ORDINANCE NO. _____

ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING TITLE 20 OF THE SANTA ROSA CITY CODE TO ADD CHAPTER 20-35 RESILIENT CITY STANDARDS, REMOVE CHAPTER 20-16 RESILIENT CITY DEVELOPMENT MEASURES, INCORPORATE MULTIPLE SECTIONS OF CHAPTER 20-16 INTO APPLICABLE ZONING CODE SECTIONS, UPDATE MULTIPLE SECTIONS OF THE ZONING CODE, AND REMOVE SECTION 20-28.100 RESILIENT CITY (-RC) COMBINING DISTRICT; FILE NUMBER PRJ23-010

WHEREAS, the City's Housing Element was adopted in 2023. This element of the General Plan has programs that require updating streamlining processes for housing that are within the existing Resilient City Development Measures; and

WHEREAS, in July 2023, developer outreach was conducted to receive feedback from developers who utilized the Modifications to the Design Review process; and

WHEREAS, from July 18, 2023, to August 18, 2023, a survey was open to the general public for feedback on both the Resilient City Development Measures and the Resilient City Combining District; and

WHEREAS, on July 20, 2023, staff received comments from the Design Review Board on sections of the Resilient City code that pertain to the Design Review process; and

WHEREAS, on September 13, 2023, staff received comments from the Cultural Heritage Board on proposed additions to the Resilient City code that pertain to the Landmark Alteration process; and

WHEREAS, On November 29, 2023, the Council adopted ORD-2023-015, amending Zoning Code Chapter 20-16, Resilient City Development Measures, and Zoning Code Section 20-28.100, Resilient City Combining District, extending the expiration date of the ordinances from December 31, 2023, to December 31, 2024; and

WHEREAS, On May 7, 2024, the Council adopted the annual City Council Goals & Objectives which outlined goals for increasing housing, reducing homelessness, promoting economic development, and adopting/codifying the Resilient City Development Measures; and

WHEREAS, between July 8, 2024 and August 8, 2024, the public draft of the proposed Zoning Code Text Amendment was made available to the general public for comments and questions; and

WHEREAS, on August 15, 2024, staff received comments from the Design Review Board on the Resilient City Public Draft sections related to Design Review and Landmark Alteration; and

WHEREAS, the City of Santa Rosa desires to expand and implement Santa Rosa resiliency initiatives to ensure that the housing and economic development needs within the City following community emergency events are addressed; and

WHEREAS, on September 12, 2024, the Planning Commission of the City of Santa Rosa held a duly noticed public hearing and recommended to the City Council the adoption of a Zoning Code Text Amendment to add Chapter 20-35 Resilient City Measures, Remove Chapter 20-16 Resilient City Development Standards, implement multiple sections of Chapter 20-16 into applicable Zoning Code sections, update multiple sections of the Zoning Code, remove Section 20-28.100 Resilient City (-RC) Combining District.

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. The Council of the City of Santa Rosa finds, pursuant to City Code Section 20-64-050 (Findings), based on evidence and records presented, that:

A. The proposed amendments are consistent with the goals and policies of the Santa Rosa General Plan, and all applicable Specific Plans in that the amendments implement various housing, land use, and economic vitality policies by incentivizing specific land uses and streamlining rebuilding efforts. In addition, these amendments do not allow land uses or density beyond what the General Plan or various Specific Plans envision.

B. The proposed amendments would not be detrimental to the public interest, health, safety, convenience, or welfare of the City in that the amendments are intended to spur economic and housing development and anticipate the future need to facilitate rebuilding following a hazard. All development allowed under the provisions of these amendments is required to comply with existing local and state regulations.

C. The proposed amendments are internally consistent with other applicable provisions of this Zoning Code.

D. The proposed amendments have been reviewed in compliance with the California Environmental Quality ACT (CEQA). In anticipation of a future hazard, the adoption of this text amendment for Chapter 20-35, Resilient City Standards, and changes to the Emergency Shelter use are exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 21080(b)(3) regarding repairs and replacement work after a state-declared disaster and Section 21080(b)(4) regarding actions to mitigate or prevent an emergency, and CEQA Guidelines Section 15269(a) regarding maintaining, repairing, restoring, demolishing, or replacing property or facilities damaged or destroyed as a result of a disaster in a disaster stricken area in which a state of emergency has been proclaimed by the Governor pursuant to the California Emergency Services Act, commencing with Section 8550 of the Government Code, and Section 15269(c) regarding specific actions necessary to prevent or mitigate an emergency.

The proposed amendments are statutorily exempt from CEQA pursuant to CEQA Guidelines Section 15183, Projects consistent with a Community Plan General Plan, or Zoning. Specifically, the following proposed amendments are consistent with the Santa Rosa General Plan 2035 and the General Plan 2035 Environmental Impact Report (November 3, 2009, SCH No. 2008092114):

- Land uses with reduced permitting requirements in Priority Development Areas, Planned Developments, and elsewhere Citywide will comply with density standards required in the General Plan, intensity of use standards listed within the General Plan and Zoning Code will remain consistent. In addition, any projects that require discretionary review under these proposed amendments will be reviewed in compliance with CEQA for parcel specific circumstances. Additionally, these amendments meet the Goals and Policies of the General Plan as identified in the findings section of this report, above.

- Density for Temporary Housing is consistent with the allowable densities within the General Plan.

- Reducing permit requirements for Child Dare Care Centers is consistent with the General Plan Goals and Policies for Youth and Families in that the General Plan indicates the need to:
    - Expand child care services to meet the existing and future needs of Santa Rosa (YF-B).
    - Endorse the development of new child care facilities in all areas of the city, including residential neighborhoods, employment centers, and school sites. Promote development of new child care facilities during review of development projects at sites designated Community Shopping Center on the Land Use Diagram. (YF-B-1).

- Mobile Food Facilities proposed amendments for changes in standards and allowable zoning locations is consisted with the general Plan Goals and Policies for Land Use and Livability and Economic Vitality in that the General Plan indicates the need to:

    - Provide a range of commercial services that are easily accessible and attractive, that satisfies the needs of people who live and work in Santa Rosa and that also attracts a regional clientele (LUL-I-1).
    - Allow limited support retail and business services – such as cafes, delis, and dry-cleaners – where the land use classification on the General Plan Land Use Diagram is Office or Business Park. (LUL-J-3).
    - Survey the business community periodically to determine its evaluation of city services and to seek suggestions for improvement (EV-A-3).

- New land uses such as Commissary, Half-Plex, Duplex, Single-Family Attached, and Emergency Shelter 10 or less beds, are modeled from existing land uses that are currently

within the Zoning Code land use tables and are within the scope of the General Plan and General Plan EIR.

Adoption of the following proposed amendments and rezoning are exempt under the "common sense exemption" set forth in CEQA Guidelines Section 15061(b)(3), which provides that CEQA applies only to projects having the potential to cause a significant effect on the environment. "Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

- Title 19 proposed an amendment to memorialize a process available to projects that used the one-time tentative map extensions and will not be used for future projects and will not create an effect on the environment.

- The proposed amendment to remove the -RC combining district from the Zoning Code and to no longer be applicable as a zoning overlay the Zoning of each parcel returns to the base zoning it had before the creation of the -RC combining district thus creating no significant changes or effects on the environment.

- Changes to housing classification types for Single Family and Multifamily do not change any land use standards, or permitting requirements, or result in the direct construction of any project thus will not create a significant effect on the environment.

- Zoning Code consistency, clarifications, structure, and naming conventions are required to implement the various proposed amendments and are minor changes that do not result in an effect on the environment.

- Day Care Facilities that are exempt from discretionary review are subject to Zoning Code standards to address any noise and traffic impacts. Further, these facilities are only permitted by-right in non-residential zoning districts where commercial land uses are anticipated and were analyzed in the General Plan Environmental Impact Report.

Section 2. Amend Section 20-70.020, Definitions of specialized terms and phrases to add or amend the following definitions to appear within the section in alphabetical order:

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

1. Food, containers, 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.

Damaged Property. A parcel that contains damage, debris, and/or other hazardous material resulting from a Hazard. These sites are not eligible for construction and habitation until they are considered an Eligible Property. Damage may be verified by Federal Emergency Management

Agency (FEMA) registration, a damage assessment by a licensed professional, or another means as determined by the Chief Building Official or their designee.

Displaced Person. A City of Santa Rosa resident, residing at a legal residential dwelling, who has been displaced as a result of a Hazard as defined by the Zoning Code. A resident is no longer a Displaced Person once they have begun residing in a new Primary Residence.

Duplex. A multifamily dwelling 2-plex unit structure, as referenced by the California Department of Housing and Community Development (HCD). See "Multifamily Dwelling."

Eligible Property. A parcel that has been affected by a Hazard but which no longer contains damage, debris, or other hazardous materials resulting from a Hazard. A Damaged Property will become an Eligible Property once the Chief Building Official has determined that the parcel has been cleaned to be ready for construction pursuant to applicable requirements from the Building Division, Engineering Division, Fire Department, other applicable City departments, and other government agencies. A parcel is no longer considered an Eligible Property once a Primary Structure has been constructed, has received final building permit inspections, and has been granted occupancy.

Half-Plex. Two single family attached units, referenced by the California Department of Housing and Community Development (HCD). See "Single Family Attached."

Hazard. An event from the physical environment or non-self-inflicted human made phenomena that causes harm and damage to residents, property, structures, and/or activities within the city limits of Santa Rosa. Hazards include but are not limited to all atmospheric (chemical vapors, toxic fumes, soot), hydrologic (flooding, tsunamis, hurricanes, atmospheric rivers), geologic hazards (seismic activity, earthquakes, volcanic activity), biological contamination (infectious disease), climate hazards (drought, heatwaves), natural hazards (lightning, landslides, fire, wildfire) and chemical contamination (heavy metals, organic pollutants).

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

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 Health and Safety Code.

Mobile Home. A manufactured home, transportable in one or more sections, that is certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, which is over eight feet in width and 40 feet in length, with or without a permanent foundation and not including recreational vehicle, commercial coach or factory-built housing. Additionally, the California Department of Housing and Community Development (HCD) classifies Mobile Home Unit/Manufactured Home (MH) as a one-unit structure that was originally constructed to be towed on its own chassis. A mobile home on a permanent foundation that is not located in a

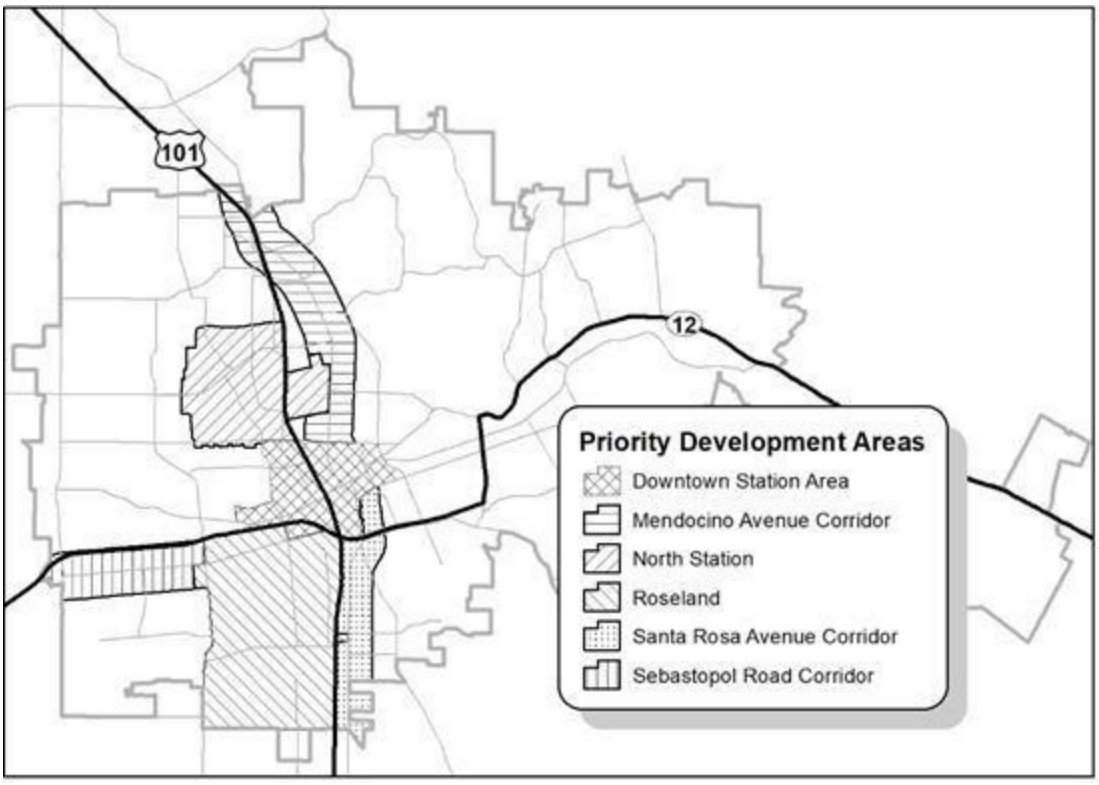
Mobile Home Park is included under the definition of "Single-Family Detached."

Multifamily Dwelling. A dwelling unit that is part of a structure containing one or more other dwelling units. All units in the structure are on the same parcel. The California Department of Housing and Community Development (HCD) defines multifamily dwelling as 2-, 3-, or 4-plex units per structure (2-4) and 5 or more units per structure (5+).

Primary Residence. Primary Residence, or Principal Residence, is the person's true, fixed and permanent home and principal establishment to which the person, whenever absent, intends to return. In-state presence, vehicle registration, voter registration, bank accounts, and state income tax filings are among the matters to be considered in determining residency, as defined by The California State Board of Equalization.

Priority Development Area (PDA). Areas established by the Metropolitan Transportation Commission/ Association of Bay Area Governments (MTC/ABAG) to provide opportunities for compact, infill development in proximity to transit, jobs, schools, shopping and services. PDAs in Santa Rosa are as follows:

- Downtown Station Area. (Bounded by College Avenue to the north, Brookwood Avenue to the east, Sebastopol Avenue/Sebastopol Road and California State Route 12 to the south, and Dutton Avenue and Imwalle Gardens to the west).
- Mendocino/Santa Rosa Avenue Corridors. (The area within one-quarter mile along either side of each street corridor, from the northern city limit line to the southern city limit line).
- North Station. (Bounded by Paulin Creek to the north, U.S. Route 101 and Santa Rosa Junior College/Santa Rosa High School to the east, West College Avenue to the south, and Ridley Avenue to the west).
- Roseland. (Bounded by California State Route 12 and Sebastopol Avenue/Sebastopol Road to the north, Bellevue Avenue to the south, U.S. Route 101 to the east, and Stony Point Road to the west).
- Sebastopol Road Corridor. (The area within one-quarter mile along either side of the street corridor, from U.S. Route 101 to the western city limit line).



Property Owner(s) with Damaged Property and/or Eligible Property. Person(s) or entity who is/are the owner of record of real property, as documented by a deed or other such evidence of ownership whose property has been determined to be a Damaged Property and/or an Eligible Property. This status no longer applies once the Primary Structure on Eligible Property has been constructed, has received final building permit inspections, and has been granted occupancy.

Single Family Attached (SFA). – A one-unit structure attached to another unit by a common wall, commonly referred to as a townhouse or half-plex. The shared wall or walls extend from the foundation to the roof with adjoining units to form a property line. Each unit has individual heating and plumbing systems, as defined by the California Department of Housing and Community Development (HCD). Single Family Attached includes zero-lot line two-story dwellings where no unit is located over another unit; and two or more directly abutting zero-lot line single-story dwellings. One Single Family Attached unit is on its own parcel.

Single Family Detached (SFD). A one-unit structure with open space on all four sides, as defined by the California Department of Housing and Community Development (HCD). Single Family Detached includes factory-built, modular housing units, constructed in compliance with the California Building Code (CBC), and mobile homes/manufactured housing units that comply with the National Manufactured Housing Construction and Safety Standards Act of 1974, placed on permanent foundations.

Temporary Housing. Temporary structures for habitation, including, but not limited to, trailers, recreational vehicles, manufactured homes, tiny homes, and converted storage containers.

Temporary Housing is not considered a Primary Residence or Primary Structure.

Temporary Housing Local Contact. A Temporary Housing Local Contact shall consist of the property owner or their agent, who is available 24 hours per day, seven days per week, for the purpose of responding within 30 minutes to complaints regarding the condition, operation, or conduct of the Temporary Housing or its occupants, and for taking any remedial action necessary to resolve such complaints, including visiting the Temporary Housing, if necessary, within 45 minutes after initial complaint.

Temporary Storage. A building or structure intended and/or used for the protection and storage of personal property and not used for human habitation, including but not limited to storage containers and sheds. Temporary Storage is not considered a Primary Structure.

