

Draft Zoning Code Amendments (underline/strikeout format)

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§ 20-21.030 Allowable land uses and permit requirements.

- A. Allowable land uses. The uses of land allowed by this Zoning Code in each zoning district are listed in Chapters 20-22, 20-23, and 20-24, together with the type of land use permit required for each use.
1. Establishment of an allowable use.
 - a. Any one or more land uses identified by the tables as being allowable within a specific zoning district may be established on any parcel within that zoning district, subject to the land use permit requirements of Subsection B, and compliance with all applicable requirements of this Zoning Code.
 - b. Where a single parcel is proposed for development with two or more of the land uses listed in the tables, the overall project shall be subject to the highest permit level required by Subsection B for any individual use. For example, Table 2-6 in Section 20-23.030 would require that a new building proposed in the CN zoning district with a bar/tavern on the ground floor and professional offices on the second floor would require Director Conditional Use Permit (CUPDUP) approval because Table 2-6 requires Director Conditional Use Permit approval for "Bar/Tavern," even though "Office—Business/Service" is listed in the CN zone as a permitted use, requiring only a Zoning Clearance.
 2. Use not listed. A land use that is not listed in tables or is not shown in a particular zoning district is not allowed, except as otherwise provided in Subsection A.3, or Section 20-21.040 (Exemptions from Land Use Permit Requirements).
 3. Similar and compatible use may be allowed. The Director may determine that a proposed use not listed in this Division is allowable as follows:
 - a. Required findings. The Director may determine that a proposed use is similar to, and compatible with a listed use and may be allowed, only after first making all of the following findings:
 - (1) The characteristics of, and activities associated with the use are similar to one or more of the listed uses, and will not involve a greater intensity than the uses listed in the district;
 - (2) The use will be consistent with the purposes of the applicable zoning district;
 - (3) The use will be consistent with the General Plan and any applicable specific plan;
 - (4) The use will be compatible with the other uses allowed in the applicable zoning district; and

(5) The use is not listed as allowable in another zoning district.

A determination that a use qualifies as "a similar use" and the findings supporting the determination shall be in writing.

- b. Applicable standards and permit requirements. When the Director determines that a proposed, but unlisted, use is similar to a listed use, the proposed use will be treated in the same manner as the listed use in determining where it is allowed, what permits are required, and what other standards and requirements of this Zoning Code apply.
 - c. Referral for determination. The Director may refer the question of whether a proposed use qualifies as a similar and compatible use directly to the Commission for a determination at a public meeting.
 - d. Appeal. A determination of similar and compatible use may be appealed in compliance with Chapter 20-62 (Appeals).
- B. Permit requirements. Tables 2-2, 2-6, and 2-10 within Chapters 20-22, 20-23, and 20-24 provide for land uses that are:
- 1. Permitted subject to compliance with all applicable provisions of this Zoning Code, subject to first obtaining a Zoning Clearance (Section 20-52.020). These are shown as "P" uses in the tables;
 - 2. Allowed subject to the approval of a Director Conditional Use Permit (Section 20-52.050), and shown as "DUP" uses in the tables;
 - 2.3. Allowed subject to the approval of a Minor Conditional Use Permit (Section 20-52.050), and shown as "MUP" uses in the tables;
 - 3.4. Allowed subject to the approval of a Major Conditional Use Permit (Section 20-52.050), and shown as "CUP" uses in the tables;
 - 4.5. Allowed subject to the type of City approval required by a specific provision of Chapter 20-42 (Standards for Specific Land Uses), and shown as "S" uses in the tables; and
 - 5.6. Not allowed in particular zoning districts.

Note: A land use authorized through the approval of a Zoning Clearance, Director Conditional Use Permit, Minor Conditional Use Permit, or Major Conditional Use Permit may also require Design Review approval (Section 20-52.030), a Building Permit, or other permit required by the City Code.

§ 20-22.030 Residential district land uses and permit requirements.

TABLE 2-2 Allowed Land Uses and Permit Requirements for Residential Districts	P - Permitted Use, Zoning Clearance Required DUP - Director Conditional Use Permit Required MUP - Minor Conditional Use Permit Required CUP - Major Conditional Use Permit Required S - See Specific Use Regulations for Permit — Use Not Allowed							Specific Use Regulations
	PERMIT REQUIRED BY ZONE							
LAND USE (1)	RR	R-1	R-2	R-3	MH	TV-R		
AGRICULTURAL & OPEN SPACE USES								
Agricultural accessory structure	P	—	—	—	—	—		
Animal keeping—Livestock, including aviaries	S	—	—	—	—	—	20-42.040	
Crop production, horticulture, orchard, vineyard	P	MUP	—	—	—	—		
Initial crop processing	MUP	MUP	—	—	—	—		
Plant nursery	CUP MUP	—	—	—	—	—		
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES								
Community garden (S4)	P	P	P	P	P	P	20-40	
Equestrian facility	CUP	—	—	—	—	—		
Golf course/country club, public or quasi-public	CUP	CUP	—	—	—	—		
Health/fitness facility—Commercial	—	—	—	—	—	—		
Health/fitness facility—Quasi-public	MUP	MUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP		
Library, museum	MUP	MUP	MUP	MUP	MUP	P		
Meeting facility, public or private	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP		
Park, playground	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP	P		
Private residential recreation facility	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP		
School, public or private	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP		
Studio—Art, dance, martial arts, music, etc.	—	—	—	—	—	MUP DUP		
RESIDENTIAL USES (See Section 20-28.080, Senior Housing (-SH) combining district, for specific requirements regarding proposed senior housing developments)								
Accessory dwelling unit	S	S	S	S	—	S	20-42.130	
Animal keeping—Domestic and exotic	S	S	S	S	S	S	20-42.040	
Cannabis—Personal cultivation	P	P	P	P	P	P	20-46	
Duplex (63)(7)(8)	MUP (2) P	MUP (2) P	P	P	—	P		
Emergency shelter	CUP	CUP	CUP	CUP	CUP	CUP	20-42.190	
Emergency Shelter—10 or fewer beds	CUP (12)	CUP (12)	CUP	CUP	CUP	CUP		

TABLE 2-2 Allowed Land Uses and Permit Requirements for Residential Districts	P - Permitted Use, Zoning Clearance Required						Specific Use Regulations
	DUP - Director Conditional Use Permit Required						
	MUP - Minor Conditional Use Permit Required						
CUP - Major Conditional Use Permit Required						Specific Use Regulations	
S - See Specific Use Regulations for Permit							
— Use Not Allowed							
LAND USE (1)	PERMIT REQUIRED BY ZONE						Specific Use Regulations
	RR	R-1	R-2	R-3	MH	TV-R	
			(12)	(12)	(12)	(12)	
Farmworker Dwelling Unit (43)	P	P	P	P	P	P	
Farmworker Housing Complex (43)	P (1510)	P (1510)	MUP	MUP	MUP	MUP	
Half-Plex (63)(7)(8)	MUP(2) <u>P</u>	MUP(2) <u>P</u>	P	P	— <u>P</u>	P	
Home occupation	S	S	S	S	S	S	20-42.070
Junior accessory dwelling unit	S	S	S	S	— <u>S</u>	S	20-42.130
Live/work	—	—	—	—	—	P (3)	20-42.080
Low-Barrier Navigation Center	—	—	—	—	—	P	
Missing Middle Housing	—	—	—	P	—	P	20-28.100
Mobile home park (10)	CUP (13)	CUP (13)	CUP (13)	CUP (13)	P	—	20-42.100
Mobile home/manufactured housing unit (83)	P	P	P	P	P	P	20-42.094
Multi-family (6)(8)	MUP <u>DUP</u>	MUP <u>DUP</u>	P	P	—	P	
Organizational house (dormitory, sorority, monastery, etc.)	MUP	MUP	CUP <u>MUP</u>	CUP <u>MUP</u>	—	CUP <u>MUP</u>	
Residential accessory structures and uses	P	P	P	P	P	P	20-42.030
Residential Care Facility (Licensed – Large (108))	MUP	MUP	MUP	MUP	MUP	MUP	20-42.230
Residential Care Facility (Licensed – Small) (43)	P	P	P	P	P	P	
Residential Care Facility (Unlicensed) (43)	P	P	P	P	P	P	
Residential component of a mixed use project (11)	MUP P <u>(2)</u>	MUP P <u>(2)</u>	MUP P <u>(2)</u>	MUP P <u>(2)</u>	MUP P <u>(2)</u>	P	20-42.090
Rooming or boarding house	P	P	P	P	—	P	
Rooming or boarding, accessory	P	P	P	P	—	P	
Single-family attached (7)(8)	MUP(2) <u>P</u>	MUP(2) <u>P</u>	P	P	—	P	
Single-family detached (7)(8)	P	P	—	—	—	—	
Single Room Occupancy Facility (108)	—	MUP	MUP	MUP	—	MUP	
Small lot residential project - single family attached (10)	CUP(12) <u>MUP</u>	MUP	MUP	MUP	—	MUP	20-42.140
Small lot residential project — single family detached (13)	CUP(12) <u>MUP</u>	MUP	—	—	—	—	20-42.140
Supportive housing (43)	P (149)	P (149)	P	P	P	P	
Tiny Home on Wheels (136)	MUP <u>DUP</u>	MUP <u>DUP</u>	—	—	—	—	20-42.220
Transitional housing (43)	P (149)	P (149)	P	P	P	P	
Work/live	—	—	—	—	—	MUP <u>DUP</u>	20-42.080

TABLE 2-2 Allowed Land Uses and Permit Requirements for Residential Districts	P - Permitted Use, Zoning Clearance Required						Specific Use Regulations
	DUP - Director Conditional Use Permit Required						
	MUP - Minor Conditional Use Permit Required						
	CUP - Major Conditional Use Permit Required						
	S - See Specific Use Regulations for Permit						
	— Use Not Allowed						
	PERMIT REQUIRED BY ZONE						
LAND USE (1)	RR	R-1	R-2	R-3	MH	TV-R	
Child day care center (402)	MUP	MUP	MUP	MUP	—	MUP DUP	20-42.050
Extended hours of operation (11:00 p.m. to 6:00 a.m.)	—	—	—	—	—	CUP MUP	
Lodging—Bed & breakfast inn (B&B)	MUP	MUP	—	—	—	—	
Personal services	—	—	—	—	—	MUP DUP	
Public safety facility	MUP	MUP	MUP	MUP	MUP	MUP	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Electronic vehicle supply equipment (EVSE) - Accessory	P	P	P	P	P	P	
Telecommunications antenna	S	S	S	S	S	S	20-44
Utility facility	CUP	CUP	CUP	CUP	CUP	CUP	
Utility infrastructure	P	P	P	P	P	P	

Key to Zoning District Symbols

RR	Rural Residential	R-3	Multi-Family Residential
R-1	Single-Family Residential	MH	Mobile Home Park
R-2	Medium Density Multi-Family Residential	TV-R	Transit Village-Residential

Notes:

- (1) See Division 7 for land use definitions.
- (2) Permitted by right within any of the City's Priority Development Areas and shall therefore not require a use permit.
- ~~(3) A building permit is required to verify occupancy standards.~~
- (43) Permitted by right within any residential Planned Development.
- (54) A community garden is allowed on the same property as an existing permitted meeting facility provided that the establishment of the garden does not trigger a grading permit or affect the operation and design of the meeting facility.
- ~~(6) Permitted with a Minor Conditional Use Permit within any single-family Planned Development and/or any rural residential Planned Development within one of the City's Priority Development Areas.~~
- ~~(7) Permitted by right within any single-family Planned Development and/or any rural residential Planned Development within one of the City's Priority Development Areas and shall therefore not require a use permit.~~
- ~~(8) Permitted with a Minor Conditional Use Permit within any nonresidential Planned Development within one of the City's Priority Development Areas.~~
- (95) Permitted by right within any Planned Development.
- (106) Permitted with a ~~Minor-Director~~ Conditional Use Permit within any residential Planned Development.
- ~~(11) Permitted by right within any multifamily residential Planned Development within one of the City's Priority Development Areas and shall therefore not require a use permit.~~
- (127) Permitted with a Minor Conditional Use Permit within any of the City's Priority Development Areas.
- ~~(138) Permitted with a Minor Conditional Use Permit within any single-family Planned Development and/or any rural residential Planned Development.~~

- | ~~(449)~~ Supportive Housing and Transitional Housing projects which require the construction of a new multi-family structure and do not meet the requirements of Government Code Section § 65651 shall require a Minor Conditional Use Permit and may be subject to Design Review.
- | ~~(4510)~~ Farmworker Housing Complex projects that do not meet the requirements of Health & Safety Code § 17000 et seq. shall require a Minor Use Permit and may be subject to Design Review.

§ 20-23.030 Commercial district land uses and permit requirements.

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Districts	P - Permitted Use, Zoning Clearance Required										
	<u>DUP - Director Conditional Use Permit</u>										
	MUP - Minor Conditional Use Permit Required										
	CUP - <u>Major</u> Conditional Use Permit Required										
	S - See Specific Use Regulations for Permit										
	— Use Not Allowed										
	PERMIT REQUIRED BY ZONE										
USE (1)	CO	CN (7)	CG	CV	CMU	SMU	MMU	NMU	CSC (2)	TV-M	Specific Use Regulations
INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING											
Artisan/craft product manufacturing	—	MUP	P	—	MUP	MUP	P	P	P	—	
Brewery—Brew pub	—	MUP	<u>MUP.</u> <u>DUP</u>	—	P	P	P	P	<u>MUP.</u> <u>DUP</u>	P	
Cannabis—Commercial cultivation—up to 5,000 sq ft	—	—	—	—	—	—	MUP	—	—	—	
Cannabis—Distribution	—	—	—	—	—	—	MUP	—	—	—	
Cannabis—Manufacturing level 1 (non-volatile)	—	—	—	—	—	—	MUP	—	—	—	
Cannabis—Microbusiness	—	—	—	—	—	—	MUP	—	—	—	
Cannabis—Testing laboratory	MUP	—	—	—	—	—	P	—	—	—	20-46
Laboratory—Medical, analytical	MUP	—	—	—	MUP	MUP	P	—	—	—	
Manufacturing/processing—Light	—	—	—	—	—	—	P	—	—	—	
Manufacturing/processing—Medium	—	—	—	—	—	—	MUP	—	—	—	
Media Production—Backlots/Outdoor Facilities	—	—	—	—	—	—	P	P	—	—	
Media Production - Indoor Support Facilities	—	—	—	—	—	—	P	P	—	—	
Media Production - Soundstages	—	—	—	—	—	—	P	P	—	—	
Printing and publishing	—	—	—	—	MUP	MUP	P	P	—	—	
Recycling—Reverse vending machines	—	P	P	—	—	—	—	—	P	—	20-42.120
Recycling—Small collection facility	—	—	<u>MUP.</u> <u>DUP</u>	—	—	—	—	—	<u>MUP.</u> <u>DUP</u>	—	20-42.120
Research and development	—	—	—	—	MUP	P	P	P	—	—	
Storage—Accessory	P	P	P	P	P	P	P	P	P	P	
Storage—Personal storage facility	—	—	MUP	—	—	—	—	—	—	—	20-42.180
Winery—Boutique	—	—	<u>MUP.</u> <u>DUP</u>	—	P	P	P	P	<u>MUP.</u> <u>DUP</u>	P	

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Districts

P - Permitted Use, Zoning Clearance Required

DUP - Director Conditional Use Permit

MUP - Minor Conditional Use Permit Required

CUP - Major Conditional Use Permit Required

S - See Specific Use Regulations for Permit

— Use Not Allowed

PERMIT REQUIRED BY ZONE

USE (1)	CO	CN (7)	CG	CV	CMU	SMU	MMU	NMU	CSC (2)	TV-M	Specific Use Regulations
Winery—Production	—	—	CUP	—	CUP	CUP	MUP	CUP	—	CUP	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Adult entertainment business	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	20-40
<u>Commercial recreation facility—Indoor (up to 10,000 sq ft and within a commercial shopping center/mall)</u>	<u>—</u>	<u>—</u>	<u>P</u>	<u>—</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Commercial recreation facility—Indoor (up to 10,000 sq ft and not within a commercial shopping center/mall)</u>	<u>—</u>	<u>—</u>	<u>DUP</u>	<u>—</u>	<u>DUP</u>	<u>DUP</u>	<u>DUP</u>	<u>DUP</u>	<u>DUP</u>	<u>DUP</u>	
Commercial recreation facility—Indoor (<u>greater than 10,000 sq ft</u>)	—	—	MUP	—	MUP	MUP	MUP	MUP	MUP	MUP	
Community garden (6)	P	P	P	P	P	P	P	P	P	P	
Conference/convention facility	—	—	<u>CUP</u> <u>MUP</u>	—	<u>MUP</u> <u>P</u>	<u>MUP</u> <u>DUP</u>	<u>CUP</u> <u>MUP</u>	—	—	<u>CUP</u> <u>MUP</u>	
Health/fitness facility—Commercial	—	<u>MUP</u> <u>DUP</u> <u>UP</u>	P	—	P	P	P	P	P	<u>MUP</u> <u>P</u>	
Health/fitness facility—Quasi-public	—	<u>MUP</u> <u>DUP</u> <u>UP</u>	P	—	P	P	P	P	P	<u>MUP</u> <u>P</u>	
Library, museum	P	P	P	MU P	P	P	P	P	P	P	
Meeting facility, public or private	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u> <u>UP</u>	<u>MUP</u> <u>P</u>	<u>MU</u> <u>PDU</u> <u>P</u>	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	
Park, playground	P	P	P	MU P	P	P	P	P	P	P	
School, public or private	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u> <u>UP</u>	<u>MUP</u> <u>DUP</u>	<u>MU</u> <u>PDU</u> <u>P</u>	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	
Sports and entertainment assembly facility	—	—	<u>CUP</u> <u>MUP</u>	—	<u>MUP</u> <u>P</u>	<u>MUP</u> <u>DUP</u>	<u>CUP</u> <u>MUP</u>	MUP	—	— <u>MUP</u>	
Studio—Art, dance, martial arts, music, etc.	<u>MUP</u> <u>DUP</u>	P	P	—	P	P	P	P	P	<u>MUP</u> <u>P</u>	
Theater, auditorium	—	—	<u>CUP</u> <u>MUP</u>	—	<u>MUP</u> <u>P</u>	<u>MUP</u> <u>DUP</u>	MUP	MUP	<u>CUP</u> <u>MUP</u>	<u>MUP</u> <u>DUP</u>	

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Districts	P - Permitted Use, Zoning Clearance Required										
	DUP - Director Conditional Use Permit										
	MUP - Minor Conditional Use Permit Required										
	CUP - Major Conditional Use Permit Required										
	S - See Specific Use Regulations for Permit										
	— Use Not Allowed										
	PERMIT REQUIRED BY ZONE										
USE (1)	CO	CN (7)	CG	CV	CMU	SMU	MMU	NMU	CSC (2)	TV-M	Specific Use Regulations

RESIDENTIAL USES (See Section 20-28.080, Senior Housing (-SH) combining district, for specific requirements regarding proposed senior housing developments)

Animal keeping—Domestic and exotic	S	S	S	—	S	S	S	S	S	S	20-42.040
Duplex (413)(476)	CUP (+5) DUP	P	MUP (+5) P	—	P	P	P	P	P	P (5)	
Emergency shelter—50 or fewer beds (476)	CUP (+5) 4	CUP (+5) 14	P	CUP (+5) 14	CUP (+5) 14	CUP	CUP	CUP	CUP (+5) 14	CUP (+5) 14	20-42.190
Emergency shelter—51 or fewer beds (476)	CUP (+5) 4	CUP (+5)	CUP (+5) 14	CUP (+5) 14	CUP (+5) 14	CUP	CUP	CUP	CUP (+5) 14	CUP (+5) 14	20-42.190
Farmworker Dwelling Unit (12)	P	P	P	—	P	P	P	P	P	P	
Farmworker Housing Complex (2022)	MUP	P (22)	MUP	—	P (22)	P (22)	P (22)	P (22)	P (22)	P (22)	
Half-Plex (413)(47)	CUP MUP (+5)	P	MUP (+5) P	—	P	P	P	P	P	P (5)	
Home occupation	S	S	S	—	S	S	S	S	S	S	20-42.070
Live/work	MUP DUP	MUP UP	MUP DUP	—	P	P	P	P	MUP DUP	MUP DUP	20-42.080
Low-Barrier Navigation Center (4918)	P	P	P	—	P	P	P	P	P	P	
Multi-family (413)(47)	CUP MUP (+5)	P	MUP (+6) P	—	P	P	P	P	P	P (5)	
Residential accessory structures and uses	P	P	P	—	P	—	—	P	P	P	20-42.030
Residential Care Facility (Licensed – Large) (2022)	MUP	MUP	MUP	—	MUP	MUP	MUP	MUP	MUP	MUP	20-42.230
Residential Care Facility (Licensed – Small) (12)(4918)	P	P	P	—	P	P	P	P	P	P	

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Districts	P - Permitted Use, Zoning Clearance Required										
	<u>DUP - Director Conditional Use Permit</u>										
	MUP - Minor Conditional Use Permit Required										
	CUP - <u>Major</u> Conditional Use Permit Required										
	S - See Specific Use Regulations for Permit										
	— Use Not Allowed										
PERMIT REQUIRED BY ZONE											

USE (1)	CO	CN (7)	CG	CV	CMU	SMU	MMU	NMU	CSC (2)	TV-M	Specific Use Regulations
Residential Care Facility (Unlicensed) (12)(19 18)	P	P	P	—	P	P	P	P	P	P	
Residential component of a mixed use project (9)	MUP (+6)	P	MUP (+6) P	—	P	P	P	P	P	P (5)	20-42.090
Single-family attached(17)	CUP (+5) MUP	P	MUP (+5) P	—	P	P	P	P	P	P (5)	
Single Room Occupancy Facility	—	—	CUP	—	MUP	MUP	MUP	MUP	CUP	—	20-42.164
Supportive housing (19 18)	P	P	P	—	P	P	P	P	P	P	
Transitional housing (12)	MUP	P	MUP	CUP	P	P	P	P	P	P	
Work/live	MUP DUP	MUP DUP	MUP DUP	MU PDU P	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP	20-42.060

