached to light standards (poles), traffic control devices, or utility poles.
11. Signs affixed to a structure or property not owned by the person or entity installing the signs, unless authorized by the written consent of the owner of the structure or property. For purposes of this provision, "owner" means any person or entity holding the immediate right of possession and control.
12. Off-site signs, except as otherwise permitted by this chapter.
13. Signs that are dilapidated, abandoned, or in disrepair or dangerous condition.
14. Window signs that exceed 25% of any window.

#### 18.44.070 – General sign standards.

This section establishes standards for sign development and design, including, but not limited to, methods for measuring sign size, area and height, sign placement, construction, design, illumination, maintenance, and removal. Unless otherwise specified in this section, sign development and design standards shall apply to all signs in all areas of [the City](#).

- A. General Sign Design Requirements for Permanent Signs. Permanent signs shall comply with the following general design requirements as well as design standards applicable to specific types of signs listed in Section 18.44.110 – Special Standards by Sign Type:
  1. Design Compatibility with Structure. Signs shall be compatible in architectural scale and bulk with the architectural style of the main structure or structures on the site where the sign is located. The applicant shall incorporate construction materials, color, letter style, and other design details in designing an architecturally compatible sign. Multiple signs on any structure, or on structures within the same development, shall have the same primary type of building-attached sign.
  2. Sign Illumination. The artificial illumination of signs, from either an internal or external source, shall be designed to prevent the casting of stray light on surrounding rights-of-way and properties. All illuminated signs shall comply with the following:
    - a. External light sources shall be directed toward the sign and fully shielded to limit direct illumination of any object other than the sign.

- b. The light from an illuminated sign shall not be of an intensity or brightness that creates glare or other negative impacts on any street, alley, driveway, sidewalk, parking area, or adjacent residential property, nor into the eyes of any motorist or pedestrian.
- c. Unless otherwise allowed by another provision of this chapter, signs shall not have blinking, flashing, or intermittent lights or other illumination devices that have a changing light intensity, brightness, or color.
- d. Colored lights shall not be used at a location or in a manner so as to be confused or interpreted as traffic control devices.
- e. Light sources shall utilize energy-efficient fixtures compliant with Title 24 of the California Code of Regulations.
- f. Illuminated signs shall be permitted to be illuminated at any time unless the sign identifies a business within, or adjacent to, a residential zone. In such case, the business is required to turn off its sign(s) within 2 hours after the business is closed.

B. Calculating the Area of Signs.

1. General Area Calculation. Generally, the area of a sign shall be measured as the overall length of the sign multiplied by the overall height of each segment of copy or logo inclusive of background. Generally, all sides of a multisided sign will be included in the total area calculations; however, for double-faced (2-sided) freestanding signs, only one side of the sign shall be used to determine sign area. See Figure 18.44.15, General Sign Area Measurement.

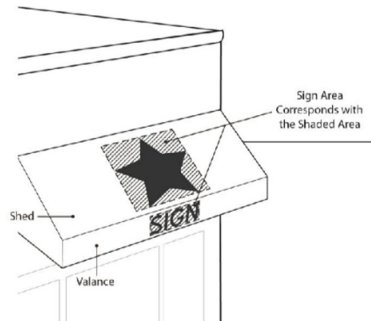
**Figure 18.44.15. General Sign Area Measurement**



2. Awning, Canopy, Push Pin, and Channel Letter Sign Area. Sign area for copy which is applied to an awning, canopy, or as separate lettering onto the building

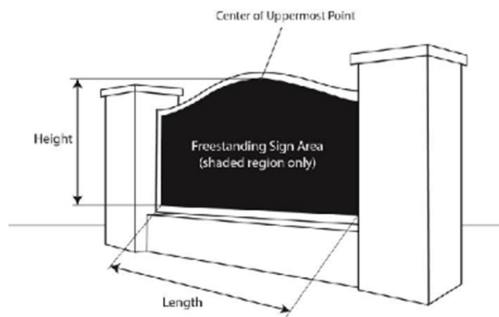
face shall be computed at 100% of the area within a single rectangle enveloping the sign copy. See Figure 18.44.16 (Awning or Canopy Sign Area).

**Figure 18.44.16. Awning or Canopy Sign Area**



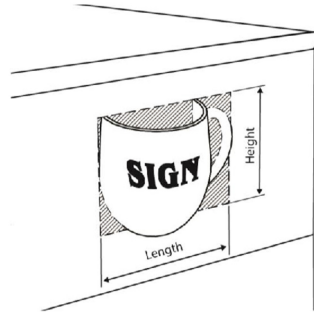
3. Freestanding Signs. Freestanding signs are to be computed as total height by the total length of the sign excluding framework (e.g., post, masonry column, or beam). The base of a monument sign is not part of the sign. See Figure 18.44.17, Freestanding Sign Area. For double-faced (2-sided) freestanding signs, only one side of the sign shall be used to determine sign area.

**Figure 18.44.17. Freestanding Sign Area**



4. Three-Dimensional Objects. Where a sign consists of one or more three-dimensional objects (e.g., balls, cubes, clusters of objects, sculptures, or statue-like trademarks), the sign area shall be measured at the maximum projection upon a vertical plane, as viewed from a position in the public right-of-way which produces the largest visual projection. See Figure 18.44.18, Area of Three-Dimensional Objects.

**Figure 18.44.18. Area of Three-Dimensional Objects**



- C. Calculating the Height of Signs. Sign height shall be measured by using the vertical distance from the uppermost point used in measuring the area of a sign to the ground (existing grade) immediately below such point. The height of a monument sign (freestanding/detached) shall be measured according to the method above or from the center of the uppermost point of the sign to the ground (existing grade) immediately below such point, whichever is higher.
- D. Construction Requirements. Every sign and all parts, portions, and materials thereof shall be manufactured, assembled, and erected in compliance with all applicable state, federal, and city laws and regulations, including [the City's](#) adopted building code. All signs shall comply with the following criteria:
  1. All permanent signs shall be safely and securely attached or anchored to the ground, wall, building, or the like in accordance with the requirements and specifications in [the City's](#) building code.
  2. All transformers, equipment, programmers, and other related items shall be screened and/or painted to match the structure or shall be concealed within the sign.
  3. All permanent signs shall be constructed of quality materials such as metal, concrete, natural stone, wood, glass, and acrylic. Techniques shall be incorporated during construction to reduce fading and damage caused by exposure to sunlight or degradation due to other elements.
  4. All freestanding signs that incorporate lighting shall have underground utility service.
  5. All temporary signs and banners shall be maintained in good condition for as long as the sign is displayed.
- E. Sign Placement.
  1. General. The location of all signs shall be in compliance with the building, electrical, and fire prevention codes of [the City](#) as they now exist, and with all

ordinances of [the City](#), as they exist as of the effective date of the ordinance codified in this chapter or as thereafter amended.

2. **Location of Building-Attached Signs.** Building-attached signs may be located along any frontage of a building that faces directly onto a public right-of-way, parking lot, pedestrian path, or natural waterway with public access. Such signs should be oriented toward the public right-of-way or pedestrian path and be consistent with the context, scale, and character of the location. Orientation of signs such that they face directly onto residential property is allowed only where there is no practical alternative and the visibility of the sign for the residence(s) is minimized and non-illuminated. All projecting signs shall have a minimum eight-foot overhead clearance above a walkway and a minimum 14-foot clearance above a vehicular driveway or parking area.
3. **Clearance from Public Utility Facilities.** All signs shall maintain any legally required clearance from communications and electric facilities. A sign may not be constructed, erected, installed, maintained, or repaired in any manner that conflicts with a rule, regulation, or order of the California Public Utilities Commission pertaining to the construction, operation, and maintenance of public utilities facilities.
4. **Interference with Motorist Field of Vision.**
5. No sign shall be located in a manner which may obstruct or interfere with the view of a traffic signal or other traffic regulatory signs. No sign shall, as determined by the [development services director](#)~~Director~~, be so located as to create a hazard to the life or property of any person using the public right-of-way.
6. Any landscaping shall be trimmed as needed to provide clear visibility of the sign or signs.
7. **Setback and Spacing of Freestanding Signs.** Setback and spacing standards for freestanding signs are as follows:
  - a. Generally, freestanding signs shall be set back a minimum of three feet from the public right-of-way. Exceptions may be granted through the uniform sign program, creative sign program, or variance request as outlined in this chapter.
  - b. No sign shall be located within the area designated as the clear visibility area at the corner of the intersection of two streets, or the intersection of a driveway and a street, which has specific height limitations for vegetation and structures.
  - c. The minimum spacing distance between permanent freestanding signs located on adjoining properties (excluding on-site directory and menu/order board signs) shall be 100 feet. However, the designated approving authority for sign approval may allow a reduction in minimum spacing requirements to ensure that a qualified business can have at least one freestanding sign as allowed in Section 18.44.110 – Special Standards by Sign Type.