Townhouse. A single-family dwelling unit constructed in groups of attached units in which each unit extends from foundation to roof and with a yard or public way on not less than two sides, as defined by the International Residential Code (IRC). See "Single Family Attached."

Section 3. Chapter 20-35, Resilient City Standards, is added to read and provide as follows:

"Chapter 20-35 RESILIENT CITY STANDARDS

20-35.010 Purpose of Chapter.

The Resilient City Standards are intended to facilitate the reconstruction and resiliency of areas impacted by a Hazard by addressing housing, economic development, and other crisis related needs within the City.

20-35.020 Applicability.

A. This Chapter shall apply to Property Owner(s) with Damaged Property and/or Eligible Property and Displaced Person(s) following declaration of an emergency by City, State, or Federal governmental officials relative to a Hazard within the Santa Rosa city limits.

B. These standards shall apply to parcels within the Santa Rosa City limits that were impacted by the Tubbs and Nuns fires of 2017 as documented by a post disaster assessment for one year following the effective date of this ordinance, or until December 31, 2025.

C. These standards shall apply to parcels within the Santa Rosa City limits that were impacted by the Glass fire of 2020 as documented by a post disaster assessment for six years following the declaration of emergency, or until October 28, 2026.

20-35.030 Application of this Chapter.

A. These standards shall apply for a period not to exceed six years from the date of the Hazard. These standards shall no longer apply to Eligible Property when a Primary Structure has been constructed, has received final building permit inspections, and has been granted occupancy.

20-35.040 Reconstruction and repair of damaged structures and allowed land uses.

A. Reconstruction and repair of damaged or destroyed structures on an Eligible Property shall be consistent with all applicable zoning regulations and General Plan land use designations in effect as of the date of declaration of the Hazard, with the exception of non-conforming uses, addressed in Subsection E.

B. In the event of a Hazard, the City Council shall determine if Building permits for Primary Structures on Eligible Property shall be prioritized over building permits in other areas of the City.

C. Reconstruction of conforming structures. Conforming residential or nonresidential structures on an Eligible Property may be reconstructed as originally permitted (including permitted additions), but shall comply with State and local building, fire and other State and local code standards in effect at the time of building permit application.

D. Reconstruction of legal nonconforming structures. Notwithstanding Zoning Code Section 20-61.030.B, Structures on an Eligible Property that were legally established, but do not conform to current City standards, and have been damaged or destroyed may be reconstructed or repaired in-kind, meeting current State and local building and fire code standards, provided that:

1. The building is reconstructed in the same configuration, square footage, height, and use as originally permitted (including permitted additions).
2. Building overhangs in public and private easements shall adhere to the following:
    a. Public easements. Any portions of the building overhanging into an existing public service or access easement are determined by the City Engineer to have existed prior to becoming Damaged Property, and no expansion of the pre-existing encroachment is proposed. The City Engineer will render a final determination regarding the approval of the easement encroachment in consultation with the Director of the City Department that is charged with the responsibility for any and all City activities within the easement area.
    b. Private easements. Any portions of the building overhanging into an existing private service or access easement are determined by the City Engineer to have existed prior to the Hazard, and no expansion of the pre-existing encroachment is proposed. The City Engineer will render a final determination regarding the approval of the easement encroachment upon receiving written permission from the easement beneficiaries supporting the encroachment; and
    c. Required covenant. The property owner(s) shall execute and record a covenant acknowledging that the City shall have no obligation, responsibility, or liability for the repair, replacement, erection, installation, or reconstruction of any portions of the structure overhanging a public service easement that are damaged or removed by the City as part of the installation, repair or maintenance of public utilities within or around the easement corridor.

E. Continuance of nonconforming uses. Notwithstanding Zoning Code Section 20-61.020(D), legal nonconforming uses of structures on an Eligible Property may be reconstructed

or repaired in-kind, meeting current building and fire code standards, and reoccupied with a similar or less intense use, provided that:

1. Enlargement or expansion of the use is not allowed.

F. Planned Development zoning districts. An Eligible Property that has a base zoning district of Planned Development shall comply with the development standards of the Policy Statement for that district. Where the development standards in the Policy Statement are silent, the implementing Zoning District consistent with the General Plan Land Use Classification shall apply for the Eligible Property. For implementing Zoning Districts, see Table 2-1 in Chapter 20-20.

G. Landscaping. When required, Landscape Plans to replace any damaged landscaping shall be submitted with a building permit application for rebuild, repair, and reconstruction. Landscape Plans must adhere to Chapter 14-30, Water Efficient Landscape (WELO) and Chapter 20-34, Landscaping Standards. Properties within the Wildland-Urban Interface Fire Areas (WUI) must meet California Fire Code Requirements. All damaged landscaping must be rehabilitated and/or replaced to the maximum extent feasible as determined by the Director.

H. Weed Abatement. Eligible Property and Damaged Property must adhere to City Code Chapter 9-08, Weeds and Rubbish and Chapter 18-20 Section 302.4, Weeds.

20-35.050 Final map requirements.

A. Final map requirements. New structures on an Eligible Property that would otherwise be subject to discretionary review with public hearing per the conditions of a Final Subdivision Map, are hereby subject to review and approval by the Director of Planning and Economic Development. Applicable discretionary permit application fees shall be waived.

B. Final maps may contain setbacks on the face of the map that are more restrictive than those published within the base zoning development standards in effect at the time of building permit application. Final maps may be amended through a Certificate of Correction to reduce the setbacks to align with the base zoning requirements, provided that the original setbacks were not a condition of the original unit construction and intended to mitigate an impact created by the original site development.

20-35.060 Discretionary land use and zoning approvals.

A. Hillside development. New structures on an Eligible Property that replicate pre-Hazard footprint and building height and are designed in compliance with development standards set forth in Zoning Code Chapter 20-32, Hillside Development Standards, are hereby subject to review and approval by the Director of Planning and Economic Development.

1. New structures on an Eligible Property that include one of the following shall receive Zoning Administrator Review:

a. Increase in pre-Hazard footprint by 10 percent or more on slopes 10 percent or greater.

b. Increase in building height

c. A new land use on that portion of a site with a slope of 10 percent or greater

d. New structures on an Eligible Property that would otherwise require Planning Commission review for hillside development.

B. Design Review. New structures on an Eligible Property that are designed to replicate pre-Hazard footprint and building height, and which are in compliance with applicable design and development standards pursuant to Zoning Code Chapter 20-52.030 and Section 20-39.030 for Residential Structures, and that further would otherwise be subject to Zoning Administrator review pursuant to Zoning Code Section 20-52.030(C), are hereby subject to review and approval by the Director of Planning and Economic Development.

1. New structures on an Eligible Property that include one of the following shall receive Zoning Administrator Review:

a. Increase in pre-Hazard footprint by 10 percent or more.

b. Increase in pre-Hazard building height by 10 percent or more.

c. New structures and development on an Eligible Property that would otherwise require Design Review Board review.

C. Landmark Alteration. New structures on an Eligible Property within the Historic (-H) Combining District requires architectural compatibility and preservation of damaged structures that will not negatively impact the historic character within the Preservation District while following safety regulations for use and habitation. New structures on an Eligible Property in the Historic Combining District must follow the applicable standards within this section as well as the Secretary of the Interior Standards for Rehabilitation, Restoration, and Reconstruction for Treatment of Historic Properties. See section 20-58.060, Landmark Alteration Permits, for Landmark Alteration exemptions. New structures on an Eligible Property that involve nonconforming uses and nonconforming structures are subject to the provisions of this Chapter. Landmark Alteration involving local, State, and Federally recognized Landmarks including but not limited to the Church of the One Tree, the McDonald Mansion, and the Luther Burbank Home & Gardens, require a Major Landmark Alteration Permit.

1. Landmark Alteration on an Eligible Property that is considered a contributor in the Historic Combining District shall be delegated to review by the Zoning Administrator through the Minor Landmark Alteration process in Section 20-58.060. Concept Review by the Cultural Heritage Board shall be required

prior to Zoning Administrator action, subject to the City requirements of Section 20-50.040, Concept Review.

2. Landmark Alteration on an Eligible Property that is considered a non-contributor in the Historic Combining District are hereby subject to review and approval by the Director of Planning and Economic Development. Concept Review by the Cultural Heritage Board is required prior to Building Permit submittal, subject to the City requirements of Section 20-50.040, Concept Review.

3. Architectural compatibility with the Historic District and neighboring properties shall be demonstrated with the preparation of a historical report on the proposed architecture and site plan by a qualified professional that concludes the proposed project will not negatively impact historic resources, the historic character of the district, and is consistent with Secretary of the Interior Standards for Treatment of Historic Properties.

4. In the event of a Hazard, the Planning and Economic Development Department shall conduct a study of the damages to determine the necessity to alter or remove the boundary of Preservation Districts and the Historic Combining District and provide recommendations from their findings to the Cultural Heritage Board and City Council.

D. Creekside Development. New structures on an Eligible Property within Creekside setbacks, as stated in Section 20-30.040, Creekside Development, that replicate pre-Hazard footprint and building height and are consistent with Section 4.4 (Creeks, Riparian Corridors, and Storm Drainage) of the Design Guidelines, are permitted and are hereby subject to review and approval by the Director of Planning and Economic Development.

1. New structures on Eligible Property that change the pre-Hazard footprint or building height must follow Creekside setbacks.

2. New structures on an Eligible Property within Creekside setbacks that replicate pre-Hazard footprint and building height and are consistent with Section 4.4 (Creeks, Riparian Corridors, and Storm Drainage) of the Design Guidelines that also require Design Review, Hillside Review, or Landmark Alteration shall follow the provisions in Section 20-35.060, Discretionary land use and zoning approvals, for their applicable entitlements.

E. At least 10 calendar days prior to taking action on any Design Review, Hillside Development, or Landmark Alteration Permit applications for replacement structures that vary from originally permitted footprint or building height, the Director of Planning and Economic Development shall notify, by mail, all persons or entities as set forth in Section 20.66.020.C.1. No public hearing shall be required.

20-35.070 Temporary Housing.

A. Temporary Housing is a permitted use on residential or nonresidential parcels. Temporary Housing is not permitted on Damaged Property. Temporary Housing applicants and permitted users must be one of the following:

1. Displaced Person.

2. Property Owner(s) with Damaged Property and/or Eligible Property.

B. Application filing and processing.

1. General. Applications for Temporary Housing shall be filed and processed in compliance with Chapter 20-50, Permit Application Filing and Processing. A Temporary Use Permit application shall include all information and materials required by the Conditional Use Permit application and Section 20-50.050, Application Preparation and Filing, and provided that the application is following standards listed in this section.

2. Ministerial Temporary Use Permit Application. The approval of a Temporary Use Permit for Temporary Housing on Eligible Property shall be considered a ministerial act.

3. Discretionary Temporary Use Permit Application. The approval of a Temporary Use Permit for Temporary Housing on a property not affected by a Hazard shall be considered a discretionary act for the purpose of the California Environmental Quality Act (CEQA).

4. Application processing

a. Duration. The duration of a Temporary Housing shall not exceed 3 years from the date of approval of the Temporary Use Permit.

b. It shall be the responsibility of the property owner to ensure that Temporary Housing units are vacated in accordance with law on or before expiration of the Temporary Use Permit.

c. A Temporary Use Permit for Temporary Housing can only be acquired once.

d. Extensions of Temporary Use Permits are prohibited per Section 20-52.040.

5. Building Permit Application. A Building Permit is required for all temporary housing.

C. Development and Performance Standards

1. Development Standards.

a. Setbacks. Temporary Housing shall provide a minimum four-foot side and four-foot rear setback, and a front setback consistent with that of the primary dwelling unit in a standard zoning district, or the most similar zoning district in the case of a PD. An 800 square foot Temporary Housing unit that complies with all other development standards in this section may be located within the front yard setback of a lot if it is otherwise physically infeasible to locate the Temporary Housing unit on other areas of the lot while maintaining the minimum rear and side yard setbacks outlined in this Subsection. Side-corner setbacks shall be a minimum of eight feet.

b. Temporary Housing shall not exceed 16 feet in height.

c. Temporary Housing shall not exceed 1,200 square feet.

d. Lot coverage shall not apply to a Temporary Housing unit.

2. Number of units permitted. The number of temporary housing units, either individual, single-family units, or multi-bed/multi-tenant units, permitted on a parcel shall be consistent with the allowable density established by the General Plan. Zoning Districts that do not have a density established by the General Plan shall follow applicable density requirements listed in Section 20.22.030, Section 20-23.040, Section 20-24.040, or Section 20-26.040. Parcels that do not have a density established by the General Plan, Zoning Code, or are regulated through Floor Area Ratio (FAR) will be allowed 1 unit maximum per parcel.

3. Lighting. Adequate external lighting shall be provided for security purposes in compliance with Section 20-30.080, Outdoor lighting.

4. Temporary Housing Local Contact. For proposals that include group quarters or multiple temporary housing units with five or more units, at least one Temporary Housing Local Contact shall be required. The City will provide mailed notice of permit issuance, local contact information, and applicable Temporary Housing regulations to property owners and tenants within 600 feet of the Temporary Housing site.

5. Sanitation facilities. The number of bathrooms and showers required on site shall be determined through the building permit process and shall be consistent with the California Building Code.

6. Parking. Each temporary housing unit shall demonstrate on a site plan the number of automobile parking spaces and bicycle parking spaces required below, except where a greater or lesser number of spaces is required through conditions of approval or state law.

Temporary Housing Type	Number of Parking Spaces Required	
	Vehicle	**Bicycle**
One single-family temporary housing unit	1 space per temporary housing unit unless determined unfeasible by the Director	None required
Multiple temporary housing units	1 space per 1 temporary housing units unless determined unfeasible by the Director	1 space per 4 temporary housing units
Group quarters (including multiple beds in a single temporary unit to be occupied by individuals)	1 space for each 100 sq ft of common sleeping area,	1 space per temporary housing unit

7. Water and wastewater services. Water and wastewater service shall be available on the site proposed for temporary housing structures unless an alternative source is approved by Santa Rosa Water and complies with any applicable provisions of the California Building Code and California Health and Safety Code.

a. Water. To protect the public water system, the appropriate approved backflow device shall be required. Initial testing certification of backflow devices is required and shall be performed by an entity as determined by the Director of Santa Rosa Water.

b. Wastewater. To protect public health, connection to the wastewater system is required. The Director of Santa Rosa Water will determine the appropriate connection requirement.

c. Santa Rosa Water will require an agreement from owner of the underlying property to assure termination of the connections at the expiration of the temporary use.

8. Electrical service. Electrical services shall be available on the site proposed for temporary housing structures unless an alternate source is approved by the Planning and Economic Development Director and is in accordance with any applicable provisions of the California Building Code. All temporary or permanent electrical service shall be located on the subject site.

9. Noise limits. The operation of the site is subject to Santa Rosa Municipal Code Section Chapter 17-16, Noise.

10. The site shall be cleaned-up and returned to its original condition following termination of the Temporary Housing use.

11. Temporary Housing shall be located outside the boundaries of any easements.

D. Multiple Temporary Housing units. For proposals that include group quarters or multiple temporary housing units on a single residential or nonresidential parcel, the application shall also include details of the operations of the use, including, but not limited to, a description of the following:

1. Number of proposed beds/occupants.
2. Cooking facilities.
3. Sanitation facilities and management thereof.
4. Power source and associated noise mitigation.
5. Site lighting.
6. Site security and management, including the number of staff on site at any given time.
7. Location of proposed parking.
8. On-going site maintenance.
9. Duration of temporary housing.
10. Pedestrian and vehicular circulation, including how units will be moved on and off-site during operation.

E. Rental requirements. Temporary housing shall not be used for rentals with terms of less than 30 days.

F. Findings and decision. A Temporary Use Permit for Temporary Housing may be approved by the Director pursuant to Section 20-52.040(G), Findings and decision. The approval of a Temporary Use Permit for Temporary Housing on property not affected by a Hazard shall be considered a discretionary act for the California Environmental Quality Act (CEQA).

G. Post approval procedures. Post approval procedures for a Temporary Use Permit for temporary housing shall be as provided by Section 20-52.040(H), Post approval procedures.

1. Termination of Connection. Termination proceedings for utilities shall initiate within 30 days after expiration of the Temporary Use Permit. The Temporary Housing use shall terminate after utilities have been terminated.

20-35.080 Temporary Storage.

A. Temporary Storage is a permitted use on residential and nonresidential parcels only on Eligible Property. Temporary Storage applicants and permitted users must be one of the following:

1. Displaced Person.

2. Property Owner(s) with Damaged Property and/or Eligible Property.

B. Application filing and processing.

1. General. Applications for Temporary Storage shall be filed and processed in compliance with Chapter 20-50, Permit Application Filing and Processing.