RETAIL TRADE

Accessory retail	P	P	P	P	P	P	P	P	P	P	20-42.024
Alcoholic beverage sales— <u>off-site consumption (less than 10,000 sq. ft.)</u>	—	CUP	CUP	—	CUP	CUP	CUP	CUP	CUP	CUP	20-42.034
Alcoholic beverage sales— <u>off-site consumption (10,000 sq. ft. or more)</u>	—	P	P	—	P	P	P	P	P	P	<u>20-42.034</u>
Artisan shop	—	P	P	—	P	P	P	P	P	P	
Auto and vehicle sales and rental	—	—	MUP DUP (11)	P	—	—	—	—	—	—	
Auto parts sales (no installation services)	—	—	P (11)	P	—	—	—	—	P	—	
Bar/tavern	—	CUP DUP	CUP DUP	—	CUP P	CUP DUP	CUP DUP	CUP MUP	CUP DUP	CUP DUP	20-42.034
Building and landscape materials sales—Indoor	—	—	P (11)	—	—	—	—	—	P	—	
Building and landscape materials sales—Outdoor	—	—	MUP DUP	—	—	—	—	—	MUP DUP	—	20-42.100
Cannabis—Retail (dispensary) and delivery	CUP (10)	CUP (10)	CUP (10)	—	—	—	—	—	CUP (10)	—	20-46
Construction and heavy equipment sales and rental	—	—	—	MU P	—	—	—	—	—	—	

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Districts	P - Permitted Use, Zoning Clearance Required										
	<u>DUP - Director Conditional Use Permit</u>										
	MUP - Minor Conditional Use Permit Required										
	CUP - <u>Major</u> Conditional Use Permit Required										
	S - See Specific Use Regulations for Permit										
	— Use Not Allowed										
	PERMIT REQUIRED BY ZONE										
USE (1)	CO	CN (7)	CG	CV	CMU	SMU	MMU	NMU	CSC (2)	TV-M	Specific Use Regulations
Drive-through retail sales	—	CUP	CUP (11)	—	—	—	—	—	CUP	—	20-42.064
Electric vehicle sales	—	—	—	—	MUP DUP	MUP DUP	MUP DUP	—	—	—	
Farm supply and feed store	—	—	MUP P	—	—	—	—	—	MUP P	—	
Fuel dealer (propane for home and farm use, etc.)	—	—	—	CUP	—	—	—	—	—	—	
Furniture, furnishings, appliance/equipment store	—	—	P	—	P	P	P	P	P	MUP P	
Gas station	—	—	—	—	—	—	—	—	—	—	
General retail—Up to 20,000 sf of floor area	—	P(11)	P	—	P	P	P	P	P	P	
General retail— More than 20,000 sf, up to 50,000 sf	—	MUP DUP (11)	P (11)	—	P	P	MUP P	P	P	MUP P	
General retail—More than 50,000 sf of floor area	—	—	CUP P (11)	—	—	—	—	—	P	—	
Grocery store, small—Less than 20,000 sf	—	P	P	—	P	P	P	P	P	P	
Grocery store, large—20,000 sf and greater	—	CUP MUP (11)	CUP P (11)	—	P	P	P	P	P	CUP P	20-42.200
Mobile Food Vending Facility (2019)	MUP DUP	MUP DUP UP	MUP DUP	MU PDU P	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP	20-42.210
Mobile home, boat, or RV sales	—	—	MUP	P	—	—	—	—	—	—	
Neighborhood center	MUP DUP	P	P	CUP MU P	P	P	P	P	P	MUP P	
Night club	—	—	MUP DUP (11)	—	MUP P	MUP P	MUP DUP	MUP DUP	MUP DUP	MUP DUP	
Office—Supporting retail	MUP P	P	P	—	P	P	P	P	P	P	
Outdoor display and sales	—	MUP DUP UP	MUP P	—	MUP (13) P	MUP (13) P	MUP (13) P	MUP (13) P	CUP P	CUP P	20-42.110
Pharmacy	MUP	P	P	—	P	P	P	P	P	MUP P	
Restaurant, café, coffee shop—Counter ordering	MUP P	P	P	—	P	P	P	P	P	P	20-42.110, 20-42.160

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Districts

P - Permitted Use, Zoning Clearance Required

DUP - Director Conditional Use Permit

MUP - Minor Conditional Use Permit Required

CUP - Major Conditional Use Permit Required

S - See Specific Use Regulations for Permit

— Use Not Allowed

PERMIT REQUIRED BY ZONE

USE (1)	CO	CN (7)	CG	CV	CMU	SMU	MMU	NMU	CSC (2)	TV-M	Specific Use Regulations
Restaurant, café, coffee shop—Outdoor dining	P (8)	P (8)	P (8)	—	P (8)	P (8)	P (8)	P	P (8)	P (8)	
Restaurant, café, coffee shop—Serving alcohol (no bar)	P	P	P	—	P	P	P	P	P	P	
Restaurant, café, coffee shop—Table service	MUP P	P	P	—	P	P	P	P	P	P	
Second hand store	—	MUP UP	MUP DUP	—	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP	
Shopping center	—	—	P	—	P	P	P	P	P	—	
Tasting room	—	MUP P	P	—	P	P	P	P	P	P	
Tobacco or smoke shop	—	—	MUP	—	MUP	MUP	MUP	MUP	MUP	—	
Warehouse retail	—	—	CUP P (11)	—	—	—	—	—	CUP P	—	

SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL

ATM	P	P	P	P	P	P	P	P	P	P	20-42.044
Bank, financial services	MUP P	P	P	—	P	P (5)	P (5)	P	P	P (5)	
Business support service	MUP P	MUP P	P	—	P	P	P	P	P	P	
Medical service—Clinic, urgent care	P	MUP UP	P	—	P	P	MUP	P	P	MUP DUP	
Medical service—Doctor office	P	P	P	—	P	P (5)	MUP DUP	P	P	P (5)	
Medical service—Health care facility (Large) (20)	MUP	MUP	MUP	—	MUP	MUP	MUP	MUP	MUP	MUP	20-42.060
Medical service—Health care facility (Small) (1918)(4)	P	P	P	—	P	P	P	P	P	P	
Medical service—Hospital	CUP	CUP (11)	CUP (11)	CUP	CUP	CUP	CUP	—	CUP	CUP	
Medical service—Integrated medical health center	P	MUP	P	—	P	P	P	P	P	MUP	
Medical service—Lab	P	—	P	—	—	—	—	—	MUP	—	
Medical service—Veterinary clinic, animal hospital	MUP P	— DUP	MUP P	—	— DUP	— DUP	— DUP	— DUP	MUP P	— DUP	

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Districts	P - Permitted Use, Zoning Clearance Required										
	<u>DUP - Director Conditional Use Permit</u>										
	MUP - Minor Conditional Use Permit Required										
	CUP - <u>Major</u> Conditional Use Permit Required										
	S - See Specific Use Regulations for Permit										
	— Use Not Allowed										
PERMIT REQUIRED BY ZONE											
USE (1)	CO	CN (7)	CG	CV	CMU	SMU	MMU	NMU	CSC (2)	TV-M	Specific Use Regulations
Office—Accessory	P	P	P	P	P	P	P	P	P	P	
Office—Business/service	P	P	P	—	P	P	P	P	P	P (5)	
Office—Government	P	<u>MUP</u> <u>UP</u>	<u>MUP</u> <u>DUP</u>	<u>MU</u> <u>PDU</u> <u>P</u>	P	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	<u>PDUP</u>	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	
Office—Processing	<u>MUP</u> <u>P</u>	—	<u>MUP</u> <u>P</u>	—	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>P</u>	<u>MUP</u> <u>DUP</u>	—	<u>MUP</u> <u>DUP</u>	
Office—Professional	P	<u>MUP</u> <u>P</u>	P	—	P	P	P	P	—	P (5)	

SERVICES—GENERAL

Accessory services	P	P	P	P	P	P	P	<u>MUP</u> <u>P</u>	P	P	20-42.030
Adult Day Program (2019)	<u>MUP</u> <u>DUP</u>	P	<u>MUP</u> <u>DUP</u>	—	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	P	<u>MUP</u> <u>DUP</u>	
Catering service	—	—	P	—	—	—	P	P	—	—	
<u>Check cashing stores</u>	<u>==</u>	<u>==</u>	<u>DUP</u>	<u>==</u>	<u>DUP</u>	<u>DUP</u>	<u>DUP</u>	<u>==</u>	<u>DUP</u>	<u>==</u>	
Child day care—Large family day care home (18)	P	P	P	—	P	P	P	P	P	P	20-42.050
Child day care—Small family day care home (18)	P	P	P	—	P	P	P	P	P	P	20-42.050
Child day care center (19)	P	P	P	—	P	P	P	P	P	P	20-42.050
Commissary (21)	—	—	P	—	—	—	P	P	—	—	
Drive-through service	—	CUP	CUP	—	—	—	—	—	CUP	—	20-42.064
Equipment rental	—	—	P (4)	—	—	—	—	—	—	—	
Extended hours of operation (11:00 p.m. to 6:00 a.m.)	—	<u>MUP</u> <u>UP</u>	<u>MUP</u> <u>DUP</u>	—	P	P	P	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	<u>MUP</u> <u>DUP</u>	
Lodging—Bed & breakfast inn (B&B)	—	—	<u>MUP</u> <u>DUP</u>	—	P	P	P	P	—	<u>MUP</u> <u>DUP</u>	
Lodging—Hotel or motel	MUP	—	<u>MUP</u> <u>P</u>	—	P (4)	P (4)	P (4)	MUP	—	P	
Massage related uses	P	P	P	P	P	P	P	P	P	P	20-49
Mortuary, funeral home	—	—	<u>CUP</u> <u>MUP</u>	—	—	—	—	—	—	—	
Personal services	P	P (2)	P	—	P	P	P	P	P	P	
<u>Psychic services</u>	<u>==</u>	<u>==</u>	<u>DUP</u>	<u>==</u>	<u>DUP</u>	<u>DUP</u>	<u>DUP</u>	<u>==</u>	<u>DUP</u>	<u>==</u>	

TABLE 2-6 Allowed Land Uses and Permit Requirements for Commercial Districts	P - Permitted Use, Zoning Clearance Required										
	<u>DUP - Director Conditional Use Permit</u>										
	MUP - Minor Conditional Use Permit Required										
	CUP - <u>Major</u> Conditional Use Permit Required										
	S - See Specific Use Regulations for Permit										
	— Use Not Allowed										
USE (1)	PERMIT REQUIRED BY ZONE										Specific Use Regulations
	CO	CN (7)	CG	CV	CMU	SMU	MMU	NMU	CSC (2)	TV-M	
Personal services—Restricted	—	—	MUP	—	MUP	MUP	MUP	MUP	MUP	—	
Public safety facility	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	
Repair service—Equipment, large appliances, etc.	—	—	MUP	—	—	—	—	—	—	—	
Social service organization	MUP DUP	—	MUP DUP	—	MUP DUP	MUP DUP	MUP DUP	MUP DUP	—	—	
<u>Soup Kitchen</u>	==	==	<u>MUP</u>	==	<u>MUP</u>	<u>MUP</u>	<u>MUP</u>	==	<u>MUP</u>	==	
Vehicle services—Major repair/body work	—	—	—	P (4)	—	—	—	—	—	—	
Vehicle services—Minor maintenance/repair	—	—	MUP	P (4) (11)	—	—	MUP	—	MUP	—	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Broadcasting studio	P	—	P	—	P	P	P	P	P	P	
Electronic vehicle supply equipment (EVSE) - Accessory	P	P	P	P	P	P	P	P	P	P	
Electronic vehicle supply equipment (EVSE) - Primary	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP	MUP DUP	
Parking facility, public or commercial	MUP DUP	—	MUP DUP	—	P (4)	P (4)	MUP DUP	MUP DUP	—	MUP DUP	
Telecommunications facilities	S	S	S	S	S	S	S	S	S	S	20-44
Transit station or terminal	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	
Utility facility	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Utility infrastructure	P	P	P	P	P	P	P	P	P	P	

Key to Zoning District Symbols

CO	Office Commercial	CV	Motor Vehicle Sales	TV-M	Transit Village—Mixed	MMU	Maker Mixed Use
CN	Neighborhood Commercial	CSC	Community Shopping Center	CMU	Core Mixed Use		
CG	General Commercial	NMU	Neighborhood Mixed Use	SMU	Station Mixed Use		

Notes:

- (1) See Division 7 for land use definitions.
- (2) Each new development or project involving significant additions or reconstruction is required to be a mixed use project with a residential component in compliance with the residential density requirements for the CSC zoning district as described in Sections [20-23.040](#) and [20-23.080](#).
- (3) Each new development on a site shown in Figure 2-1, Section 20-23.060.C shall be a mixed use project, and each new development within the Courthouse Square Sub-Area of the Downtown Station Area Specific Plan shall provide activity-generating uses at the ground floor along all public streets.
- (4) ~~Minor-Director~~ Conditional Use Permit required when site abuts residential zoning district or parcel with residential use.
- (5) Uses permitted on upper stories of building, ~~Minor-Director~~ Use Permit required when proposed on ground floor.
- (6) A community garden is allowed on the same property as an existing permitted meeting facility provided that the establishment of the garden does not trigger a grading permit or affect the operation and design of the meeting facility.
- (7) Residential uses are encouraged as part of new development on sites zoned CN, as described in Section [20-23.050](#).
- (8) ~~Administrative-Director level~~ Design Review is required when a project is not part of a building permit application.
- (9) Permitted by right within any nonresidential Planned Development within one of the City's Priority Development Areas and shall therefore not require a use permit.
- (10) Subject to a 600-foot minimum setback requirement to a "school," as defined by the **Health and Safety Code** Section 11362.768. In addition, a cannabis retail use shall not be established within 600 feet of any other cannabis retail use established within and permitted by the City of Santa Rosa.
- (11) Not permitted in the Southeast Greenway area.
- (12) Permitted by right in Single-Family dwelling.
- ~~(13) Outdoor dining permitted by right, pursuant to Section 20-42.110.B.~~
- ~~(44)13~~ Permitted by right within any commercial Planned Development within one of the City's Priority Development Areas.
- ~~(45)14~~ Permitted with a Minor Conditional Use Permit within one of the City's Priority Development Areas.
- ~~(46)15~~ Permitted by right within one of the City's Priority Development Areas.
- ~~(47)16~~ Permitted with a ~~Minor-Director~~ Conditional Use Permit within any nonresidential Planned Development within one of the City's Priority Development Areas.
- ~~(48)17~~ Permitted by right within any Planned Development.
- ~~(49)18~~ Permitted by right within any commercial Planned Development.
- ~~(20)19~~ Permitted with a ~~Minor-Director~~ Conditional Use Permit within any commercial Planned Development.
- ~~(24)20~~ Any Commercial Kitchen, including restaurants, can operate as a Commissary, as long as the Commercial Kitchen is licensed by Sonoma County Environmental Health and the City has permitted the Commercial Kitchen.
- ~~(22)21~~ Farmworker Housing Complex projects that do not meet the requirements of Health & Safety Code § 17000 et seq. shall require a Minor Use Permit and may require Design Review pursuant to Section 20-52.030.
- ~~(22)~~ Permitted with a Minor Conditional Use Permit within any commercial Planned Development.

§ 20-24.030 Industrial district land uses and permit requirements.

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Districts	P	Permitted Use, Zoning Clearance required			
	DUP	Director Conditional Use Permit Required			
	MUP	Minor Conditional Use Permit required			
	CUP	Major Conditional Use Permit required			
	S	See Specific Use Regulations for requirement			
	—	Use not allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE (2)			Specific Use Regulations	
	BP	IL	IG		
INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING					
Agricultural product processing	—	—	P (3)		
Artisan/craft product manufacturing	P	P	P		
Brewery—Brew pub	P	CUP P	—		
Brewery—Production	P	P	P		
Cannabis—Commercial cultivation—up to 5,000 sq ft	—	MUP	MUP	20-46	
Cannabis—Commercial cultivation—5,001 sq ft or greater	—	CUP	CUP	20-46	
Cannabis—Distribution	MUP (4)	P (3)	P (3)	20-46	
Cannabis—Manufacturing level 1 (non-volatile)	P (3)	P (3)	P (3)	20-46	
Cannabis—Manufacturing level 2 (volatile)	—	CUP	CUP	20-46	
Cannabis—Microbusiness	—	CUP	CUP	20-46	
Cannabis—Testing laboratory	P	P	P	20-46	
Furniture/fixtures manufacturing, cabinet shops	—	P (3)	P (3)		
Laboratory—Medical, analytical	P	P	—		
Laundry, dry cleaning plant	—	MUP	P		
Manufacturing/processing—Heavy	—	—	MUP P (3)		
Manufacturing/processing—Light	P (3)	P (3)	P (3)		
Manufacturing/processing—Medium	—	MUP DUP	MUP P		
Media production—Indoor Support Facilities	P	P (3)	P (3)		
Media production—Backlots/Outdoor Facilities	MUP DUP	P (3)	P (3)		
Media production—Soundstages	P	P (3)	P (3)		
Petroleum product storage and distribution	—	—	MUP		
Printing and publishing	P (3)	P (3)	P (3)		
Recycling—Large collection facility	—	— CUP	MUP	20-42.120	
Recycling—Processing facility	—	—	MUP	20-42.120	
Recycling—Reverse vending machines	P (3)	P (3)	P (3)	20-42.120	
Recycling—Scrap or dismantling yard	—	—	MUP	20-42.120	
Recycling—Small collection facility	MUP	MUP	MUP	20-42.120	
Research and development	P	P	MUP P		
Storage—Accessory	P	P	P (3)		
Storage—Contractor's yard	—	MUP DUP	MUP DUP		
Storage—Open during extended or transitional hours	—	MUP DUP	MUP DUP		
Storage—Outdoor	—	MUP DUP	MUP DUP	20-42.170	
Storage—Personal storage facility	—	P (3)	P (3)	20-42.180	

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Districts	P	Permitted Use, Zoning Clearance required		
	DUP	Director Conditional Use Permit Required		
	MUP	Minor Conditional Use Permit required		
	CUP	Major Conditional Use Permit required		
	S	See Specific Use Regulations for requirement		
	—	Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE (2)			Specific Use Regulations
	BP	IL	IG	
Warehouse, wholesaling and distribution	MUP-DUP (4)	P (3)	P (3)	
Winery—Boutique	P	P	P	
Winery—Production	P	P	P	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Adult entertainment business	S	S	S	20-40
Commercial recreation facility—Indoor	MUP P	P	P	
Commercial recreation facility—Outdoor	— DUP	MUP DUP	— DUP	
Community garden (6)	P	P	P	
Conference/convention facility	MUP (4) DUP	MUP DUP	—	
Health/fitness facility—Commercial	MUP DUP	MUP DUP	—	
Health/fitness facility—Quasi-public	MUP DUP	MUP DUP	—	
Meeting facility, public or private	MUP DUP	MUP DUP	—	
School, public or private	MUP DUP	MUP DUP	MUP DUP	
Sports and entertainment assembly facility	—	CUP MUP	—	
Studio—Art, dance, martial arts, music, etc.	MUP DUP	MUP DUP	—	
Theater, auditorium	—	CUP DUP	—	

RESIDENTIAL USES (See Section [20-28.080](#), Senior Housing (-SH) combining district, for specific requirements regarding proposed senior housing developments)

Accessory dwelling unit	P (4)	—	—	20-42.130
Animal keeping—Domestic and exotic	S	S	S	20-42.040
Caretaker unit	MUP-DUP (4)	MUP-DUP (4)	MUP-DUP (4)	
Duplex (10)	CUP-DUP (4) (9)	—	—	
Emergency shelter (10)	CUP (9)	CUP (9)	CUP (9)	
Farmworker Dwelling Unit	P	P	P	
Farmworker Housing Complex	MUP	MUP	MUP	
Half-Plex (10)	CUP-DUP (4) (9)	—	—	
Home occupation	S	—	—	20-42.070
Junior accessory dwelling unit	P (4)	—	—	20-42.130
Live/work	MUP DUP	—	—	20-42.080
Low-Barrier Navigation Center	P	—	—	
Mixed use project	MUP DUP	—	—	
Mobile home/manufactured housing (10)	CUP-DUP	—	—	20-42.094

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Districts	P	Permitted Use, Zoning Clearance required			
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	MUP	Minor Conditional Use Permit required			
	CUP	Major Conditional Use Permit required			
	S	See Specific Use Regulations for requirement			
	—	Use not allowed			
LAND USE (1)	PERMIT REQUIRED BY ZONE (2)			Specific Use Regulations	
	BP	IL	IG		
	(4) (9)				
Multi-family dwelling s (10)	CUP-DUP (4) (9)	—	—		
Organizational house	CUP-MUP (4)	—	—		
Residential accessory structures and uses	P (4)	—	—		
Residential Care Facility (Licensed – Large) (8)	MUP	MUP	MUP	20-42.230	
Residential Care Facility (Licensed – Small) (11)	P	P	P		
Residential Care Facility (Unlicensed) (11)	P	P	P		
Single-family attached (10)	CUP-DUP (4) (9)	—	—		
Single-family detached (10)	CUP-DUP (4) (9)	—	—		
Supportive housing	P (14)	—	—		
Transitional housing	P	P	P		
Work/live	MUP-DUP	MUP-DUP	MUP-DUP	20-42.080	
RETAIL TRADE					
Accessory retail	P (4)	P	P	20-42.024	
Alcoholic beverage sales— <u>off-site consumption (less than 10,000 sq. ft.)</u>	— CUP	CUP	CUP —	20-42.034	
<u>Alcoholic beverage sales— off-site consumption (10,000 sq. ft. or more)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>20-42.034</u>	
Auto and vehicle sales and rental	—	MUP	—		
Bar/tavern	— DUP	CUP-DUP	—		
Building and landscape materials sales— Indoor	—	P	MUP P		
Building and landscape materials sales— Outdoor	—	MUP-DUP	MUP-DUP		
Cannabis—Retail (dispensary) and delivery	CUP (7)	CUP (7)	CUP (7)	20-46	
Construction and heavy equipment sales and rental	—	MUP-DUP	MUP-DUP		
Farm supply and feed store	—	P	MUP-DUP		
Fuel dealer (propane for home and farm use, etc.)	—	—	MUP-DUP		
Gas station	—	—	—		
<u>Furniture, furnishings, appliance/equipment store</u>	<u>P</u>	<u>P</u>	<u>—</u>		
Mobile Food Vending Facility	MUP-DUP	MUP-DUP	MUP-DUP	20-42.210	
Neighborhood center	MUP-DUP (5)	MUP-DUP (5)	CUP (5)		
Night club	—	CUP-MUP	—		
Office supporting retail	P	—	—		
Restaurant, café, coffee shop—Counter ordering	P (4)	P	CUP-MUP		