F. Maintenance Requirements. Every sign and all parts, portions, and materials thereof shall be maintained at all times in a state of safe, good repair. Good sign maintenance includes periodic repairs to prevent sign deterioration such as fading paint, fading colors, and peeling letters. The display surface of all signs shall be kept clean, neatly painted, and free from rust and corrosion. Any cracked, broken surfaces, malfunctioning lights, missing sign copy, or other non-maintained or damaged portions of a sign shall be repaired or replaced within 30 days following notification by the City. Failure to correct the cited conditions or remove the sign within 30 days following notification by the City will result in the sign being deemed abandoned, and the City may cause the sign to be removed, with the cost of such removal to be paid by the owner of the property. The chief building official or the ~~development services director~~ Director may cause any such sign causing immediate peril to person or property to be immediately abated without the necessity of prior notice to any party.

1. Sign Removal or Replacement. When a sign is removed or replaced, all brackets, poles, and other structural elements that support the sign shall also be removed. Affected surfaces shall be restored to match the adjacent portion of the structure. This requirement does not apply to routine maintenance.

#### 18.44.080 – Allowed on-site sign regulations.

This section establishes allowed sign types and standards for permanent on-site signs by land use type. Specifically, Table 18.44.03, Allowed Permanent On-Site Signs by Land Use Type, lists the standards for both building-attached and freestanding signs for residential and nonresidential uses. The following rules apply:

- A. Permit Requirements. Unless otherwise exempt, permanent on-site signs require city approval of either an administrative permit (sign permit) or discretionary permit (uniform sign program, creative sign program, highway-oriented sign program) pursuant to Section 18.44.030 – Permit Requirements and Review Procedures.
- B. Building-Attached Signs. Allowed permanent on-site building-attached signs include wall signs, projecting signs/blade signs, awning or canopy signs, and under-canopy signs/bracket signs. Window signs are exempt consistent with the limitations in Section 18.44.050 (Exempt Signs). As outlined in Subsection 18.44.070.E, (Sign Placement), building-attached signs may be located along any frontage of a building that faces directly onto a public right-of-way, parking lot, pedestrian path, or natural waterway with public access.
- C. Freestanding Signs. Allowed permanent on-site freestanding signs include monument/pylon signs. As outlined in Subsection 18.44.070.E (Sign Placement), freestanding signs shall be set back a minimum of three feet from the right-of-way, outside of the required vehicle visibility area (clear vision triangle) at driveway and street intersections, and in compliance with the spacing requirements between freestanding signs.
- D. Collective Sign Area. The total sign area allowed herein for each sign type (building-attached and freestanding) may be distributed among the maximum number of signs permitted for that sign type. For example, the maximum sign area allowance for building-attached signs may be distributed on one or more building-attached sign types in keeping with the other standards and limitations in this chapter.

- E. **Sign Area Allowance.** Allowable sign area either is a set square footage per establishment or is based on a ratio of allowable sign area to primary building frontage (e.g., 1 square foot of sign per 1 linear foot of primary building frontage). Where a ratio is listed, a maximum sign area also applies. The permanent sign area allowed excludes temporary signs (e.g., temporary promotional signs) and exempt signs (e.g., window signs) consistent with the standards and limitations in this chapter.
- F. **Development Types.** For the purposes of this chapter, integrated development shall mean three or more separate tenants/uses that share structures, public spaces, landscape, and/or parking facilities. Tenants are independent businesses that are part of an integrated development. Individual businesses are freestanding developments that are not considered to be part of an integrated development.
- G. **Design Standards.** Additional design standards are listed in Section 18.44.110 – Special Standards by Sign Type. Design standards include, but are not limited to, scale and proportionality standards for wall signs, design compatibility and cohesion, scale and placement of pedestrian signs, and brightness and frequency of electronic message signs.

<b>Table 18.44.03. Allowed Permanent On-Site Signs by Land Use Type</b>			
<b>Land Use Type</b>	<b>Development Type</b>	<b>Building-Attached Signs</b>	<b>Freestanding Signs</b>
Single-Family Land Use	Individual Home	Not allowed	Not allowed
	Neighborhood	Not allowed	2 monument signs with a maximum area of 24 square feet each and a maximum height of 4 feet
Multiple-Family Land Use		1 or more signs with a collective sign area of 16 sf	1 monument sign per street frontage with a maximum area of 16 square feet and a maximum height of 4 feet
Nonresidential Uses in Residential Zoning Districts		1 or more signs with a collective sign area of 12 sf	1 monument sign per street frontage with a maximum area of 12 square feet each and a maximum height of 4 feet
Nonresidential Uses	Individual Business	1 or more signs with a collective sign area of 1 sf per lineal foot of primary building frontage.	1 monument sign per street frontage with a maximum area of 32 square feet. Maximum height is 12 feet
	Tenant		Not allowed except with nameplate on multi-tenant monument sign as part of an integrated development
	Integrated Development	1 sign per street frontage with a maximum area of 24 sf for integrated development identification	1 monument/pylon sign per street frontage with a maximum sign area of 32 square feet. Maximum sign height is 12 feet; for developments greater than 5 acres and/or 50,000 square feet in size, sign height may be increased to a maximum of 20 feet.

#### 18.44.090 – Highway-oriented signs.

Properties within 100 feet of highway may, upon issuance of a highway-oriented sign permit, establish a highway-oriented sign consistent with the following provisions, in addition to other provisions of this chapter and the regulations prescribed pursuant to the California Outdoor Advertising Act. This permit would allow consideration of freestanding signs taller and larger than otherwise permitted by this chapter and would be in addition to other permanent on-site freestanding signs allowed pursuant to Table 18.44.03 (Allowed Permanent On-Site Signs by Land Use Type). The highway-oriented sign permit also allows the consolidation of commercial messages for businesses in a designated area proximate to the highway to collocate one or more freestanding signs for maximum highway visibility and minimal aesthetic impact. The procedures for application submittal, review, and hearing/decision of a highway-oriented sign permit are as provided in **Subsection** 18.44.040.E (Highway-Oriented Sign Permit).

All highway-oriented signs shall be consistent with the following standards.

- A. Number of Signs. One additional freestanding highway-oriented sign may be allowed per either an integrated development, as defined in this chapter, and/or a site with a single tenant of 10 acres or more.
- B. Location of Signs.
  - 1. Setbacks. All signs must be set back a minimum of ten feet from the highway right-of-way or other distance as determined by the California Department of Transportation (Caltrans). All highway-oriented signs must be distanced from any residential district by a minimum of 200 feet.
  - 2. Spacing Between Signs. No highway-oriented sign shall be located closer than 500 feet from any other highway-oriented sign.
  - 3. Visibility. Highway-oriented signs shall not be located to inhibit pedestrian or vehicular visibility and more specifically shall not be located within the City's required clear visibility area. Illuminated signs shall be directed away from any residentially designated land.
- C. Sign Area. Highway-oriented signs shall comply with the following limitations on sign area:
  - 1. The maximum allowed sign area for single-tenant highway-oriented signs shall be 60 square feet. For multi-tenant signs, the maximum sign area shall be 150 square feet. Ancillary components of the sign, such as shopping center identification, shall not exceed 25% of the total sign area and shall be excluded from the calculation of the sign area.
  - 2. Freestanding Sign Area. The area of a highway-oriented sign shall be in addition to the allowable freestanding sign area for the underlying property that is adjacent to a highway and a local street.
- D. Sign Height. The maximum height of highway-oriented signs shall be as follows:
  - 1. For single-tenant signs, one and one-half times the height of an adjacent structure up to a maximum of 35 feet.