2. Temporary Use Permit Application. A Temporary Use Permit application shall include all information and materials required by the Conditional Use Permit application and Section 20-50.050, Application Preparation and Filing, and provided that the application is following standards listed in this section. The approval of a Temporary Use Permit for Temporary Storage shall be considered ministerial.

a. Duration. The duration of Temporary Storage shall not exceed 3 years from the date of approval of the Temporary Use Permit.

b. It shall be the responsibility of the property owner to ensure that Temporary Storage is vacated and removed on or before expiration of the Temporary Use Permit.

c. A Temporary Use Permit for Temporary Storage can only be acquired once.

d. Extensions of Temporary Use Permits are prohibited per Section 20-52.040.

3. Building Permit Application. A Building Permit is required for Temporary Storage.

C. Development and Performance Standards

1. Development Standards

a. Setbacks. Temporary Storage shall provide a minimum four-foot side and four-foot rear setback, and a front setback consistent with that of the primary dwelling unit in a standard zoning district, or the most similar zoning district in the case of a PD. A Temporary Housing unit that complies with all other development standards in this section may be located within the front yard setback of a lot if it is otherwise physically infeasible to locate the Temporary Housing unit on other areas of the lot while maintaining the minimum rear and side yard setbacks outlined in this Subsection. Side-corner setbacks shall be a minimum of eight feet.

b. Structure height cannot exceed 16 feet and a single story.

c. Structure square footage cannot exceed 400 square feet.

d. Lot coverage shall not apply to a Temporary Housing unit.

2. Number of structures permitted. A maximum of one Temporary Storage structure is allowed per parcel.

3. Lighting. Lighting is not required. Any external lighting provided shall be in compliance with Section 20-30.080, Outdoor lighting.

4. Parking. Parking is not required. Any provided parking shall comply with Chapter 20-36, Parking and Loading Standards.

5. Electrical service. Electrical service connection is allowed for Temporary Storage and is in accordance with any applicable provisions of the California Building Code. All temporary or permanent electrical service shall be located on the subject site.

6. The site shall be cleaned up and returned to its original condition within 30 days following termination of the use.

7. At all times, the Temporary Storage structure shall be located outside the boundaries of any easements.

8. Temporary Storage shall not be used for cooking or habitation purposes.

D. Rental requirements. Temporary Storage cannot be rented or used by anyone not listed on the Temporary Use Permit.

E. Post approval procedures. Post approval procedures for a Temporary Use Permit for temporary storage shall be as provided by Section 20-52.040(H).

1. Termination of Connection. Termination proceedings for utilities shall initiate within 30 days after expiration of the Temporary Use Permit.

20-35.090 Land Use, Zoning, or related code provisions not addressed.

Other than City Code provisions within the jurisdiction of the Director of Santa Rosa Water or the Board of Public Utilities, the Director of Planning and Economic Development, and the Director of Transportation and Public Works, shall have the authority to make determinations regarding the applicability of any land use, zoning or related City Code provision not addressed in this Chapter."

Section 4. Amend Section 20-34.050, Landscape standards, to read and provide as follows:

"20-34.050 Landscape standards.

Landscaped areas shall comply with the following standards.

A. Minimum dimensions. Landscaped areas shall have a minimum interior width of three feet. Landscaped areas containing trees shall have a minimum interior width of four feet.

B. Height limits. Proposed landscape materials shall be designed to:

1. Comply with the height limits for landscaping within vision triangles established by Section 20-30.070(E) (Height Measurement and Exceptions—Vision Triangles); and

2. Not interfere with the proper operation of solar collector devices on adjacent parcels.

C. Protective curbing. Required landscaping on sites within the R-3 and non-residential zoning districts shall be protected with a minimum six-inch high concrete curb, except adjacent to bicycle paths, adjacent to a landscape area designed to receive site drainage, or where deemed unnecessary by the review authority.

D. Irrigation system required. All landscaped areas, except areas to be maintained with intentionally unirrigated native plants, shall be provided an automatic irrigation system in compliance with Section 20-34.060 (Irrigation System Design).

E. Safety requirements. Landscape materials shall be located so that at maturity they do not:

1. Interfere with safe sight distances for vehicular, bicycle, or pedestrian traffic;

2. Conflict with overhead utility lines, overhead lights, or walkway lights; or

3. Block pedestrian or bicycle ways.

F. Landscape design.

1. Plant selection and grouping.

a. Plants with similar water requirements shall be grouped together in distinct hydrozones.

b. Plants shall be selected appropriately based upon their adaptability to the climatic, geological, and topographical conditions of the site.

Protection and preservation of native species and natural areas is encouraged.

c. Properties in the Wildland-Urban Interface Fire Areas (WUI) must adhere to California Fire Code requirements for WUI Fire Areas. Fire prevention shall be addressed on sites in areas identified by the Safety Element of the General Plan as being fire prone by providing fire-resistant landscaping buffers between development areas and naturally vegetated areas, as identified by the Director.

2 Water features. Decorative water features (e.g., fountains, ponds, waterfalls) shall have recirculating water systems.

G. Plant materials. Required landscape areas shall include trees, shrubs, and groundcovers, as follows: See also the City's landscape guidelines and plant lists,. available from the Department.

1. General requirements.

a. Plant materials shall be selected for: energy efficiency and drought tolerance; adaptability and relationship to the Santa Rosa environment; color, form, and pattern; ability to provide shade; soil retention, and fire resistiveness. The overall landscape plan shall be integrated with all elements of the project (e.g., buildings, parking lots, and streets) to achieve desirable microclimate and minimize energy demand.

b. Plant materials shall be sized and spaced to achieve immediate effect and shall not be less than a 15-gallon container for trees, five-gallon container for specimen shrubs and a one-gallon for mass planting, unless otherwise approved on the basis that the alternate size will achieve the desired immediate effect equally well.

2. Trees. Tree planting shall comply with the following standards:

a. Existing trees shall be retained and preserved whenever feasible.

b. Trees shall not be planted under any eave, overhang, balcony, light standard or other structure that may interfere with normal growth.

c. Trees in landscape planters less than 10 feet in width or located closer than five feet from a permanent structure shall be provided with root barriers.

d. Trees shall be staked in compliance with standards provided by the Department.

e. Number of trees:

(1) Parking areas: Trees shall be provided within parking areas at a minimum ratio of one tree for each five parking spaces.

(2) Street setbacks: One per 200 square feet of landscaped area.

(3) Balance of site: One per 600 square feet of landscaped area.

(4) Street trees: One per 20 feet of commercial frontage and one per 30 feet of residential frontage. Trees shall maintain 30 feet of distance from any curb return. The Director may modify this requirement depending on spread of tree at maturity. See Section 1.3 of the City's Design Guideline (Streetscapes).

3. Groundcover and shrubs.

a. The majority of areas required to be landscaped shall be covered with groundcover, shrubs, drought tolerant turf, or other types of plants that are predominantly drought tolerant.

b. Five-gallon size shrubs shall be planted and appropriately spaced in accordance with their size at maturity.

c. One-gallon size groundcover shall be planted and appropriately spaced in accordance with their size at maturity.

d. Artificial groundcover or shrubs shall not be allowed.

e. Crushed rock pebbles, stone, and similar materials shall be allowed up to 15 percent of the total required landscape area. Artificial or synthetic ground covers are not allowed.

f. Non-turf areas (e.g., shrub beds) shall be top dressed with a bark chip mulch or approved alternative."

Section 5. Amend subsection B.1.a. of Section 20-30.110, Setback requirements and exceptions, to read and provide as follows:

"a. No portion of any structure shall extend within, over, under, or upon any public service easement, access easement, or utility easement, unless both the City Engineer and the Director(s) of the City department(s) having responsibility for any and all City activities within the Easement Area have determined, in their sole discretion, that such structure or portion of structure will not unreasonably

interfere with the City's use of the Easement Area or can be easily removed for the construction, reconstruction, installation, removal, repair, replacement, maintenance, or operation of any current or future City facilities within, over, under, or upon the Easement Area."

Section 6. Amend Section 20-52.030, Design Review, to read and provide as follows:

"20-52.030 Design Review.

A. Purpose. This section establishes procedures for the City's review of the design aspects of proposed development (for example, building design, landscaping, site planning and development, and signs), in compliance with the City's Design Guidelines.

B. Applicability.

1. Private projects. Design Review approval is required for all projects requiring a Building Permit and all exterior physical changes to existing structures that may or may not require a Building Permit except for the following:

a. Landscaping repair or replacement;
b. Parking lot repaving;
c. Repainting, even when it includes a color change, unless the repainting is for the purpose of creating signage for the building;
d. Single-Family Residential accessory structures;
e. Single-family Detached, dwellings which are proposed as part of a project within a PD zone, or where otherwise required by this Zoning Code;
f. Solar panels, and integral parts of the solar panel system including supporting posts or poles, not including proposed new structures, such as a carport or other similar structures proposed in conjunction with the solar panel system. If proposed solar panels would have the possibility of creating a life or safety issue, such as excessive glare to local residences, sensitive facilities (airport) or water resources, the solar panels shall require a Minor Use Permit or Conditional Use Permit depending on the severity of the issues; and
g. Activities subject to a Temporary Use Permit.

2. City projects. The DRB shall review each Building Permit application for a development project by any City agency or department, for which review is required by Subsection B (Applicability), above. Notwith-standing other provisions of this section, the review shall be for the purposes of providing advice to the Council, Redevelopment Agency or its Successor Agency, or Housing Authority, respectively.

C. Review authority. Table 5-2 identifies the review authority and notice requirements for Design Review.

TABLE 5-2—DESIGN REVIEW AUTHORITY AND NOTICE REQUIREMENTS

Type of Application	Review Authority			Notice Requirements
	Director	Zoning Administrator	DRB	Design Review
Projects that involve only minor exterior modifications, are not within an historic district. Examples include the addition or modification of awnings, doors and/or windows, rooftop equipment that cannot be seen from the street, ADA improvements associated with tenant improvements, "cool roof" material changes, outdoor dining areas for restaurants within commercial or industrial zoning districts, and other similar minor changes as determined by the Director of Planning and Economic Development. Projects that involve more extensive exterior modifications but that are not readily visible from offsite may also be considered by the Director of Planning and Economic Development.	■			None
Duplex and Half-plex development projects.	■			None
Projects that involve up to 10,000 square feet in total floor area and projects that include significant exterior changes to existing buildings and the construction of new structures. Also included are new minor telecommunication facilities, and the new construction or major remodel of automobile dealerships on sites zoned for vehicle sales regardless of total floor area.		■		Public Meeting Notice Notice of Action (see Section 20-66.060)
Projects that involve 10,000 square feet or more in total floor area and meet the requirements of		■		Public Hearing Notice

Streamlined Design Review described in 20-52.030(D)3.				Notice of Action (see Section 20-66.060)
Projects that involve 10,000 square feet or more in total floor area and major telecommunication facilities. (1) (2)			■	Public Hearing Notice Notice of Action (see Section 20-66.060)
Sign applications, including Sign Programs for multi-tenant projects.	■			Notice of Action (see Section 20-66.060)

Notes:

(1) Visually sensitive locations and projects include the following.

a. Sites within the CMU (Core Mixed Use) zoning district, -G (Gateway),-H (Historic), or -SR (Scenic Resources) combining districts;

b. Hillside sites, infill sites, and major intersections;

c. Multi-family residential projects of 50 units or more, any three-story residential project, or an industrial or commercial project adjacent to residential; or

d. Other project that the Director determines may have significant visual impact.

(2) Each project in an identified visually sensitive area shall require a visual analysis in compliance with Section 20-50.100 (Visual analysis).

D. Design Review process. The stages of Design Review established by this chapter are as follows:

1. Conceptual Design Review. Conceptual Design Review is highly advised and provides the applicant with the review authority's tentative reaction to the general design concept of a proposed project. The review shall not include a formal decision on the application by the review authority. This review is optional, except within an -H combining district (see Section 20-58.060) and for projects utilizing Streamlined Design Review, as described in subsection 3.

2. Design Review. Design Review is a formal review to provide the applicant with specific responses to the proposed design.

a. The Design Review Board or Zoning Administrator shall adopt a formal resolution approving the design.

3. Streamlined Design Review. Subject to the provisions of Subsection 3.b below, Design Review approval for new development and major remodels, with the exception of projects located within the Historic (-H) combining district, that meet the categories outlines in Subsection 3.a, are hereby delegated to the Zoning Administrator, through a streamlined process.

a. Categories. Categories of Streamlined Design Review are as follows:

(1) Priority Development Areas (PDAs). Design Review approval for new development and major remodels in one of

the City's PDAs, which include childcare, lodging, mixed-use developments, multifamily residential, or single-room occupancy facility uses.

(2) Affordable Housing. Design Review approval for new development and major remodels for projects where 100% of the units, excluding managers' units, within the development are dedicated as affordable to households making 60% or less of area median income (AMI), adjusted for family size. The development is subject to a recorded affordability agreement with the City's Housing and Community Services Department.

b. Requirements.

(1) Pre-application Concept Design Review. Prior to submittal of an application for Streamlined Design Review, Concept Design Review by the Design Review Board, as described in Section 20-50.040, shall be required.

(2) Pre-application neighborhood meeting. Prior to submittal of an application for Streamlined Design Review, a pre-application neighborhood meeting shall be required in compliance with Section 20-50.050.A.

c. Review authority referral. The Zoning Administrator may defer any decision and refer the request to the Design Review Board, pursuant to Section 20-50.020, Authority for Land Use and Zoning Decisions.

d. Appeals. Any appeal of a decision by the Zoning Administrator for Streamlined Design Review shall be heard and determined by the City Council.

E. Application requirements. An application for Design Review approval 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 Design Review approval applications. It is the responsibility of the applicant to provide evidence in support of the findings required by subsection J (Findings and decision), below.

F. Project review. The review authority shall consider the location, design, site plan configuration, and the overall effect of the proposed project upon surrounding properties and the City in general. Review shall be conducted by comparing the proposed project to the General Plan, any applicable specific plan, applicable Zoning Code standards and requirements, consistency of the project with the City's Design Guidelines, architectural criteria for special areas, and other applicable City requirements (e.g., City policy statements and development plans).

G. Review with other entitlements. Final Design Review approval for projects that also require the approval of a discretionary permit (e.g., Conditional Use Permit,

Variance, etc.) shall be acted upon following land use approval by the review authority in compliance with Table 5-1 (Review Authority).

H. Public notice and hearing.

1. Major Design Review—Public notice and hearing required. The Board shall conduct a public hearing on an application for Design Review 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). The review authority may approve, approve with conditions, or disapprove a Design Review application based on the findings required by subsection I (Findings and decision), below.

2. Minor Design Review—Public notice required. Before a decision on a Minor Design Review, 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 Design Review 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.

3. Streamlined Design Review - Public notice and hearing required. The Zoning Administrator shall conduct a public hearing on an application for Streamlined Design Review before a decision on the application.

a. The Chairperson of the Design Review Board or their designee from the Design Review Board shall be present for the Public Hearing to comment on applicant responses to the direction provided by the Design Review Board during Concept Review.

b. Notice of the public hearing shall be provided, and the hearing shall be conducted in compliance with Chapter 20-66 (Public Hearings). The review authority may approve, approve with conditions, or deny a Design Review application based on the findings required by subsection I (Findings and decision), below.

I. Findings and decision. Design Review approval shall require that the review authority first find all of the following:

1. The design and layout of the proposed development is of superior quality, and is consistent with the General Plan, any applicable specific

plan, applicable Zoning Code standards and requirements, the City's Design Guidelines, architectural criteria for special areas, and other applicable City requirements (e.g., City policy statements and development plans);

2. The design is appropriate for the use and location of the proposed development and achieves the goals, review criteria and findings for approval as set forth in the framework of Design Review (Design Guidelines, Introduction, subsection C);

3. The design and layout of the proposed development will not interfere with the use and enjoyment of neighboring existing or future developments;

4. The architectural design of the proposed development is compatible with the character of the surrounding neighborhood;

5. The design of the proposed development will provide a desirable environment for its occupants, visiting public, and its neighbors through the appropriate use of materials, texture, and color, and would remain aesthetically appealing and be appropriately maintained;

6. The proposed development will not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the vicinity; and

7. The proposed project has been reviewed in compliance with the California Environmental Quality Act (CEQA).

J. Time limit on approval. Design Review approvals shall be granted for the same period of time as other discretionary permit approvals, but in no case for more than a 24-month period.

1. If construction in compliance with the Design Review approval has not been commenced within the approval period, the approval shall expire and be deemed automatically void.

2. Upon request of the applicant, an extension of time may be granted by the same review authority which originally granted the Design Review approval.

3. The extension shall not exceed 24 additional months.

K. Modifications. Upon request of the applicant, the applicable review authority may authorize modifications of any application previously approved by the review authority in compliance with Section 20-54.060 (Changes to an Approved Project).