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Districts	P	Permitted Use, Zoning Clearance required		
	DUP	Director Conditional Use Permit Required		
	MUP	Minor Conditional Use Permit required		
	CUP	Major Conditional Use Permit required		
	S	See Specific Use Regulations for requirement		
	—	Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE (2)			Specific Use Regulations
	BP	IL	IG	
Restaurant, café, coffee shop—Outdoor dining	MUP <u>P (4)</u>	MUP <u>P</u>	CUP <u>MUP</u>	
Restaurant, café, coffee shop—Serving alcohol (no bar)	P (4)	P	CUP <u>MUP</u>	
Restaurant, café, coffee shop—Table service	P (4)	P	CUP <u>MUP</u>	
Warehouse retail	CUP <u>MUP</u> (4)	CUP <u>MUP</u>	CUP <u>MUP</u>	

SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL

ATM	P	P	—	20-42.044
Bank, financial services	P	—	—	
Business support service	P	P	MUP <u>DUP</u>	
Medical service—Clinic, urgent care	P	MUP	—	
Medical service—Doctor office	P	—	—	
Medical service—Health care facility (Large) (8)	MUP	—	—	20-42.060
Medical service—Health care facility (Small) (11)	P	—	—	
Medical service—Integrated medical health center	P	MUP	—	
Medical service—Lab	P	MUP	—	
Medical service—Veterinary clinic, animal hospital	— <u>P</u>	MUP	MUP	
Office—Accessory	P	P	P (3)	
Office—Business/service	P	—	—	
Office—Government	P	—	—	
Office—Processing	MUP <u>P</u>	—	—	
Office—Professional	P	—	—	

SERVICES—GENERAL

Accessory services	P (4)	P	MUP <u>DUP</u>	20-42.024
Catering service	—	P	P	
Adult Day Program (8)	MUP <u>DUP</u>	MUP <u>DUP</u>	MUP <u>DUP</u>	
Child day care—Large family day care home (11)	P	P	P	20-42.050
Child day care—Small family day care home (11)	P	P	P	20-42.050
Child day care center	P	P	—	20-42.050
Commissary (13)	P	P	P	
<u>Construction contractor</u>	<u>MUP</u>	<u>P</u>	<u>P</u>	
Equipment rental	—	P (3)	P (3)	
Extended hours of operation (11:00 p.m. to 6:00 a.m.)	MUP <u>DUP</u>	MUP <u>DUP</u>	MUP <u>DUP</u>	
Kennel, animal boarding	—	MUP	MUP	
Lodging—Hotel or motel	CUP <u>MUP</u> (4)	—	—	
Maintenance service—Client site services	MUP	P	P	

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Districts	P	Permitted Use, Zoning Clearance required		
	DUP	Director Conditional Use Permit Required		
	MUP	Minor Conditional Use Permit required		
	CUP	Major Conditional Use Permit required		
	S	See Specific Use Regulations for requirement		
	—	Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE (2)			Specific Use Regulations
	BP	IL	IG	
Massage related uses	P	P	—	20-49
Personal services	P	MUP	—	
Public safety facility	MUP (2)	MUP	MUP	
Repair service—Equipment, large appliances, etc.	—	<u>MUP P (3)</u>	P (3)	
Vehicle services—Major repair/body work	—	<u>MUP P (3)</u>	P (3)	
Vehicle services—Minor maintenance/repair	—	P	P (3)	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Broadcasting studio	P	P	P	
Electronic vehicle supply equipment (EVSE) —Accessory	P	P	P	
Electronic vehicle supply equipment (EVSE) —Primary	<u>MUP DUP</u>	<u>MUP DUP</u>	<u>MUP DUP</u>	
Parking facility, public or commercial	—	—	MUP	
Taxi or limousine dispatch facility	—	MUP	MUP (3)	
Telecommunications facilities	S	S	S	20-44
Truck or freight terminal	—	MUP	MUP (3)	
Utility facility	—	P (3)	P (3)	
Utility infrastructure	P (3)	P (3)	P (3)	
Vehicle storage	—	<u>MUP DUP</u>	P (3)	

Key to Zoning District Symbols

BP	Business Park	IL	Light Industrial	IG	General Industrial
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Notes:

- (1) See Division 7 for land use definitions.
- (2) The reoccupancy of a building with an allowable use that is similar to or less intense than the former use may be permitted without DUP, MUP or CUP approval. See Section 20-24.030.B.
- (3) MUP-DUP required if the use, specific suite, or its associated operations abuts a residential zoning district or parcel with a residential use.
- (4) Use only allowed if ancillary and related to a primary or dominant use.
- (5) Allowed in any industrial district where the review authority first determines that a need exists, and that the proposed business will be economically viable.
- (6) A community garden is allowed on the same property as an existing permitted meeting facility provided that the establishment of the garden does not trigger a grading permit or affect the operation and design of the meeting facility.
- (7) Subject to a 600-foot minimum setback requirement to a "school," as defined by the [Health and Safety Code](#) Section 11362.768. In addition, a cannabis retail use shall not be established within 600 feet of any other cannabis retail use established within and permitted by the City of Santa Rosa.
- (8) Permitted with a Minor Conditional Use Permit within a Planned Development.
- (9) Permitted with a Minor-Director Conditional Use Permit within any of the City's Priority Development Areas.

- (10) Permitted with a ~~Minor-Director~~ Conditional Use Permit within any nonresidential Planned Development within any of the City's Priority Development Areas.
- (11) Permitted by right within any Planned Development.
- (12) Permitted by right within any nonresidential Planned Development within one of the City's Priority Development Areas. Any Commercial Kitchen, including restaurants, can operate as a Commissary, as long as the Commercial Kitchen is
- (13) licensed by Sonoma County Environmental Health and the City has permitted the Commercial Kitchen.
- (14) Supportive Housing projects which require the construction of a new multi-family structure and do not meet the requirements of Government Code Section § 65651 shall require a Minor Conditional Use Permit and may be subject to Design Review.

§ 20-26.030 Special purpose district land uses and permit requirements.

TABLE 2-12 Allowed Land Uses and Permit Requirements for Special Purpose Districts	P	Permitted Use, Zoning Clearance required		
	DUP	Director Conditional Use Permit		
	MUP	Minor Conditional Use Permit required		
	CUP	Major Conditional Use Permit required		
	S	See Specific Use Regulations for requirement		
	—	Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			
	OSR	OSC	PI	Specific Use Regulations

AGRICULTURAL & OPEN SPACE USES

Agricultural accessory structure	CUP	CUP	—	
Animal keeping—Livestock, including aviaries	S	S	S	20-42.040
Crop production, horticulture, orchard, vineyard	CUP	CUP	—	
Open space, public or private	CUP P	CUP P	—	
Wildlife or botanical preserve or sanctuary	CUP MUP	CUP MUP	—	

INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING

Storage—Accessory	P	P	P	
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RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Golf course/country club, public or quasi-public	CUP (3)	—	MUP	
Library, museum	MUP	MUP	P	
Meeting facility, public or private	MUP	MUP	CUP P	
Park, playground	P	P	P	
School, public or private	MUP	MUP	CUP P	
Sports and entertainment assembly facility	CUP	—	CUP	
Studio—Art, dance, martial arts, music, etc.	CUP	—	CUP P	
Theater, auditorium	CUP	—	P	

RESIDENTIAL USES (See Section [20-28.080](#), Senior Housing (-SH) combining district, for specific requirements regarding proposed senior housing developments)

Accessory dwelling unit	S (3)	S	—	20-42.130
Animal keeping—Domestic and exotic	S	S	S	20-42.040
Caretaker unit	CUP -MUP (3)	—	— MUP	
Duplex (S)	MUP (3)	—	—	
Emergency shelter (5)	CUP	CUP	CUP (8)	
Farmworker Dwelling Unit	P	P	P	20-42.230
Farmworker Housing Complex (9)	CUP (3)	CUP	CUP	20-42.230
Half-plex (S)	MUP (3)	—	—	
Home occupation	S (3)	S	—	20-42.070
Junior accessory dwelling unit	S	S	—	20-42.130
Low-Barrier Navigation Center	P (3)	—	—	
Mobile home/manufactured housing unit	P (3)	CUP	—	20-42.094
Multi-family dwellings (S)	MUP (3)	—	—	

TABLE 2-12 Allowed Land Uses and Permit Requirements for Special Purpose Districts	P	Permitted Use, Zoning Clearance required		
	DUP	Director Conditional Use Permit		
	MUP	Minor Conditional Use Permit required		
	CUP	Major Conditional Use Permit required		
	S	See Specific Use Regulations for requirement		
	—	Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	OSR	OSC	PI	
Organizational house	—	—	CUP	
Residential accessory structures and uses	P (3)	P	—	20-42.030
Residential Care Facility (Licensed – Large) (4)	—	—	MUP	20-42.250
Residential Care Facility (Licensed – Small)	P (3)	P	P	
Residential Care Facility (Unlicensed)	P (3)	P	P	
Single-family detached (↔)	P (3)	CUP	—	
Single-family attached (↔)	MUP (3)	—	—	
Supportive housing	P (10)	—	—	
Transitional housing	P (3)	P	P	
RETAIL TRADE				
Mobile Food Vending Facility	—	—	MUP DUP	20-42.210
Restaurant, cafe, coffee shop—Counter ordering	MUP	—	MUP DUP	
Restaurant, cafe, coffee shop—Outdoor dining	MUP	—	MUP DUP	20-42.160
Restaurant, cafe, coffee shop—Serving alcohol (no bar)	MUP	—	MUP DUP	20-42.160
Restaurant, cafe, coffee shop—Table service	MUP	—	MUP DUP	
SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL				
ATM	—	—	P	
Medical service—Clinic, urgent care	—	—	P (2)	
Medical service—Doctor office	—	—	MUP	
Medical service—Health care facility (Large) (4)	—	—	MUP	20-42.060
Medical service—Health care facility (Small)	P (3)	P	P	
Medical service—Hospital	—	—	CUP	
Medical service—Integrated medical health center	—	—	P (2)	
Medical service—Lab	—	—	P (2)	
Office—Accessory	P (3)	P	P	
Office—Government	MUP (3)	MUP	P	
Office—Professional	—	—	MUP DUP	
SERVICES—GENERAL				
Adult Day Program (4)	—	—	MUP	
Accessory services	—	—	P	20-42.024
Cemetery, mausoleum, columbarium	—	—	P	
Child day care—Small family day care home (6)	P (3)	P	P	
Child day care—Large family day care home (6)	P (3)	P	P	
Child day care—Child care center	MUP	MUP	P	20-42.050
Extended hours of operation (11:00 p.m. to 6:00 a.m.)	—	—	MUP DUP	

TABLE 2-12 Allowed Land Uses and Permit Requirements for Special Purpose Districts	P	Permitted Use, Zoning Clearance required		
	DUP	Director Conditional Use Permit		
	MUP	Minor Conditional Use Permit required		
	CUP	Major Conditional Use Permit required		
	S	See Specific Use Regulations for requirement		
	—	Use not allowed		
LAND USE (1)	PERMIT REQUIRED BY ZONE			Specific Use Regulations
	OSR	OSC	PI	
Mortuary, funeral home	—	—	P	
Public safety facility	CUP	CUP	P	
Social service organization	—	—	P	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Broadcasting studio	—		MUP	
Parking facility, public or commercial	—	—	MUP DUP	
Taxi or limousine dispatch facility	—	—	MUP	
Telecommunications facilities	S	S	S	20-42.044
Utility facility	MUP	MUP	MUP	
Utility infrastructure	P	P	P	

Key to Zoning District Symbols

OSR	Open—Recreation	OSC	Open— Conservation	PI	Public and Institutional
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Notes:

- (1) See Division 7 for land use definitions.
- (2) Any new uses shall be directly affiliated with an existing hospital; otherwise a MUP is required for a new use.
- (3) Not permitted in the Southeast Greenway area.
- (4) Permitted with a Minor Conditional Use Permit in a Public/Institutional Planned Development.
- (5) Permitted with a Minor Conditional Use Permit within any nonresidential Planned Development within one of the City's Priority Development Areas.
- (6) Permitted by right within any Planned Development.
- (7) Permitted by right within any nonresidential Planned Development within one of the City's Priority Development Areas.
- (8) Permitted with a Minor Conditional Use Permit within one of the City's Priority Development Areas.
- (9) Permitted with a Major Conditional Use Permit in an Open Space Planned Development.
- (10) Supportive Housing projects which require the construction of a new multi-family structure and do not meet the requirements of Government Code Section § 65651 shall require a Minor Conditional Use Permit and may be subject to Design Review.

§ 20-30.060 Fences, walls, and screening.

- A. Purpose. This section provides regulations for the installation, construction, and placement of fences on private property. For the purposes of this Zoning Code, the term "fence" includes fences, hedges, walls or structures in the nature of a fence.
- B. Measurement of fence and wall height.
1. Fence height shall be measured as the vertical distance between the finished grade at the base of the fence and the top edge of the fence material.
 2. The height of fencing atop a wall shall be measured from the base of the wall.
 3. Where the ground elevation within six feet of the base of a fence differs from one side of the fence to the other (as when a fence is placed at the top of a slope or on a retaining wall), the height shall be measured from the side with the lowest natural grade; except that a safety fence with a height of 42 inches shall be allowed on the top of a retaining wall of 30 inches or more in height with Minor Use Permit approval. See Figure 3-3.

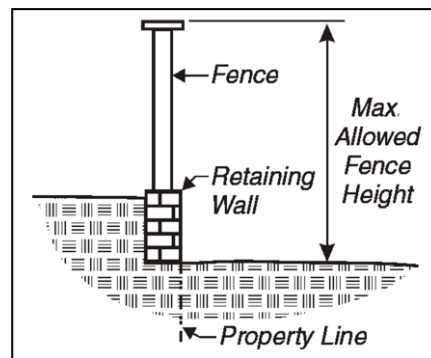


Figure 3-3—Fence Height Measurement

- C. Height limits. A fence in a residential zoning district is subject to the following restrictions:
1. Single family dwelling shall not exceed the height limits shown in Table 3-1, unless authorized in compliance with Subsection D of this section (Additional height with Minor Director Conditional Use Permit approval). See also Figure 3-4.
 2. Multifamily dwelling and non-residential properties will require Design Review approval and are not subject to the height limits shown in Table 3-1.

TABLE 3-1—MAXIMUM HEIGHT OF FENCES	
Location	Maximum Height (1)
Within required front yard setback	36 inches
Within interior side or rear yard setback	6 feet (2)
Within exterior side setback	36 inches
Within a vision triangle (see Section 20-30.070.E)	No fence allowed, except as provided by Section 20-30.070.E (Vision Triangles).
Outside of a required setback	6 feet (2)

Notes:

- (1) See the City's *Processing Review Procedures for Owners of Historic Properties* for fence height guidelines with an -H (Historic) combining district.
- (2) A six-foot fence with two feet of lattice is allowed by right in an interior side or rear yard setback, and outside of a required front or street side setback (see Figure 3-5); provided that any fence exceeding seven feet in height requires a Building Permit.

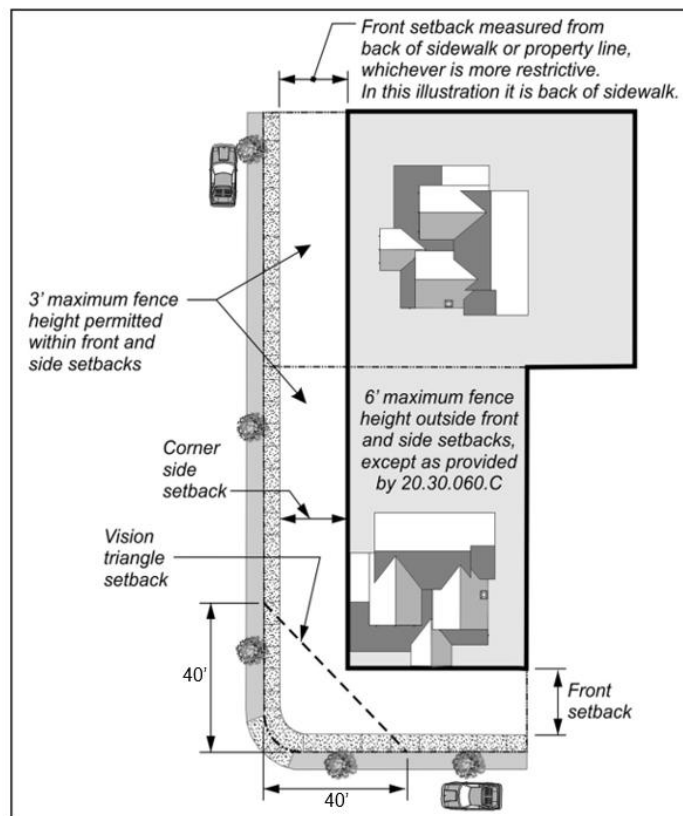


Figure 3-4—Allowed Fence Height

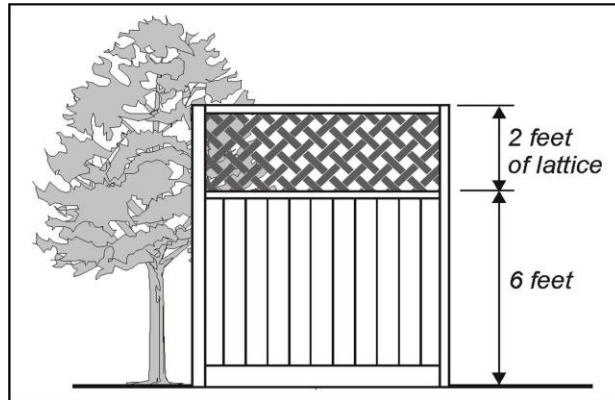


Figure 3-5—Lattice Allowed for Additional Fence Height

- D. Additional height with Minor-Director Conditional Use Permit approval. A fence may be constructed to a height in excess of the limits established by Subsection C with Minor-Director Conditional Use Permit approval, except within a required vision triangle (Section 20-30.070.E). Minor-Director Conditional Use Permit approval shall require that the review authority first make all of the following findings, in addition to those required for Minor-Director Conditional Use Permits by Section 20-52.050:
1. The issuance of the permit is reasonably necessary, by reason of unusual or special circumstances or conditions relating to the property, for the preservation of valuable property rights or the full use and enjoyment of the property;
 2. The fence will not create a safety hazard to pedestrians or vehicular traffic;
 3. The appearance of the fence is compatible with the design and appearance of other existing buildings and structures within the neighborhood;
 4. The fence is a planned architectural feature to avoid dominating the site or overwhelming the adjacent properties and structures;
 5. The orientation and location of the fence is in proper relation to the physical characteristics of the site and the surrounding neighborhood; and
 6. The fence will be of sound construction.
- E. Fire hazards. The Building Official shall not grant a building permit for any fence that will interfere with access in case of fire by the Fire Department to buildings in the vicinity, or that will constitute a hazard to vehicle traffic or pedestrians.
- F. Temporary fences—Exceptions. Nothing in this Zoning Code shall be deemed to prohibit the erection of a temporary fence around construction works in compliance with the Building Code and other applicable provisions of the City Code.
- G. Barbed wire. Barbed wire fencing shall not be constructed or placed over a fence except in agricultural, open space, or industrial areas. Minor Conditional Use Permit approval shall be required for barbed wire fencing abutting residential uses.
- H. Screening.
1. Proposed development within commercially or industrially zoned sites that are adjacent to any residential zoning district shall provide screening between districts, subject to

Design Review.

2. Outdoor storage areas in any commercial or industrial zoning district shall be permanently screened from view from any adjacent public right-of-way, access easement, or adjacent private property in compliance with Section 20-42.170 (Storage, Outdoor), and Section 20-30.090.L.1.g (Security—Dumpsters).

§ 20-30.070 Height measurement and exceptions.

- A. Purpose. This section describes the required methods for measuring the height of structures in compliance with the height limits established by this Zoning Code, and exceptions to those height limits.
- B. Maximum height of structures. The height of each structure shall not exceed the height limit established for the applicable zoning district by Division 2 (Zoning Districts and Allowable Land Uses), except as otherwise provided by this Section.
- C. Height measurement. The maximum allowable height shall be measured as the vertical distance from the natural grade of the site to an imaginary plane located the allowed number of feet above and parallel to the grade. See Figure 3-6. The location of natural grade shall be established in a manner consistent with parcels in the vicinity as determined by the Director, and shall not be artificially raised to gain additional building height.