2. For multi-tenant signs, a maximum of 60 feet.

- E. Architecture. Highway-oriented signs shall be designed as pylon signs. Pole signs are not allowed. Highway-oriented signs shall be composed of materials and design compatible with the building materials of the corresponding development.
- F. Landscaping. The sign shall be landscaped to enhance the aesthetics of the sign. Removal of existing landscaping and vegetation shall require approval by the ~~development services director~~Director, in conformance with an approved landscaping plan submitted as part of the highway-oriented sign permit.
- G. Illumination. All highway-oriented signs must be internally lit. Illumination of the signs shall not interfere with the effectiveness or obscure any official traffic signs, devices, signals, or pavement markings. Sign illumination must be shielded to prevent glare and impairment of driver vision. Electronic (digital) changeable-copy LED lights are allowed to be incorporated into the structure consistent with restrictions listed in **Subsection 18.44.070\_J.3** (Electronic (Digital) Signs).
- H. Off-Site Advertising in the Special Overlay District.
  - Special Sign Overlay District (SSOD) — The SSOD is an overlay zoning designation which amends the zoning map by applying the overlay zoning to commercially developed and zoned properties within and adjacent to the Highway 12 corridor.
  - Highway or Highway-Oriented — As applied to SSODs, the definition of the term “highway or highway-oriented” shall be consistent with the definition of a “primary highway” as provided in the California Business and Professions Code.
  - Highway-Oriented SSOD Sign — The highway-oriented SSOD sign is a highway-oriented, pylon-type sign that allows for displays which include off-premise advertising of businesses located within the SSOD.
  - SSOD Designation Application — As provided in this section, there are two methods applicable to the designation of an SSOD. In either case, an application must be submitted and processed consistent with **that subsection** and this [code](#).
  - SSOD Sign Permit Application — An application for an SSOD sign permit shall be submitted and processed consistent with this section.
  - Concurrent Applications — An SSOD Designation Application and an SSOD Sign Permit Application may be submitted and processed concurrently consistent with this section.
- A. Purpose. The special sign overlay district (SSOD) is established to increase the visibility and economic vitality of businesses within the Highway 12 corridor while at the same time ensuring public safety. The SSOD provides for the construction of one highway-oriented SSOD sign within the district that, by definition, is allowed to include off-premise advertising.
- B. Criteria for the Designation of a SSOD. The SSOD, upon application and approval as specified herein, shall be applied to commercially zoned properties within commercial areas adjacent or in proximity to Highway 12 and located on the same side of Highway 12.

Up to five SSODs may be designated within the Highway 12 corridor and the boundary of one SSOD may be adjacent and/or contiguous to another SSOD. However, no highway-oriented SSOD sign proposed for construction within an SSOD shall be within 100 feet of any existing highway-oriented SSOD sign in an adjacent SSOD.

- C. Effect. The SSOD shall apply only to the allowed signage for establishments, uses, activities, or features within the SSOD. It shall not modify the regulations, permitting requirements, or other development standards for uses and structures otherwise imposed herein. It shall not modify or affect the law of fixtures, sign-related provisions in private leases, or the ownership of existing sign structures, without the express written consent of the parties to such leases or owners of such signs.
- D. Other Governmental Approvals. Nothing provided for in this section shall waive or diminish any other local permitting requirements, or any state or federal permitting requirements.
- E. Highway-Oriented SSOD Sign Development Standards.
  - 1. The highway-oriented SSOD sign permitted by the establishment of the SSOD shall not exceed 60 feet. However, in the event that the applicant, by means of a visual simulation and other evidence demonstrates that increased height is warranted, based upon particular circumstances within the SSOD, [the City Council](#), upon the adoption of findings, may approve a sign that exceeds 60 feet. The height of any highway-oriented SSOD shall comply with the height limitations in the Travis AFB Land Use Compatibility Plan.
  - 2. The highway-oriented SSOD sign shall be designed in a manner that is context-sensitive to its location within [the City](#) and within the existing commercial area, complementary to the materials and design of buildings in proximity to the sign, and landscaped to enhance the aesthetics of the sign. Removal of existing landscaping and vegetation shall require approval by the [Directorcommunity development—director](#), in conformance with an approved landscaping plan submitted as part of the SSOD sign permit application.
  - 3. Illumination shall be effectively shielded so as to prevent light from being directed at any portion of the traveled rights of way, to prevent glare, and to prevent impairment of driver vision or vehicle operation or airport flight operations at Travis AFB. Illumination shall not interfere with the effectiveness or obscure an official traffic sign, device, signal, or pavement marking.
  - 4. The approved SSOD shall comply with the California Business and Professions Code. If the SSOD is located within a named business center, the name of the business center shall be included on the highway-oriented SSOD sign. An application for a highway-oriented SSOD sign permit shall include a proposed signage reduction plan that ensures that the installation of the sign will result in the consolidation of allowable signage within the business center, so that less signage will be erected as a result of the installation of the highway-oriented sign in the SSOD. The permittee shall be responsible for adherence to the approved signage reduction plan.

F. Design Intent. The establishment of an SSOD and construction of a highway-oriented SSOD sign are intended to accomplish the following goals:

1. Increase the visibility and economic vitality of businesses within the Highway 12 corridor by providing the opportunity for off-premise advertising.
2. Result in quality design, character, and construction of signs that are both context-sensitive, as well as complementary to the materials and design of buildings in proximity to the sign.
3. Enhance overall property values in the City by discouraging signs which contribute to the visual clutter of the streetscape.
4. Improve traffic safety by ensuring that signage does not distract motorists, obstruct traffic circulation, or impede pedestrian or vehicular movement.

G. Procedures for Establishment of an SSOD.

1. There are two application methods for the establishment of an SSOD:
  - a. Any applicant may file an application for the establishment of an SSOD concurrently with the filing of an application for a sign permit. The application for an SSOD shall be made on the forms and in the manner prescribed by the Development Services Department, shall be accompanied by fees as specified in the City's master fee schedule for staff work on a full cost recovery basis.
  - b. Alternatively, upon discussion and direction from the City Council to staff to initiate the process for the establishment of one or more sign districts, staff shall prepare an application and related materials. The matter shall be placed on a Planning Commission agenda for public hearing. In either case, the application shall be processed consistent with the procedures set forth in this section.
  - c. Regardless of the manner in which the application is filed, whether by an applicant or by the ~~development-services-director~~Director on behalf of the Planning Commission or City Council, the Planning Commission shall hold at least one public hearing on the matter. Within 30 days of the close of the public hearing, the Planning Commission shall make findings, and shall recommend to the City Council that the SSOD be approved, approved subject to specific written conditions, or to deny the application for cause. Such action shall be by resolution.
  - d. Where the Planning Commission has recommended approval, with or without conditions, the ~~development-services-director~~Director shall transmit the record of the Planning Commission action to the City Clerk for the purpose of setting a public hearing before the City Council. The hearing shall be set in the manner prescribed by Title 7, California Government Code § 65905. The City Council shall hold at least one public hearing on the matter and shall render its decision to approve, approve subject to conditions, or deny the application for cause, within the time limits

prescribed by Title 7, [California](#) Government Code [§§ 65950 or 65952.1](#). The [City Council](#)'s action shall be by ordinance with such findings as are required by law.

- e. Where the [Planning Commission](#) has recommended denial of the application, the [City Council](#) may ~~sua sponte~~ direct the [City Clerk](#) to set a public hearing before the [City Council](#). The hearing shall be set in the manner prescribed by Title 7, [California](#) Government Code [§ 65905](#). The [City Council](#) shall hold at least one public hearing on the matter and shall render its decision to approve, approve subject to conditions, or deny the application for cause, within the time limits prescribed by Title 7, [California](#) Government Code [§§ 65950 or 65952.1](#). The [City Council](#)'s action shall be by ordinance with such findings as are required by law.