L. Installation of landscaping and irrigation.

1. Before issuance of a Building Permit for the subject project, final landscape and irrigation plans, where required, shall be approved by the Director as being consistent with the Final Design Review decision on the project.

2. The landscape materials and irrigation equipment shown in the approved final landscape and irrigation plans shall be installed before final building inspection except where the Director has approved an extension of time for completion and has obtained from the applicant an agreement and adequate security, in compliance with Section 20-54.040 (Performance Guarantees).

M. Conditions of approval. In granting Design Review approval, the review authority may impose any conditions of approval deemed reasonable and necessary to ensure that the project would comply with the findings required by Subsection I (Findings and decision), above.

N. Post approval procedures. The procedures relating to appeals, project changes, issuance of a Building Permit, performance guarantees, and revocation in Division 6 (Zoning Code Administration), and those in Chapter 20-54 (Permit Implementation, Time Limits, and Extensions), shall apply following Design Review approval."

Section 7. Amend Section 20-52.030, Filing and processing of appeals, to read and provide as follows:

"20-62.030 Filing and processing of appeals.

A. Eligibility. Any action by the Director, Zoning Administrator, DRB, CHB, 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.

2. Review authority. The review authority for appeals is shown in Table 6-1.

TABLE 6-1—APPEAL REVIEW AUTHORITY

Permit Type	Review Authority	Appeal Body	City Code Section

Conditional Use Permit	Commission	Council	20-52.050
Design Review	DRB	Council	20-52.030
Design Review	Zoning Administrator	DRB	20-52.030
Design Review – Resilient City Standards	Director	DRB	20-35.060
Growth Management	Director	Council	21-03.130
Hillside Development Permit—Single dwelling or addition	Zoning Administrator	Commission	20-32.060
Hillside Development Permit—All other	Commission	Council	20-32.060
Hillside Development Permit – Resilient City Standards	Director	Commission	20-35.060
Landmark Alteration Permit—Major	CHB	Council	20-58
Landmark Alteration Permit—Minor	Zoning Administrator	CHB	20-58
Landmark Alteration Permit – Resilient City Standards	Director	CHB	20-35.060
Minor Adjustment	Director	Commission	20-52.060
Minor Conditional Use Permit	Zoning Administrator	Commission	20-52.050
Minor Variance	Zoning Administrator	Commission	20-52.060
Parcel Maps	Subdivision Committee	Commission	19-32.050
Streamlined Design Review	Zoning Administrator	Council	20-52.030
Sign Permit or Program	Director	DRB	20-38.030
Sign Permit or Program—H overlay	CHB	Council	20-38.030
Surface Mining	Commission	Council	17-32.170
Tentative Map	Commission	Council	19-24.100
Telecommunication	DRB/Commission	Council	20-44
Tree Permit	Director	Commission	17-24.090
Variances	Commission	Council	20-52.060

3. Appeal of Commission denial of amendment. An appeal of a Commission denial of an amendment shall be filed with the City Clerk within 10 days following the date of the Commission action.

4. Place for filing.

a. Appeals from the determinations or decisions of the Director shall be addressed to the Zoning Administrator, DRB, CHB, or Commission, as applicable to the decision, and filed with the Department.

b. Appeals from the determinations or decisions of the Zoning Administrator shall be addressed to the DRB, CHB, or Commission, as applicable to the decision, and filed with the Department.

c. Appeals from the decisions of the DRB, CHB, Zoning Administrator Streamlined Design Review, or Commission shall be addressed to the Council and filed with the City Clerk.

5. Pertinent facts. The written appeal shall state the pertinent facts of the case and shall specify the following:

a. The decision appealed from (e.g., City assigned case number);

b. The basis for the appeal;

c. The specific action which the appellant wants taken in the appeal;

d. Each and every ground upon which the appellant relies in making the appeal.

6. Filing fee. Appeals shall be accompanied by the required filing fee, in compliance with the Council's Fee Schedule.

C. Joining an appeal.

1. Appellants. Only those persons who file an appeal within the specified appeal period shall be considered appellants of the matter under appeal.

2. Procedures for joining an appeal. Any person who wishes to join an appeal shall follow the same procedures for an appellant.

3. No joining after appeal period. No person shall be allowed to join an appeal after the end of the specified appeal period.

D. Delay of proceedings. Timely filing of a written appeal shall automatically stay all proceedings associated with the matter subject to the appeal (e.g., issuance of a Certificates of Occupancy, Building or Grading Permit, etc.), and put in abeyance all permits or approvals which may have been granted, and neither the applicant nor any enforcing agency may rely upon the approval, decision, denial, or other action, until the appeal has been resolved.

E. Report and scheduling of hearing.

1. Director's report.

a. When an appeal has been filed, the Director shall prepare a report on the matter, and schedule the matter for consideration by the applicable review authority identified in Section 20-62.020, above.

b. The hearing on the appeal shall be scheduled for the earliest regular meeting following the date on which the appeal was accepted as filed. The applicable review authority may continue the hearing from time to time

until its determination on the appeal, in compliance with Section 20-66.040 (Hearing Procedure.)

3. Appeal to the DRB, CHB, or Commission. An appeal to the DRB, CHB, or the Commission shall be scheduled by the Director, at its earliest regular meeting, consistent with agenda preparation procedures, meeting schedules, and notice requirements, if applicable.

4. Appeal to the Council. An appeal to the Council shall be scheduled by the City Clerk, at its earliest regular meeting, consistent with Council agenda preparation procedures, Council meeting schedules, and notice requirements, if applicable.

5. Public hearing.

a. Public hearing required. If one or more of the situations identified in Subparagraph 4. b, immediately below, applies, a public hearing shall be held.

b. Public hearing not required. The Commission or Council need not hold a public hearing in considering a matter on appeal, unless:

(1) A public hearing was required before making the decision appealed from; or

(2) The review authority deems a public hearing desirable.

c. Public hearing notice. When a public hearing is required, or deemed desirable under this Subsection, notice shall be given, in compliance with Chapter 20-66 (Public Hearings), and by mailing a copy of the notice by first class mail, postage prepaid, to the applicant, the appellant, and to any other person who has filed a written request for the notice with the Director or City Clerk, as applicable to the decision.

F. Action. The review authority may consider any issue involving the matter that is the subject of the appeal, in addition to the specific grounds for the appeal.

1. The review authority may:

a. Affirm, affirm in part, or reverse the action, the determination, or decision that is the subject of the appeal;

b. Adopt additional conditions of approval, that may address issues or concerns other than the subject of the appeal; or

c. Deny the land use permit or approval granted by the previous review authority, even though the appellant only requested a modification or elimination of one or more conditions of approval.

2. If new or different evidence is presented on appeal, the Commission or Council may refer the matter to the Director or Commission for further consideration."

Section 8. Amend Section 20-54.060, Changes to an approved project, to read and provide as follows:

"20-54.060 Changes to an approved project.

Development or a new land use authorized through a permit or approval granted in compliance with Chapter 20-52 (Permit Review Procedures) of this Zoning Code shall be established only as approved by the review authority and subject to any conditions of approval, except where changes to the project are approved as follows.

A. Application. An applicant shall submit an application requesting desired changes in writing, and shall also furnish appropriate supporting materials and an explanation of the reasons for the request.

1. Design Review. Changes may be requested either before or during construction.
2. Use Permit. Changes may be requested prior to or following the establishment and operation of the approved activity.

B. Review Authority. Table 5-5 identifies the review authority and notice requirements for Changes to an approved project. The Zoning Administrator or the Director may choose to refer any requested change to the original review authority for review and final action.

TABLE 5-5—Changes to an approved project requirements

Type of Allowed Changes	Review Authority			Notice Requirements
	Director	Zoning Administrator	Original Review Authority	
Changes to Mobile Food Facilities, Sign Programs, approved single or multi-family residential, residential small lot subdivision, lodging or child care facilities projects that involve only minor modifications to an approved site plan, architecture, or the nature of the approved land use as listed in Subsection C.	■			Notice of Pending Action (See Section 20-54.060(E))
Changes to all other types of approved projects not listed above that involve only minor modifications to an approved site plan, architecture, or the nature of the approved land use as listed in Subsection C.		■		Public Meeting Notice (see Section 20-66.020(G)) and Notice of Action (see Section 20-66.060) unless the previously approved project received a Public Hearing, the project must then be a Public Hearing Notice with a

				Notice of Action (see Section 20-66.060)
Changes to all types of approved projects that do not qualify for Director and/or Zoning Administrator review listed in Subsection C that involve major modifications to an approved site plan, architecture, or the nature of the approved land use. The Zoning Administrator or the Director may choose to refer any requested change to the original review authority for review and final action.			■	Public Hearing Notice and Notice of Action (see Section 20-66.060)

C. The Director or Zoning Administrator action. The Director or Zoning Administrator, in compliance with Table 5-5, may authorize one or more changes to an approved site plan, architecture, or the nature of the approved land use where the Director or Zoning Administrator first finds that the changes:

1. Are consistent with all applicable provisions of this Zoning Code;
2. Do not involve a feature of the project that was a basis for findings in a negative declaration or environmental impact report for the project;
3. Do not involve a feature of the project that was a basis for conditions of approval by the review authority (i.e., the Commission or Council) in the project approval; and
4. Do not result in an expansion of the land use and/or activity.

D. Changes approved by original review authority. A proposed change that does not comply with the criteria in Subsection C, above, shall only be approved by the original review authority for the project through an amended project application processed in compliance with this Zoning Code utilizing the appropriate application checklist for the original review authority.

E. Notice of Pending Action. Prior to taking action on any Director level review for this Section, the Director shall notify by mail nearby property owners and others as set forth in Section 20-66.020 C.1. The notice shall state that the Director will decide whether to approve or disapprove the application on a date specified in the notice and shall state the ten-day appeal period window of that decision in accordance with Chapter 20-62, Appeals."

Section 9. Amend Section 20-42.210, Mobile Food Vending, to read and provide as follows:

"20-42.210 Mobile Food Facility (MFF).

A. Purpose. The provisions of this Section are intended to provide conditions and requirements under which Mobile Food Facilities may be permitted to operate by Minor Conditional Use Permit on private properties within certain areas of the City.

B. Permit requirements.

1. Minor Conditional Use Permit. A Mobile Food Facility shall require the approval of a Minor 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 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 Facility.
5. Permit and license display. At all times while vending, a valid business license and Minor Conditional Use Permit shall be displayed at the Mobile Food Facility site.

C. Location criteria and hours of operation. The following location and hours of operation requirements shall apply to all Mobile Food Facilities:

1. Location. Operation of a Mobile Food 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 Facilities on public property. Mobile Food Facilities on private property are allowed pursuant to Section B.1. above.
2. Concentration. Multiple Mobile Food Facilities may be permitted on a single parcel, as determined by the Minor Conditional Use Permit.
3. Hours. Hours of operation for mobile food facility businesses shall be determined by Minor Conditional Use Permit.

D. Standards and design criteria. The following standards and design criteria shall apply to all Mobile Food 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 Facility must be paved, including the area for associated parking and accessory structures;

3. Mobile Food Facilities shall maintain their immediate sales location in a clean and hazard free condition;

4. Mobile Food 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 Facility shall comply with Chapter 17-12, Storm Water Ordinance.

6. Applications for Mobile Food 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 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 Facilities shall follow Local and State regulations for alcoholic beverages and cannabis products sales;

11. Mobile Food 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 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 Use

Permit. Associated temporary structures and dining furniture are subject to Fire Department review and approval.

E. Sites with Multiple or New Mobile Food Facilities.

1. New Mobile Food Facilities on sites with an approved Minor Conditional Use Permit shall obtain a Zoning Clearance to operate on the site. The new Mobile Food Facility must operate in the same location on site of the previous Mobile Food Facility as indicated on the approved plans.

2. Mobile Food Facilities on sites with multiple facilities must stay in the locations indicated on the approved plans.

3. Sites that have Mobile Food 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 Facilities. New Mobile Food Facilities on sites with rotating facilities shall obtain a Zoning Clearance to operate under the Minor Conditional Use Permit.

4. Changes to the existing Minor Conditional Use Permit can be conducted through Section 20-54.060 (Changes to an Approved Project).

F. Existing Mobile Food Facilities. Conditions of Approval on previously issued Minor Conditional Use Permits for Mobile Food Facilities that required a new Minor 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."

Section 10. Amend Section 20-60.090, Zoning Administrator, to read and provide as follows:

"20-60.090 Zoning Administrator

A. Appointment. The Santa Rosa Zoning Administrator, referred to in this Zoning Code as the Zoning Administrator, shall be appointed by the Director.

B. Duties and authority. The Zoning Administrator shall:

1. Have the responsibility and authority to take action on applications for all administrative permits and approvals issued by the Department;

2. Perform other responsibilities assigned by the Director, Commission, and Council; and

3. Perform the duties and functions identified in this Zoning Code, including Section 20-50.020 (Authority for Land Use and Zoning Decisions), Table 5-1 (Review Authority), the California Environmental Quality Act (CEQA), and the

City's environmental review procedures identified in Title 17 of the City Code (Environmental Protection), giving notices, preparing reports, issuing Certificates of Zoning Compliance, receiving and processing appeals, terminating incomplete applications, and receiving and accounting for fees;

4. Review authority referral. The Zoning Administrator may defer any decision and refer the request to the respective higher Review Authority, pursuant to Section 20-50.020, Authority for Land Use and Zoning Decisions.

C. Delegation and supervision. The Director may delegate the responsibilities of the Zoning Administrator to assigned Department staff under the supervision of the Director."

Section 11. Amend Section 20-60.080, Director of Community Development, to read and provide as follows:

"20-60.080 Director of Planning and Economic Development Department.

A. Appointment. The Santa Rosa Director of Planning and Economic Development Department, referred to in this Zoning Code as the Director, shall be appointed by the City Manager.

B. Duties and authority. The Director shall:

1. Acting directly, or through a subordinate employee designated as Zoning Administrator in compliance with Section 20-60.090 (Zoning Administrator), perform the duties and functions identified in this Zoning Code, including the initial review of land use applications, in compliance with Section 20-50.020 (Authority for Land Use and Zoning Decisions), Table 5-1 (Review Authority), the California Environmental Quality Act (CEQA), and the City's environmental review procedures identified in Title 17 of the City Code (Environmental Protection), giving of notices, preparing reports, issuing Certificates of Zoning Compliance, receiving and processing appeals, terminating incomplete applications, and receiving and accounting for fees;

2. Perform other responsibilities assigned by the City Manager, DRB, CHB, Commission, and Council;

3. Supervise Department staff members assigned to the Department's administration;

4. Maintain the sections of this Zoning Code, Zoning Map, and all records of zoning actions and cases;

5. Approve site plans as provided by this Zoning Code;

6. Attend meetings and serve as principal advisor to the Commission, DRB, and CHB. The Director shall also serve as secretary to the Commission, DRB, and CHB and in this capacity shall prepare and keep minutes and all other records of these review authorities;

7. Report regularly to the Commission on actions taken by the Department, including the number of cases handled, and their disposal and recommendations for amendments of this Zoning Code; and

8. Refer, at the Director's sole discretion, any of the above or other matters to the Commission for its review and action, and to notify the applicant or other affected person of the referral.

C. Delegation and supervision. The Director may delegate the responsibilities of the Director to assigned Department staff under the supervision of the Director. This delegation shall be confirmed in writing. When the Director designates a Department staff person, the staff person shall perform the duties assigned by the Director, in addition to those listed in Subsection B. above, as appropriate to the personnel title of the designee.

D. Any project reviewed as a Zoning Administrator Public Meeting may be elevated by the Director to the Zoning Administrator Public Hearing. The applicant shall be responsible for the Zoning Administrator Public Hearing fee identified in the current Planning and Economic Development Department Fee Schedule

E. Consolidated review. The intent of this section is to allow the Director to elevate projects with requests for multiple entitlements to the highest review authority required.

1. Any project that requires multiple entitlements where at least one entitlement requires review by the Zoning Administrator (including, but not limited to, Minor Use Permit, Minor Hillside Development Permit, Minor Variance, Request for Reasonable Accommodation, Sign Variance, and Small Lot Use Permits in Priority Development Areas), and where at least one entitlement requires review by the Planning Commission, may hereby be elevated by the Director to the Planning Commission for review.

2. Any project that requires multiple entitlements where at least one entitlement requires review by the Subdivision Committee and where at least one entitlement requires review by the Planning Commission may hereby be elevated by the Director to the Planning Commission for review."

Section 12. Amend Section 20-61.020, Nonconforming Uses, to read and provide as follows:

"20-61.020 Nonconforming uses.

A. Continued, transferred, or sold. Nonconforming uses may be continued, transferred, or sold, but only in compliance with the provisions of this Chapter.