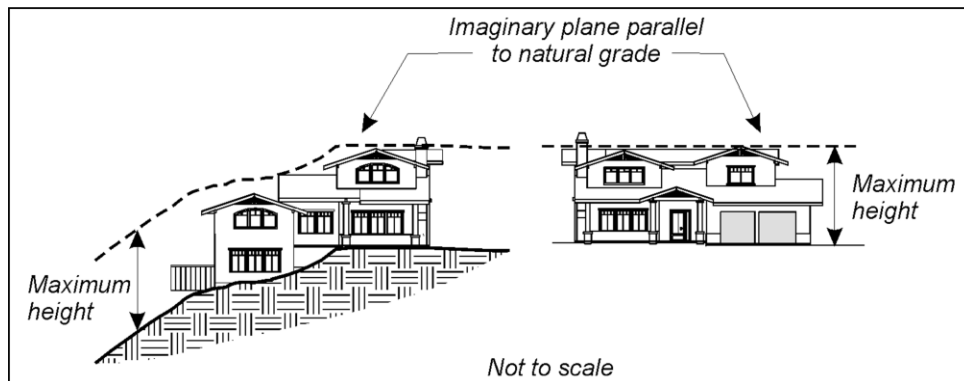


Figure 3-6 – Height Measurement

- D. Height limit exceptions.
1. Towers and similar structures. With Design Review approval, the building height limits of the applicable zoning district may be exceeded by towers, gables, spires, cupolas, water tanks, and similar structures, including mechanical appurtenances, provided that:
 - a. No portion of the structure that is over the height limit shall cover an area greater than 15 percent of the building footprint area;
 - b. No tower or similar structure, shall be used for sleeping or eating quarters, nor for any commercial purpose other than is incidental to the use of the habitable space within the building.

This exception applies only to the height limits of this Zoning Code and not to any limit provided by other law. Height limits and exceptions for telecommunication facilities are established in Chapter 20-44 of this Zoning Code.
 2. Structures within commercial zoning districts. A structure within a commercial zoning district may exceed the height limits of this Section with Minor Conditional Use Permit approval, ~~except as provided by the requirements of the CD district (Section 20-23.060.B).~~
 3. Fences and walls. A fence or wall shall comply with the height limits established by Section 20-30.060 (Fences, Walls, and Screening) and, where applicable, Subsection E (Vision Triangles).

- E. Vision triangles. Proposed structures and landscaping on a corner lot shall comply with the following vision triangle height limits, as indicated in Section 20-30.110.E.

§ 20-42.030 Accessory structures and uses.

Accessory uses and structures shall comply with the requirements of this Section, where allowed by Division 2 (Zoning Districts and Allowable Land Uses). This Section does not apply to accessory dwelling units, which are instead subject to Section 20-42.130 (Accessory dwelling units).

A. General requirements for all accessory structures and uses.

1. Relationship to principal use.

- a. An accessory structure or use is permitted only when it is clearly incidental, subordinate and accessory to the principal use of the same lot, and does not alter the character of the site with respect to the principal use.
- b. An accessory structure or use, to be permitted, must be compatible in all aspects with the principal permitted uses of the zoning district in which it is situated.
- c. An accessory structure or use shall not be located on a separate lot from the principal use to which it incidental and subordinate.

2. Zoning district setback requirements. An accessory structure or use shall comply with the setback requirements of the applicable zoning district, and shall not be closer to the street than the primary structure, unless specifically authorized by this Section, or allowed by Variance, Minor Variance, or Minor Adjustment.

3. Combining district requirements. The provisions of any -G (Gateway), -H (Historic), or -SR (Scenic Road) Combining District shall take precedence over any provision of this Section regulation accessory structures and uses.

4. Roof overhang. An accessory structure shall not overhang any property or drain onto any adjacent parcel.

5. Building Code and Fire Code requirements. An accessory structure shall meet all construction standards and minimum distancing between buildings for fire protection purposes.

B. Accessory structures and uses in non-residential districts.

1. Attached accessory structures. If an accessory structure is attached to the primary structure, it shall be made structurally a part of the primary structure and shall comply with all requirements of this Zoning Code for the primary structure.

2. Detached accessory structures. No detached accessory structure shall be closer than that permitted by the Uniform Building Code to the primary structure on the same lot or closer than 10 feet from the primary structure on an adjoining lot unless a lesser distance is specifically allowed by other provisions of this Zoning Code.

C. Accessory structures and uses in residential zoning districts. Accessory structures and uses within a residential zoning district shall comply with the following requirements:

1. General requirements.

- a. Setbacks. An accessory structure on a parcel that is 50 feet or more in width shall not be placed closer than five feet to a property line. An accessory structure may be

located up to the property line on a parcel less than 50 feet in width or 100 feet in depth that is developed with a single-family dwelling or duplex, except where the accessory structure would abut another building on an adjacent parcel. In these cases, the accessory structure shall be located a minimum of three feet from the property line.

- b. Maximum site coverage. One or more roofed accessory structures shall not occupy more than 50 percent of the required rear setback, provided that the Director may approve additional coverage where a replacement open area equivalent to the additional coverage over 50 percent is substituted elsewhere on the site, provided that:
 - (1) The Director determines that the usability and location of the substitute area is equally satisfactory; and
 - (2) The substitute area does not exceed a slope of 10 percent, and has no dimension less than 15 feet. The dimensions may include required side setback areas, but the required setback shall not be included when computing equivalent replacement area.
 - c. Height limit. No accessory structure shall exceed a height of 16 feet and one story.
2. Requirements for attached structures. Habitable (e.g., living space) and non-habitable (e.g., attached garages, etc.) attached structures shall comply with the following standards.
 - a. An accessory structure attached to the primary structure shall be made structurally a part of the primary structure and shall comply with all requirements of this Zoning Code for the primary structure.
 - b. The face of any attached garage or carport with street access from the front or corner side of the lot shall be a minimum of 19 feet from the property line, back of curb, or back of sidewalk, whichever is greater. The face of an attached garage or carport shall be three to five feet from the edge of a public or private alley, property line, back of sidewalk, or back of curb whichever is greater.
3. Requirements for detached structures.
 - a. Habitable structures.
 - (1) A guest house shall not be located within any required setback area, shall not exceed 400 square feet or a height of 16 feet, and shall not contain kitchen or other cooking facilities.
 - (2) No detached habitable accessory structure shall be closer to the primary structure than permitted by the Uniform Building Code, or closer than 10 feet from a primary structure on an adjoining lot, unless a lesser distance is specifically allowed by other provisions of this Zoning Code.
 - b. Non-habitable structures.
 - (1) Exempt structures. The following structures are exempt from the accessory structure setback requirements:
 - (a) Planters. Planter boxes and masonry planters with a maximum height of

42 inches are allowed within all required setbacks.

- (b) Play equipment, pet shelters. Children's play equipment, movable dog houses, and similar structures may be placed within a required rear setback without limitation on location.
 - (c) Residential rain harvesting tanks. Rain harvesting tanks that do not exceed eight feet in height may be placed within a rear or side yard setback without limitation on location. Rain harvesting tanks that exceed eight feet in height may be allowed within a rear or side yard setback, subject to Design Review. Rain harvesting tanks of any height shall not be permitted within a front yard setback.
 - (d) Trash enclosures. Trash enclosures may be placed within a required rear setback without limitation on location.
- (2) Sheds, patio covers, trellis. A shed, patio cover, or trellis less than 12 feet in height may be allowed within a side or rear yard setback, subject to Design Review.
- (3) Garages and carports. To ensure design compatibility and to maintain the off-street parking supply in residential neighborhoods, the following standards shall apply to the construction, modification, or replacement of a garage or carport serving any residential use.
- (a) Height. The garage or carport shall not exceed a height of 16 feet.
 - (b) Setback. The face of a garage or carport shall be:
 - i. A minimum of 19 feet from the property line, back of curb, or back of sidewalk, whichever is greater; and
 - ii. Between three and five feet, or 19 feet or more, measured from an alley or private driveway property line, back of sidewalk, or back of curb, whichever is greater.
- (4) Driveways, walkways, patios, and wood decks. Driveways, walkways, patio slabs, and other areas paved with concrete, asphalt or similar materials, and wooden decks, may be placed in up to 50 percent of the area within any required setback, provided that the structures do not exceed a height of 12 inches. This requirement does not exclude the use of steps providing access between areas of different elevation on the same site. At least 50 percent of all setback areas shall consist of permeable surface. The Director may approve additional coverage where a replacement open area equivalent to the additional coverage over 50 percent is substituted elsewhere on the site.
- (5) Guard railings, safety fences. A guard railing or safety fence for protection around depressed ramps may be placed within any required setback provided that:
- (a) An open-work railing or fence is used; and
 - (b) The railing or fence does not exceed 42 inches in height.
- (6) Mechanical equipment. Ground-mounted air conditioners, swimming pool

pumps, and related and similar equipment may be placed within a required side or rear setback, provided that the equipment is:

- (a) Not closer than 30 inches to any property line;
- (b) Six feet or less in height; and
- (c) Constructed and/or insulated so that audibility beyond the property line is limited to the maximum extent feasible.

(7) Satellite dish antennas. Satellite antennas shall comply with the requirements of Chapter 20-44 (Telecommunications Facilities).

c. General design requirements.

- (1) On a corner lot, the structure shall not project beyond the front yard required for an adjacent lot.
- (2) The structure shall not be closer to any street than the primary structure, unless authorized by ~~Minor-Director~~ Conditional Use Permit. When reviewing a ~~Minor-Director~~ Conditional Use Permit application, the ~~review authority~~ ~~Director~~ shall consider the predominant placement of accessory structures in the site vicinity, the consistency of the proposal with the established and/or desired character of the surrounding area, and the visual impact of the structure given its proposed placement.
- (3) The structure shall not have a door or window opening to an alley or to a side or rear property line unless the structure is at least three feet from the alley or property line.
- (4) Notwithstanding any other requirements of this Zoning Code for a detached accessory structure in a residential zoning district, no side or rear yard setback shall be required for a structure of 12 feet or less in height provided that:
 - (a) The structure has received Design Review approval; or
 - (b) A Hillside Development Permit if the structure is subject to the Hillside Development Standards Ordinance (Chapter 20-32); or
 - (c) A Landmark Alteration Permit if the structure is subject to Historic and Cultural Preservation (Chapter 20-58); and
 - (d) Complies with the following standards:
 - i. The structure is not used for human habitation, unless permitted in compliance with Section 20-42.130 (Accessory dwelling units) and is at least 10 feet from any building used for human habitation on the same or an adjacent lot;
 - ii. The structure complies with the Uniform Building Code and has been approved by the Building Division; and
 - iii. No part of the structure overhangs a property line or drains onto an adjacent lot.

§ 20-42.034 Alcoholic beverage sales.

Alcoholic beverage sales shall comply with the requirements of this section, where allowed by Division 2 (Zoning Districts and Allowable Land Uses).

- A. Applicability. In addition to the regulations of the applicable zoning district, any establishment under 10,000 square feet that sells alcohol for on-site or off-site consumption, including liquor stores, convenience food stores, markets, taverns, and bars shall be permitted ~~only by Conditional Use Permits identified in Division 2 (Zoning Districts and Allowable Land Uses)~~. A large retailer of 10,000 square feet or greater, such as a supermarket that sells alcoholic beverages as a normal part of the business, is a permitted use. These provisions shall not apply to a winery, tasting room, and/or brewery that sells alcoholic beverages as a normal part of business, when these uses are permitted uses. Applicable provisions of these use regulations shall only apply to winery, tasting room, and/or brewery uses when conditionally permitted.
- B. Operating standards. An establishment that is subject to the requirements of this section shall comply with the following standards. In considering a Conditional Use Permit application, ~~if required by Division 2 (Zoning Districts and Allowable Land Uses)~~, the review authority may choose to waive any of the following standards, and/or to impose revised or additional standards as conditions of approval.
 1. Customer and site visitor management.
 - a. The operator of the establishment shall take all reasonable steps to discourage and correct objectionable conditions that constitute a nuisance in parking areas, sidewalks, alleys and areas surrounding the premises and adjacent properties during business hours if directly related to the patrons of the subject alcoholic beverage outlet.
 - (1) "Reasonable steps" shall include calling the police in a timely manner; and requesting those engaging in objectionable activities to cease those activities, unless personal safety would be threatened in making the request.
 - (2) "Nuisance" includes disturbances of peace, illegal drug activity, prostitution, public drunkenness, drinking in public, harassment of passerby, excessive littering, excessive loitering, illegal parking, excessive loud noises, especially late at night or early in the morning hours, lewd conduct or police detentions and arrests.
 - b. The operator shall take all reasonable steps to reduce loitering in public areas, sidewalks, alleys and areas surrounding the premises and adjacent properties during business hours.
 - c. The operator shall ensure that the hours of operation shall not be a detriment to the surrounding area.
 2. Trash, litter, graffiti.
 - a. The operator shall clear the sidewalks adjoining the premises plus 10 feet beyond property lines along the street as well as any parking lots under the

control of the operator as needed to control litter, debris and trash.

- b. The operator shall install and maintain one permanent, non-flammable trash container on the property's exterior.
 - c. The operator shall remove all graffiti from the premises and parking lots under the control of the operator within 72 hours of its application.
3. Staff training. Within 90 days from issuance of a certificate of occupancy or if no Building Permit is required, within 90 days of issuance of the Conditional Use Permit, all owners, managers and employees selling alcoholic beverages shall complete a certified training program in responsible method and skills for selling alcoholic beverages. The certified program shall meet the standards of the ABC or other certifying/licensing body which the state may designate. New owners, managers and employees shall complete the training course within 30 days of the date of ownership or employment. Records of successful completion for each owner, manager and employee shall be maintained on the premises and presented upon request by a representative of the City.
4. Staffing, surveillance, and security.
- a. Signs and displays on the premises shall not obstruct the sales counter, cash register and customer from view from the exterior.
 - b. The operator shall install and maintain in working order, interior and exterior surveillance cameras and monitors. At a minimum the external cameras shall monitor the entrance to the premises and vicinity of at least 20 feet beyond the entrance to the premises. At a minimum, the interior camera shall monitor the cash register area. The tapes from these cameras shall be retained for at least 10 days from date of recording before destruction or reuse. The tapes shall be made available to the Police Department upon request.
 - c. A monitored robbery alarm system shall be installed and maintained in good working condition. An alarm permit shall be obtained from the Police Department prior to operation.
 - d. Restrooms shall remain locked and under the control of the cashier.
 - e. The premises shall be staffed with at least one person during hours of operation who shall not be responsible for dispensing fuel or auto servicing.
5. Limitations on product sales and display.
- a. The operator shall not sell, furnish or give away empty cups, glasses or similar receptacles commonly used for the drinking of beverages in quantities of less than 24 count in their original packaging.
 - b. Coolers, tubs and other storage containers holding alcoholic beverage shall be equipped with a locking mechanism which shall be in place and used to restrict access by customers during the hours when sales of alcoholic beverages are prohibited.
 - c. No beer or wine shall be displayed within five feet of the cash register or front door of the premises.

- d. No video or arcade type games are permitted on the property. California State Lottery games are permitted.
6. Signs, postings.
 - a. Premises identification shall comply with City Code Section 18-16.034 and Fire Department Illuminated Address Signs bulletin.
 - b. A copy of the conditions of approval for the Conditional Use Permit must be kept on the premises of the establishment and be presented to any peace officer or any authorized City official upon request.
 - c. Signs shall be posed on the inside of the premises stating that drinking on the premises or in public is prohibited by law.
 7. Compliance with other requirements.
 - a. The operator shall comply with all provisions of all local, state or federal laws, regulations or orders, including those of the ABC, as well as any condition imposed on any permits issued pursuant to applicable laws, regulations or orders.
 - b. The operator shall comply with all provisions of the City Code and conditions imposed by City issued permits.
 - c. Any change in ABC license type including, but not limited to, a change from a Type 20 to a Type 21 license, or a substantial physical change or character of premises as defined in Title 4 of the California Code of Regulations Section 64.2(b), shall require a new Conditional Use Permit to continue operation.
- C. Criteria for review. In granting a Conditional Use Permit for the sales of alcoholic beverages for offsite consumption, if required by Division 2 (Zoning Districts and Allowable Land Uses) and making the findings required for Conditional Use Permit approval by Section 20-52.050, the review authority shall consider the following:
1. Whether the use serves public convenience or necessity;
 2. The crime rate in the reporting district and adjacent reporting districts as compared to other areas in the City;
 3. The number of alcohol licenses per capita in the reporting district and in adjacent reporting districts as compared to the county-wide average;
 4. The numbers of alcohol-related calls for service, crimes or arrests in the reporting district and in adjacent reporting districts;
 5. The proximity of the alcoholic beverage outlet to residential districts, day care center, park and recreation facilities, places of religious assembly, and schools;
 6. Whether the site plan and floor plan incorporated design features to assist in reducing alcohol related problems. These features may include, but are not limited to, openness to surveillance and control of the premises, the perimeter, and surrounding properties; reduction of opportunities for congregating and obstructing public ways and neighboring property; illumination of exterior areas; and limiting furnishings and features that encourage loitering and nuisance behavior.

- D. Grounds for modification or revocation. In addition to the grounds in Section 20-54.100 (Permit Revocation or Modification), the Commission may require modification, discontinuance or revocation of a Conditional Use Permit if the Commission finds that the use is operated or maintained in a manner that it:
1. Adversely affects the health, peace or safety of persons living or working in the surrounding area; or
 2. Contributes to a public nuisance; or
 3. Has resulted in repeated nuisance activities including disturbances of the peace, illegal drug activity, prostitution, public drunkenness, drinking in public, harassment of passerby, excessive littering, excessive loitering, illegal parking, excessive loud noises, especially late at night or early in the morning hours, lewd conduct, or police detentions or arrests; or
 4. Violates any provision of the City Code or condition imposed by a City issued permit, or violates any provision of any other local, State or Federal law, regulation, or order, including those of the ABC, or violates any condition imposed by permits issues in compliance with those laws.

§ 20-42.050 Day care facilities.

Child day care centers shall comply with the requirements of this section, where allowed by Division 2 (Zoning Districts and Allowable Land Uses). Small and large family day care homes are not subject to the requirements of this section.

- A. Purpose. The availability and affordability of quality, licensed childcare is beneficial to the well-being of parents and children within this community. The purpose of regulating child day care facilities within the City shall be to:
1. Facilitate and encourage the establishment of licensed child day care, by streamlining the permit process and making fees as economical as possible;
 2. Specify standards to avoid any adverse effects of such facilities upon surrounding properties; and
 3. Avoid the over-concentration of childcare facilities in any neighborhood.
- B. Application requirements. The following shall be included in each Zoning Clearance, Director Conditional Use Permit, or Minor Conditional Use Permit application for a child day care facility Zoning Clearance or Minor Conditional Use Permit, as required by Division 2 (Zoning Districts and Allowable Land Uses):
1. The application shall indicate the number of children to be cared for, including the applicant's children under 10 years of age; the number of employees; hours of operation and outdoor playtime; and State license number. The application and site plan shall clearly show compliance with applicable standards.
 2. A site plan (8-1/2" x 11") showing: location and dimensions of existing residence and other structures, including: fencing; outdoor play structures and equipment; distance to property line; parking areas and number of spaces both on-site and off-site spaces contiguous to property lines; access and traffic circulation.
 3. An accurate traffic circulation plan showing parking, circulation and drop-off areas.
- C. Standards for childcare facilities allowed with a Zoning Clearance.
1. The operation of any childcare center shall comply with all provisions of the City's Noise ordinance.
 2. A facility on a regional street shall provide a drop-off/pickup area designed to prevent vehicles from backing onto the arterial roadway.
 3. The facility shall comply with all applicable building and fire code provisions adopted by the State and administered by the City Fire Marshal, and California Department of Social Services licensing requirements.
- D. Conditions of approval for child day care centers which require a Director Conditional Use Permit or Minor Conditional Use Permit. The operation of a child day care center, in compliance with a Director Conditional Use Permit or Minor Conditional Use Permit as required by Division 2, may be conditioned or limited by the permit, except as may be prohibited by state law applicable to a chartered city, in any manner deemed necessary by the review authority to ensure the preservation of the health, safety and general welfare of the community and the neighborhood where the center is proposed. The scope of permit

review and approval shall be limited as required by state law to the following.

1. Noise. The operation of any child care center shall comply with all provisions of the City noise ordinance. The review authority may require conditions of approval to reduce noise impacts including: solid fencing or other sound attenuating devices; restrictions on outside play hours; location of play areas; and placement of outdoor play equipment.
 2. Traffic circulation. The traffic circulation plan for all child day care facilities shall be designed to diminish traffic safety problems. A facility on a regional street (as shown on the General Plan Circulation Map) shall provide a drop-off/pickup area designed to prevent vehicles from backing onto the arterial roadway. The care provider may be required to submit a plan of staggered drop-off and pickup time ranges to reduce congestion in neighborhoods already identified as having traffic congestion problems.
- E. Required findings for approval for child day care centers which require a Director or Minor Conditional Use Permit. No Director Conditional Use Permit or Minor Conditional Use Permit for a child day care center shall be granted unless the review authority first makes all of the following findings, in addition to those required by Section 20-52.050 (Conditional Use Permits ~~and Minor Conditional Use Permits~~):
1. The facility complies with all applicable requirements of this section; and
 2. The facility complies with all applicable building and fire code provisions adopted by the State and administered by the City Fire Marshal, and California Department of Social Services licensing requirements.
- F. Notification of proposed action. ~~Not less than 10 working days prior to the date on which the decision will be made on the Minor Conditional Use Permit application, †~~The City shall provide public notice in compliance with Section 20-52.050 (Conditional Use Permits ~~and Minor Conditional Use Permits~~) to the applicant, and all owners of property within a 600-foot radius of the exterior boundaries of the proposed parcel. The notice shall state that no hearing on the application shall be held prior to the decision, unless requested by the applicant or owners of property described above.

§ 20-42.070 Home occupations.

Home occupations shall comply with the requirements of this section, where allowed by Division 2 (Zoning Districts and Allowable Land Uses).