H. Procedures for the issuance of a permit for the construction of a highway-oriented SSOD sign.

1. Any applicant may file an application for a permit to construct a highway-oriented SSOD sign. The application for such a permit shall be made on the forms and in the manner prescribed by the development services department, shall be accompanied by fees as specified in [the City's](#) master fee schedule for staff work on a full-cost recovery basis, and shall include an affidavit providing full indemnification for [the City](#) and its agents and employees, as well as insurance in an amount specified by [the City](#) which lists [the City](#) as an additional insured. Failure to maintain said insurance in full force could subject the SSOD sign permittee to loss of his/her SSOD sign permit. If the applicant is not the owner of the property on which the proposed sign would be located, the application shall also be signed by the property owner. Such application shall require environmental review, site plan review, and design review of the proposed sign and its location, initially by the [Planning Commission](#), in the manner in which other signs are reviewed, and subsequently by [the City Council](#), due to the significant scale and multi-parcel purpose of the highway-oriented SSOD sign. Both the [Planning Commission](#) and [the City Council](#) shall make findings prior to approving an SSOD sign permit. The following indemnification and insurance assurances shall be included in the application and agreed to and warranted by applicant:
  - a. Indemnification. Applicant agrees to indemnify and defend the City, its officers, employees, contractors, attorneys and agents against, and shall hold and save them and each of them harmless from, any and all petitions for writ of mandate, actions, lawsuits, claims, damages to persons or property, losses, costs, penalties, obligations, errors, omissions or liabilities (herein "claims or liabilities") that may be asserted or claimed by any person, firm or entity arising out of or in connection with the project. Applicant shall defend any action or actions filed in connection with any of said claims or liabilities and shall pay all costs and expenses, including legal costs and attorney's fees incurred in connection therewith, with [the City](#) having its choice of legal counsel for itself and for any above-referenced person or entity. Applicant shall promptly pay any judgment rendered against [the City](#), its officers, employees, contractors, attorneys and agents for any such petition for writ of mandate, lawsuit and action arising out of or in connection with the project, the work, operations and/or

activities of applicant hereunder; and applicant agrees to save and hold the City, its officers, agents, contractors, attorneys and employees harmless therefrom to the fullest extent provided by this indemnity provision.

- b. Insurance. Applicant warrants and represents that it carries at least \$2,000,000.00 in commercial general liability insurance and automobile insurance in forms that are acceptable to the City and that the applicant, within three business days of approval of its application, shall cause the City to be named as an additional insured on said policies and further applicant shall cause all contractors used by the applicant to name the City as an additional insured on all insurance policies carried by said contractors.
2. The Planning Commission shall hold at least one public hearing on the matter. Within 30 days of the close of the public hearing, the Planning Commission shall make findings, and shall recommend to the City Council that the SSOD sign permit be approved, approved subject to specific written conditions, or to deny the application for cause. Such action shall be by resolution.
3. Where the Planning Commission has recommended approval, with or without conditions, the Director community development director shall transmit the record of the Planning Commission action to the City clerk for the purpose of setting a public hearing before the City Council. The hearing shall be set in the manner prescribed by Title 7, California Government Code § 65905. The City Council shall hold at least one public hearing on the matter and shall render its decision to approve, approve subject to conditions, or deny the application for cause, within the time limits prescribed by Title 7, California Government Code §§ 65950 or 65952.1 of the. The City Council's action shall be by resolution with such findings as are required by law.
4. Where the Planning Commission has recommended denial of the application, the City Council may ~~sua sponte~~ direct the City Clerk to set a public hearing before the City Council. The hearing shall be set in the manner prescribed by Title 7, California Government Code § 65905. The City Council shall hold at least one public hearing on the matter and shall render its decision to approve, approve subject to conditions, or deny the application for cause, within the time limits prescribed by Title 7, California Government Code. §§ 65950 or 65952.1. The City Council's action shall be by resolution with such findings as are required by law.

#### 18.44.100 – Allowed off-site sign regulations.

- A. Except as otherwise allowed in Section 18.44.050 (Exempt Signs) or 18.44.090 (Highway-Oriented Signs), all new off-site commercial signage on private property is prohibited in the City. Existing off-site commercial signs (e.g., billboards) are considered nonconforming signs as regulated by Section 18.44.120 (Illegal, Abandoned, and Nonconforming Signs). Off-site signs on public property are regulated separately in Section 18.44.130 (Signs on City Property).
- B. Community Sign Programs. In an effort to encourage, facilitate, and assist visitors and residents to recognize communities, find points of interest, and be informed of community

events throughout [the City](#), [the City](#) hereby establishes community sign programs. Program descriptions, permit requirements, and procedures are listed in Section 18.44.040 (Permit Requirements and Procedures). The following development and design standards apply to community signs located on private property. Standards for community signs located on city property are listed in Section 18.44.130 (Signs on City Property).

1. Community Directional. The community directional sign program generally includes signs placed on private property to direct residents and visitors to points of interest, recreational areas, neighborhoods, and tourist industries in [the City](#). Where applicable, the use of pylon signs shall be required in areas with higher-density uses to reduce sign clutter. Specific development and design details will be considered and decided by [the City Council](#).
2. Community Event. Street banners, signs, or other displays on private property for any civic or public events/activities shall be allowed to be displayed up to 30 days prior to the event and shall be removed within three days after the event has ended.
3. Community Identification. The community identity sign program is limited to monument signs placed by an individual community at its main entry point(s). Specific development and design details will be considered and decided by [the City Council](#).

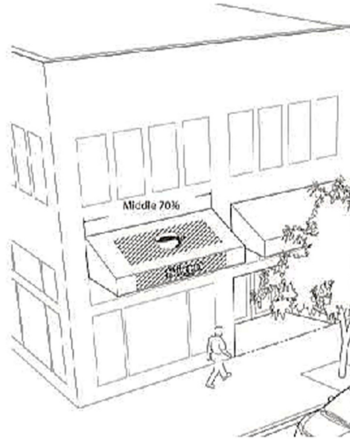
#### 18.44.110 – Special standards by sign type.

In addition to the general sign standards in Section 18.44.070, the following requirements shall apply to the specific sign types listed below:

- A. Awning and Canopy Signs. Awning and canopy signs may be allowed only as an integral part of the awning or canopy to which they are attached or applied and shall be considered wall signs for sign area calculation purposes. The following requirements apply.
  1. Location. Lettering shall be allowed on awning valances only and shall not exceed 25% of the total surface area. Overall sign height (single or multiple lines of copy) shall not exceed 80% of the height of the valance. Logos, symbols, and graphics that do not include text may be allowed on the shed (slope) portion of an awning and shall not exceed four square feet in area for each awning. All awning signage, text, and/or other graphics, whether located on the shed or the valance, shall count toward the total sign area, pursuant to the measurement rules provided in Section 18.44.070 (General Sign Standards). See Figure 18.44.19 (Awning and Canopy Sign).
  2. Sign Length. Lettering shall be located within the middle 70% of the valance area.
  3. Only permanent signs that are an integral part of the awning or architectural projection shall be allowed. Temporary signs shall not be placed on awnings.
  4. Awning signs shall only be allowed for first- and second-story occupancies.

5. Illumination. Awnings shall not be lighted from under the awning (backlit) so that the awning appears internally illuminated. Lighting directed downward that does not illuminate the awning is allowed.

**Figure 18.44.19. Awning and Canopy Sign**

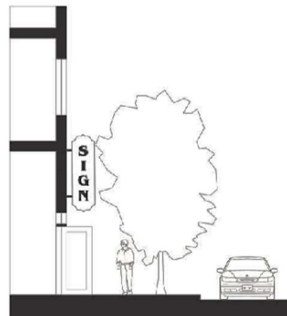


- B. Electronic (Digital) Signs. The following standards apply to electronic (digital) signs:
  1. Sign Area. Electronic (digital) changeable copy signs are limited to a maximum of 50% of the total sign area of a sign allowed pursuant to Section 18.44.080 (Allowed On-Site Sign Regulations).
  2. Frequency. Electronic (digital) changeable copy signs shall not change message more than one time every eight seconds.
  3. Sign Brightness. Electronic (digital) signs shall not operate at brightness levels of more than 0.3 foot-candles above ambient light, as measured using a foot-candle meter at a distance of 250 feet from the sign face. Each digital display area shall have a light-sensing device that will adjust the brightness of the sign as ambient light conditions change throughout the day.
- C. Freestanding Signs Design Compatibility. Materials and design of freestanding signs, including monument signs and pylon signs, shall be complementary to the materials and design of the buildings for the related development. For example, if the façade of the building is made of brick or brick veneer, a complementary freestanding sign would also include brick.
- D. Marquee or Changeable Copy Sign. These types of signs shall be considered to be the same as any other type of sign and shall be regulated based on their location (i.e., if located on a wall, they shall be deemed wall signs).
- E. Signs Painted Directly on Buildings. Signs painted directly on buildings shall be considered wall signs. They shall be subject to the same permit fees and regulations set

forth in this chapter for signs attached to or erected against the walls of buildings and shall be included as a part of the total allowable advertising area.