B. Replacing nonconforming uses with similar uses.

1. A nonconforming use may be changed to another nonconforming use of a similar or more restricted classification or nature; provided, the proposed new nonconforming use would not increase the degree or intensity of the nonconformity.

2. The replacement nonconforming use shall serve as the "new bench mark" in terms of establishing the acceptable level of nonconformity.

3. Where a nonconforming use is changed to another nonconforming use of a more restrictive classification, it shall not thereafter be changed to a use of a less restrictive classification.

C. Enlargement or expansion of use not allowed.

1. Nonconforming use of land. A nonconforming use of land which does not involve any structure, except accessory structures, shall not be enlarged or expanded in size or capacity, or extended to occupy a greater area, or increased in intensity. "Accessory structures," as used in this Subsection, include driveways, fences, parking areas, signs, walls, or minor structures less than 400 square feet in area.

2. Nonconforming use of a structure. Changes to a nonconforming use of a structure by addition, enlargement, extension, reconstruction, or relocation, may be allowed only if the changes comply with all of the regulations of the applicable zoning district and the following provisions:

a. A nonconforming use of a structure may only be expanded or enlarged in size or capacity, or extended to occupy a greater area, or increased in intensity through the approval of a Minor Conditional Use Permit in compliance with Section 20-52.050.

b. In approving the Minor Conditional Use Permit, the review authority shall make the following finding, in addition to those identified in Section 20-52.050 G. (Findings and decision): The enlargement, expansion, extension, or increase would not increase the degree or the detrimental effects of the nonconformity.

D. Loss of nonconforming status.

1. If a nonconforming use of land, or a nonconforming use of a conforming structure, is discontinued for a continuous period of at least six months, the rights to legal nonconforming status shall terminate. The time limit for maintaining a

legal nonconforming status for properties located along the north side of Sebastopol Road to Highway 12, between Stony Point Road and Dutton Avenue, as illustrated in Figure 6-1, shall be 24 months, for existing nonconforming uses and structures, to maintain a vibrant and thriving industrial area until such time as the area is ready to convert to residential and mixed residential and retail uses.

2. The nonconforming use shall not be resumed once the use has been terminated for at least six months, or 24 months for properties located along the north side of Sebastopol Road, between Stony Point Road and Dutton Avenue.

3. The Director shall base a determination of discontinuance on evidence including the removal of equipment, furniture, machinery, structures, or other components of the nonconforming use, disconnected or discontinued utilities, or no business receipts/records to document continued operation.

4. Without further action by the City, any further use of the site shall comply with all of the regulations of the applicable zoning district and all other applicable provisions of this Zoning Code.

Figure 6-1 – Sebastopol Road north to Highway 12, between Stony Point Road and Dutton Avenue

E. Gas station modifications.

1. Gas stations and related fossil fuel infrastructure shall not be enlarged, extended, reconstructed, or moved to a different portion of the lot or parcel of land occupied by such use except as outlined below or as required for compliance with local, State, or Federal law, or as approved by the CUPA. Fossil fuel infrastructure subject to this provision includes, but is not limited to, structures, features, and facilities related to the sale, storage, conveyance, and dispensing of

gasoline and any other fossil fuel (e.g., storage tanks, pumps, dispensers). A Minor Use Permit shall be required for any modifications to existing gas stations and fossil fuel infrastructure unless proposed modifications are subject to review by a higher review authority pursuant to City Code Section 20-50.020, Authority for Land Use and Zoning Decisions, Table 5-1, Review Authority. Land use entitlements required pursuant to this section are in addition to applicable CUPA permitting requirements.

a. Modifications to improve air, soil, groundwater, and stormwater quality. Gas stations may be modified to conform to current air or stormwater quality control regulations or to remediate contamination of soil or groundwater.

b. Modifications to improve traffic safety. As determined by the City Engineer, the pedestrian and vehicular circulation features (e.g., curbing, sidewalks, traffic control devices) of a gas station may be modified to improve public safety.

c. Modifications to enable zero emission vehicles (battery charging station). Gas stations may be modified to accommodate battery charging station(s) for zero emission vehicles. Pursuant to Government Code Section 65850.7, this Zoning Ordinance requires no permit for battery charging stations.

d. Temporary and permanent closure of gas stations. The temporary and permanent closure of gas stations shall be subject to City Code Title 17, Environmental Protection, Chapter 17-34, Certified Unified Program Agency (CUPA), and California Code of Regulations Title 23, Chapter 16, Article 7, Underground Storage Tank Closure Requirements, Sections 2670-2672, Temporary and Permanent Closure, and as outlined in the Santa Rosa Fire Department Underground Storage Tank Closure Policy and Guidelines.

F. Nonconforming uses affected by a Hazard. See Chapter 20-35, Resilient City Standards."

Section 13. Amend Section 20-61.030, Nonconforming Structures, to read and provide as follows:

"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 5.b, below) may be reconstructed, repaired, restored, and used as before; provided that the restoration is initiated (as defined in Subparagraph 5.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 5.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 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 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)."

Section 14. Amend Section 20-61.050, Exemptions, to read and provide as follows:

"20-61.050 Exemptions.

A. Historic structures. Nonconforming structures of historical significance may be altered or enlarged with Landmark Alteration Permit approval granted by the CHB, in compliance with Section 20-52.050, without conforming to current setback provisions; provided, the historic structure is:

1. Within an -H combining district (Section 20-28.040) or is a designated Santa Rosa landmark;
2. Has been certified to be an historic resource by the City, County, or State, or in the Federal Register of Historic Places; or
3. To be altered or enlarged as an authentic replica of the original structure.
4. For damage to Historic structures in relation to a declared Hazard see Chapter 20-35, Resilient City Standards.

B. Attached and Detached Single-family dwellings. Single-family dwellings are exempt from the provisions of this Chapter as follows, and as provided by Subsection C (Destroyed nonconforming dwelling units).

1. Height. An existing single-family dwelling that is nonconforming only because it exceeds the height limit of the applicable zoning district, shall not be required to comply with the provisions of this Chapter.
2. Setbacks. Where a single-family dwelling or a detached accessory structure, is nonconforming only by reason of substandard setbacks, the provisions of this Section shall not apply; provided that any structural alteration of a nonconforming structure shall not increase the degree of nonconformity, and any enlargements shall comply with the setback requirements of the applicable zoning district.
3. Parking. A single-family dwelling that is nonconforming with respect to the parking requirements of this Zoning Code is exempt from requirements of this Chapter that would otherwise require compliance with the parking requirements of this Zoning Code.

C. Destroyed nonconforming dwelling units.

1. Where the review authority determines that a nonconforming single- or multi-family dwelling unit has been involuntarily damaged or destroyed by accident (e.g., fire, explosion, etc.), the unit may be reconstructed or replaced with

a new structure using the same development standards applied to the damaged or destroyed structure (e.g., building footprint, building height, density standards, number of dwelling units, setbacks, and floor area); provided:

a. The applicant provides documentation, satisfactory to the review authority, supporting the claim that the damage or destruction occurred involuntarily;

b. No expansion of the gross floor area or number of dwelling units occurs;

c. The replacement structure:

(1) Is in compliance with the current Building Code, and

(2) Would not be detrimental to the public health, safety, or welfare or materially injurious to the properties or improvements in the immediate vicinity of the replacement structure;

d. A Building Permit is issued no later than 12 months after the date of destruction, and construction is diligently pursued to completion.

2. If the preceding requirements are not met, the replacement structure shall comply with all of the regulations of the applicable zoning district in effect on the date of application for the required Building Permit.

3. For damage involving a declared Hazard see Chapter 20-35, Resilient City Standards.

D. Seismic retrofitting. Alterations, reconstruction, or repairs otherwise required by law (e.g., City adopted Building, Electrical, Plumbing Codes) shall be allowed. Reconstruction required to reinforce unreinforced masonry structures or to comply with Building Code requirements shall be allowed without cost limitations; provided, the retrofitting and Code compliance are limited exclusively to compliance with earthquake safety standards and other applicable Building Code requirements.

E. Nonconforming upon annexation. Nonconforming uses or structures, or both, which are lawfully existing at the time the property on which they are located is annexed to the City, and which do not conform to the regulations of the subject zoning district following annexation, shall be deemed nonconforming uses or structures, or both, and shall, upon annexation, be subject to the provisions of this Chapter.

F. Nonconforming due to a lack of a Conditional Use Permit.

1. Conformity of uses requiring Conditional Use Permits. A use lawfully existing without a Conditional Use Permit that would be required by this Zoning Code to have Conditional Use Permit approval, in compliance with Section 20-52.050, shall be deemed conforming, but only to the extent that it previously existed (e.g., maintain the same site area boundaries, hours of operation, etc.)

2. Previous Conditional Use Permits in effect. A use that was authorized by a Conditional Use Permit but is not allowed by this Zoning Code in its current location may continue, but only in compliance with the original Conditional Use Permit (e.g., if the original Conditional Use Permit specified a termination date, then the use shall terminate in compliance with the requirements of the Conditional Use Permit.)

G. Previous permits. A use or structure which does not conform to the current regulations of the subject zoning district, but for which a Building Permit, or a permit or entitlement approved in compliance with this Zoning Code, was issued and exercised before the applicability of this Zoning Code, may be completed; provided, the work is diligently pursued to completion. Upon completion these uses or structures, or parts thereof, shall be deemed to be nonconforming and shall thereafter be subject to the provisions of this Chapter. For the purposes of this Subsection, the provisions of Section 20-54.050 (Time Limits and Extensions) shall govern the determination of whether the permit or entitlement has been exercised in a timely manner.

H. Public utilities. The provisions of this Chapter, concerning the required removal of nonconforming uses and structures, and the reconstruction of nonconforming structures partially destroyed, shall not apply to public utility structures when the structures pertain directly to the rendering of the service of distribution of a utility (e.g., electric distribution and transmission substations, gas storage, metering, and valve control stations, steam electric generating stations, water wells and pumps, etc.); nor shall any provision of this Chapter be construed to prevent the expansion, modernization, or replacement of the public utility structures, equipment, and features, that are used directly for the delivery of or distribution of the service.

I. Public acquisition.

1. Nonconforming due to public acquisition. Whenever any structure or parcel is rendered nonconforming within the meaning of this Chapter by reason of a reduction in a required parcel area, reduction of off-street parking facilities, or setbacks occurring solely by reason of dedication to, or purchase by, the City for any public purpose, or eminent domain proceedings, which result in the acquisition by the City or any agency authorized for the eminent domain proceedings of a portion of the property, the same shall not be deemed nonconforming within the meaning of this Chapter.
2. Required reconstruction, remodeling, or repair. Any required reconstruction, remodeling, or repair shall be limited to that necessary to render the structure reasonably safe for continued use; provided, all reconstruction, remodeling, or repair work shall be substantially completed within 12 months from the date of application for the required Building Permit."

Section 15. Amend Section 20-52.040, Temporary Use Permit, to read and provide as follows:

"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. Events. Arts and crafts exhibits, carnivals, circuses, concerts, fairs, farmers' markets, festivals, flea markets, food events, outdoor entertainment/sporting events, rodeos, rummage sales, secondhand sales, and swap meets for up to 21 consecutive days, or 36 weekend days, within a 12-month period, when conducted on non-residential properties.

4. 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.

5. 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 days and four times within a 12-month period.

6. 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.

7. 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. 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. Temporary structures. A temporary classroom, office, or similar structure, 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. Temporary work trailers. A trailer or mobile home used as a temporary work site for employees of a business:

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

12. 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.

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 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 Minor or 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, 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 the for the same property, or the actual removal of the materials and structures associated with the former activity, whichever last occurs."

Section 16. Amend Section 20-10.050, Applicability of Zoning Code, to read and provide as follows:

"20-10.050 Applicability of Zoning Code.

This Zoning Code applies to all land uses, structures, subdivisions, and development within the City of Santa Rosa, as provided by this Section.

A. New land uses or structures, changes to land uses or structures. Compliance with the requirements of Chapter 20-21 (Development and Land Use Approval Requirements) or, where applicable, Chapter 20-61 (Nonconforming Uses, Structures, and Parcels), is necessary for any person or entity to lawfully establish, construct, reconstruct, alter, or replace any use of land or structure.

B. Issuance of building or grading permits. The City may issue building, grading, or other construction permits only when:

1. The proposed land use and/or structure satisfy the requirements of Subsection A above, and all other applicable statutes, ordinances and regulations; and

2. The Director determines that the site was subdivided in compliance with Title 19 of the City Code (Subdivisions).

C. Subdivision of land. Any subdivision of land proposed within the City after the

effective date of this Zoning Code shall be consistent with: the minimum lot size requirements of Division 2 (Zoning Districts and Allowable Land Uses), any applicable Specific Plan, all other applicable requirements of this Zoning Code, and the City's subdivision regulations.

D. Effect of Zoning Code on existing uses and structures. An existing land use or structure is lawful only when it was legally established in compliance with all applicable regulations, and when it is operated and maintained in compliance with all applicable provisions of this Zoning Code, including Chapter 20-61 (Nonconforming Uses, Structures and Parcels).
Existing land uses or structures that were in violation of City zoning regulations applicable before the effective date of this Zoning Code, are in violation of this Zoning Code. These uses and structures shall continue to be in violation unless they conform to the current provisions of this Zoning Code.

E. Effect of Zoning Code changes on projects in progress. A land use permit or rezoning application that has been accepted by the Department as complete prior to the adoption date of this Zoning Code or any applicable amendment shall be processed according to the development standard and process requirements of this Zoning Code. Applications may be processed according to the development standards of the past Zoning Code upon written instruction made by the applicant or representative, but compliance with all current process requirements is required. The Department must receive the written instruction no later than 30 days after the effective date of this Zoning Code. To be considered eligible for consideration under the past Zoning Code, at least one action must be taken by the review authority no later than 210 days after the effective date of this Zoning Code.

F. Effect on previously approved Planned Development (PD) or Planned Community (PC) zoning districts. Development approved through the rezoning of a site to the PD or PC zoning districts in compliance with the prior Santa Rosa Zoning Code prior to the effective date of this Section shall be deemed conforming with respect to the requirements of this Zoning Code. The applicable requirements of a PD or PC zoning district shall remain in effect until the Council specifically repeals the previously approved Policy Statement and Development Plan applicable to the development.

G. Government projects. The provisions of this Zoning Code shall apply to any County, special district, and State or Federal government or agency to the maximum extent allowed by law. The provisions of this Zoning Code shall not apply to any public project of the City except to the minimum extent required by law. While an entitlement permit is not required for a City project, conceptual design review by the Design Review Board is required.

H. Minimum requirements. The provisions of this Zoning Code shall be minimum requirements for the promotion of the public health, safety, and general welfare. When this Zoning Code provides for discretion on the part of a City official or body, that discretion may be exercised to impose more stringent requirements than set forth in this

Zoning Code as may be necessary to promote orderly land use development and the purposes of this Zoning Code.

I. Other requirements may still apply. Nothing in this Zoning Code eliminates the need for: obtaining any permit, approval, or entitlement required by other provisions of the Municipal Code; or complying with the regulations of any City department, or any County, regional, State, or Federal agency.

J. Conflicting requirements. Any conflict between different requirements of this Zoning Code, or between this Zoning Code and other regulations, shall be resolved in compliance with Section 20-12.020 D (Conflicting Requirements).

K. Effect of Zoning Code changes on Pipeline projects. Approved projects that are diligently pursuing construction, and which propose modifications that do not result in a substantial change to project intensity may be processed for compliance according to the Zoning Code in effect at the time of approval. These may be changes allowed by Zoning Code Section 20-54.060 Changes to an approved project, or similar changes as approved by the applicable review authority."

Section 17. Amend Section 20-36.040, Number of parking spaces required, to read and provide as follows:

"20-36.040 Number of parking spaces required.

Each principally or conditionally permitted use shall provide at least the minimum number of off-street automobile and bicycle parking spaces required by this section, except where parking requirements are adjusted in compliance with Section **20-36.050** (Adjustments to parking requirements). Also see Section **20-36.090** (Bicycle parking requirements and design standards).

A. Parking requirements by land use. Each land use shall be provided the number of automobile and bicycle parking spaces required by Table 3-4, except where a greater or lesser number of spaces is required through conditions of approval.

B. Basis for calculations.

1. Floor area. Where Table 3-4 establishes a parking requirement based on the floor area of a use in a specified number of square feet (e.g., one space per 1,000 square feet), the floor area shall be construed to mean gross floor area.
2. Fractions. Where application of the requirements in Table 3-4 results in a fractional requirement, a fraction of 0.5 or greater shall be increased to the next higher number and a fraction of less than 0.5 shall be reduced to the next lower number.

C. Expansion of structure, change in use.

1. Expansion of structure. When existing conforming or nonconforming structures, other than single-family dwellings, are enlarged or increased in

capacity by more than 10 percent, or when an expansion in use requires more parking than is presently provided, parking spaces shall be provided in accordance with Table 3-4.