- A. Purpose. The provisions of this section are intended to allow limited business activity to occur within a residence, where the business activity is clearly incidental to the primary residential use and will not change the residential character of the neighborhood. Home occupations are also a means of promoting workplace alternatives consistent with General Plan goals. It is not the intent of this section to override lawful "residential use only" restrictions set forth in Conditions, Covenants, and Restrictions or similar provisions.
- B. Prohibited uses. The following uses and similar activities are prohibited as home occupations, except that welding, woodworking, or metal working shops are allowed within the Maker Mixed Use (MMU) zoning district, subject to required permits and compliance with all City Code performance standards:
1. Animal hospitals;
 2. Automobile/vehicle repair shops;
 3. Bee keeping;
 4. Kennels, including pet day care;
 5. Pet grooming shops;
 6. Raising of animals for commercial purposes;
 7. Weapons or ammunition sales;
 8. Welding shops;
 9. Woodworking or metal working shops.
- C. Permit requirements. A home occupation shall require ~~Minor-Director~~ Conditional Use Permit ~~or-Conditional-Use-Permit~~ approval in compliance with this subsection if it not considered exempt. The approval shall run with the parcel where granted and shall not be transferred to another location.
1. Exempt home occupations. A home occupation that complies with the following requirements and standards, including a cottage food operation (CFO) for off-site sale, shall not require the approval of a ~~Minor-Director~~ Conditional Use Permit ~~or-Conditional-Use-Permit~~:
 - a. The occupation involves only the use of common household equipment, including, but not limited to, the computer/internet, telephone, and mail; or
 - b. The occupation is conducted elsewhere, but some or all of the equipment and materials are kept in one vehicle garaged on the premises; or
 - c. The occupation utilizes the home as an adjunct to a principal office located elsewhere, and no customers, clients, students, patients, or persons in similar relationships to the office's affairs visit the home as a regular business practice; or

- d. The occupation involves tutoring of no more than two students at one time.
2. Standards for exempt home occupations.
 - a. The home occupation is conducted only within the main dwelling; and
 - b. The home occupation does not involve the direct transfer or sale of goods or commodities to clients upon or from the dwelling or any residential property; and
 - c. The home occupation shall not generate vehicular or pedestrian traffic not normally associated with a single-family residential use. There shall be no employees other than resident of the dwelling, and no customers or clients shall visit the home as a regular business practice (excluding the tutoring of no more than two students at one time); and
 - d. The home occupation shall occupy no more than 25 percent of the floor space of the main dwelling. The use of a garage in connection with a home occupation shall not interfere with vehicular storage; and
 - e. There shall be no exterior indication of the home occupation. No exterior signs or other form of advertising which informs the public of the address of the home occupation shall be used; and
 - f. The home occupation shall not generate noise, odor, dust, vibrations, fumes, smoke, glare, or electrical or electronic interference or other interference with the residential use of neighboring properties.
 3. Home occupations requiring ~~Minor-Director~~ Conditional Use Permit approval. The ~~Zoning Administrator~~Director may grant a ~~Minor-Director~~ Conditional Use Permit for a home occupation that meets all of the following criteria:
 - a. The home occupation utilizes the services of no more than two nonresident employees or independent contractors;
 - b. Parking shall be provided in compliance with the following standards:
 - (1) One on-site parking space for each client and/or customer/employee arriving by vehicle;
 - (2) Customers, clients, and/or employees shall be directed to park on site,
 - (3) Parking required for customers/clients/employees may be: tandem, within a driveway, or some other on-site location other than within a required setback;
 - (4) All proposed parking areas shall require Design Review approval prior to construction to ensure that the residential character of the neighborhood is maintained;
 - (5) The required parking spaces for each residential unit (excluding visitor parking) shall be maintained and regularly utilized for daily parking by the resident occupants. The home occupation shall not cause resident occupants to park their vehicles in other locations; and
 - (6) In lieu of on-site parking, the ~~Commission-review authority~~ may consider and approve the use of on-street parking if the ~~Commission-review authority~~ finds

that sufficient parking exists on the neighborhood streets and the use of on-street parking will not adversely impact neighborhood residential parking availability nor create a nuisance for neighborhood residents.

- c. The use of an accessory structure may not be detrimental to adjoining residential properties and their residents.
- D. Standards for all home occupations. Each home occupation shall comply with all of the following standards:
1. The home occupation is conducted by a resident occupant of the dwelling.
 2. There shall be no signs except for street address, and/or name identification as provided for in Chapter 20-38 (Signs) and a three-by five-inch placard located on the front door or adjacent the doorbell that identifies the home occupation.
 3. There shall be no outdoor storage of supplies, merchandise, or other materials utilized in the home occupation.
 4. There shall be no routine or regular outside activities such as: truck loading/unloading (exclusive of occasional deliveries); preparation of work equipment or supplies; production, processing, repair or similar work.
 5. There shall be no advertising which informs the public of the address of the home occupation.
 6. The home occupation shall comply with all other applicable laws.
 7. The home occupation will not generate noise, odor, dust, vibrations, fumes, smoke, glare, electrical, or electronic interference with the residential use of adjacent properties.
- E. Microenterprise Home Kitchen Operation (MEHKO) is not considered a Home Occupation and is exempt from land use requirements as listed in Section 20-21.040, Exemptions from land use requirements.

§ 20-42.080 Live/work and work/live units.

Live/work and work/live units shall comply with the requirements of this section, where allowed by Division 2 (Zoning Districts and Allowable Land Uses).

- A. Purpose. This section provides standards for the development of new live/work and work/live units, and for the reuse of existing commercial and industrial structures to accommodate these units. Live/work and work/live units are intended to be occupied by business operators who live in the same structure where the commercial activity or industry occurs. A live/work unit is intended to function predominantly as living space with incidental accommodations for work-related activities that are beyond the scope of a home occupation. A work/live unit is intended to function predominantly as work space with incidental residential accommodations that meet basic habitability requirements.
- B. Limitations on use. The nonresidential component of a live/work or work/live project shall be a use otherwise allowed within the applicable zoning district, subject to the following additional limitations:
1. Prohibited uses. A live/work or work/live unit shall not be established or used in conjunction with any of the following activities:
 - a. Adult businesses; or
 - b. Vehicle maintenance or repair (e.g., body or mechanical work, including boats and recreational vehicles), vehicle detailing and painting, upholstery, etc.).
 2. Live/work unit. A live/work unit shall not be established or used in conjunction with any of the following activities:
 - a. Storage of flammable liquids or hazardous materials beyond that normally associated with a residential use;
 - b. Welding, machining, or any open flame work; except as permitted as Subsection B.1.e, below.
 - c. Any use defined by Division 7 (Glossary) as "Manufacturing/Processing—Heavy";
 - d. Any other activity or use, as determined by the Zoning Administrator to be incompatible with residential activities and/or to have the possibility of affecting the health or safety of live/work unit residents, because of the potential for the use to create dust, glare, heat, noise, noxious gasses, odor, smoke, traffic, vibration or other impacts, or would be hazardous because of materials, processes, products, or wastes; and
 - e. A live/work unit may be established in conflict with Subsections B.1.a and b, within the Maker Mixed Use (MMU) zoning district only, with necessary approvals from City fire and building officials, and subject to all performance standards within the City Code.
- C. Density/floor area ratio. Live/work and work/live units shall comply with the maximum density or floor area ratio requirements of the applicable zoning district, except that live/work

and work/live units within the CSC, BP, IL, or IG zones shall not exceed a density of 30 dwelling units per acre.

D. Design standards.

1. Live/work floor area requirements. The minimum net total floor area of a live/workspace shall be 1,000 square feet. No more than 30 percent or 400 square feet, whichever is greater, shall be reserved for work space. All floor area other than that reserved for working space shall be reserved and regularly used for living space.
2. Work/live floor area requirements. The minimum net total floor area of a work/live space shall be 1,000 square feet. No more than 30 percent or 400 square feet, whichever is greater, shall be reserved for living space. All floor area other than that reserved for living space shall be reserved and regularly used for working space.
3. Separation and access. Each live/work or work/live unit shall be separated from other units and other uses in the structure. Access to each unit shall be provided from common access areas, corridors, halls, and/or the public street sidewalk; and the access to each unit shall be clearly separate from other live/work or work/live units or other uses within the structure.
4. Facilities to accommodate commercial or industrial activities. A live/work or work/live unit shall be designed to accommodate commercial or industrial uses as evidenced by the provision of ventilation, interior storage, flooring, and other physical improvements of the type commonly found in exclusively commercial or industrial facilities used for the same work activity.
5. Integration of living and working space. Areas within a live/work or work/live unit that are designated as living space shall be an integral part of the live/work or work/live unit and not separated (or occupied and/or rented separately) from the work space, except that mezzanines and lofts may be used as living space subject to compliance with the other provisions of this section, and living and working space may be separated by interior courtyards or other similar private spaces.
6. Mixed occupancy buildings. If a building contains mixed occupancies of live/work or work/live units and other nonresidential uses, occupancies other than live/work or work/live shall meet all applicable requirements for those uses, and proper occupancy separations shall be provided between the live/work or work/live units and other occupancies, as determined by the Building Official.

E. Operating requirements.

1. Occupancy. A live/work or work/live unit shall be occupied and used only by the operator of the business within the unit, or a household of which at least one member shall be the business operator.
2. Sale or rental of portions of unit. No portion of a live/work or work/live unit may be separately rented or sold as a commercial space for any person not living in the unit or as a residential space for any person not working in the same unit.

3. Notice to occupants. The owner or developer of any building containing work/live units shall provide written notice to all occupants and users that the surrounding area may be subject to levels of noise, dust, fumes, or other effects associated with commercial and industrial uses at higher levels than would be expected in residential areas. State and Federal health regulations notwithstanding, noise and other standards shall be those applicable to commercial or industrial properties in the applicable zone.
 4. Nonresident employees. Up to two persons who do not reside in the live/work or work/live unit may work in the unit unless this employment is prohibited or limited by the ~~Minor-Director~~ Conditional Use Permit. The employment of three or more persons who do not reside in the live/work or work/live unit may be permitted subject to Director Conditional Use Permit approval, based on additional findings that the employment will not adversely affect traffic and parking conditions in the site vicinity. The employment of any persons who do not reside in the live/work or work/live unit shall comply with all applicable Building Code requirements.
 5. Client and customer visits. Client and customer visits to live/work or work/live units are permitted subject to any applicable conditions of the applicable ~~Minor-Director~~ Conditional Use Permit ~~or Conditional Use Permit~~, to ensure compatibility with adjacent commercial or industrial uses, or adjacent residentially-zoned areas or uses.
- F. Changes in use. After approval, a live/work or work/live unit shall not be converted to entirely residential use unless authorized through ~~Minor-Director~~ Conditional Use Permit approval. ~~Minor-Director~~ Conditional Use Permit approval shall require that the Zoning Administrator ~~review authority~~ first find that the exclusively residential use will not impair the ability of nonresidential uses on and adjacent to the site to continue operating because of potential health or safety concerns or nuisance complaints raised by the exclusively residential use and/or its occupants.
- G. Required findings. The approval of live/work or work/live unit shall require that the review authority first make all of the following findings, in addition to all findings required for ~~Minor-Director~~ Conditional Use Permit approval.
1. The proposed use of each live/work or work/live unit is a bona fide commercial or industrial activity consistent with Subsection B (Limitations on use);
 2. The establishment of live/work or work/live units will not conflict with nor inhibit industrial or commercial uses in the area where the project is proposed; and
 3. Any changes proposed to the exterior appearance of the building will be compatible with adjacent commercial or industrial uses where all adjacent land is zoned for commercial or industrial uses. If there is adjacent residentially-zoned land, the proposed changes to the building will make the commercial or industrial building being converted more compatible with the adjacent residential area.

§ 20-42.090 Mixed use projects.

Mixed use projects shall comply with the requirements of this section, where allowed by Division 2 (Zoning Districts and Allowable Land Uses).

- A. Design considerations. A mixed use project shall be designed to achieve the following objectives:
1. The design shall provide for internal compatibility between the different uses.
 2. Potential noise, hours of operation, odors, glare, pedestrian traffic, and other potentially significant impacts on residents shall be minimized to allow a compatible mix of residential and nonresidential uses on the same site.
 3. The design of the mixed use project shall take into consideration potential impacts on adjacent properties and shall include specific design features to minimize potential impacts.
 4. The design of a mixed use project shall ensure that the residential units are of a residential character, and that privacy between residential units and between other uses on the site is maximized.
 5. The design of the structures and site planning shall encourage integration of the street pedestrian environment with the nonresidential uses through the use of plazas, courtyards, walkways, and street furniture.
 6. Site planning and building design shall be compatible with and enhance the adjacent and surrounding residential neighborhood in terms of scale, building design, color, exterior materials, roof styles, lighting, landscaping, and signage.
- B. Mix of uses. A mixed use project may combine residential units with any other use, or combination of uses allowed in the applicable zoning district; provided that where a mixed use project is proposed with a use that is otherwise required to have Director Conditional Use Permit, Minor Conditional Use Permit, or Major Conditional Use Permit approval in the applicable zoning district, the entire mixed use project shall be subject to that permit requirement.
- C. Maximum density/maximum FAR. The residential component of a mixed use project shall comply with the maximum density requirements of the applicable zoning district. Mixed use projects located within the Core Mixed Use (CMU), Station Mixed Use (SMU), Maker Mixed Use (MMU) and Neighborhood Mixed Use (NMU) zoning districts shall comply with the designated maximum FAR unless as provided for in Table 2-8.
- D. Site layout and project design standards. Each proposed mixed use project shall comply with the property development standards of the applicable zoning district, and the following requirements:
1. Loading areas. Commercial loading areas shall be located as far as possible from residential units and shall be screened from view from the residential portion of the project to the extent feasible.
 2. Refuse and recycling areas. Areas for the collection and storage of refuse and recyclable materials shall be located on the site in locations that are convenient for both the residential and nonresidential uses.

- E. Performance standards.
1. Lighting. Lighting for the commercial uses shall be appropriately shielded to not negatively impact the residential units.
 2. Noise. All residential units shall be designed to minimize adverse impacts from nonresidential project noise, in compliance with the City's noise regulations.
 3. Hours of operation. Outside of the Core Mixed Use (CMU), Station Mixed Use (SMU), Maker Mixed Use (MMU) and Neighborhood Mixed Use (NMU), a mixed-use project proposing a commercial component that will operate outside normal business hours (8:00 a.m. to 6:00 p.m.) shall require the Zoning Administrator's approval to ensure that the commercial use will not negatively impact the residential uses within the project.
- F. Requirements for Conditional Use Permit projects. A mixed use project that requires Conditional Use Permit approval in compliance with Subsection B, or that is located in the CG or IL zoning districts may be subject to the following requirements, as determined by the review authority.
1. Conditions of approval that require provisions and standards in addition to, or instead of the property development standards of the applicable zoning district to ensure the compatibility of uses and surroundings; or
 2. Less restrictive standards than required by the applicable zoning district, to the extent allowed by Conditional Use Permit approval in other sections of these regulations, to make particular use combinations more feasible.

§ 20-42.110 Outdoor display and sales.

The provisions of this section apply to permanent outdoor display and sales activities, where allowed by Division 2 (Zoning Districts and Allowable Land Uses). See also Sections 20-36.030.C (Restriction of parking facility use), and 20-52.040 (Temporary Use Permits) for requirements applicable to temporary facilities.

- A. Outdoor displays and sales on private property. The permanent outdoor display and sale of merchandise is allowed subject to the following standards.
1. The outdoor display of merchandise shall not exceed a height of six feet above finished grade, unless a greater height is allowed by the review authority.
 2. Outdoor sales areas shall not encroach into required setback areas. In zoning districts where no setback area is required, the outdoor sales area shall be set back a minimum of 10 feet from adjoining property lines unless otherwise allowed by the review authority.
 3. Displayed merchandise shall occupy a fixed, location that does not disrupt the normal function of the site or its circulation, and does not encroach upon driveways, landscaped areas, easements, required exits from existing buildings, or pedestrian walkways. A display shall not obstruct intersection visibility or otherwise create hazards for vehicle or pedestrian traffic.
 4. The outdoor display and sales area shall be directly related to a business occupying a permanent structure on the same parcel.
 5. Additional signs, beyond those normally allowed for the subject use, shall not be provided as a result of the outdoor display and sales area.
 6. Outdoor display and sales shall comply with Section 20-36.030.C (Restriction of parking facility use).
- B. Outdoor eating areas on private property. A restaurant allowed by Division 2 may include both indoor and outdoor eating areas, provided that the outdoor eating area shall also comply with restaurant parking requirements of Chapter 20-36 (Parking and Loading Standards). See Section 20-42.160 for sidewalk café regulations. ~~A Zoning Clearance is required~~ See Division 2 for permit requirements for outdoor eating areas ~~in the Core Mixed Use (CMU), Station Mixed Use (SMU), Maker Mixed Use (MMU), Neighborhood Mixed Use (NMU), Office Commercial (CO), Neighborhood Commercial (CN), General Commercial (CG), Commercial Shopping Center (CSC) and Transit Village Mixed (TV-M) zoning districts. A Minor Conditional Use Permit is required for all other~~ by zoning districts.
- C. Business use of the public right-of-way within the CMU, SMU, MMU and NMU zoning districts. The display of merchandise, and news racks may be permitted on any public right-of-way within these zones subject to compliance with the following criteria, in addition to the requirements of Section 20-42.160 (Sidewalk cafés), where applicable.
1. Location requirements, and sidewalk clear zone. A paved pedestrian walkway shall be maintained between property line and edge of curb, free and clear of and obstructions.
 - a. The display of merchandise, news racks shall not obstruct sidewalk pedestrian traffic; accessibility to vehicles parked adjacent to the curb or create health or safety hazards.
 - b. The placement of merchandise, news racks shall be limited to the sidewalk area

frontage adjacent to the use.

- c. All merchandise, news rack, areas must be level with sidewalk, and handicap accessible.
2. Encroachment Permit required. The applicant shall obtain a revocable Encroachment Permit.
 - a. An Encroachment Permit will not be approved for portable or other signs within the public right-of-way.
 - b. Upon approval of the Encroachment Permit the applicant shall obtain all required building/electrical permits.
3. Insurance. Applicant shall obtain, maintain and provide proof of a comprehensive general liability insurance in an amount of \$1 million or more (for each occurrence), naming the City as additionally insured. Proof of insurance shall be submitted prior to issuance of the Encroachment Permit and shall be provided annually thereafter. The applicant's insurance shall be primary.
4. Issuance of permit. Once all requirements are met, the City shall provide the Encroachment Permit.

§ 20-42.140 Residential small lot subdivisions.

A small lot residential project shall comply with the requirements of this section, where allowed by Division 2 (Zoning Districts and Allowable Land Uses).

- A. Purpose. The provisions of this section are intended to provide opportunities to increase the supply of smaller dwelling units and rental housing units by allowing the creation of subdivisions with smaller lots and dwellings, and to establish design and development standards for these projects to ensure that they are compatible with the surrounding neighborhood, where the General Plan anticipates no change to existing neighborhood character.
- B. Location. A small lot subdivision shall not be allowed where the review authority determines that public utilities and services are inadequate.
- C. Project review and approval. A proposed small lot subdivision shall be reviewed in compliance with Section 20-52.050 (Conditional Use Permit ~~and Minor Conditional Use Permit~~), and a Tentative Map in compliance with the Subdivision Ordinance (City Code Title 19).
- D. Permit requirements. A Minor ~~or~~ Conditional Use Permit for a small lot project shall be reviewed and approved by the applicable review authority prior to the approval of a Tentative Map. Applications for a Minor ~~or~~ Conditional Use Permit and Tentative Map approval may be submitted and considered concurrently, provided that the Conditional Use Permit is first approved. The Minor ~~or~~ Conditional Use Permit shall be prepared, filed, processed, and approved or disapproved in compliance with Section 20-52.050 (Conditional Use Permit ~~and Minor Conditional Use Permit~~).
- E. Allowable land uses and permit requirements. A small lot project may be developed with, and used for, only the land uses allowed by the zoning district applicable to the site, except as the range of allowed uses may be limited by a Minor ~~or~~ Conditional Use Permit approval.
- F. Site planning and project design standards.
 - 1. Allowed lot configurations. A small lot project may be designed to include zero lot lines, angled Z lots, zipper lots, alternate-width lots, quad lots, and motor court lots.
 - 2. Maximum density. A small lot project shall not exceed maximum density allowed by the applicable zoning district, or 18 units per acre, whichever is less.
 - 3. Minimum lot area. Except for attached single-family units (e.g., townhouses), or rowhouses, minimum lot area may range from 2,000 to 6,000 square feet. A project that is larger than three acres shall be designed to provide a variety of lot configurations and lot sizes.
 - 4. Setback requirements. Each small lot project shall comply with the following setback requirements, provided that an applicant may propose, and the review authority may approve different setbacks, if the review authority determines that the alternative approach is more appropriate to the characteristics of the site and surroundings. Proposed setbacks shall be shown on the proposed site plan, including identification of proposed building areas, and areas for possible future additions to proposed housing units.
 - a. Front setback. A minimum front setback of 10 feet shall be required, provided that a one-story covered porch may project up to six feet into the setback, and provided

that no front porch shall have a depth of less than six feet. Front yard setbacks shall be varied along each block face.

- b. Side setbacks. Except for attached single-family, rowhouse, or zero lot line units, the one-story portions of a proposed structure shall be set back a minimum of four feet from side property lines, and the two-story portions of a structure shall be set back a minimum of eight feet from side property lines.
 - c. Rear setbacks. A minimum rear setback of 15 feet shall be required, except as provided for garages in Subsection F.4.d, and except where a 10-foot setback is authorized by the review authority in compliance with Subsection F.5.
 - d. Garage.
 - (1) Garage facing or near the street. A garage entrance facing a street shall be set back as follows.
 - (a) 19 feet from the rear of the public sidewalk, or 19 feet from the street property line or street plan line, whichever is greater.
 - (b) 19 feet from the back of the driveway approach on a private lane with no sidewalks.
 - (2) Garage near the rear lot line.
 - (a) A garage entrance facing an alley shall be placed either at a point three to five feet from the edge of the alley, or at a point 19 feet from the edge of the alley.
 - (b) A garage placed in a rear yard without alley access shall be placed a minimum of four feet from the rear or side property line.
5. Private open space. Each single-family parcel shall provide a minimum of 400 square feet of usable private open space with no dimension less than 15 feet.
 6. Height limits. Proposed structures shall not exceed a maximum height of 35 feet for primary structures. Accessory structures shall comply with Section 20-42.030 (Accessory Structures and Uses). Proposed second dwelling units shall comply with Section 20-42.130 (Residential Second Dwelling Units).
 7. Site coverage. Proposed structures shall not cover more than 65 percent of the lot.
 8. Two-story structures. Proposed dwellings other than row houses and townhouses shall be designed so that:
 - a. The floor area of a second story is no more than 50 percent of all the roofed first floor area of the dwelling (including covered porch area and an attached garage, but not a detached garage); or
 - b. 25 percent of the dwelling units in the project are one-story; or
 - c. All two-story units have one-story elements. Individual unit or project design alternatives other than those in Subsections F.8.a, b, and c above may be authorized by the applicable review authority as part of the Minor ~~or~~ Conditional Use Permit approval.