- F. Projecting Signs. Projecting signs, including, but not limited to, blade signs, bracket signs, and marquee signs, shall be considered wall signs for the purposes of sign area calculation purposes. Projecting signs shall only be allowed as follows:
1. Location. Projecting signs shall be placed only on ground-floor façades, except for businesses located above the ground level with direct exterior pedestrian access. In the case of a one-story building, the top of the sign shall, exclusive of the suspension structure, be no higher than the roof eave line.
  2. Angle of Projection. Projecting signs shall either be located at right angles to the building front along the building façade or, when located on the corner of a building, at a 45° angle to the corner of the building. See Figure 18.44.20. Projecting Sign.
  3. Height. Where located above a pedestrian walkway, the lowest point of a blade or bracket sign shall be a minimum of eight feet above grade.
  4. Projection and Suspension. Any projecting or suspended signs must comply with current building code requirements.
  5. Sign structure. Sign supports and brackets shall be compatible with the design and scale of the sign.
  6. Encroachment. Blade, bracket, or marquee signs may not encroach into the public right-of-way or be located above it, or into city-owned property except with an encroachment permit.

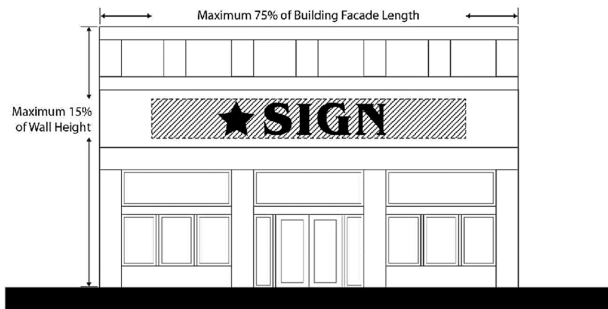
**Figure 18.44.20. Projecting Sign**



- G. Wall Signs.
1. Design Compatibility. Wall signs shall be compatible with the predominant visual architectural elements of the building façade.
  2. Sign Type. Channel letters, reverse channel letters, and push pin letters are preferred in place of can signs.

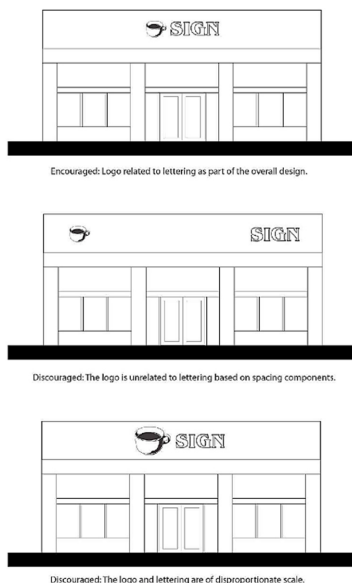
3. Projection. Wall signs shall not project more than 12 inches from the structure's façade.
4. Sign Scale and Proportionality. The combined length of all wall signs on any single wall (logos and copy) shall not exceed 75% of the length of the building frontage for that wall. For buildings with multiple tenants, this standard applies to the length of the individual tenant frontage. Additionally, the maximum height of all portions of a wall sign (including logo and multiple lines of copy) shall not exceed 15% of the total wall height. See Figure 18.44.21, Sign Scale and Proportionality.

**Figure 18.44.21. Sign Scale and Proportionality**



5. Sign Cohesion. Signage containing multiple elements (e.g., logo and text) on one façade shall be designed so that the multiple elements are located and scaled with relationship to each other. See Figure 18.44.22, Multiple-Element Signs.

**Figure 18.44.22. Multiple-Element Signs**



**H. Restrictions for Freeways and Interstate Highways.**

1. No signs shall be located within 660 feet of any landscaped freeway or interstate highway other than the following:
  - a. Directional or other official signs or notices that are required or authorized by law.
  - b. Signs advertising the sale or lease of the property upon which they are located, provided all such advertising complies with the regulations prescribed pursuant to the California Outdoor Advertising Act.
  - c. Signs which advertise the business conducted, services rendered, or goods produced or sold on the property upon which the advertising display is placed, if the display is on the same side of the highway as the advertised activity, and provided all such advertising complies with the regulations prescribed pursuant to the California Outdoor Advertising Act.
2. The exceptions set forth in this section shall not be construed as permitting billboards.

**18.44.120 – Illegal, abandoned, and nonconforming signs.**

- A. **Illegal Signs.** Any sign or advertising statuary which was not lawfully erected or maintained, or was not in conformance with the ordinance in effect at the time of the

erection of the sign or advertising statuary, or which was not installed with a valid permit from the City, shall be considered illegal. Illegal signs shall be abated or removed by the property owner or person responsible for installing or maintaining the sign.

1. The duty to abate arises upon notice by the development services director~~Director~~ or designee. Such notice shall give such parties a 30-day opportunity to cure by conformance to current law and/or current permit, to abate by removal or other remedial action. If the sign owner or property owner fails to remove or alter the sign to comply with this chapter within 30 days after such notice, such signs may be removed by the City, with the reasonable cost of abatement chargeable to the sign owner and/or property owner.
2. Such notices may be appealed in the same manner as any other sign-related decision. However, when a sign poses a serious and immediate threat to public health or safety by virtue of its physical condition, without consideration of the message thereon, the threat may be summarily abated by court order, or an emergency abatement should be summarily abated by the City, with the reasonable cost of abatement chargeable to the sign owner and/or property owner.

B. Abandoned Signs. The following standards shall apply to conforming and nonconforming abandoned signs:

1. Any sign that pertains to a business or occupation which has vacated or is no longer using the particular property for a period of 30 days or more, or which relates to a time or event which no longer applies, constitutes false advertising/identification, and shall conform to the following.
  - a. The structure and/or copy shall be removed within 90 days after the associated business, occupation, or event has vacated the premises. An abandoned sign is prohibited, and the removal shall be the responsibility of the owner of the sign or the owner of the premises.
  - b. If a sign is maintained, the sign copy shall be replaced with blank sign copy within 90 days of the close of the operation (e.g., no utility service, not open for more than 30 days).
  - c. A nonconforming sign that is maintained with blank copy shall only be allowed to remain for nine consecutive months (for a total of 12 months from closure of the establishment). At the conclusion of this time period, if a new establishment that utilizes the nonconforming sign structure has not been established, the entire sign structure shall be removed.
2. A conforming sign not in use, but which could be reused in conjunction with the ownership or operation of a new establishment on a property, shall not fall under the definition of abandoned.
3. Abandoned signs that are not maintained or removed consistent with the requirements of this section may be abated by the City, with the cost of abatement reimbursed by the property owner and may become a lien against the property.

C. Nonconforming Signs.

1. Removal/Abatement. Any sign which becomes nonconforming as a result of the provisions of this chapter shall be protected from removal by applicable provisions of state law and may be removed only as allowed by state law. The City shall order signs to be abated by the property owner and/or the person or entity responsible for sign installation and/or maintenance.
2. Maintenance and Repair. Any sign currently in use that was legally installed but does not conform to the requirements of this chapter may continue with routine maintenance and repair, such as painting, repainting, or replacement of the sign face.
3. Relocation and Alteration. No nonconforming sign shall be structurally altered, remodeled, or moved unless such alteration, remodeling, or relocation is required by law, or brings the sign into conformance with the provisions of this chapter. Modification of a nonconforming sign may be allowed through the plan check process (see Section 18.44.040) as long as it is determined that there is not an increase in the level of nonconformity of the subject nonconforming sign.
4. Restoration of Damaged Signs. As determined by the ~~development services director~~Director or designee, whenever 50% or less of a nonconforming sign is destroyed by fire or other calamity (not including intentional acts), the sign may be restored to its nonconforming condition and the use modified as necessary to comply with current safety code requirements. Any nonconforming sign destroyed by more than 50% shall not be restored unless it is brought into compliance with the provisions of this chapter.
5. Building Façade Modifications. If a building permit is issued for major modifications to the exterior of a building façade, as determined by the City, any nonconforming building signs on the façade undergoing modification shall be brought into full conformance with the provisions of this chapter prior to approval for final occupancy.

18.44.130 – Signs on City property.

This section states rules and policies for display of signs on properties owned by the City, either in fee or by holding the present right of possession and control. This section provides the process and standards for establishing signage on City property. In adopting this section, the City Council acts in its proprietary capacity as to City property, as defined in this section, within the City. This section is adopted in compliance with the City's general powers, property rights, California Government Code §§ 65850(b), 38774 and 38775, Business and Professions Code § 5200 et seq., and Penal Code § 556 et seq.