2. Change in use. When a building's use changes to a new use, for example a retail use to a restaurant, without enlarging the space in which the use is located, there shall be no additional parking required for the new use, except that the new use shall comply with current ADA standards for parking, provided that any deficiency in parking is no more than 10 spaces, or a 25 percent overall reduction from standard parking requirements, whichever is greater.

D. Reduction of capacity. No existing parking or loading facility may be reduced incapacity unless sufficient replacement capacity is provided in compliance with this Chapter or a reduction is approved in compliance with Section 20-36.050 (Adjustments to parking requirements). Parking and loading facilities required by this Chapter shall remain available for the loading and parking of motor vehicles. Bicycle parking shall remain available for bicycles. Any contrary use of such facilities shall constitute a violation of this Code.

E. Multi-use sites. A site with multiple uses shall provide the aggregate number of parking spaces required for each separate use, except where:

1. The site was developed comprehensively as a shopping center, the parking ratio shall be that required for the shopping center as a whole regardless of individual uses listed in Table 3-4; or

2. The site qualifies for shared parking in compliance with Section 20-36.050 (Adjustments to parking requirements).

F. Uses not listed. A land use not specifically listed in Table 3-4 shall provide parking as determined by the Director. The Director shall use the requirements of Table 3-4 for similar uses as a guide in determining the minimum number of parking spaces to be provided and may require the applicant to fund a parking study to determine parking demand.

G. Bench or bleacher seating. Where fixed seating is provided (e.g., benches or bleachers), a seat shall be construed to be 18 inches of bench space for the purpose of calculating the number of required parking spaces.

TABLE 3-4—AUTOMOBILE AND BICYCLE PARKING REQUIREMENTS BY LAND USE TYPE

	Number of Parking Spaces Required	
Land Use Type:	**Vehicle**	**Bicycle**
AGRICULTURAL AND OPEN SPACE USES (1)		
Agricultural activities, including crop production, horticulture, orchard, vineyard, and animal keeping	None.	
Plant nursery	1.25 spaces per employee.	None.
Wildlife or botanical preserve or sanctuary	Determined by Conditional Use Permit.	
INDUSTRY, MANUFACTURING AND PROCESSING, WHOLESALING		

Industrial and manufacturing, except the uses listed below:		
Less than 50,000 sf.	1 space for each 350 sf. or as determined by CUP. The gross floor area may include accessory office space comprising less than 5% of the total gross floor area.	1 space per 7,000 sf. or as determined by CUP.
Equal to or greater than 50,000 sf.	1 space for each 700 sf. or as determined by CUP. The gross floor area may include accessory office space comprising less than 5% of the total gross floor area.	1 space per 14,000 sf. or as determined by CUP.
Cannabis—Cultivation	1 space per 1,000 sf. or as determined by CUP.	1 space per 14,000 sf. or as determined by CUP.
Cannabis—Distribution	1 space per 1,000 sf. or as determined by CUP. The gross floor area may include accessory office space comprising less than 5% of the total gross floor area.	1 space per 14,000 sf.
Cannabis—Manufacturing:		
Less than 50,000 sf	1 space per 350 sf. or as determined by CUP. The gross floor area may include accessory office space comprising less than 5% of the total gross floor area.	1 space per 7,000 sf. or as determined by CUP.
Equal to or greater than 50,000 sf	1 space per 700 sf. or as determined by CUP. The gross floor area may include accessory office space comprising less than 5% of the total gross floor area.	1 space per 14,000 sf. or as determined by CUP.
Cannabis—Testing laboratory	1 space per 300 sf., plus 1 space for each company vehicle.	1 space per 6,000 sf.
Laboratory	1 space for each 300 sf., plus 1 space for each company vehicle.	1 space per 6,000 sf.
Recycling facility	1 space for each 1,000 sf. or as determined by CUP. The gross floor area may include incidental office space comprising less than 5% of the total gross floor area.	1 space per 14,000 sf.
Research and development	1 space for each 300 sf., plus 1 space for each company vehicle.	1 space per 6,000 sf.
Self storage (personal storage and mini warehouse facilities)	2 spaces for manager or caretaker unit, 1 of which must be covered, and a minimum of 5 customer parking spaces located adjacent or in close proximity to the manager's unit.	None required.
Warehouse, wholesaling, distribution, and storage (not including mini-storage for personal use)	1 space for each 1,000 sf. or as determined by CUP. The gross floor area may include accessory office space comprising less than 5% of the total gross floor area.	1 space per 14,000 sf.
RECREATION, EDUCATION, AND PUBLIC ASSEMBLY		
Adult entertainment	As determined by CUP.	

Commercial recreation facility—Indoor	1 space for each 250 sf.	1 space per 5,000 sf.
Commercial recreation facility—Outdoor	As determined by MUP.	
Conference, convention facility	1 space for each 4 fixed seats or 1 space for every 50 sf. of assembly area or meeting rooms, whichever is greater.	1 space per 5,000 sf.
Golf courses/country club, public or quasipublic	8 spaces for each hole.	None required.
Equestrian facility	As determined by CUP.	
Health club/fitness facility	1 space for each 250 sf., not including that area devoted to athletic courts located within the building, plus 2 spaces per athletic court.	1 space per 4,000 sf.
Library, museum	1 space for each 300 sf., plus 1 space for each official vehicle.	1 space per 6,000 sf.
Meeting facility, public or private	1 space for each 4 fixed seats or 1 space for every 50 sf. of assembly area or meeting rooms, whichever is greater.	1 space per 4,000 sf.
Park/playground, public or quasi-public	As determined by review authority.	
School, public or private		
Elementary/middle school	1.5 spaces for each classroom, plus 1 space for every 200 sf. of assembly area in an auditorium.	1 space per 4,000 sf. of assembly area in an auditorium.
High school	0.33 spaces for each student, plus 1 space for each employee.	1 space per 4,000 sf. of assembly area in an auditorium.
College	0.5 spaces for each student, plus 1 space for each employee.	1 space per 1,000 sf. of assembly area in an auditorium.
Trade and business schools	1 space for each student.	1 space per 10 students.
Sports and entertainment assembly facility	1 space for each 4 fixed seats or 1 space for every 50 sf. of assembly area, whichever is greater.	1 space per 4,000 sf.
Studio: art, dance, martial arts, music, etc.	1 space for each 200 sf.	1 space per 4,000 sf.
Theater, auditorium	1 space for each 4 fixed seats or 1 space for every 50 sf. of assembly area or meeting rooms, whichever is greater.	1 space per 4,000 sf.
RESIDENTIAL USES (2)		
Accessory dwelling units	1 space in addition to that required for the primary single-family dwelling unit; unless exempted by Section 20-42.130.E.9; the space may be uncovered, compact, or tandem, and located within the setback, unless the review authority determines that tandem parking or parking within a setback is not feasible due to specific topographical or fire and life safety conditions.	None required.

Duplex, Half-Plex, Multifamily dwelling, Condominium, Single-Family Attached, and Small-lot subdivision	Studio and 1-bedroom units—1 covered space plus 0.5 visitor spaces per unit. Visitor spaces may be in tandem with spaces for the unit; or on-street abutting the site, except on a street identified by the General Plan as a regional street.	1 space per 4 units if units do not have a private garage or private storage space for bike storage.
	2 or more bedroom units—1 covered space plus 1.5 visitor spaces per unit. Visitor spaces may be in tandem with spaces for the unit; or on-street abutting the site, except on a street identified by the General Plan as a regional street.	1 space per 4 units if units do not have a private garage or private storage space for bike storage.
Emergency shelter	1 space for every 10 beds provided, plus 1 space for each staff person on duty.	
Group quarters (including boarding/rooming houses, dormitories, organizational houses)	1.5 spaces for each sleeping room or 1 space for each 100 sf. of common sleeping area.	1 space per room.
Junior accessory dwelling units	No off-street parking required. Parking required for the primary single-family dwelling in accordance with this Table 3-4.	None required.
Live/work and work/live units	2 spaces for each unit. The review authority may modify this requirement for the re-use of an existing structure with limited parking.	1 space per 4 units if units do not have a private garage or private storage space for bike storage.
Mixed-use projects	See Section 20-36.050.A (Shared parking for mixed uses).	
Mobile home parks	1.75 spaces for each unit, which may be in tandem, one of which must be covered. At least one-third of the total spaces required shall be distributed throughout the mobile home park and available for guest parking.	0.5 spaces per unit.
Multifamily affordable housing project	Studio/1 bedroom unit—1 space per unit.	1 space per 4 units if units do not have a private garage or private storage space for bike storage.
	2 or more bedrooms—2 spaces per unit.	
Senior housing project (with occupancy for persons 55 or older, as set forth in and which complies with Section **20-28.080**)	1 space per unit with 0.5 of the spaces covered, plus 1 guest parking for each 10 units.	1 space per 8 units if units do not have a private garage or private storage space for bike storage.
Senior affordable housing project (with occupancy for persons 55 or older, as set forth in and which complies with Section **20-28.080**)	1 space per unit.	1 space per 8 units if units do not have a private garage or private storage space for bike storage.
Single-family Detached (see duplexes, etc., above for attached units)	Standard lot—4 spaces per unit, 1 of which must be on-site, covered and outside setbacks. The remaining 3 spaces may be on-site (in the driveway and tandem) or on a public or private street when directly fronting the lot.	None required.

	Flag lot—2 spaces per unit, 1 of which must be covered, both of which must be located outside the required setback area plus 2 on-site, paved guest spaces located outside the required setbacks and which may be tandem.	None required.
Single room occupancy facilities	0.5 spaces per unit.	
Supportive housing	No minimum parking requirements for units occupied by supportive housing residents within 1/2 mile of a public transit stop. Otherwise, subject to the same parking requirements as other residential uses.	
Transitional housing	Subject to the same parking requirements as other residential uses.	
RETAIL TRADE		
All retail trade uses, except those listed below	1 space for each 250 sf.	1 space per 5,000 sf.
Auto and vehicle sales and rental	1 space for each 450 sf. of covered display or building area.	1 space per 9,000 sf.
Bar/tavern	1 space for each 50 sf. of seating area and waiting/lounge area exclusive of dance floor, plus 1 space for each 30 sf. of dance floor.	1 space per 4,000 sf.
Building and landscaping material sales— Indoor	1 space for each 300 sf. of indoor display area.	1 space per 6,000 sf.
Building and landscaping material sales— Outdoor	1 space for each 300 sf. of indoor display area, plus 1 space for each 1,000 sf. of outdoor display area.	1 space per 6,000 sf.
Cannabis—Retail (dispensary) and delivery	1 space for each 250 sf.	1 space per 5,000 sf.
Construction and heavy equipment sales and retail	1 space for each 450 sf. of covered display or building area.	1 space per 9,000 sf.
Drive-through retail sales	As determined by MUP. See Section **20-42.064**.	1 space per 6,000 sf.
Farm supply and feed store	1 space for each 300 sf. of indoor display area, plus 1 space for each 1,000 sf. of outdoor display area.	1 space per 6,000 sf.
Fuel dealer	As determined by CUP.	
Furniture, furnishings, appliance/equipment store	1 space for each 300 sf. of indoor display area.	1 space per 6,000 sf.
Gas stations	1 space for each service bay plus 1 space per employee. Parking space for ancillary uses (e.g., convenience store, take-out restaurant, car wash, etc.) shall be provided in compliance with the requirements of this table for the specific use.	1 space per 10 employees. Bicycle parking for ancillary uses (e.g., convenience store, take-out restaurant, car wash, etc.) shall be provided in compliance with the requirements of this table for the specific use.
Mobile home, boat, or RV sales	1 space for each 450 sf. of covered display or building area.	1 space per 9,000 sf.
Night club	1 space for each 50 sf. of seating area and waiting/lounge area exclusive of	1 space per 4,000 sf.

	dance floor, plus 1 space for each 30 sf. of dance floor.	
Restaurant, café, coffee shop—Counter ordering	1 space for each 75 sf.	1 space per 4,000 sf.
Restaurant, café, coffee shop—Outdoor dining	As determined by MUP.	None required.
Restaurants, café, coffee shop—Table service	1 space for each 3 dining seats capacity.	1 space per 4,000 sf.
Shopping center	1 space for each 250 sf. of gross leasable area.	1 space per 5,000 sf.
Warehouse retail	1 space for each 375 sf.	1 space per 7,500 sf.
SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL		
All business, financial, and professional service uses, except those listed below	1 space for each 250 sf.	1 space per 5,000 sf.
ATM	2 spaces per machine. See also Section **20-42.044**.	None required.
Medical service		
Clinic, lab, urgent care	1 space for each 300 sf.	1 space per 6,000 sf.
Doctor's office	1 space for each 200 sf.	1 space per 4,000 sf.
Health care facility	As determined by MUP.	
Hospital	As determined by CUP.	
Integrated medical health center	1 space for each 250 sf. of recreation and fitness area, not including that area devoted to athletic courts located within the building, plus 2 spaces per athletic court, plus 1 space per 300 sf. of medical clinic/office use.	1 space per 4,000 sf.
Veterinary clinic, arrival hospital	As determined by MUP.	
SERVICES—GENERAL		
All service uses, except those listed below	1 space for each 250 sf.	1 space per 5,000 sf.
Catering service	1 space per employee, plus 1 space per company vehicle.	None required.
Cemetery, mausoleum, columbarium	1 space for each 4 seats of chapel capacity, and 1 space per employee.	1 space per 5,000 sf.
Day care		
Adult day care	1 space per employee, plus 1 space per 10 clients, plus adequate loading space as required by review authority.	As determined by MUP or CUP.
Child day care—Center	1 space per employee, plus 1 space per 10 children, plus adequate loading space as required by review authority.	As determined by MUP or CUP.
Child day care—Large family day care home	3 spaces, no more than 1 of which may be provided in a garage or carport. Parking may be on-street if contiguous to the site. May include spaces already provided to meet residential parking requirements.	As determined by MUP or CUP.
Child day care—Small day care home	As required by State license.	None required.

Community care facility—6 or fewer clients	1 space for each 3 beds.	None required.
Community care facility—7 or more clients	1 space for each 3 beds.	As determined by MUP or CUP.
Drive-through service	As required by MUP or CUP. See Section **20-42.064**.	
Equipment rental	1 space for each 350 sf. of floor area; none required for outdoor rental yard.	1 per 10 full time employees.
Kennel, animal boarding	1 space for each 500 sf., plus 1 space for each 1,000 sf. of boarding area.	1 per 10 full time employees.
Lodging—Bed & breakfast inn (B&B), hotels, and motels	1 space for each guest room, plus required spaces for accessory uses such as restaurants and conference space.	1 space plus 1 per 10 guest rooms.
Mortuary, funeral home	1 space for each 4 seats of chapel capacity and 1 space per employee.	1 per 10 full time employees.
Personal services	2 spaces per customer chair, or 1 space for 250 sf., whichever is greater.	1 space per 4,000 sf.
Personal services—Restricted	2 spaces per customer chair, or 1 space for 250 sf., whichever is greater.	1 space per 4,000 sf.
Public safety facility	As determined by MUP.	
Repair service—Equipment, large appliances, etc.	1 space for each 375 sf.	1 space per 7,500 sf.
Vehicle services—Minor, and major repair/body work	1 space for each service bay, plus 1 space per employee.	1 space per 10 full time employees.
TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE		
All uses, except the following	As required by MUP or CUP.	
Broadcasting studio	1 space per 200 sf.	1 space per 4,000 sf.
Medical cannabis transporter	As required by MUP.	
DOWNTOWN STATION AREA SPECIFIC PLAN—ATTACHED MULTIFAMILY RESIDENTIAL USES		
Residential—Attached Single-Family	No minimum.	1 space per 4 units if units do not have a private garage or private storage space for bike storage.
Residential—Multifamily	No minimum.	
DOWNTOWN STATION AREA SPECIFIC PLAN—DETACHED SINGLE-FAMILY RESIDENTIAL USES		
Residential—Detached Single-Family	No minimum.	None required.
DOWNTOWN STATION AREA SPECIFIC PLAN—AFFORDABLE RESIDENTIAL USES		
Affordable residential uses	No minimum.	1 space per 4 units if units do not have a private garage or private storage space for bike storage.
DOWNTOWN STATION AREA SPECIFIC PLAN—SENIOR HOUSING PROJECT (OCCUPANCY RESTRICTED TO PERSONS 55 OR OLDER)		
Senior housing project	No minimum.	1 space per 4 units if units do not have a private garage or private storage space for bike storage.
DOWNTOWN STATION AREA SPECIFIC PLAN—NONRESIDENTIAL USES		
All nonresidential uses	No minimum.	1 space per 5,000 sf
NORTH SANTA ROSA STATION AREA SPECIFIC PLAN		

Multifamily attached residential	1.5 spaces per unit minimum.	1 space per 4 units if units do not have a private garage or private storage space for bike storage.
Affordable multifamily attached residential	1 space per unit minimum.	1 space per 4 units if units do not have a private garage or private storage space for bike storage.
Senior multifamily attached residential	0.5 spaces per unit minimum.	1 space per 8 units if units do not have a private garage or private storage space for bike storage.
Nonresidential	2.5 spaces for each 1,000 sf. minimum.	1 space per 5,000 sf.