9. Second-Accessory dwelling units. A residential small lot subdivision may include second accessory dwelling units, provided that the units comply with the standards in Section 20-42.130 (Residential Second-Accessory Dwelling Units), ~~except that a second unit over a garage in a small lot subdivision may instead comply with the setback requirements of Section 20-42.140.F.4.d(2)(b).~~
- G. Additions and changes to project or approved units. Subsequent expansions or additions to dwelling units ~~and the construction of second dwelling units~~ not shown on the approved site plan for the project may be allowed with Minor Conditional Use Permit approval, provided that any proposed expansion is in compliance with all applicable requirements of this Section, and is not in conflict with the approved site plan.

§ 20-42.160 Sidewalk cafés.

- A. Purpose. This section provides the conditions and requirements under which a sidewalk café, may be permitted to operate ~~by Zoning Clearance or Minor Conditional Use Permits allowed by Division 2~~ and with the approval of an encroachment permit on a public sidewalk within the City.
- B. Permit requirements. A sidewalk café is ~~permitted through a Zoning Clearance approved by the Director within the Core Mixed Use (CMU), Station Mixed Use (SMU), Maker Mixed Use (MMU), and Neighborhood Mixed Use (NMU), Office Commercial (CO), Neighborhood Commercial (CN), General Commercial (CG), Commercial Shopping Center (CSC) and Transit Village Mixed (TV-M) zoning districts. All other zoning districts shall require the approval of a Minor Conditional Use Permit allowed as identified in Division 2 (Zoning Districts and Allowable Land Uses).~~ An encroachment permit is required for all sidewalk cafés.
- C. Review authority. A sidewalk café may be approved by the Director or Zoning Administrator pursuant to Subsection B if it is determined that the proposed café is in conformity with all of the requirements of this section. An encroachment permit must thereafter be obtained from the City Engineer.
- D. Limitations and requirements. The following limitations and requirements shall apply to all sidewalk cafés:
1. Where permissible. A sidewalk café may be permitted only in a zoning district that allows indoor restaurants, and then only if the sidewalk café is situated adjacent, as specified below, to an indoor restaurant and the sidewalk café's operation is incidental to and a part of the operation of such adjacent indoor restaurant. See Figure 4-1.
 - a. A sidewalk café may be located on the public sidewalk immediately adjacent to and abutting the indoor restaurant which operates the café, provided that the area in which the sidewalk café is located extends no farther along the sidewalk's length than the actual sidewalk frontage of the operating indoor restaurant and all other applicable provisions of this section are fulfilled; or

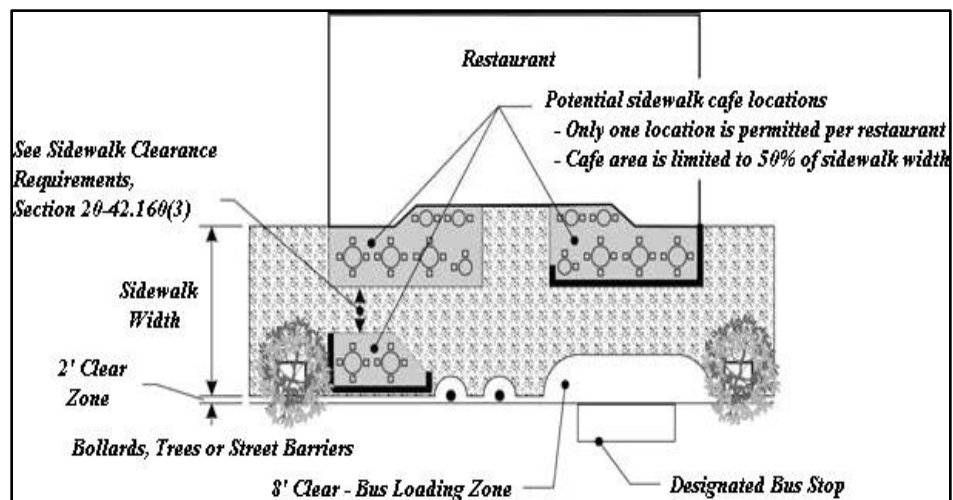


Figure 4-1—Allowable Sidewalk Café Locations

- b. A sidewalk café may be located on an area of the public sidewalk that is not

immediately adjacent to and abutting the indoor restaurant which operates the café, provided the following requirements are met and all other applicable provisions of this section are fulfilled:

- (1) The service of alcoholic beverage to customers using the sidewalk café is prohibited; and
 - (2) The majority of the sidewalk café area will be situated on the public sidewalk directly in front of the operating indoor food serving establishment, where directly in front is defined by that area of the public sidewalk which would be enclosed by a perpendicular projection of the indoor restaurant's sidewalk frontage over the sidewalk.
2. Number of sidewalk cafés. An indoor restaurant may operate only one sidewalk café and each sidewalk café shall be confined to a single location on the sidewalk.
 3. Sidewalk clearances. A sidewalk café may be permitted only where the sidewalk is wide enough to adequately accommodate both the usual pedestrian traffic in the area and the operation of the proposed café. A sidewalk café shall not occupy more than 50 percent of the sidewalk's width at any point and the sidewalk shall be kept clear and unimpeded for pedestrian traffic for the minimum distance indicated below. The following minimum sidewalk clearances shall be implemented within the Core Mixed Use, Station Mixed Use, Maker Mixed Use, Neighborhood Mixed Use, and Transit Village Mixed Use zones:
 - a. Minimum clearance along 4th Street between B Street and E Street: Six feet.
 - b. Minimum clearance for all other streets: Four feet.
 4. Table and chairs, location and requirements of furniture, signage.
 - a. All tables and chairs comprising a sidewalk café shall be set back not less than two feet from any curb and from any sidewalk or street barrier, including a bollard, and shall not be situated within eight feet of any designated bus stop.
 - b. The dining area shall not impede or diminish use of public furnishings such as lighting, benches, parking meters, etc.
 - c. A minimum of 48 inches of unobstructed space shall be maintained for ingress/ egress between all doorways and the pedestrian traffic corridor, or as required by the Uniform Building Code, whichever is greater.
 - d. A minimum of 60 inches of unobstructed space shall be maintained between emergency exits and any furniture or fixtures related to outdoor dining, or as required by the Uniform Building Code, whichever is greater.
 - e. All outdoor dining furniture, including tables, chairs, umbrellas, and planters, shall be movable.
 - f. Umbrellas must be secured with a minimum base of not less than 60 pounds, and shall leave a vertical clearance of seven feet from the sidewalk surface.
 - g. Outdoor heaters, music, or speakers shall be prohibited.
 - h. No signage shall be allowed at any outdoor café except for the name of the establishment on an awning or umbrella fringe or as required pursuant to

Subsection D.6.b for those sidewalk cafés that have been granted Director or Zoning Administrator approval to serve wine and or beer.

5. Maintenance. All outdoor dining furnishings shall be maintained in good condition, and all exterior surfaces within the outdoor dining area shall be kept clean and free of debris at all times.
 6. Food and beverages. A sidewalk café may serve only food and nonalcoholic beverages prepared or stocked for sale at the adjoining indoor restaurant; unless the Director or Zoning Administrator has authorized the service of beer or wine, or both, solely for on-premises consumption by customers within the area of the sidewalk café subject to the following requirements:
 - a. The sidewalk café is situated immediately adjacent to and abutting the indoor restaurant which provides it with food and beverage service.
 - b. The area in which the sidewalk café is authorized is identified in a manner that clearly separates and delineates it from the areas of the sidewalk which will remain open to pedestrian traffic.
 - c. One or more signs are posted, during all times the sidewalk café is in operation, which shall give notice to the café's customers that the drinking of beer or wine or the carrying of any open container which contains beer or wine is prohibited and unlawful outside the delineated area of the sidewalk café.
 - d. The sidewalk café operation is duly licensed, or prior to the service of any beer or wine at the café, will be duly licensed, by state authorities to sell beer or wine, or both, for consumption within the area of the sidewalk café.
 7. Service requirements. The outdoor preparation of food and bussing or service stations are prohibited at sidewalk cafés. The presetting of tables with utensils, glasses, napkins, condiments, and the like is prohibited. All exterior surfaces within the café shall be easily cleanable and shall always be kept clean by the permittee. Restrooms for the café shall be provided in the adjoining indoor restaurant and the café seating shall be counted in determining the restroom requirements of the indoor restaurant. Trash and refuse storage for the sidewalk café shall not be permitted within the outdoor dining area or on adjacent sidewalk areas and the permittee shall remove all trash and litter as they accumulate. The permittee is responsible for maintaining the outdoor dining area, including the sidewalk surface and furniture and adjacent areas in a clean and safe condition.
 8. Days and hours of operation. Hours of operation shall be between 7:00 a.m. and 10:00 p.m. Tables, chairs and all other furniture used in the operation of an outdoor café shall be removed from the sidewalk and stored indoors at night and whenever the café is not in operation.
- E. Power to prohibit operation of sidewalk café. The City shall have the right and power, acting through the City Manager or designee, to prohibit the operation of a sidewalk café at any time because of anticipated or actual problems or conflicts in the use of the sidewalk area. Such problems and conflicts may arise from, but are not limited to, scheduled festivals and similar events, or parades or marches, or repairs to the street or sidewalk, or from demonstrations or emergencies occurring in the area. To the extent possible, the permittee shall be given prior written notice of any time period during which the operation of the sidewalk café will be prohibited by the City, but any failure to give prior written notice shall not affect the

right and power of the City to prohibit the café's operation at any particular time.

- F. Findings and conditions. In connection with granting approval for a Minor Permit for a sidewalk café, the Zoning Administrator shall make findings that the proposed operation meets the requirements of this section. The Zoning Administrator may impose conditions of approval to ensure that the proposed operation will meet the operating requirements and conditions set forth in this section and to assure that public safety and welfare will be protected. If a Zoning Clearance is required, the Director shall determine that the sidewalk café meets all objective criteria contained within this section.
- G. Modification. If the Zoning Administrator determines that additional or revised conditions are necessary during the operation of an approved sidewalk café the matter shall be referred to the Planning Commission for public hearing and action in compliance with Section 20-54.100 (Permit revocation and modification).
- H. Revocation. ~~The Minor~~ If a Director Conditional Use Permit, Minor Conditional Use Permit, or Major Conditional Use Permit is required to operate a sidewalk café, it may be revoked by the Zoning Administrator in compliance with Section 20-54.100 (Permit revocation and modification), upon finding that one or more conditions of the permit or this section have been violated or if the sidewalk café is being operated in a manner that constitutes a nuisance, or if the operation of the sidewalk café unduly impedes the movement of pedestrians. The Zoning Administrator's decision to revoke a permit for a sidewalk café may be appealed to the Planning Commission in compliance with Chapter 20-62 (Appeals).

§ 20-42.164 Single Room Occupancy Facilities.

A Single Room Occupancy (SRO) Facility shall comply with the requirements of this Section, where allowed by Division 2 (Zoning Districts and Allowable Land Uses).

- A. Purpose. The provisions of this Section are intended to provide opportunities for the development of permanent, affordable housing for small households and for people with special needs in proximity to transit and services, and to establish standards for these small units.
- B. Project review and approval. A proposed SRO shall require Design Review in compliance with Section 20-52.030 and the approval of a Director Conditional Use Permit, Minor Conditional Use Permit, or Major Conditional Use Permit in compliance with Section 20-52.050.
- C. Development standards.

Single Room Occupancy Facilities.

- 1. Density. A Single Room Occupancy Facility is not required to meet density standards of the General Plan.
- 2. Common area. Four square feet per living unit shall be provided, with at least 200 square feet in area of interior common space, excluding janitorial storage, laundry facilities and common hallways.
- 3. Laundry facilities. Laundry facilities must be provided in a separate room at the ratio of one washer and one dryer for every 20 units or fractional number thereof, with at least one washer and dryer per floor.
- 4. Cleaning supply room. A cleaning supply room or utility closet with a wash tub with hot and cold running water shall be provided on each floor of the SRO Facility.

Single Room Occupancy Units.

- 1. Unit size. An SRO unit shall have a minimum size of 150 square feet and a maximum of 400 square feet.
- 2. Occupancy. An SRO unit shall accommodate a maximum of two persons.
- 3. Bathroom. An SRO unit is not required to but may contain partial or full bathroom facilities. A partial bathroom facility shall have at least a toilet and sink; a full facility shall have a toilet, sink and bathtub, shower or bathtub/shower combination. If a full bathroom facility is not provided, common bathroom facilities shall be provided in accordance with the California Building Code for congregate residences with at least one full bathroom per floor.
- 4. Kitchen. An SRO unit is not required to but may contain partial or full kitchen facilities. A full kitchen includes a sink, a refrigerator and a stove, range top or oven. A partial kitchen is missing at least one of these appliances. If a full kitchen is not provided, common kitchen facilities shall be provided with at least one full kitchen per floor.
- 5. Closet. Each SRO unit shall have a separate closet.

6. Code compliance. SRO units shall comply with all requirements of the California Building Code.
- D. Accessibility. All SRO units shall comply with all applicable accessibility and adaptability requirements. All common areas shall be fully accessible.
 - E. Management.
 1. Facility management. An SRO Facility with 10 or more units shall provide on-site management. An SRO Facility with less than 10 units shall provide a management office on-site.
 2. Management plan. A management plan shall be submitted with the development application for an SRO Facility and shall be approved by the City. The management plan must address management and operation of the facility, rental procedures, safety and security of residents and building maintenance.
 - F. Parking. Off-street parking shall be provided consistent with Section 20-36.040. Secure bicycle parking shall be provided consistent with Section 20-36.090.
 - G. Tenancy. Tenancy of SRO units shall be limited to 30 or more days.
 - H. Existing structures. An existing structure may be converted to an SRO Facility, consistent with the provisions of this Section.

§ 20-42.170 Storage, outdoor.

All non-residential uses shall comply with the requirements of this Section, where allowed by Division 2 (Zoning Districts and Allowable Land Uses).

- A. Limitations on location. A storage area shall be limited to the rear of a site, and shall not be located within 50 feet of the front property line.
- B. Enclosure required. An outdoor storage area shall be completely enclosed by a solid masonry wall and solid gate. The ~~Zoning Administrator~~Director may allow the substitution of a solid wood fence, after determining that the substitution would adequately comply with the provisions of this Section.
 1. The required wall or fence shall:
 - a. Be not less than six feet nor more than 10 feet in height, ~~provided that a fence higher than six feet shall require Minor Conditional Use Permit approval;~~
 - b. Incorporate design elements to limit easy climbing and access by unauthorized persons; ~~and.~~
 - ~~c. Be subject to approval by the Zoning Administrator unless the wall or fence exceeds six feet, in which case a Minor Conditional Use Permit is required.~~
 2. A wall abutting a right-of-way shall comply with Section 20-30.050 (Fences, Walls, and Screening).
- C. Grading. All portions of outdoor storage areas shall have adequate grading, paving, and drainage and shall be continuously maintained.
- D. Operations. All raw materials, equipment, or finished products stored shall:
 1. Be stored in a manner that they cannot be blown by wind from the enclosed storage area;
 2. Not be stored above the height of the enclosing wall or fence within 10 feet of the wall or fence;
 3. Not be placed or allowed to remain outside the enclosed storage area; and
 4. If abutting a residential zoning district, be serviced between 8:00 a.m. and 6:00 p.m. to avoid being a nuisance to neighbors. Hours of operation between 6:00 p.m. and 11:00 p.m. may be authorized through ~~Minor~~Director Conditional Use Permit approval.
- E. Landscaping. Landscaping shall be installed to lessen the visual impact of the outdoor storage area. The design, installation, and maintenance of the landscaping shall comply with Section 20-34.050 (Landscape Standards).

§ 20-42.200 Large grocery store standards.

A large grocery store use, where allowed by Division 2 (Zoning Districts and Allowable Land Uses), shall comply with the requirements of this section.

- A. Applicability. In addition to applicable zoning district regulations any large grocery store to be located on a site ~~that does not have a community shopping center General Plan land-use designation and that is outside of the CMU, SMU, MMU, and NMU within the CN~~ zoning districts, shall be permitted only by Minor Conditional Use Permit.
- B. Criteria for review. In granting a Minor Conditional Use Permit for a large grocery store on a site that is not a designated community shopping center, the review authority shall consider the following information in addition to the considerations included in Section 20-52.050 of the Zoning Code:
 1. An analysis examining the impacts of the proposed large grocery store to similar uses at existing and planned community shopping centers in the vicinity of the project site.
 2. Accessibility of the site to pedestrians and bicyclists originating from nearby residential areas.
 3. Frequency of and access to public transportation for future shoppers and employees.

§ 20-42.210 Mobile Food Vending Facility.

- A. Purpose. The provisions of this Section are intended to provide conditions and requirements under which Mobile Food Vending Facilities may be permitted to operate by ~~Minor~~ Director Conditional Use Permit on private properties within certain areas of the City.
- B. Permit requirements.
1. ~~Minor~~ Director Conditional Use Permit. A Mobile Food Vending Facility shall require the approval of a ~~Minor~~ Director Conditional Use Permit where allowed by Division 2 (Zoning Districts and Allowable Land Uses). The permit and approval shall comply with Section 20-54.070, Permits to run with the land.
 2. Business license. A Mobile Food Vending Facility shall obtain a City business license prior to operation.
 3. Sonoma County Environmental Health. A valid permit from the Sonoma County Environmental Health Department is required for the duration of business operation.
 4. City Departments and Divisions. All necessary permits and approvals from the applicable City Departments and Divisions shall be obtained prior to operation of a Mobile Food Vending Facility.
 5. Permit and license display. At all times while vending, a valid business license and ~~Minor~~ Director Conditional Use Permit shall be displayed at the Mobile Food Vending Facility site.
- C. Location criteria and hours of operation. The following location and hours of operation requirements shall apply to all Mobile Food Vending Facilities:
1. Location. Operation of a Mobile Food Vending Facility shall not be permitted on public property under this section unless authorized through a Special Event Permit. For Street Vending on public property see City Code Section 6-48.050, Street Vendor Regulations, and applicable State legislation for Mobile Food Vending Facilities on public property. Mobile Food Vending Facilities on private property are allowed pursuant to Section B.1. above.
 2. Concentration. Multiple Mobile Food Vending Facilities may be permitted on a single parcel, as determined by the ~~Minor~~ Director Conditional Use Permit.
 3. Hours. Hours of operation for mobile food facility businesses shall be determined by ~~Minor~~ Director Conditional Use Permit.
- D. Standards and design criteria. The following standards and design criteria shall apply to all Mobile Food Vending Facilities:
1. The proposed location is on an improved property, does not interfere with the operation of any approved uses on the site;
 2. The site on the property designated for the Mobile Food Vending Facility must be paved, including the area for associated parking and accessory structures;
 3. Mobile Food Vending Facilities shall maintain their immediate sales location in a clean and hazard free condition;

4. Mobile Food Vending Facilities shall follow the Zero Waste Food Ware Ordinance, Chapter 9-30, including maintaining covered garbage, recycling, and compost containers immediately adjacent to the vending location for customer use; and other applicable Zero Waste regulations;
 5. The Mobile Food Vending Facility shall comply with Chapter 17-12, Storm Water Ordinance.
 6. Applications for a Mobile Food Vending Facilities shall include the location and description of any proposed outdoor dining area, including tables, chairs and shade structures, number of Mobile Food Facilities, and information pertaining to the related Food and Beverage Product Manufacturing site, Cottage Food Operation, or other affiliated commissary;
 7. The operation shall comply with Chapter 17-16, Noise Ordinance, and the Noise and Safety Element of the Santa Rosa General Plan;
 8. An agreement for the use of permanent properly operating restroom facilities within 200 feet of the Mobile Food Vending Facility's location shall be maintained at all times for employees;
 9. All signage shall be located on the vending equipment and is subject to the requirements of Chapter 20-38, Signs;
 10. Mobile Food Vending Facilities shall follow Local and State regulations for alcoholic beverages and cannabis products sales;
 11. Mobile Food Vending Facilities cooking food shall at all times maintain a working fire extinguisher(s) of the appropriate type and rating at the vending location;
 12. Mobile Food Vending Facilities operating within a parking lot shall not inhibit traffic circulation and shall maintain the minimum required on-site parking spaces for the principal use on the property; and
 13. After the permitted hours of operation, all mobile vending equipment, including the mobile unit itself and any associated dining furniture, shall be stored off site or within an approved, enclosed structure on site unless otherwise approved through a ~~Minor~~ Director Conditional Use Permit. Associated temporary structures and dining furniture are subject to Fire Department review and approval.
- E. Sites with Multiple or New Mobile Food Vending Facilities.
1. New Mobile Food Vending Facilities on sites with an approved ~~Minor~~ Director Conditional Use Permit that have no current Mobile Food Vendor operating, shall obtain a Zoning Clearance to operate on the site. The new Mobile Food Vending Facility must operate in the same location on site of the previous Mobile Food Vending Facility as indicated on the approved plans.
 2. Mobile Food Vending Facilities on sites with multiple facilities must stay in the locations indicated on the approved plans.
 3. Sites that have Mobile Food Vending Facilities that rotate throughout the day must operate within the same approved locations on site. An agreement between the rotating operators will be required for the timely transition between the different Mobile Food Vending Facilities. New Mobile Food Vending Facilities on sites with

rotating facilities shall obtain a Zoning Clearance to operate under the ~~Minor-Director~~ Conditional Use Permit.