- A. Public Forum. The City declares that city property shall not function as a designated public forum, unless some specific portion of city property is designated herein, or by resolution of the City Council, as a public forum of one particular type. In such case, the declaration as to public forum type shall apply strictly and only to the specified area and for the specified time period. For the purposes of this chapter, a public forum is a government-owned property that is open to public expression and assembly which is protected under the First Amendment.

- B. General Prohibition. Unless specifically authorized by this chapter, no private party signs may be displayed on city property. Any sign posted on city property in violation of this section may be summarily removed by the City as a trespass and a public nuisance.
- C. Certain Governmental Signs. The following signs may be erected and displayed on city property:
  - 1. Traffic control and traffic directional signs erected by the City or another governmental unit.
  - 2. Official notices required or authorized by law.
  - 3. Signs placed by the City in furtherance of its governmental functions, including the dissemination of its own speech and information to the public.
- D. Temporary Signs Displaying Noncommercial Message. In areas qualifying as traditional public forums, private persons may display noncommercial message signs thereon, provided such signs conform to all of the following:
  - 1. The signs must be personally held by a person or personally attended by one or more persons. "Personally attended" means that a person is physically present within five feet of the sign at all times.
  - 2. The maximum aggregate size of all signs held or personally attended by a single person is six square feet. For purposes of this rule, apparel and other aspects of personal appearance do not count toward the maximum aggregate sign area.
  - 3. The maximum size of any one sign which is held or personally attended by two or more persons acting in concert is 50 square feet.
  - 4. The sign must have no more than two display faces and may not be inflatable, inflated, or air-activated.
  - 5. In order to serve the City's interests in traffic flow and safety, persons displaying signs under this section may not stand in any vehicular traffic or bicycle lane, and persons displaying signs on public sidewalks must give at least five feet width clearance for pedestrians to pass by. Persons holding signs may not obstruct the cross-visibility area, as defined in the design improvement standards manual.

#### **Chapter 18.46 – REASONABLE ACCOMMODATION**

##### **18.46.010 – Purpose.**

This chapter provides a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the American with Disabilities Act, Federal Fair Housing Act, and the California Fair Employment and Housing Act (hereafter "Acts") in the application of zoning laws and other land use regulations, policies, procedures, or conditions of approval.

18.46.020 – Applicability.

- A. A request for reasonable accommodation may be made by any person with disability, their representative or any entity, if the application of a requirement of this title or other city requirement, policy or practice acts as a barrier to fair housing opportunities. This chapter applies to those persons who have “disabilities” as defined under the Acts, which definitions are controlling for the purposes of this chapter. Generally, a person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities; anyone who is regarded as having such impairment or anyone who has a record of such impairment.
- B. A request for reasonable accommodation may include a modification or exception to the rules, standards and practices for the siting, development, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice. A request for reasonable accommodation shall comply with Section 18.46.030.
- C. A reasonable accommodation will terminate if the accommodation is no longer required, or if the recipient of the accommodation ceases to reside at the property.
- D. A reasonable accommodation may be granted in compliance with this chapter without the need for the approval of a variance otherwise required by this title.

18.46.030 – Application requirements.

- A. A request for reasonable accommodation shall be submitted on an application form provided by the development services department or in the form of a letter to the director of development services, and shall contain the following information:
  - 1. The applicant and property owner(s), if different, name, address and telephone number;
  - 2. Address of the property for which the request is being made;
  - 3. The current actual use of the property;
  - 4. The basis for the claim that an individual who resides at the property has a disability protected by the Acts;
  - 5. The zoning ordinance provision, regulation or policy from which reasonable accommodation is being requested;
  - 6. Why the requested accommodation is necessary to make the specific property accessible to the individual(s) with disabilities; and
  - 7. Photos, site plans, drawings, and/or other graphics as may be required to clearly describe the proposed modifications to the property.
- B. If the project for which the request for reasonable accommodation is being made also requires other discretionary approval, then the applicant shall file the information required

by [Subsection A](#) together for concurrent review with the application for discretionary approval.

- C. A request for reasonable accommodation may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect an individual's obligations to comply with other application regulations not at issue in the requested accommodation.

18.46.040 – Review authority.

- A. Requests for reasonable accommodation shall be reviewed by the director of development services, or designee, if no approval is sought other than the request for reasonable accommodation.
- B. Requests for reasonable accommodation submitted for concurrent review with another discretionary land use application shall be reviewed by the authority reviewing the discretionary land use application in accordance with Sections 18.59.050 and 18.59.060.

18.46.050 – Review procedure.

- A. The director of development services shall make a written determination within 45 days of the application being deemed complete and either grant, grant with modifications, or deny a request for reasonable accommodation in compliance with Section 18.46.060.
- B. If the request for reasonable accommodation is submitted for concurrent review with a discretionary land use application, the written determination on whether to grant or deny the request for reasonable accommodation shall be made by the authority responsible for reviewing the discretionary land use application. The written determination to grant or deny the request for reasonable accommodation

18.46.060 – Findings and decision.

- A. The written decision to grant or deny a request for reasonable accommodation will be consistent with the Acts and shall be based on consideration of the following factors:
  - 1. Whether the housing, which is the subject of the request, will be used by an individual with disabilities protected under the Acts;
  - 2. Whether the requested accommodation is necessary to make housing available to an individual with disabilities protected under the Acts;
  - 3. Whether the requested reasonable accommodation would impose an undue financial or administrative burden on [the City](#);
  - 4. Whether the requested accommodation would require a fundamental alteration in the nature of a city program or law, including but not limited to, building, land use, nuisance, and zoning law.
- B. In granting a request for reasonable accommodation, the review authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings required by [Subsection A](#). The

conditions shall also state whether the accommodation granted shall be removed in the event that the person for whom the accommodation was requested no longer resides on the site.

18.46.070 – Appeal of determination.

A determination to grant or deny a request for reasonable accommodation may be appealed to the [Planning Commission](#), in compliance with Chapter 18.84.

**Chapter 18.47 – RESIDENTIAL DENSITY BONUS AND DENSITY INCENTIVES**

18.47.010 – Purpose.

The purpose of adopting this chapter is to encourage the construction of affordable housing through density bonuses and other incentives, described in this chapter. This chapter from which this title is derived is adopted to comply with the provisions of California [Government Code §§ 65915-65918](#).

18.47.020 – Applicability.

This chapter applies to all multi-family residential, live-work, and mixed-use projects, consisting of five or more dwelling units, not including units granted as a density bonus.

18.47.030 – Definitions.

[As used in this chapter, the terms reference in Chapter 18.04, shall apply to this Chapter of the Zoning Code.](#)

18.47.040 – General density bonus provisions.

Density bonuses shall be subject to the provisions in this section, in accordance with California [Government Code § 65915](#).

- A. Application. Any person that desires a density bonus must make an application on a form approved by the director of development Services at the time of submitting an entitlement application for the housing development for which a density bonus is requested. The density bonus provided by this chapter only applies to housing developments consisting of five or more dwelling units.
- B. Incentives and Concessions. When an applicant seeks a density bonus for a housing development or for the donation of land for housing within [the City, the City](#) must provide the applicant incentives or concessions for the production of housing units and child care facilities, as provided in this chapter.
- C. Available Density Bonus Options. The [Planning Commission](#) or [City Council](#) will grant one density bonus, the amount of which will be as specified in Section 18.47.060, and incentives or concessions as described in Section 18.47.050, when an applicant for a housing development seeks and agrees to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this chapter, that will contain at least one of the following:

1. 5% of the total units of a housing development for very low-income households.
2. 10% of the total units of a housing development for lower income households.
3. 10% of the total units in a common interest development for moderate-income households, provided that all units in the housing development are offered to the public for purchase.
4. A senior citizen housing development;
5. Donates land to the City for the construction of very low-income units.
6. Includes a qualifying childcare facility, as described in Section 18.47.070; in addition, to providing housing as described in Subsections C.1 through C.3.
- 6.7. Any additional qualifying project allowable under California Government Code § 65915 as amended from time to time.

D. Applicant's Election of Basis for Bonus. For purposes of calculating the amount of the density bonus, pursuant to Section 18.47.060, the applicant who requests a density bonus pursuant to this section must elect whether the bonus will be awarded on the basis of Subsections C.1 through C.6.