Notes:
(1) Properties located within the boundaries of the Downtown Station Area Specific Plan shall use the land use type "Downtown Station Area Specific Plan" to determine the number of parking spaces required.
(2) Properties located within the boundaries of the North Santa Rosa Station Area Specific Plan shall use the land use type "North Station Area Specific Plan" to determine the number of parking spaces required."

Section 18. Amend Chapter 20-28, Combining Districts, by removing Section 20-28.100, Resilient City (-RC) combining district.

Section 19. Amend Section 20-42.050, Day care facilities, to read and provide as follows:

"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 application for a child day care facility Zoning Clearance or Minor Conditional Use Permit:
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 Minor Conditional Use Permit. The operation of a child day care center, in compliance with a 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 Minor Conditional Use Permit. No 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."

Section 20. Amend Section 20-42.140, Residential small lot subdivisions, to read and provide as follows:

"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 paced 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 dwelling units. A residential small lot subdivision may include second dwelling units, provided that the units comply with the standards in Section 20-42.130 (Residential Second 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."

Section 21. Amend Section 20-42.164, Single Room Occupancy Facilities, to read and provide as follows:

"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 Minor or 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."

Section 22. Amend Section 20-42.190, Emergency shelters, to read and provide as follows:

"20-42.190 Emergency shelters.

An emergency shelter 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 emergency shelters to provide temporary housing, with minimal supportive services for homeless persons, and to establish standards for these shelters.

B. Location. An emergency shelter may be proposed in any zoning district, subject to the permit requirements of Section 20-42.190.C, provided that a minimum distance of 300 feet shall be maintained from any other emergency shelter, as measured from the property line.

C. Project review and approval.

1. During declared Hazards, Emergency Shelters with up to 50 beds in the CG Zoning District shall not be limited with regard to the number of persons served, subject to occupancy limits of the Fire Department and the Uniform Building Code, so long as the operating conditions set forth in this Section are met.

2. An emergency shelter with 50 beds or less in the CG Zoning District is exempt from Design Review. An emergency shelter with greater than 50 beds in any zoning district, including the CG Zoning District, shall require Design Review in compliance with Section 20-52.030.

D. Development standards.

1. Maximum number of beds. As determined by CUP, except that a maximum of 50 beds shall be permitted, by right, in the CG Zoning District.

2. Length of stay. Temporary shelter shall be available to residents for no more than 180 days in any 12-month period.

3. Intake/waiting area. A client intake/waiting area shall be provided at a minimum of 10 square feet per bed provided at the facility, with a minimum of 100 square feet. Said intake/waiting area shall be in a location not adjacent to the public right-of-way. If located at the exterior of a building, the intake/waiting area shall be visually separated from public view by a minimum of six-foot tall visually screening mature landscaping or a minimum six-foot tall decorative masonry wall, and shall provide consideration for shade/rain provisions.

4. Lighting. Adequate external lighting shall be provided for security purposes in compliance with Section 20-30.080.

5. Security. Security personnel shall be provided during the hours that the emergency shelter is in operation.

6. On-site management. At least one facility manager shall be on-site at all hours that the facility is open. Additional support staff shall be provided, as necessary, to ensure that at least one staff member is provided in all segregated sleeping areas, as appropriate."

Section 23. Amend Table 2-2 in Section 20-22.030, Residential district land uses and permit requirements, to read and provide as follows:

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

Table 2-2 identifies the uses of land allowed by this Zoning Code in each residential zoning district, and the land use permit required to establish each use, in compliance with Section 20-21.030 (Allowable Land Uses and Permit Requirements).

Note: where the last column in the table ("Specific Use Regulations") includes a section number, the regulations in the referenced section apply to the use. Provisions in other sections of this Zoning Code may also apply.

TABLE 2-2 Allowed Land Uses and Permit Requirements for Industrial Districts*	P MUP CUP S —		
LAND USE (1)	**PERMIT REQUIRED BY ZONE**		

	RR	R-1	R-2	R-3	MH	NMU	TV-R	Specific Use Regulations
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	—	—	—	—	—	—	
RECREATION, EDUCATION & PUBLIC ASSEMBLY USES								
Community garden (5)	P	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	—	—	—	—	—	P	—	
Health/fitness facility—Quasi-public	MUP	MUP	MUP	MUP	MUP	P	MUP	
Library/museum	MUP	MUP	MUP	MUP	MUP	P	P	
Meeting facility, public or private	MUP	MUP	MUP	MUP	MUP	MUP	MUP	
Park/playground, public or quasi-public	MUP	MUP	MUP	MUP	MUP	P	P	
Private residential recreation facility	MUP	MUP	MUP	MUP	MUP	MUP	MUP	
School, public or private	MUP	MUP	MUP	MUP	MUP	MUP	MUP	
Studio—Art, dance, martial arts, music, etc.	—	—	—	—	—	MUP	MUP	
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	S	20-42.130
Agricultural employee housing—6 or fewer residents	P	P	P	P	P	P	P	

Agricultural employee housing—7 or more residents (11)	MUP	MUP	MUP(2)	MUP (2)	MUP	MUP (2)	MUP (2)	
Animal keeping—Domestic, exotic	S	S	S	S	S	S	S	20-42.040
Cannabis—Personal cultivation	P	P	P	P	P	P	P	20-46
Community care facility—6 or fewer clients	P	P	P	P	P	P	P	20-42.060
Community care facility—7 or more clients (11)	MUP	MUP	MUP(2)	MUP (2)	MUP	MUP (2)	MUP (2)	20-42.060
Duplex (6)(7)(8)	MUP(2)	MUP(2)	P	P	—	P	P	
Emergency shelter	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Emergency Shelter – 10 or fewer beds	CUP (12)	CUP (12)	CUP (12)	CUP (12)	CUP (12)	CUP	CUP (12)	
Half-Plex (6)(7)(8)	MUP(2)	MUP(2)	P	P	—	P	P	
Home occupation	S	S	S	S	S	S	S	20-42.070
Junior accessory dwelling unit	S	S	S	S	—	S	S	20-42.130
Live/work	—	—	—	—	—	MUP	P(3)	20-42.080
Mobile home park (10)	CUP (13)	CUP (13)	CUP (13)	CUP (13)	P	CUP	—	20-42.100
Mobile home/manufactured housing unit (8)	P	P	P	P	P	P	P	20-42.094

Multi-family dwellings (6) (8)	MUP	MUP	P	P	—	P	P	
Organizational house (dormitory, sorority, monastery, etc.)	MUP	MUP	CUP	CUP	—	CUP	CUP	
Residential accessory structures and uses	P	P	P	P	P	P	P	20-42.030
Residential component of a mixed use project (11)	MUP(2)	MUP(2)	MUP (2)	MUP (2)	MUP	P	P	20-42.090
Rooming or boarding house	P	P	P	P	—	P	P	
Rooming or boarding, accessory	P	P	P	P	—	P	P	
Single-family attached (7)(8)	MUP(2)	MUP(2)	P	P	—	P	P	
Single-family detached (7)(8)	P	P	—	—	—	—	—	
Single Room Occupancy Facility (10)	—	MUP (12)	MUP (12)	MUP (12)	—	—	MUP (12)	
Small lot residential project - single family attached (10)	CUP (12)	MUP (12)	MUP (12)	MUP (12)	—	CUP (12)	MUP (12)	20-42.140
Small lot residential project – single family detached (10)	CUP (12)	MUP (12)	—	—	—	—	—	20-42.140
Supportive housing	P	P	P	P	P	P	P	
Transitional housing	P(4)	P(4)	P	P	P	P	P	
Work/live	—	—	—	—	—	MUP	MUP	20-42.080

RETAIL TRADE

Accessory retail uses	—	—	—	—	MUP	P	P	20-42.024
Alcoholic beverage sales	—	—	—	—	—	CUP	CUP	20-42.034
Artisan shop	—	—	—	—	—	P	MUP	
General retail—up to 20,000 sf of floor area	—	—	—	—	—	P	P	
Specialty food store—10,000 sf or less	—	—	—	—	—	P	P	
Mobile Food Facility	—	—	—	—	—	MUP	—	20-42.210
Neighborhood center	MUP	MUP	MUP	MUP	MUP	P	P	
Outdoor display and sales	—	—	—	—	—	MUP	MUP	20-42.110
Pharmacy	—	—	—	—	—	P	P	
Produce stand	MUP	—	—	—	—	P	MUP	
Restaurant, café, coffee shop— Counter ordering	—	—	—	—	—	P	P	
Restaurant, café, coffee shop— Outdoor dining	—	—	—	—	—	P	MUP	20-42.110, 20-42.160
Restaurant, café, coffee shop— Serving alcohol (no bar)	—	—	—	—	—	P	MUP	

Restaurant, café, coffee shop—Table service	—	—	—	—	—	P	P	
Second hand store			—	—	—	—	—	—

SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL

ATM	—	—	—	—	—	P	P	20-42.044
Medical service—Health care facility —6 or fewer patients	P	P	P	P	P	P	P	20-42.060
Medical service—Health care facility —7 or more patients	MUP	MUP	MUP	MUP	MUP	MUP	MUP	20-42.060
Medical service—Integrated medical health center	—	—	MUP	MUP	—	MUP	MUP	

SERVICES—GENERAL

Accessory service uses	—	—	—	—	MUP	MUP	MUP	20-42.024
Adult day care	MUP	MUP	MUP	MUP	MUP	MUP	MUP	
Child day care—Large family day care home (9)	P	P	P	P	P	P	P	
Child day care—Small family day care home (9)	P	P	P	P	P	P	P	
Child day care center (10)	MUP	MUP	MUP	MUP	—	P	MUP	20-42.050
Extended hours of operation (11:00 p.m. to 6:00 a.m.)	—	—	—	—	—	MUP	CUP	
Lodging—Bed & breakfast inn (B&B)	MUP	MUP	—	—	—	—	—	

Personal services	—	—	—	—	—	P	MUP	
Public safety facility	MUP	MUP	MUP	MUP	MUP	MUP	MUP	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Telecommunications antenna	S	S	S	S	S	S	S	20-44
Utility facility	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Utility infrastructure	P	P	P	P	P	P	P	

Key to Zoning District Symbols

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

Notes:

(1) See Division 7 for land use definitions.

(2) Permitted by right within one 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.

(4) A Minor Use Permit is required for the construction of new multi-family supportive or transitional housing units in an RR or R-1-6 Zoning District, similar to construction of a new traditional multi-family unit in an RR or R-1-6 Zone. The construction of new multi-family supportive housing units does not require a Minor Use Permit when the proposed use meets each of the requirements of Assembly Bill 2162, as specified in Government Code Section 65651. A new supportive or transitional housing use occupying an existing multi-family residence in an RR or R-1-6 Zoning District is a permitted use requiring only a Zoning Clearance.

(5) 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.

(9) Permitted by right within any Planned Development.

(10) Permitted with a Minor 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.
(12) Permitted with a Minor Conditional Use Permit within one of the City's Priority Development Areas."

Section 24. Amend Table 2-6 in Section 20-23.030, Commercial district land uses and permit requirements, to read and provide as follows:

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

Table 2-6 identifies the uses of land allowed by this Zoning Code in the commercial zoning districts, and the land use permit required to establish each use, in compliance with Section 20-21.030 (Allowable Land Uses and Permit Requirements).

Note: Where the last column in the table ("Specific Use Regulations") includes a section number, the regulations in the referenced section apply to the use. Provisions in other sections of this Zoning Code may also apply.

TABLE 2-6 Allowed Land Uses and Permit Requirements for Industrial Districts*	P MUP CUP S —									
	PERMIT REQUIRED BY ZONE									**Specific Use Regulations**
USE (1)	**CO**	**CN(7)**	**CG**	**CV**	**CMU**	**SMU**	**MMU**	**CSC(2)**	**TV-M**	
INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING										
Artisan/craft product manufacturing	—	MUP	P	—	MUP	MUP	P	P	—	
Brewery—Brew pub	—	MUP	MUP	—	MUP	MUP	P	MUP	MUP	
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	—	—	—	—	—	—	P	—	—	
Printing and publishing	—	—	—	—	MUP	MUP	P	—	—	
Recycling—Reverse vending machines	—	P	P	—	—	—	—	P	—	20-42.120
Recycling—Small collection facilities	—	—	MUP	—	—	—	—	MUP	—	20-42.120
Research and development	—	—	—	—	MUP	P	P	—	—	
Storage—Accessory	P	P	P	P	P	P	P	P	P	
Storage—Personal storage facility (mini-storage)	—	—	MUP	—	—	—	—	—	—	20-42.180
Winery—Boutique	—	—	MUP	—	MUP	MUP	P	MUP	MUP	
Winery—Production	—	—	CUP	—	CUP	CUP	MUP	—	CUP	

RECREATION, EDUCATION & PUBLIC ASSEMBLY USES

Adult entertainment business	S	S	S	S	S	S	S	S	S	20-40
Commercial recreation facility— Indoor	—	—	MUP	—	MUP	MUP	MUP	MUP	MUP	
Community garden (6)	P	P	P	P	P	P	P	P	P	
Conference/convention facility	—	—	CUP	—	MUP	MUP	CUP	—	CUP	
Health/fitness facility—Commercial	—	MUP	P	—	P	P	P	P	MUP	c
Health/fitness facility—Quasi-public	—	MUP	P	—	P	P	P	P	MUP	
Library, museum	P	P	P	MUP	P	P	P	P	P	
Meeting facility, public or private	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	
Park, playground	P	P	P	MUP	P	P	P	P	P	

School, public or private	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	
Sports and entertainment assembly facility	—	—	CUP	—	MUP	MUP	CUP	—	—	
Studio—Art, dance, martial arts, music, etc.	MUP	P	P	—	P	P	P	P	MUP	
Theater, auditorium	—	—	CUP	—	MUP	MUP	MUP	CUP	MUP	

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	20-42.040
Community care facility—6 or fewer clients (9)	P	P	P	—	P	P	P	P	P	20-42.060
Community care facility—7 or more clients (9)	MUP (16)	MUP	MUP (16)	—	MUP (16)	MUP (16)	MUP (16)	MUP	MUP (16)	20-42.060
Duplex (14)(17)	CUP (15)	P	MUP (15)	—	P	P	P	P	P (5)	
Emergency shelter—50 or fewer beds (17)	CUP (15)	CUP (15)	P	CUP (15)	CUP (15)	CUP	CUP	CUP (15)	CUP (15)	20-42.190
Emergency shelter—51 or more beds (17)	CUP (15)	CUP (15)	CUP (15)	CUP (15)	CUP (15)	CUP	CUP	CUP (15)	CUP (15)	20-42.190
Half-Plex (14)(17)	CUP (15)	P	MUP (15)	—	P	P	P	P	P (5)	
Home occupation	S	S	S	—	S	S	S	S	S	20-42.070
Live/work	MUP	MUP	MUP	—	P	P	P	MUP	MUP	20-42.080
Multi-family dwelling (14)(17)	CUP (15)	P	MUP (16)	—	P	P	P	P	P (5)	
Residential accessory uses and structures	P	P	P	—	P	—	—	P	P	20-42.030

Residential component of a mixed use project (9)	MUP (16)	P	MUP (16)	—	P	P	P	P	P (5)	20-42.090
Single-family Attached(17)	CUP (15)	P	MUP (15)	—	P	P	P	P	P (5)	
Single room occupancy facility	—	—	CUP	—	MUP	MUP	MUP	CUP	—	20-42.164
Supportive housing (12)	P	P	P	—	P	P	P	P	P	
Transitional housing	CUP	CUP	CUP	CUP	MUP	MUP	MUP	—	CUP	
Work/live	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	20-42.060

RETAIL TRADE

Accessory retail uses	P	P	P	P	P	P	P	P	P	20-42.024
Alcoholic beverage sales	—	CUP	CUP	—	CUP	CUP	CUP	CUP	CUP	20-42.034
Artisan shop	—	P	P	—	P	P	P	P	P	
Auto and vehicle sales and rental	—	—	MUP (11)	P	—	—	—	—	—	
Auto parts sales (no installation services)	—	—	P(11)	P	—	—	—	P	—	
Bar/tavern	—	CUP	CUP	—	CUP	CUP	CUP	CUP	CUP	20-42.034
Building and landscape materials sales—Indoor	—	—	P(11)	—	—	—	—	P	—	