4. Changes to the existing ~~Minor-Director~~ Conditional Use Permit, including increasing the number of Mobile Food Vending Facilities on a site, can be conducted through Section 20-54.060 (Changes to an Approved Project).
- F. Existing Mobile Food Vending Facilities. Conditions of Approval on previously issued ~~Minor~~ Conditional Use Permits for Mobile Food Vending Facilities that required a new ~~Minor-Director~~ Conditional Use Permit for a change in operator are not enforced and procedures shall follow Section 20-54.070, Permits to run with the land.
- G. Exempt Compact Mobile Food Operation. Per Section 20- 21. 040, no land use approvals are required, per Section 20- 21. 040 (Exemptions from land use requirements) if the following requirements and standards are met:
1. Shall obtain a Business Tax Certificate.
 2. Shall meet all requirements of the Sonoma County Environmental Health Department.
 3. Shall obtain an agreement with the property owner to operate.
 4. Shall only operate between the hours of 6 a.m. to 11 p.m.
 5. Shall not exceed a maximum of 25 square-feet for the selling and display area.
 6. Shall provide food storage 6-inches from ground and overhead protection.
 7. Shall comply with the Zero Waste Food Ware Ordinance.
 8. Shall only sell and handle prepacked food and whole uncut produce, as defined by the California Retail Food Code.

§ 20-50.020 Authority for land use and zoning decisions.

- A. Zoning Code. Table 5-1 (Review Authority) identifies the City official or authority responsible for reviewing and making decisions on each type of permit application required by this Zoning Code. The following standards apply to the use of Table 5-1.
1. The Zoning Administrator may defer action on any decision assigned to the Zoning Administrator by Table 5-1, and refer the request to a higher review authority, so that a higher review authority may instead make the decision.
 2. The Subdivision Committee may defer action on any decision assigned to the Subdivision Committee by Table 5-1, and refer the request to the Commission, so that the Commission may instead make the decision.
- B. Other City approvals. Other City approvals may be required beyond those identified in Table 5-1. Examples include the following:
1. Environmental Protection—Chapter 17-04; and
 2. Surface Mining and Reclamation—Chapter 17-32.

Table 5-1 - Review Authority						
Role of Review Authority						
Type of Action	Director	Zoning Administrator	DRPB	Subdivision Committee	Planning Commission	City Council
Administrative and Amendment Decisions						
Accessory Dwelling Unit or Junior Accessory Dwelling Unit	Decision				Appeal	
Development Agreement	Recommend				Recommend	Decision
Zoning Code Interpretation		Decision			Appeal (1)	Appeal
General Plan Amendment	Recommend				Recommend	Decision
Request for Reasonable Accommodation		Decision			Appeal	
Zoning Code Amendment					Recommend	Decision
Zoning Map Amendment					Recommend	Decision
Concept Review						
Landmark Alteration Concept Review			Comment			
Design Review Concept Review			Comment			
Land Use Permits/Development Decisions						
Major Conditional Use Permit	Recommend				Decision	Appeal
Minor Conditional Use Permit	Recommend	Decision			Appeal	

Table 5-1 - Review Authority						
Role of Review Authority						
Type of Action	Director	Zoning Administrator	DRPB	Subdivision Committee	Planning Commission	City Council
<u>Director Conditional Use Permit</u>	<u>Decision</u>				<u>Appeal</u>	
Design Review— <u>DRPB</u> Major	Recommend		Decision			Appeal
Design Review— <u>Zoning Administrator</u> Minor		Decision	Appeal			
Design Review— <u>Administrative Director</u>	Decision		Appeal			
Density Bonus/ Affordable Housing Incentives	Decision				<u>Appeal</u>	
Supplemental Density Bonus		Decision			Appeal	
Hillside Permit— <u>All- others</u> Major	Recommend				Decision	Appeal
Hillside Permit— <u>Single- dwelling and- additions</u> Minor	Recommend	Decision			Appeal (1)	
<u>Hillside Permit— Director</u>	<u>Decision</u>				<u>Appeal (1)</u>	
Sign Permit	Decision		Appeal			
Sign Program	Decision		Appeal			
Sign Variance		Decision	Appeal			
Temporary Use Permit	Decision				Appeal	
Tree Permit	Decision				Appeal	<u>Appeal</u>
Variance	Recommend				Decision	Appeal
Minor Variance		Decision			Appeal (1)	
Administrative or Minor Adjustment	Decision				Appeal (1)	
Zoning Clearance	Decision				Appeal	
Historic and Cultural Preservation Decisions						
Landmark or Preservation District Designation			Recommend			Decision
Landmark Alteration Permit—Major			Decision			Appeal
Landmark Alteration Permit—Minor		Decision	Appeal			
Landmark Alteration Permit—Director	Decision		Appeal			

Table 5-1 - Review Authority						
Role of Review Authority						
Type of Action	Director	Zoning Administrator	DRPB	Subdivision Committee	Planning Commission	City Council
Subdivision Decisions (refer to City Code Title 19)						
Certificate of Compliance	Decision					Appeal
Lot Line Adjustments	Decision					Appeal
Parcel Mergers	Decision					Appeal
Reversions to Acreage	Recommend				Decision	Appeal
Tentative Parcel Maps and Extensions	Recommend			Decision	Appeal	Appeal
Tentative Maps and Extensions	Recommend				Decision	Appeal
Notes:						
(1) Commission makes decision if matter is referred to Commission by Director or Zoning Administrator, in which case appeals are then elevated to the next higher.						

§ 20-52.040 Temporary Use Permit.

- A. Purpose. This section establishes procedures for the granting of ministerial Temporary Use Permits for short-term activities.
- B. Applicability. A Temporary Use Permit allows the short-term activities listed in Subsection D (Allowed temporary activities), below that may not comply with the normal development or use standards of the applicable zoning district, but may otherwise be acceptable because of their temporary nature. Temporary Use Permits are not subject to Design Review in compliance with Section 20-52.030.
- C. Exempt temporary activities. The following allowed temporary activities are exempt from the requirement for a Temporary Use Permit. Activities that do not fall within the categories defined below shall comply with Subsection D (Allowed temporary activities).
1. Construction yards—On-site. On-site contractors' storage yards of less than one acre, including a work trailer, in conjunction with an approved construction project. The contractor's storage yard shall be removed within 30 days of completion of the construction project, or the expiration of the companion Building Permit authorizing the construction project, whichever first occurs.
 2. Emergency facilities. Emergency public health and safety needs/activities, as determined by the Council.
 3. Location filming. The temporary use of a specific site for the location filming of commercials, movies, videos, etc., as approved by the Director of Transportation and Parking.
 4. Garage sales. The sale of personal goods which are owned by the household residing on a residentially zoned property for up to three consecutive days and three times within a 12-month period.
 5. Public property. Activities conducted on public property that are approved by the Council.
- D. Allowed temporary activities. The following temporary activities and structures may be allowed within the specified time limits, but in no case for more than 12 months, subject to the issuance of a Temporary Use Permit by the Director. Other temporary or short-term activities that do not fall within the categories defined below shall instead comply with the land use permit requirements and development standards that otherwise apply to the property.
1. Car washes. Car washes conducted by a qualifying sponsoring organization on nonresidential properties. Sponsorship shall be limited to educational, fraternal, religious, or service organizations directly engaged in civic or charitable efforts, or to tax exempt organizations in compliance with 501(c) of the Federal Internal Revenue Code.
 2. Construction yards—Off-site. Off-site contractors' construction yards, including a

work trailer in conjunction with an approved construction project. The permit shall expire and the construction yard shall be removed immediately upon completion of the construction project, or the expiration of the companion Building Permit, authorizing the construction project, whichever first occurs.

3. Pop-up retail, including general retail, restaurants, entertainment, arts activity, or other similar activity as determined by the Director, for a 12-month period, with up to two one-year extensions, for a maximum of three (3) years, when located within an existing structure(s) or temporary structure(s) (no construction of new permanent structures/facilities).
4. Interim activities on vacant or underutilized sites, when located within an existing structure(s) or temporary structure(s) (no construction of new permanent structures/facilities), including arts activities and general entertainment, or similar activities as determined by the Director, for a 12-month period, with up to two one-year extensions, for a maximum of three (3) years, when conducted on non-residential properties.
35. Events. Limited duration activities including, but not limited to, Aarts and crafts exhibits, carnivals, circuses, concerts, fairs, farmers' markets, festivals, flea markets, food events, outdoor entertainment/sporting events, street performing (busking), rodeos, rummage sales, secondhand sales, and swap meets for up to ~~24~~ 30 consecutive days, or 36 weekend days, within a 12-month period, when conducted on non-residential properties.
46. Outdoor displays and sales. The temporary outdoor display and sales of merchandise, in compliance with Section 20-42.110 (Outdoor Display and Sales) when conducted on non-residential properties.
57. Seasonal sales lots. Seasonal sales activities (e.g., Halloween, Thanksgiving, Christmas, etc.) including temporary residence/security trailers, on non-residential properties, for up to ~~30~~ 60 days and four times within a 12-month period.
68. Temporary auto sales. The temporary outdoor sales of motorized vehicles may occur on any paved site within a CG, CV or CSC zone for a period of three consecutive days every three months not to exceed 36 days in a calendar year. The temporary sale may be set up one day prior to the three-day sale and taken down one day following the sale.
79. Temporary parking lots. Temporary, unpaved parking facilities are allowed subject to the following conditions:
 - a. The temporary parking facility must be located on the same parcel or contiguous parcel as the principal use, and have access only through the principal use.
 - b. The temporary parking facility may be located on a noncontiguous parcel when it serves certain public, semi-public, or educational land uses.
 - c. The Temporary Use Permit may be granted for an initial period not to exceed

three years with a possible one-year extension.

- d. In reviewing the Temporary Use Permit, the review authority may attach conditions for fencing, drainage, dust control and other items as necessary to assure compatibility with surrounding uses and minimize potential adverse effects.

~~8~~10. Temporary real estate sales offices. A temporary real estate sales office may be established within the area of an approved development project, solely for the first sale of homes. An application for a temporary real estate office may be approved for a maximum of 12 months from the date of approval.

~~9~~11. Temporary structures. A temporary classroom, office, or similar structure (non-residential), including a manufactured or mobile unit, may be approved for a maximum of 12 months from the date of approval, as an accessory use or as the first phase of a development project.

~~10~~12. Temporary work trailers. A trailer or mobile home used as a temporary work site for employees of a business (not for habitation):

- a. During construction or remodeling of a permanent commercial or manufacturing structure for a maximum of 12 months, or upon expiration of the Building Permit, whichever first occurs; or
- b. Upon demonstration by the applicant that the temporary work site is a short-term necessity for a maximum of 12 months, while a permanent work site is being obtained.

~~11~~13. Similar temporary activities. Similar temporary activities that the Director determines are compatible with the zoning district and surrounding land uses.

~~12~~14. Temporary uses and structures allowed under Chapter 20-35, Resilient City Standards. Temporary Housing and Temporary Storage are allowed uses and must follow standards and requirements listed in Chapter 20-35.

~~13~~15. Seasonal/Temporary Farmworker Housing shall only be permitted as an accessory temporary use to the primary land use “Crop Production, Horticulture, Orchard, Vineyard” and follow the requirements of the Employee Housing Act (Health & Safety Code § 17000 et seq.).

- E. Application requirements. An application for a Temporary Use Permit shall be filed in compliance with Chapter 20-50 (Permit Application Filing and Processing). The application shall be accompanied by the information identified in the Department handout for Temporary Use Permit applications. It is the responsibility of the applicant to provide evidence in support of the findings required by Subsection G (Findings and decision), below.
- F. Development criteria. The Director shall consider the following criteria based on the type and duration of the proposed temporary activity, using the requirements of the applicable zoning district and Division 3 (Site Planning and General Development Standards) for guidance:

1. Floor areas, heights, landscaping, off-street parking, setbacks, signs, and other structure and property development features;
 2. Measures for removal of the activity and site restoration, to ensure that no changes to the site would limit the range of possible future land uses otherwise allowed by this Zoning Code; and
 3. Limitation on the duration of approved "temporary structures," to a maximum of 12 months, so that they shall not become permanent or long-term structures.
- G. Findings and decision. A Temporary Use Permit may be approved by the Director only after the Director first finds that the requested activity complies with applicable standards, and therefore the establishment, maintenance, or operation of the temporary activity would not be detrimental to the public health, safety, or welfare of persons residing or working in the neighborhood of the proposed activity.
- H. Post approval procedures. The procedures relating to appeals, performance guarantees, and revocation in Division 6 (Zoning Code Administration) shall apply following the approval of a Temporary Use Permit application.
1. Condition of the site following temporary activity. Each site occupied by a temporary activity shall be cleaned of debris, litter, or other evidence of the temporary activity on completion or removal of the activity, and shall thereafter be used in compliance with the provisions of this Zoning Code. A performance security in a form and amount acceptable to the Director may be required before initiation of the activity to ensure cleanup after the activity is finished.
 2. Performance security for temporary structures. Before issuance of a Temporary Use Permit the applicant shall provide performance security in a form and amount acceptable to the Director to guarantee removal of all temporary structures within 30 days following the expiration of the Temporary Use Permit.
 3. Extensions of Temporary Use Permits prohibited. ~~The~~ Unless specifically noted in Section 20-52.040(D), the term of a Temporary Use Permit may not be extended. Applicants for activities that would exceed the allowed terms identified in Subsection D (Allowed temporary activities) shall file for a Director, Minor or Major Conditional Use Permit, rather than a Temporary Use Permit, in compliance with Section 20-52.050.
 4. Required lapse of time for Temporary Use Permits. Except for seasonal sales lots, events, pop-up retail, and interim activities on vacant or underutilized sites, a minimum of 30 days shall pass between the expiration of a Temporary Use Permit and the issuance of a new and similar Temporary Use Permit for the same property, or the actual removal of the materials and structures associated with the former activity, whichever last occurs.

§ 20-52.050 **Conditional Use Permit** ~~and Minor Conditional Use Permit.~~

- A. Purpose. Major Conditional Use Permits, ~~and~~ Minor Conditional Use Permits, ~~and~~ Director Conditional Use Permits provide a process for reviewing land use activities that may be desirable in the applicable zoning district, but whose effect on the site and surroundings cannot be determined before being proposed for a particular location.
- B. Applicability.
1. When required. A Major Conditional Use Permit, Minor Conditional Use Permit, or Director Conditional Use Permit ~~or Minor Conditional Use Permit~~ is required to authorize proposed land uses identified by Division 2 (Zoning Districts and Allowable Land Uses) as being allowable in the applicable zoning district subject to the approval of a Major Conditional Use Permit, Minor Conditional Use Permit, or Director Conditional Use Permit ~~or Minor Conditional Use Permit~~ by the designated review authority.
 2. Scope of review. The review of a Major Conditional Use Permit, Minor Conditional Use Permit, or Director Conditional Use Permit ~~or Minor Conditional Use Permit~~ application shall include all other land use activities occurring on the subject parcel.
- C. Review authority.
1. Major Conditional Use Permits. The Commission may approve, conditionally approve, or deny an application for a Major Conditional Use Permit.
 2. Minor Conditional Use Permits. The Zoning Administrator may approve, conditionally approve, or deny an application for a Minor Conditional Use Permit.
 3. Director Conditional Use Permits. The Director, or designee, may approve, conditionally approve, or deny an application for a Director Conditional Use Permit.
- D. Application requirements. An application for a Major Conditional Use Permit, Minor Conditional Use Permit, or Director Conditional Use Permit ~~or Minor Conditional Use Permit~~ shall be filed in compliance with Chapter 20-50 (Permit Application Filing and Processing). The application shall be accompanied by the information identified in the Department handout for Major Conditional Use Permit, Minor Conditional Use Permit, or Director Conditional Use Permit ~~or Minor Conditional Use Permit~~ applications. It is the responsibility of the applicant to provide evidence in support of the findings required by Subsection F (Findings and decision), below.
- E. Project notice and hearing.
1. Major Conditional Use Permits—Public notice and hearing required. The Commission shall conduct a public hearing on an application for a Major Conditional Use Permit before a decision on the application. Notice of the public hearing shall be provided, and the hearing shall be conducted in compliance with Chapter 20-66 (Public Hearings).
 2. Minor Conditional Use Permits—Public notice required. Before a decision on a

Minor Conditional Use Permit, the Department shall provide notice in compliance with Chapter 20-66 (Public Hearings).

- a. Public notice. The notice shall state that the Zoning Administrator will decide whether to approve or disapprove the Minor Conditional Use Permit application on a date specified in the notice, and that a public hearing will be held only if requested in writing by any interested person before the specified date for the decision.
- b. Hearing. When a hearing is requested, notice of the hearing shall be provided in compliance with Chapter 20-66, and the Zoning Administrator shall conduct the public hearing before a decision on the application in compliance with Chapter 20-66.
- c. Review authority referral. The Director may defer any decision and refer the request to the Planning Commission, pursuant to Zoning Code Section 20-50.020, Authority for Land Use and Zoning Decisions.

3. Director Conditional Use Permits—Public notice required, no public meeting or hearing required. Before a decision on a Director Conditional Use Permit, the Department shall provide notice in compliance with Section 20-66.020(C)(1) (Mailed Notice). No public meeting or public hearing shall be required, unless requested by a member of the public or the applicant prior to final action by the Director.

- a. Public notice. At least fourteen (14) calendar days prior to taking action on any proposed Director Conditional Use Permit, the Department shall notify, by mail, a Notice of Pending Action to all persons or entities as set forth in Section 20-66.020.(C)(1). The Notice of Action shall include the address of the subject property, a brief description of the proposed project, a brief description of the proposed Director’s decision, the date the decision will be final, if no hearing is requested, and a description of how to request a public hearing.
- b. Decision final. The Director’s decision shall become final fourteen (14) calendar days after the date notice is mailed, unless a request for a public hearing is filed. Any member of the public, including the applicant, may request a public hearing with the Zoning Administrator by filing a written request with the Planning and Economic Development Department. Any required public hearing fees required by the City’s adopted Fee Schedule shall be paid by the applicant prior to scheduling of the public hearing.
- c. Review authority referral. The Director may defer any decision and refer the request to the Zoning Administrator or Planning Commission pursuant to Zoning Code Section 20-50.020, Authority for Land Use and Zoning Decisions.
- d. Review authority delegation. The Director may delegate the responsibilities of the Director to assigned Department staff pursuant to Zoning Code Section 20-60.080, Director of Planning and Economic Development.

F. Findings and decision. The review authority may approve or deny an application for Director Conditional Use Permit, Minor Conditional Use Permit, or Major Conditional Use Permit ~~or Minor Conditional Use Permit approval~~. The review authority shall record the decision and the findings on which the decision is based. The review authority may approve a Director Conditional Use Permit, Minor Conditional Use Permit, or Major Conditional Use Permit ~~or Minor Conditional Use Permit~~ only after first finding all of the following:

1. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Zoning Code and the City Code;
2. The proposed use is consistent with the General Plan and any applicable specific plan;
3. The design, location, size, and operating characteristics of the proposed activity would be compatible with the existing and future land uses in the vicinity;
4. The site is physically suitable for the type, density, and intensity of use being proposed, including access, utilities, and the absence of physical constraints;
5. Granting the permit would not constitute a nuisance or be injurious or detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located; and
6. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

G. Issuance and duration.

1. Issuance of the permit. Upon the approval of an application, the review authority shall authorize the issuance of a Director Conditional Use Permit, Minor Conditional Use Permit, or Major Conditional Use Permit ~~or Minor Conditional Use Permit~~, with or without conditions, and one copy of which shall be forwarded to:
 - a. The applicant;
 - ~~b. The Building Official;~~
 - ~~eb.~~ Any ~~other department or~~ agency ~~the Zoning Administrator considers~~ affected by the issuance of the permit; and
 - ~~dc.~~ The Department files for permanent retention.
2. Duration. Director Conditional Use Permit, Minor Conditional Use Permit, and Major Conditional Use Permits ~~and Minor Conditional Use Permits~~ shall ~~be in effect for the duration of the userun with the land, as set forth in Section 20-54.070~~, or for a time periods specified in the conditions of approval, or until the time a revocation of the permit is effectuated, pursuant to Zoning Code Section 20-54.100, Permit Revocation or Modification.

- H. Conditions of approval. In approving a Director Conditional Use Permit, Minor Conditional Use Permit, or Major Conditional Use Permit ~~or Minor Conditional Use Permit~~, the review authority may impose any conditions (e.g., buffers, landscaping and maintenance, off-site improvements, performance guarantees, screening, surfacing, time limits, etc.) deemed reasonable and necessary to ensure that the approval would comply with the findings required by Subsection G (Findings and decision), above.
- I. Post approval procedures. The procedures relating to appeals, performance guarantees, and revocation in Division 6 (Zoning Code Administration), in addition to those in Chapter 20-54 (Permit Implementation, Time Limits, and Extensions), shall apply following the approval of a Director Conditional Use Permit, Minor Conditional Use Permit, or Major Conditional Use Permit ~~or Minor Conditional Use Permit~~ application.