E. Continued Affordability.

1. An applicant must agree to the continued affordability of all low- and very low-income units that qualified the applicant for the award of the density bonus for 30 years or a longer period of time if required by any applicable construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program. Rents for the lower income density bonus units must be set at an affordable rent. Owner-occupied units must be available at an affordable housing cost.
2. An applicant must agree that the initial occupant of the moderate-income units that are directly related to the receipt of the density bonus in a common interest development are moderate-income households and that the units are offered at an affordable housing cost. The City will require an equity-sharing agreement, unless such an agreement would be in conflict with the requirements of another public funding source or law.

18.47.045 – Requirements for equity-sharing agreement.

The following provisions must be included in any equity-sharing agreement required under this chapter:

- A. Upon resale, the seller of the unit may retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation. The City will recapture any initial subsidy and its proportionate share of appreciation, which amount must then be used within five years for any of the purposes that promote home ownership, as described in California Health and Safety Code section 33334.2(e).

B. For purposes of this section, the City's initial subsidy will be equal to the fair market value of the home at the time of initial sale, minus the initial sale price to the moderate-income household, plus the amount of any down payment assistance or mortgage assistance. If upon resale the market value is lower than the initial market value, then the value at the time of the resale will be used as the initial market value.

C. For purposes of this section, the City's proportionate share of appreciation will be equal to the ratio of the initial subsidy to the fair market value of the unit at the time of initial sale.

#### 18.47.050 – Incentives and concessions.

A. An applicant for a density bonus pursuant to Section 18.47.040 may submit proposal for the specific incentives or concessions that the applicant requests pursuant to this chapter, and may request a meeting with the director of development services.

B. Subject to Subsection C, the applicant will receive the following number of incentives or concessions:

1. One incentive or concession for projects that include at least 10% of the total units for lower income households, at least 5% for very low-income households, or at least 10% for moderate-income households in a common interest development.
2. Two incentive or concession for projects that include at least 20% of the total units for lower income households, at least 10% for very low-income households, or at least 20% for moderate-income households in a common interest development.
3. Three incentive or concession for projects that include at least 30% of the total units for lower income households, at least 15% for very low-income households, or at least 30% for moderate-income households in a common interest development.

C. The Planning Commission or City Council must grant the concession or incentive requested by the applicant, unless it make a written finding, based upon substantial evidence, that:

1. The concession or incentive is not required in order to provide for affordable housing costs, or for rents for the targeted units to be set as specified in Section 18.47.030.
2. The concession or incentive would have a specific, adverse impact upon public health and safety, or the physical environment, or on any real property listed in the California Register of Historical Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households; or
3. The concession or improvement would be contrary to state or federal law.

#### 18.47.055 – Waiver or reduction of development standards.

A. An applicant may submit to the City a proposal for the waiver or reduction of development standards that the applicant believes will have the effect of physically precluding the

construction of a housing development that meets the criteria of in this section at the densities or with the concessions or incentives permitted by this chapter, and may request a meeting with the director of development services. Such proposal may not increase the number of incentives of concessions that the applicant is entitled to under Section 18.47.030.

- B. The [Planning Commission](#) or [City Council](#) must waive or reduce the development standard requested by the applicant, unless it makes a written finding, based upon substantial evidence, that:
1. The waiver or reduction would have a specific, adverse impact upon public health and safety, or the physical environment, or on any real property listed in the California Register of Historical Resources, and there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact; or
  2. The waiver or reduction would be contrary to state or federal law.

18.47.060 – Calculation of density bonus.

- A. The applicant may elect to accept a lesser percentage of density bonus.
- B. The amount of density bonus to which the applicant is entitled will vary according to the amount by which the percentage of affordable housing units exceeds the percentage established in Section 18.47.060.
- C. For housing developments meeting the criteria of [Subsection 18.47.010\\_C\\_1](#), the density bonus will be calculated as follows:

Percentage Very Low-Income Units	Percentage Density Bonus
5	20
6	22.5
7	25
8	27.5
9	30
10	32.5
11	35

- D. For housing developments meeting the criteria of [Subsection 18.47.040\\_C\\_2](#), the density bonus will be calculated as follows:

Percentage Low-Income Units	Percentage Density Bonus
10	20
11	21.5
12	23
13	24.5

Percentage Low-Income Units	Percentage Density Bonus
14	26
15	27.5
16	29
17	30.5
18	32
19	33.5
20	35

- E. For housing developments meeting the criteria of [Subsection 18.47.040\\_C\\_4](#), as senior housing developments, the density bonus will be 20%.
- F. For housing developments meeting the criteria of [Subsection 18.47.040\\_C\\_3](#), the density bonus will be calculated as follows:

Percentage Moderate-Income Units	Percentage Density Bonus
10	5
11	6
12	7
13	8
14	9
15	10
16	11
17	12
18	13
19	14
20	15
21	16
22	17
23	18
24	19
25	20
26	21
27	22
28	23
29	24
30	25

Percentage Moderate-Income Units	Percentage Density Bonus
31	26
32	27
33	28
34	29
35	30
36	31
37	32
38	33
39	34
40	35

- G. All density calculations resulting in fractional units will be rounded up to the next whole number. The granting of a density bonus will not be interpreted, in and of itself, to require a general plan amendment, zoning change, or other discretionary approval.

18.47.065 – Additional density bonus through donation of land.

When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to the City, as provided for in this section, the applicant will be entitled to a 15% increase above the otherwise maximum allowable residential density under the applicable zoning and the land use element of the general plan for the entire development, as follows:

Percentage Very Low-Income Units	Percentage Density Bonus
10	15
11	16
12	17
13	18
14	19
15	20
16	21
17	22
18	23
19	24
20	25
21	26
22	27
23	28

Percentage Very Low-Income Units	Percentage Density Bonus
24	29
25	30
26	31
27	32
28	33
29	34
30	25

- A. This increase will be in addition to any increase in density mandated by Subsection 18.47.040.C, up to a maximum combined density increase of 35%, if an applicant seeks increases required pursuant to both the section and section 18.47.040(C).
1. All density calculations resulting in fractional units will be rounded up to the next whole number.
  2. Nothing in this section will be construed to enlarge or diminish the authority of the City to require a developer to donate land as a condition of development.
- B. An applicant will be eligible for the increased density bonus described in this section if all of the following conditions are met:
1. The applicant donates and transfers the land no later than the date of approval of the final subdivision map or parcel map or residential development application.
  2. The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low-income households, in an amount not less than 10% of the number of residential units of the proposed development.
  3. The transferred land is at least one acre in size or of sufficient size to permit development of at least 40 units, has the appropriate general plan designation, is appropriately zoned for development as affordable housing, and is or will be served by adequate public facilities and infrastructure.
    - a. The land must have appropriate zoning and development standard to make the development of the affordable units feasible.
    - b. No later than the date of approval of the final subdivision map parcel map, or of the residential development, the transferred land must have all of the permits and approvals, other than building permits, necessary for the development of the very low-income housing units on the transferred land, except that the local government may subject the proposed development to subsequent design review, to the extent authorized by California Government Code § 65583.2(i), if the design is not reviewed by the City prior to the time of transfer.

4. The transferred land and the affordable units will be subject to a deed restriction ensuring continued affordability of the units consistent with this section which restriction will be recorded on the property at the time of the transfer.
5. The land is transferred to the City or to a housing developer approved by the City. The City may require the applicant to identify and transfer the land to such housing developer.
6. The transferred land must be within the boundary of the proposed development or, if the City agrees, within one-quarter mile of the boundary of the proposed development.

18.47.070 – Additional density bonus or concession or incentive through provision of childcare facility.

- A. When an applicant proposes to construct a housing development that conforms to the requirements of this section and includes a childcare facility that will be located on the premises of, as part of, or adjacent to, the project, the Planning Commission or City Council must grant either of the following:
  1. An additional density bonus that is the amount of square feet of residential development that is equal to or greater than the amount of square feet in the child care facility.
  2. An additional concession or incentive that contributes significantly to the economic feasibility of the construction of the child care facility.
- B. The Planning Commission or City Council shall require, as a condition of approving the housing development that the following occur:
  1. The child care facility must remain in operation for a period of time that is as long or longer than the period of time during which the density bonus units are required to remain affordable pursuant to Subsection 18.47.040.E.
  2. Of the children who attend the child care facility, the children of moderate-income, lower income, and very low-income households must equal a percentage that is equal or greater than the percentages of the dwelling units that are required for very low-income, lower income, or moderate-income households, pursuant to Subsection 18.47.040.C.
- C. Notwithstanding any requirement of this section, the Planning Commission or City Council is not required to provide a density bonus or concession for a child care facility if it finds, based upon substantial evidence, that the community has adequate child care facilities.
- D. For the purposes of calculating a density bonus the residential units do not have to be based upon individual subdivision maps or parcels. The density bonus is permitted in geographic areas of the housing development other than the areas where the units for the lower income households are located.
- E. The granting of a concession or incentive will not be interpreted, in and of itself, to require a general plan amendment, zoning change, or other discretionary approval.