Building and landscape materials sales—Outdoor	—	—	MUP	—	—	—	—	MUP	—	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	—	—	—	MUP	—	—	—	—	—	
Drive-through retail sales	—	CUP	CUP (11)	—	—	—	—	CUP	—	20-42.064
Electric vehicle sales	—	—	—	—	MUP	MUP	MUP	—	—	
Farm supply and feed store	—	—	MUP	—	—	—	—	MUP	—	
Fuel dealer (propane for home and farm use, etc.)	—	—	—	CUP	—	—	—	—	—	
Furniture, furnishings, appliance/equipment store	—	—	P	—	P	P	P	P	MUP	
Gas station	—	—	—	—	—	—	—	—	—	
General retail—Up to 20,000 sf of floor area	—	P(11)	P	—	P	P	P	P	P	
General retail—More than 20,000 sf, up to 50,000 sf	—	MUP (11)	P(11)	—	P	P	MUP	P	MUP	
General retail—More than 50,000 sf of floor area	—	—	CUP (11)	—	—	—	—	P	—	
Grocery store, small—Less than 20,000 sf	—	P	P	—	P	P	P	P	P	

Grocery store, large—20,000 sf and greater	—	CUP (11)	CUP (11)	—	P	P	P	P	CUP	20-42.200
Mobile Food Facility (20)	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	20-42.210
Mobile home, boat, or RV sales	—	—	MUP	P	—	—	—	—	—	
Neighborhood center	MUP	P	P	CUP	P	P	P	P	MUP	
Night club	—	—	MUP (11)	—	MUP	MUP	MUP	MUP	MUP	
Office—Supporting retail	MUP	P	P	—	P	P	P	P	P	
Outdoor display and sales	—	MUP	MUP	—	MUP (13)	MUP (13)	MUP (13)	CUP	CUP	20-42.110
Pharmacy	MUP	P	P	—	P	P	P	P	MUP	
Restaurant, café, coffee shop— Counter ordering	MUP	P	P	—	P	P	P	P	P	
Restaurant, café, coffee shop— Outdoor dining	P(8)	P(8)	P(8)	—	P(8)	P(8)	P(8)	P(8)	P(8)	20-42.110, 20-42.160
Restaurant, café, coffee shop— Serving alcohol (no bar)	P	P	P	—	P	P	P	P	P	
Restaurant, café, coffee shop— Table service	MUP	P	P	—	P	P	P	P	P	
Second hand store	—	MUP	MUP	—	MUP	MUP	MUP	MUP	MUP	

Shopping center	—	—	P	—	P	P	P	P	—	
Tasting room	—	MUP	P	—	P	P	P	P	P	
Tobacco or smoke shop	—	—	MUP	—	MUP	MUP	MUP	MUP	—	
Warehouse retail	—	—	CUP(11)	—	—	—	—	CUP	—	

SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL

ATM	P	P	P	P	P	P	P	P	P	20-42.044
Bank, financial services	MUP	P	P	—	P	P(5)	P(5)	P	P(5)	
Business support service	MUP	MUP	P	—	P	P	P	P	P	
Medical service—Clinic, urgent care	P	MUP	P	—	P	P	MUP	P	MUP	
Medical service—Doctor office	P	P	P	—	P	P(5)	MUP	P	P(5)	
Medical service—Health care facility	MUP	—	MUP	—	—	—	—	—	—	20-42.060
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	MUP	

Medical service—Lab	P	—	P	—	—	—	—	MUP	—	
Medical service—Veterinary clinic, animal hospital	MUP	—	MUP	—	—	—	—	MUP	—	
Office—Accessory	P	P	P	P	P	P	P	P	P	
Office—Business/service	P	P	P	—	P	P	P	P	P(5)	
Office—Government	P	MUP	MUP	MUP	P	MUP	MUP	MUP	MUP	
Office—Processing	MUP	—	MUP	—	MUP	MUP	MUP	—	MUP	
Office—Professional	P	MUP	P	—	P	P	P	—	P(5)	

SERVICES—GENERAL

Accessory services	P	P	P	P	P	P	P	P	P	20-42.030
Adult day care	—	P	MUP	—	MUP	MUP	MUP	P	MUP	
Catering service	—	—	P	—	—	—	P	—	—	
Child day care—Large family day care home (18)	P	P	P	—	P	P	P	P	P	
Child day care—Small family day care home (18)	P	P	P	—	P	P	P	P	P	
Child day care center (19)	P	P	P	—	P	P	P	P	P	20-42.050

Commissary	—	—	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.)	—	MUP	MUP	—	P	P	P	MUP	MUP	
Lodging—Bed and breakfast inn (B&B)	—	—	MUP	—	P	P	P	—	MUP	
Lodging—Hotel or motel	MUP	—	MUP	—	P(4)	P(4)	P(4)	—	P	
Mortuary, funeral home	—	—	CUP	—	—	—	—	—	—	
Personal services	P	P(2)	P	—	P	P	P	P	P	
Personal services—Restricted	—	—	MUP	—	MUP	MUP	MUP	MUP	—	
Public safety facility	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	
Repair service—Equipment, large appliances, etc.	—	—	MUP	—	—	—	—	—	—	
Social service organization	MUP	—	MUP	—	MUP	MUP	MUP	—	—	
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	
Parking facility, public or commercial	MUP	—	MUP	—	P(4)	P(4)	MUP	—	MUP	

Telecommunications facilities	S	S	S	S	S	S	S	S	S	20-44
Transit station or terminal	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	MUP	
Utility facility	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	
Utility infrastructure	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	**CD**	Downtown Commercial	**CMU**	Core Mixed Use		
CG	General Commercial	**CSC**	Community Shopping Center	**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 Sections20-23.040 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 Conditional Use Permit required when site abuts residential zoning district or parcel with residential use.

(5) Uses permitted on upper stories of building, Minor 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 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) Supportive housing is allowed only when the proposed use meets each of the requirements of Assembly Bill 2162, as specified in Government Code Section 65651.
(13) Outdoor dining permitted by right, pursuant to Section 20-42.110.B.
(14) Permitted by right within any commercial Planned Development within one of the City's Priority Development Areas.
(15) Permitted with a Minor Conditional Use Permit within one of the City's Priority Development Areas.
(16) Permitted by right within one of the City's Priority Development Areas.
(17) Permitted with a Minor Conditional Use Permit within any nonresidential Planned Development within one of the City's Priority Development Areas.
(18) Permitted by right within any Planned Development.
(19) Permitted by right within any commercial Planned Development.
(20) Permitted with a Minor Conditional Use Permit within any commercial Planned Development."

Section 25. Amend Table 2-10 in Section 20-24.030, Industrial district land uses and permit requirements, to read and provide as follows:

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

A. General land use permit requirements. Table 2-10 identifies the uses of land allowed by this Zoning Code in the industrial zoning districts, and the land use permit required to establish each use, in compliance with Section 20-21.030 (Allowable Land Uses and Permit Requirements).
Note: where the last column in the table ("Specific Use Regulations") includes a section number, the regulations in the referenced section apply to the use. Provisions in other sections of this Zoning Code may also apply.

B. Re-occupancy with less intensive use. The re-occupancy of a building that was authorized by Minor Conditional Use Permit or Conditional Use Permit, with a use allowed in the same industrial zoning district by Table 2-10 as a permitted or conditional use, may occur with a Zoning Clearance where noted by Table 2-10, and where the Director determines that the proposed use is similar to or less intense than the previous use. The determination shall be based on the following criteria, and other relevant considerations as identified by the Director.
1. Pedestrian and vehicular traffic;
2. Parking requirements;
3. Number of employees and clients;
4. Nuisance factors, including noise, odors, fumes, dust, dirt, litter, vibrations, etc.

TABLE 2-10 Allowed Land Uses and Permit Requirements for Industrial Districts*		
	P	Permitted Use, Zoning Clearance required
	MUP	Minor Conditional Use Permit required
	CUP	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	—	
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	
Manufacturing/processing—Light	P(3)	P(3)	P(3)	
Manufacturing/processing—Medium	—	MUP	MUP	
Media production—Indoor only	P	P(3)	P(3)	
Media production—With outdoor uses	MUP	P(3)	P(3)	
Petroleum product storage and distribution	—	—	MUP	
Printing and publishing	P(3)	P(3)	P	
Recycling—Large collection facility	—	—	MUP	20-42.120
Recycling—Processing facility	—	—	MUP	20-42.120
Recycling—Reverse vending machines	P	P	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	
Storage—Accessory	P	P	P(3)	
Storage—Contractor's yard	—	MUP	MUP	
Storage—Open during extended or transitional hours	—	MUP	MUP	
Storage—Outdoor	—	MUP	MUP	20-42.170
Storage—Personal storage facility (mini-storage)	—	P(3)	P(3)	20-42.180
Warehouse, wholesaling and distribution	MUP (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	
Commercial recreation facility—Outdoor	—	MUP	—	
Community garden (6)	P	P	P	
Conference/convention facility	MUP(4)	MUP	—	
Health/fitness facility—Commercial	MUP	MUP	—	
Health/fitness facility—Quasi-public	MUP	MUP	—	
Meeting facility, public or private	MUP	MUP	—	
School, public or private	MUP	MUP	MUP	
Sports and entertainment assembly facility	—	CUP	—	
Studio—Art, dance, martial arts, music, etc.	MUP	MUP	—	
Theater, auditorium	—	CUP	—	

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/exotic	S	S	S	20-42.040
Caretaker unit	MUP(4)	MUP(4)	MUP(4)	
Community care facilities—6 or fewer clients (12)	P	P	P	
Community care facilities—7 or more clients (12)	MUP	MUP	MUP	
Duplex (10)	CUP(4)(9)	—	—	
Emergency shelter (10)	CUP(9)	CUP(9)	CUP(9)	
Half-Plex (10)	CUP(4)(9)	—	—	
Home occupation	S	—	—	20-42.070
Junior accessory dwelling unit	P(4)	—	—	20-42.130
Live/work unit	MUP	—	—	20-42.080
Mixed use project	MUP	—	—	
Mobile home/manufactured housing (10)	CUP(4)(9)	—	—	20-42.094
Multi-family dwellings (10)	CUP(4)(9)	—	—	
Organizational house	CUP(4)	—	—	
Residential accessory uses and structures	P(4)	—	—	
Single-family attached (10)	CUP(4)(9)	—	—	
Single-family detached (10)	CUP(4)(9)	—	—	
Supportive housing (8)	P	—	—	
Transitional housing	CUP	CUP	CUP	
Work/live unit	MUP	MUP	MUP	20-42.080

RETAIL TRADE

Accessory retail uses	P(4)	P	P	20-42.024
Alcoholic beverage sales	—	CUP	—	20-42.034
Auto and vehicle sales and rental	—	MUP	—	

Bar/tavern	—	CUP	—	
Building and landscape materials sales—Indoor	—	P	MUP	
Building and landscape materials sales—Outdoor	—	MUP	MUP	
Cannabis—Retail (dispensary) and delivery	CUP(7)	CUP(7)	CUP(7)	20-46
Construction and heavy equipment sales and rental	—	MUP	MUP	
Farm supply and feed store	—	P	MUP	
Fuel dealer (propane for home and farm use, etc.)	—	—	MUP	
Gas station	—	—	—	
Mobile Food Facility	MUP	MUP	MUP	20-42.210
Neighborhood center	MUP(5)	MUP(5)	CUP(5)	
Night club	—	CUP	—	
Office supporting retail	P	—	—	
Restaurant, café, coffee shop—Counter ordering	P(4)	P	CUP	
Restaurant, café, coffee shop—Outdoor dining	MUP(4)	MUP	CUP	
Restaurant, café, coffee shop—Serving alcohol (no bar)	P(4)	P	CUP	
Restaurant, café, coffee shop—Table service	P(4)	P	CUP	
Warehouse retail	CUP(4)	CUP	CUP	

SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL

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

SERVICES—GENERAL

Accessory services	P(4)	P	MUP	20-42.024
Catering service	—	P	P	
Child Day Care – Large Family Day Care Home (11)	P	P	P	
Child Day Care – Small Family Day Care Home (11)	P	P	P	
Child day care center	P	P	—	20-42.050
Commissary	P	P	P	
Equipment rental	—	P(3)	P(3)	

Extended hours of operation (11:00 p.m. to 6:00 a.m.)	MUP	MUP	MUP	
Kennel, animal boarding	—	MUP	MUP	
Lodging—Hotel or motel	CUP(4)	—	—	
Maintenance service—Client site services	MUP	P	P	
Personal services	P	MUP	—	
Public safety facility	MUP(2)	MUP	MUP	
Repair service—Equipment, large appliances, etc.	—	MUP	P(3)	
Vehicle services—Major repair/body work	—	MUP	P(3)	
Vehicle services—Minor maintenance/repair	—	P	P(3)	

TRANSPORTATION, COMMUNICATIONS & INFRASTRUCTURE

Broadcasting studio	P	P	P	
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	—	MUP	P(3)	

Key to Zoning District Symbols

BP	Business Park	**IL**	Light Industrial	**IG**	General Industrial

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 MUP or CUP approval. See Section 20-24.030.B.

(3) MUP 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) Supportive housing is allowed only when the proposed use meets each of the requirements of Assembly Bill 2162, as specified in Government Code Section 65651.

(9) Permitted with a Minor Conditional Use Permit within one of the City's Priority Development Areas.
(10) Permitted with a Minor Conditional Use Permit within any nonresidential Planned Development within one 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."

Section 26. Replace Table 2-12 in Section 20-26.030, Special purpose district land uses and permit requirements, as follows:

"

TABLE 2-12 **Allowed Land Uses and Permit Requirements** **for Special Purpose Districts***	P	Permitted Use, Zoning Clearance required	
	MUP	Minor Conditional Use Permit required	
	CUP	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**	
AGRICULTURAL, OPEN SPACE, AND RESOURCE-BASED USES				
Agricultural accessory structure	CUP	CUP	—	
Animal keeping—Livestock	S	S	S	20-42.040
Crop production, horticulture, orchard, vineyard	CUP	CUP	—	
Open space, public or private	CUP	CUP	—	
Wildlife or botanical preserve or sanctuary	CUP	CUP	—	
INDUSTRY, MANUFACTURING & PROCESSING, WHOLESALING				
Storage—Accessory	P	P	P	
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	
Park, playground	P	P	P	
School, public or private	MUP	MUP	CUP	
Sports and entertainment assembly facility	CUP	—	CUP	
Studio—Art, dance, martial arts, music, etc.	CUP	—	CUP	
Theater, auditorium—Public	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(3)	—	—	

Community care facility—6 or fewer clients (7)	P(3)	P	CUP (8)	20-42.060
Community care facility—7 or more clients (7)	—	—	CUP (8)	20-42.060
Duplex (5)	MUP(3)	—	—	
Emergency shelter (5)	CUP	CUP	CUP(8)	
Half-plex (5)	MUP(3)	—	—	
Home occupation	S(3)	S	—	20-42.070
Junior accessory dwelling unit	S	S	—	20-42.130
Mobile home/manufactured housing unit	P(3)	CUP	—	20-42.094
Multi-family dwellings (5)	MUP(3)	—	—	
Organizational house	—	—	CUP	
Residential accessory structures and uses	P(3)	P	—	20-42.030
Single-family detached (5)	P(3)	CUP	—	
Single-family attached (5)	MUP(3)	—	—	
Supportive housing(4)	P	—	—	
Transitional housing	CUP(3)	CUP	CUP	

RETAIL TRADE

Mobile Food Facility	—	—	MUP	20-42.210
Restaurant, café, coffee shop—Counter ordering	MUP	—	MUP	
Restaurant, café, coffee shop—Outdoor dining	MUP	—	MUP	20-42.160
Restaurant, café, coffee shop—Serving alcohol (no bar)	MUP	—	MUP	20-42.160
Restaurant, café, coffee shop—Table service	MUP	—	MUP	

SERVICES—BUSINESS, FINANCIAL, PROFESSIONAL

ATM	—	—	P	
Medical service—Clinic, urgent care	—	—	P(2)	
Medical service—Doctor office	—	—	MUP	
Medical service—Health care facility	—	—	MUP	20-42.060
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	

SERVICES—GENERAL

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	

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	
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

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) Supportive housing is allowed only when the proposed use meets each of the requirements of Assembly Bill 2162, as specified in Government Code Section 65651.

(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."

Section 28. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 29. Effective Date. This ordinance shall take effect on the 31st day following its adoption.

This ordinance was introduced by the Council of the City of Santa Rosa of November 12, 2024.

IN COUNCIL DULY PASSED AND ADOPTED this _____ day of _____, 2024.

AYES:

NOES:
ABSENT:
ABSTAIN/RECUSE:

ATTEST: _____ APPROVED: _____
City Clerk Mayor

APPROVED AS TO FORM: _____
City Attorney