§ 20-54.050 Time limits and extensions.**A. Time limits.**

1. Unless conditions of approval or other provisions of this Zoning Code establish a different time limit, any permit or approval not exercised within 24 months following the date on which the permit or approval was granted shall automatically expire and shall be void, except when associated with an approved Tentative Map in compliance with Subsection (A)(2), or where an extension of time is approved in compliance with Subsection B.
2. All approved project entitlements, such as a Conditional Use Permit or Hillside Development Permit, associated with an approved Tentative Map shall remain effective concurrent with the period of time the Tentative Map is in effect. If an extension of time is requested for the associated Tentative Map, a similar extension of time for all associated entitlements shall be required and shall be processed concurrently with the Tentative Map extension request.
3. The permit or approval shall not be deemed "exercised" until the permittee has substantially commenced the approved use on the site in compliance with the conditions of approval or a Building Permit has been issued involving the permit or approval and construction under the permit has commenced and is diligently pursued toward completion on the subject property.
4. The permit or approval shall remain valid after it has been exercised as long as a Building Permit is active for the project, or a final building inspection or Certificate of Occupancy has been granted.
5. If a project is to be developed in approved phases, each subsequent phase shall be exercised within 24 months from the date that the previous phase was exercised, unless otherwise specified in the permit or approval, or the permit or approval shall automatically expire and shall be void, except where an extension of time is approved in compliance with Subsection B.

~~6. If a land use that was established in compliance with a Conditional Use Permit ceases operation for six months or more, the Conditional Use Permit shall expire.~~

B. Extensions of time. Upon written request by the applicant, the Director may extend the time limit established by Subsection A for a permit or approval to be exercised.

1. The applicant shall file a written request for an extension of time with the Department at least 30 days before the expiration of the permit or approval, together with the filing fee required by the Council's Fee Schedule. Expiration of the permit or approval will be stayed until the decision on the extension request if the request is filed 30 days before the original expiration.
2. The Director shall determine whether the applicant has made a good faith effort to exercise the permit or approval. The burden of proof is on the applicant to establish, with substantial evidence beyond the control of the

applicant (e.g., demonstration of financial hardship, legal problems with the closure of the sale of the parcel, poor weather conditions in which to complete construction activities, etc.), why the permit or approval should be extended.

3. The Director may grant up to four 12-month extensions to the expiration date of the original approval only upon the Director's determination that conditions of the site and in the vicinity are substantially the same as when the permit or approval was originally granted.
- C. Effect of expiration. After the expiration of a permit or approval in compliance with Subsection A (Time limits), above, no further work shall be done on the site until a new permit or approval is first obtained.

§ 20-54.070 Permits to run with the land.

A permit or approval (e.g., Conditional Use Permit, Temporary Use Permit, Variance, etc.) granted in compliance with this Zoning Code shall continue to be valid upon a change of ownership (e.g., of the site, structure, or use that was the subject of the permit or approval application), provided that the use remains in compliance with all applicable provisions of this Zoning Code and any conditions of approval, ~~and the approved use does not cease on the property for six months or more (see Section 20-54.040.A.5).~~

§ 20-61.030 Nonconforming structures.

- A. Continued, transferred, or sold. Nonconforming structures may be continued, transferred, or sold, but only in compliance with the provisions of this Chapter.
- B. Nonconforming structures and involuntary damage. This section shall not apply to destroyed nonconforming single and multi family dwelling units as provided by Section 20-61.050.C declared Hazards as provided by Chapter 20-35, Resilient City Standards. The nonconforming status shall terminate if a nonconforming structure is involuntarily damaged or destroyed by accident (e.g., fire, explosion, etc.) provided that the structure may be repaired and reoccupied only in the following manner:
 1. Damage up to 50 percent of market value. A nonconforming structure involuntarily damaged up to 50 percent of its current market value (as defined in Subparagraph D.b, below) may be reconstructed, repaired, restored, and used as before; provided that the restoration is initiated (as defined in Subparagraph D.a, below) within 12 months, and is substantially completed within 24 months from the date of application for the required Building Permit.
 2. Damage to 50 percent or more of market value. A nonconforming structure involuntarily damaged to 50 percent or more of its current market value (as defined in Subparagraph D.b, below) shall not be reconstructed, repaired, or restored, except in conformity with the applicable requirements of the subject zoning district.
- C. Nonconforming structures and voluntary repair and maintenance. The ordinary and normal repair and maintenance work that may be required to keep a nonconforming structure in sound condition may be made in compliance with this Subparagraph. A nonconforming structure may undergo ordinary and normal repair and maintenance only in the following manner:
 1. Minor repair. Minor normal repair and maintenance may be made to a nonconforming structure:
 - a. Provided that no structural alterations are made (exception: see Subparagraph (C)(1)(b), immediately below), and the work does not exceed 50 percent of the current market value of the structure during any calendar year;
 - b. For purpose of this Subparagraph the cost of any required foundation work shall not be counted within the 50 percent limitation.
 2. Major repair. Major repair to a nonconforming structure, when the cost of repairing or replacing the damaged portion of the structure exceeds 50 percent of the current market value of the structure, before damage or destruction, may occur with Director Conditional Use Permit approval, where the review authority first determines that the major repairs are necessary to correct potential hazards to public health or safety.
 3. Other voluntary modifications. The addition, enlargement, extension, reconstruction, or structural alteration of a nonconforming structure may be allowed

with Director Conditional Use Permit approval; provided that the review authority determines that the modification is necessary to secure added safety or to reduce the fire hazard and/or to secure aesthetic advantages through the alignment, architecture, or closer conformity to surrounding allowed structures in the immediate neighborhood, and only in compliance with Subparagraphs (C)(1) and (C)(2), above.

D. Definitions.

- a. **Restoration is initiated.** As used in this Section, "restoration is initiated" requires that, at a minimum, a complete Building Permit application has been filed.
- b. **Current market value.**
 - (1) As used in this Subsection, "current market value" is the market value of the structure immediately before the occurrence of the damage.
 - (2) For purposes of administering the provisions of this Subsection, the applicant shall submit an appraisal from a licensed appraiser and the City's Building Official shall verify the appraiser's determination of the current market value of the damaged structure, which determination shall be final, unless appealed in compliance with Chapter 20-62 (Appeals).

§ 20-62.030 Filing and processing of appeals.

- A. Eligibility. Any action by the Director, Zoning Administrator, DRPB, or the Commission in the administration or enforcement of the provisions of this Zoning Code may be appealed by any aggrieved person in compliance with this Chapter. (See Table 5-1 (Review Authority) in Division 5 (Land Use and Development Permit Procedures).
- B. Timing and form of appeal.
1. General appeals. Appeals shall be submitted in writing, and filed with the Department on a City application form within 10 calendar days after the date of the decision. The time limit will extend to the following business day where the last of the specified number of days falls on a day that the City is not open for business. Timelines for appeals related to Accessory Dwelling Units and Junior Accessory Dwelling Units are subject to Section 20-42.130 and not this subsection.
 2. Review authority. The review authority for appeals is shown in Table 6-1.

Permit Type	Review Authority	Appeal Body	City Code Section
Accessory Dwelling Unit or Junior Accessory Dwelling Unit	Director	Commission	20-42.130
Major Conditional Use Permit	Commission	Council	20-52.050
Minor Conditional Use Permit	Zoning Administrator	Commission	20-52.050
Director Conditional Use Permit	Director	Commission	20-52.050
Temporary Use Permit	Director	Commission	20-52.040
Design Review— Major	DRPB	Council	20-52.030
Design Review— Minor	Zoning Administrator	DRPB	20-52.030
Design Review— Resilient City Standards Director	Director	DRPB	20-35.060 <u>and 20-52.030</u>
Streamlined Design Review	Zoning Administrator	Council	20-52.030
Density Bonus	Director	Commission	20-31
Supplemental Density Bonus	Zoning Administrator	Commission	20-31
Hillside Development Permit— All other Major	Commission	Council	20-32.060
Hillside Development Permit— Single dwelling or addition Minor	Zoning Administrator	Commission	20-32.060

TABLE 6-1—APPEAL REVIEW AUTHORITY			
Permit Type	Review Authority	Appeal Body	City Code Section
Hillside Development Permit —Resilient City Standards Director	Director	Commission	20-35.060 <u>and 20-32.060</u>
Landmark Alteration Permit—Major	DRPB	Council	20-58
Landmark Alteration Permit—Minor	Zoning Administrator	DRPB	20-58
Landmark Alteration Permit—Director	Director	DRPB	20-35.060 and 20-58
<u>Massage Establishment Certificate</u>	<u>Director</u>	<u>Commission</u>	<u>20-49</u>
Variance— <u>Major</u>	Commission	Council	20-52.060
Minor Variance— <u>Minor</u>	Zoning Administrator	Commission	20-52.060
<u>Administrative or</u> Minor Adjustment	Director	Commission	20-52.060
Parcel Maps <u>and Extensions</u>	Subdivision Committee	Commission	19-32.050
Tentative Map <u>and Extensions</u>	Commission	Council	19-24.100
<u>Request for Reasonable Accommodation</u>	<u>Zoning Administrator</u>	<u>Commission</u>	<u>20-63</u>
Sign Permit or Program	Director	DRPB	20-38.030
<u>Sign Variance</u>	<u>Zoning Administrator</u>	<u>DRPB</u>	<u>20-52.060</u>
Surface Mining	Commission	Council	17-32.170
Telecommunication	DRPB/Commission	Council	20-44
Tree Permit	Director	Commission <u>(Appeal 1) / Council (Appeal 2)</u>	17-24.090
<u>Zoning Clearance</u>	<u>Director</u>	<u>Commission</u>	<u>20-52.020</u>
<u>Zoning Code Interpretation</u>	<u>Zoning Administrator</u>	<u>Commission (Appeal 1) / Council (Appeal 2)</u>	<u>20-12</u>

§ 20-70.020 Definitions of specialized terms and phrases.

(Note: The following are limited recommended edits to the longer list of definitions of specialized terms and phrases located in Zoning Code Section 20-70.020; the list below does not represent the full list of definitions provided in the Code.)

C. Definitions, "C."

Catering Service. A business that prepares and delivers food for consumption on the premises of a client. Does not include ~~mobile food vendors~~Mobile Food Vending Facilities. See also "Restaurant, Café, Coffee Shop."

Check Cashing Stores. A check cashing store is a financial service business that converts checks (like payroll, government, or personal checks) into immediate cash for a fee, serving people without traditional bank accounts or those needing quick access to funds. They offer instant liquidity but charge processing fees, often a percentage of the check's value.

Commercial Kitchen. Any Sonoma County Environmental Health Department licensed and inspected kitchen facility, usually large and commercially-outfitted, for the centralized preparation of food for distribution.

Commissary. A County of Sonoma Environmental Health & Safety and City-approved food facility that services Mobile Food Vending Facilities or vending machines where any of the following occur:

1. Food, ~~containers~~utensils, or supplies are stored.
2. Food is prepared or prepackaged for sale or service at other locations.
3. Utensils and equipment are cleaned.
4. Liquid and solid wastes are disposed, or potable water is obtained.

Any Commercial Kitchen, including restaurants, can operate as a Commissary.

G. Definitions, "G".

General Retail. Stores and shops selling many lines of merchandise. Examples of these stores and lines of merchandise include:

- Antique stores
- Art galleries, retail
- Art supplies, including framing services
- Auction rooms
- Bicycles
- Books, magazines, and newspapers
- Cameras and photographic supplies

- Clothing, shoes, and accessories
- Collectibles (cards, coins, comics, stamps, etc.)
- Convenience stores
- Department stores
- Drug stores and pharmacies
- Dry goods
- Fabrics and sewing supplies
- Florists and houseplant stores (indoor sales only – outdoor sales are “Building and Landscape Materials Sales”)
- Hardware stores
- Hobby materials
- Industrial hemp derived products
- Jewelry
- Luggage and leather goods
- Musical instruments, parts and accessories
- Optics (prescription glasses, sunglasses, etc.)
- Orthopedic supplies
- Pet supplies
- Recreation equipment, bicycles, and kayak rentals
- Religious goods
- Small wares
- Specialty shops, including specialty food shops such as seafood or meat markets, retail bakeries, and similar uses
- Sporting goods and equipment
- Stationary
- Toys and games
- Variety stores

See also “Furniture, Furnishings, Appliance/Equipment Store.”

K. Definitions, “K.”

Kennel, Animal Boarding. A commercial facility for the grooming, keeping, boarding, or maintaining of five or more dogs (four months of age or older), or five or more cats. Includes pet day care services and pet adoption services. Does not include except for dogs or cats/pets for sale as an ancillary use in pet supply shops, or patients in animal hospitals. See also “General Retail (pet supplies)”, “Medical Service—Veterinary Clinic, Animal Hospital”, and “Personal Services (pet grooming with no boarding)”.

M. Definitions, “M.”

Manufacturing/Processing—Light. A facility accommodating manufacturing processes involving and/or producing: apparel; food and beverage products; electronic, optical, and

instrumentation products; ice; jewelry; and musical instruments. Light manufacturing also includes other establishments engaged in the assembly, fabrication, and conversion of already processed raw materials into products, where the operational characteristics of the manufacturing processes and the materials used are unlikely to cause significant impacts on surrounding land uses or the community. Examples of light manufacturing uses include the following.

1. **Clothing and Fabric Product Manufacturing.** An establishment that assembles clothing, draperies, and/or other products by cutting and sewing purchased textile fabrics, and related materials including leather, rubberized fabrics, plastics and furs. Does not include custom tailors and dressmakers not operating as a factory and not located on the site of a clothing store (see "Personal Services"). See also, "Manufacturing/Processing—Heavy—Textile and Leather Product Manufacturing."

2. **Electronics, Equipment, and Appliance Manufacturing.** An establishment that manufactures equipment, apparatus, and/or supplies for the generation, storage, transmission, transformation and use of electrical energy, including:
 - appliances including stoves/ovens, refrigerators, freezers, laundry equipment, fans, vacuum cleaners, sewing machines
 - aviation instruments
 - computers, computer components, peripherals
 - electrical transmission and distribution equipment
 - electronic components and accessories, semiconductors, integrated circuits, related devices
 - electrical welding apparatus
 - lighting and wiring equipment such as lamps and fixtures, wiring devices, vehicle lighting
 - industrial controls
 - instruments for measurement, testing, analysis and control, associated sensors and accessories
 - miscellaneous electrical machinery, equipment and supplies such as batteries, X-ray apparatus and tubes, electromedical and electrotherapeutic apparatus, electrical equipment for internal combustion engines
 - motors and generators
 - optical instruments and lenses
 - photographic equipment and supplies
 - radio and television receiving equipment
 - surgical, medical and dental instruments, equipment, and supplies
 - storage media, blank and pre-recorded, including magnetic, magneto-optical, and optical products such as compact disks (CDs), computer diskettes and hard drives, digital versatile disks (DVDs), magnetic tape products, phonograph records, etc.

- surveying and drafting instruments
- telephone and telegraph apparatus
- transformers, switch gear and switchboards
- watches and clocks

Does not include testing laboratories (soils, materials testing, etc.) (see "Business Support Services"), or research and development facilities separate from manufacturing (see "Research and Development").

3. **Food and Beverage Product Manufacturing.** Manufacturing establishments producing or processing foods and beverages for human consumption, and certain related products. Examples of these uses include:

- bottling plants
- bread factories
- candy, sugar and confectionery products manufacturing
- catering services separate from stores or restaurants
- coffee roasting
- dairy products manufacturing
- distilled spirits production—includes on-site tasting of spirits and direct retail sale of spirits consistent with the regulations of the Alcoholic Beverage Control (ABC) and the Bureau of Alcohol, Tobacco, and Firearms (ATF).
- fats and oil product manufacturing
- fruit and vegetable canning, preserving, related processing
- grain mill products and by products
- meat, poultry, and seafood canning, curing, byproduct processing
- soft drink production
- miscellaneous food item preparation from raw products
- lab-grown (cell-cultivated) meat and fish production

Does not include: bakeries (see "Restaurant, Café, Coffee Shop"— 1. "Counter Ordering"); beer brewing (see "Brewery"); or wine production (see "Winery").

4. **Handcraft Industries, Small-Scale Manufacturing.** Establishments manufacturing and/or assembling small products primarily by hand, including jewelry, pottery and other ceramics, as well as small glass and metal art and craft products, and taxidermists. Also includes manufacturing establishments producing small products not classified in another major manufacturing group, including: brooms and brushes; buttons, costume novelties; jewelry; musical instruments; pens, pencils, and other office and artists' materials; sporting and athletic goods; toys; etc.

5. **Metal Products Fabrication, Machine and Welding Shops.** An establishment engaged in the production and/or assembly of metal parts, including the production

of metal cabinets and enclosures, cans and shipping containers, doors and gates, duct work, forgings and stampings, hardware and tools, plumbing fixtures and products, tanks, towers, and similar products. Examples of these uses include:

- blacksmith and welding shops
 - plating, stripping, and coating shops
 - sheet metal shops
 - machine shops and boiler shops
6. **Paper Product Manufacturing.** An establishment that converts pre-manufactured paper or paperboard into boxes, envelopes, paper bags, wallpaper, etc., and/or that coats or glazes pre-manufactured paper. Does not include the manufacturing of pulp, paper, or paperboard (see "Manufacturing/Processing—Heavy— Pulp and Pulp Product Manufacturing").
7. **Photo/Film Processing Lab.** A facility that provides high volume and/or custom processing services for photographic negative film, transparencies, and/or prints, where the processed products are delivered to offsite retail outlets for customer pick-up. Does not include small-scale photo processing machines accessory to other retail businesses.

7.8.3D Print Manufacturing. 3D print manufacturing, or additive manufacturing (AM), is a process that builds three-dimensional objects layer-by-layer from a digital file (CAD model) by adding, fusing, or solidifying material, unlike traditional subtractive methods that cut material away. It allows for creating complex, customized parts like prototypes, tools, and end-use products in various materials (plastics, metals, resins) with less waste, enabling rapid, on-demand production across industries.

Microenterprise Home Kitchen Operation (MEHKO). A food facility that is operated by a resident in a private home where food is stored, handled, and prepared for, and may be served to, consumers, and that meets all of the requirements of the California Health and Safety Code.

Mobile Food Vending Facility. A mobile food vending facility shall mean any vehicle, trailer, an individual or from a pushcart, motorized food-wagon, stand, tent or structure not affixed to a permanent foundation, with or without wheels, which may be moved from one place to another under its own power or by other means display, pedal-driven cart, showcase, rack, or other nonmotorized conveyance.

- Compact Mobile Food Operation (CMFO). A food facility that operates from an individual or from a pushcart, stand, display, pedal-driven cart, wagon, showcase, rack, or other nonmotorized conveyance, as defined by the California Retail Food Code.
- Mobile Food Facility (MFF). Any vehicle used in conjunction with a commissary

or other permanent food facility upon which food is sold or distributed at retail. "Mobile food facility" does not include a "transporter" used to transport packaged food from a food facility, or other approved source to the consumer, as defined by the California Retail Food Code.

Mobile Food Vendor. Person who owns, controls, manages or is otherwise engaged in the business of a Mobile Food Vending Facility on private property.

P. Definitions, "P."

Personal Services. Establishments providing non-medical services to individuals as a primary use. Examples of these uses include:

- barber and beauty shops
- clothing rental
- dry cleaning pick-up stores with limited equipment
- home electronics and small appliance repair
- laundromats (self-service laundries)
- locksmiths
- pet grooming with no boarding
- shoe repair shops
- tailors
- tanning salons
- tattoo and body piercing services
- cosmetic services (cosmetic tattoo, microblading, dermal filler, etc.)

These uses may also include accessory retail sales of products related to the services provided.

~~**Personal Services—Restricted.** Personal services that may tend to have a potentially-offensive effect upon surrounding areas and which may need to be dispersed to minimize their adverse impacts. Examples of these uses include:~~

- ~~• check-cashing stores~~
- ~~• fortune tellers~~
- ~~• palm and card readers~~
- ~~• psychics~~
- ~~• soup kitchens~~
- ~~• spas and hot tubs for hourly rental~~
- ~~• tattoo and body piercing services~~

Psychic Services. Psychic services involve using claimed extrasensory perception (ESP) or heightened intuition to provide guidance, insights, or information about a person's life,

relationships, or future through methods like tarot, palmistry, mediumship (spirit communication), aura reading, and astrology, offering clarity or perspective. Examples of these uses include:

- fortune tellers
- palm and card readers
- psychics

R. Definitions, "R."

Restaurant, Café, Coffee Shop. A retail business selling ready-to-eat food and/or beverages for on or off premises consumption. These include:

1. **Counter Ordering.** An establishment where customers are served from a walk-up ordering counter for either on- or off-premises consumption. This includes retail bakeries such as a donut shop, pastry shop, cake shop, and similar types of businesses;
2. **Table Service.** An establishment where customers are served food at their tables for on-premises consumption, which may also provide food for take-out;
3. **Outdoor Dining.** An establishment with either counter ordering or table service that provides a defined outdoor area for eating, which may be a sidewalk café where allowed by Encroachment Permit;
4. **Serving Alcohol (No Bar).** Any of the above restaurants, cafés, coffee shops which serve beer, wine or distilled spirits with the meal and may contain or include an incidental bar.

Note: This does not include Bar/Tavern (see "Bar/Tavern" definition).

A restaurant may include ancillary catering services or can operate as a Commissary.

S. Definitions, "S."

Soup Kitchen. A soup kitchen, also referred to as a food kitchen or meal center, is a place where food is offered to those who are unhoused or otherwise in need of a meal, usually for no cost or below-market price, and are often staffed by volunteer organizations, such as church or community groups.

W. Definitions, "W."

Warehouse, Wholesaling and Distribution. These facilities include:

1. **Warehouses.** Facilities for the storage of furniture, household goods, or other commercial goods of any nature. Includes cold storage. Does not include: warehouse, storage or mini-storage facilities offered for rent or lease to the general public (see "Storage—Personal Storage Facilities"); warehouse facilities in which the primary purpose of storage is for wholesaling and distribution (see "Wholesaling and Distribution"); or terminal facilities for handling freight (see "Truck or Freight Terminals").

2. **Wholesaling and Distribution.** Establishments engaged in selling merchandise to retailers; to contractors, industrial, commercial, institutional, farm, or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Examples of these establishments include:
 - agents, merchandise or commodity brokers, and commission merchants
 - assemblers, buyers and associations engaged in the cooperative marketing of farm products
 - merchant wholesalers
 - stores primarily selling flooring, electrical, plumbing, heating and air conditioning supplies and equipment

Also includes storage, processing, packaging, and shipping facilities for mail order and e-commerce retail establishments.