18.47.075 – City’s discretion in granting density bonus.

Nothing in this chapter will be construed to prohibit the [Planning Commission](#) or [City Council](#) from granting a density bonus greater than what is described in this chapter for a development that meets the requirements of this chapter, or from granting a proportionately lower density bonus than what is required by this chapter for developments that do not meet the requirement of this chapter.

18.47.080 – Parking requirements.

- A. Upon the request of the applicant, [the City](#) will not require a vehicular parking ratio, inclusive of handicapped and guest parking, of a development meeting the criteria of Subsection 18.47.040\_C, that exceeds the following ratios:
  - 1. 0 to 1 bedrooms: 1 on-site parking space.
  - 2. 2 to 3 bedrooms: 2 on-site parking spaces.
  - 3. 4 or more bedrooms: 2.5 on-site parking spaces.
- B. If the total number of parking spaces required for a development is other than whole number, the number will be rounded up to the next whole number. For purposes of this section, a development may provide “on-site parking” through tandem parking or uncovered parking, but not through on-street parking.
- C. This section applies to a development that meets the requirements of [Subsection 18.47.040\\_C](#), but only at the request of the applicant. An applicant may request additional parking incentives or concessions beyond those provided in this chapter, subject to Section 18.47.050.

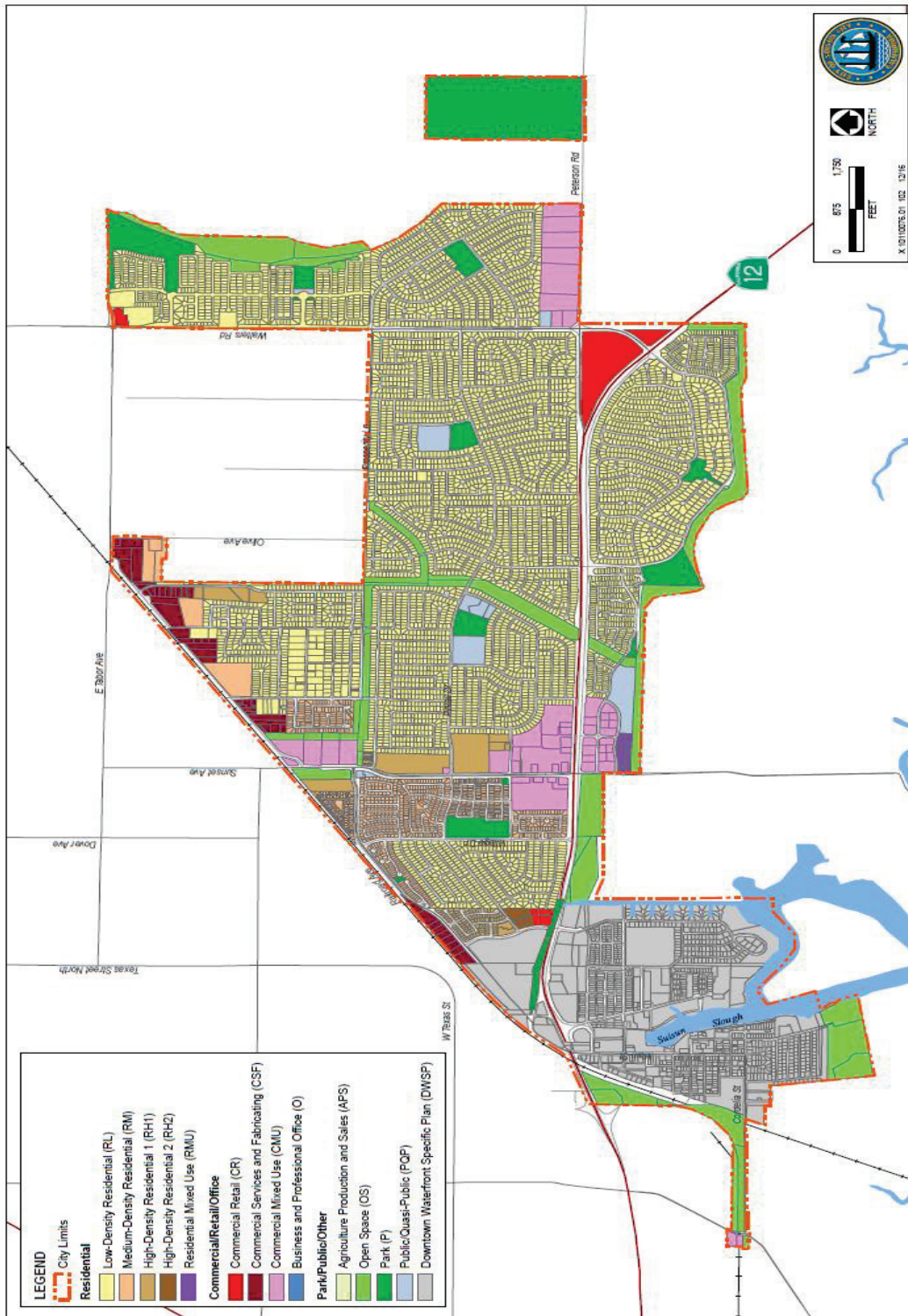
#### ARTICLE IV. – SPECIAL AREA AND SPECIFIC USE REGULATIONS

##### Chapter 18.48 – ADULT BUSINESS

18.48.010 – Intent.

The intent of this chapter is to regulate uses which, because of their very nature, are believed to have any of the recognized significant secondary effects on the community which include, but are not limited to: depreciated property values and increased vacancies in residential and commercial areas in the vicinity of adult businesses; interference with residential property owners’ enjoyment of their property when such property is located in the vicinity of adult businesses due to increased crime, debris, noise and vandalism; higher crime rates in the vicinity of adult businesses; and blighting conditions such as low-level maintenance of commercial premises and parking lots which thereby have a deleterious effect upon adjacent areas. Special regulation of these uses is necessary to ensure that these adverse effects will not contribute to the blighting or downgrading of the neighborhoods in the vicinity of the adult businesses. It is neither the intent, nor the effect of this chapter to impose limitations or restrictions on the content of any communicative material. Similarly, it is neither the intent, nor the effect of this chapter to restrict or deny access by adults to sexually oriented materials protected by the first amendment, or to deny access by the distributors or exhibitors of sexually oriented materials to their intended market.

18.06.050 Zoning Map





## ZONING CODE UPDATE WORKSHOP – PART II

Suisun City Planning Commission  
November 14, 2023

1



## SUISUN CITY ZONING CODE UPDATE

- Comprehensive update of the Zoning Code
  - Creating a concise and user-friendly set of regulations that will implement the General Plan's vision for neighborhood viability and enhancement, economic development, land use, and sustainability.

2

## PROJECT OBJECTIVES

- Update the Zoning Code and Map so that it:
  - Implements General Plan 2035
  - Reflects Suisun City and responds to community concerns
  - Is streamlined and transparent in its administration and decision-making processes
  - Promotes economic development and high-quality design
  - Provides flexibility
  - Is intuitive, graphic, and user-friendly

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## FOCUS OF SECOND "THIRD"

Chapters 18.30 "Specific Use Standards" through 18.47 "Residential Density Bonus and Density Incentives"

- Details on specific uses and how they should be regulated (discussed October 24, 2023)
- Development Standards
- Accessory Dwelling Units (ADU's)
- Fences and Walls
- Yards
- Parking
- Signs

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## CHAPTERS SEEKING ADDITIONAL DIRECTION

### Chapter 18.42 "Parking and Loading Areas"

Parking spaces per use type

Parking lot design standards

### Chapter 18.44 "Signs (Commercial)"

Allowable signage

Signage development standards

5

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Review Zoning Code sections with  
Planning Commission/Public

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Continue with a workshop approach  
("Thirds") then adoption - format

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Do you have any focused land use  
areas of interest?

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Consensus for adoption – simple  
majority?

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Adoption by City Council - sections

PROCESS AND  
NEXT STEPS

6



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