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YOLO COUNTY CODE

Title 8 LAND DEVELOPMENT

CHAPTER 2: ZONING REGULATIONS

Article 6: Commercial Zones

Sec. 8-2.601 Purpose

The purpose of the commercial zones is to provide for areas that support and enhance a wide range of retail businesses and services for County residents, visitors, and travelers. The purpose of the zones is also to encourage job development and sales tax revenues.

Sec. 8-2.602 Commercial Zones

Commercial areas are separated into four zoning districts, with specific Use Types, minimum lot area, and other requirements, as described below.

(a) Local Commercial (C-L) Zone

The purpose of the Local Commercial (C-L) zone is to allow for retail, service, and office uses that meet the daily needs of nearby residents and workers. Residential uses are also allowed on upper floors as an ancillary use. Standards for the C-L zone are intended to reduce the need to drive by providing everyday goods and services close to where people live and work, and by allowing for centers of neighborhood activity that support small, locally-owned businesses. Permitted uses in the C-L zone are similar to the General Commercial (C-G) zone, except that regional-serving uses, large stores, and more intensive commercial uses such as vehicle repair, light manufacturing, and warehousing and storage uses, are not allowed.

The development intensity in C-L zones will be dependent on whether public services (sewer, water) are available. The maximum permitted floor area ratio in the C-L zone is 0.5 (1.0 for mixed commercial and residential) and the maximum allowable “floor plate” (the space occupied) for individual uses is 40,000 square feet of ground floor space. The C-L zone implements the Commercial Local (CL) land use designation in the 2030 Countywide General Plan.

(b) General Commercial (C-G) Zone

The purpose of the General Commercial (C-G) zone is to allow for a full range of retail, service, and office uses in proximity to residents in rural areas of the county, to reduce the need for residents of remote communities to drive long distances to meet basic needs. Permitted uses include general retail, personal services, professional offices, restaurants, gas and service stations, hotels and motels, and other similar commercial uses. Research and development parks with office and service support are also allowed. Heavier uses such as vehicle repair, light manufacturing, and warehousing and storage are conditionally permitted in the C-G zone with the approval of a Use Permit. Residential uses are allowed on upper floors as an ancillary use.

The development intensity in C-G zones will be dependent on whether public services (sewer, water) are available. The maximum permitted floor area ratio in the C-G zone is 1.0 (2.0 for mixed commercial and residential). The C-G zone implements the Commercial General (CG) land use designation in the 2030 Countywide General Plan.

(c) Downtown Mixed Use (DMX) Zone

The Downtown Mixed Use (DMX) zone is to be applied to unincorporated downtown areas that are planned for development or redevelopment of a mixture of primarily commercial, retail, office and residential uses that are designed to be pedestrian-friendly. The DMX zone may only be applied in downtown areas that are connected to public services (sewer and water).

The purposes of the DMX District are to create a village-like main street similar to commercial areas of older cities, and to encourage mixed use development projects with neighborhood and community-serving retail, service, and other uses on the ground floor and residential and live/work units above the nonresidential space. The DMX regulations allow for a mixture of residential and commercial land uses located close to one another, either within a single building, on the same parcel, or on adjacent parcels. Standards in the DMX zone are intended to reduce reliance on the automobile and create a pedestrian-oriented shopping environment. Specific standards are applied to parking, setbacks, and signs, and to encourage certain architectural facades and features.

Permitted commercial uses include all of the general retail, personal services, restaurants, professional offices, and other similar uses that are allowed in the C-G zone. Live-work uses that involve the manufacturing of artisan-related products for sale are also allowed. Permitted residential density in the DMX zone for new buildings ranges from a minimum of 10 to a maximum of 20 dwelling units per net acre. The maximum permitted floor area ratio in the DMX zone is 1.0 (2.0 for mixed commercial and residential). The DMX zone implements the Commercial General (CG) land use designation in the 2030 Countywide General Plan.

(d) Highway Services Commercial (C-H) Zone

The purpose of the Highway Services Commercial (C-H) zone is to provide for retail, commercial, amusement, and transient residential (hotel/motel) uses which are appropriate to highway locations and dependent upon highway travel. Permitted uses include auto and truck service stations and repair, vehicle and boat equipment sales, hotels/motels, restaurants, small retail sales. The C-H zones are applied on parcels of two (2) acres or more and are located only in the vicinity of highways or major arterials. The maximum permitted floor area ratio in the C-G zone is 1.0. The C-H zone implements the Commercial General (CG) land use designation in the 2030 Countywide General Plan.

Sec. 8-2.603 Commercial Use Types Defined

As required by Sec. 8-2.227 in Article 2 of this Chapter, a Use Classification System has been employed to identify commercial Use Types. The most prevalent uses identified for each commercial zone district are “principal” uses allowed by right, as well as “accessory” or “ancillary” uses allowed by right or with the issuance of a Site Plan Review. A smaller number of uses are “conditional” uses permitted through the issuance of a Minor or Major Use Permit.

The commercial Use Types include a full range of retail sales, personal and business services, eating and drinking establishments, offices, limited wholesale and warehouse activities, some public and quasi-public uses, crafts, and mixed-use residential uses. The descriptions of the Use Types in this chapter contain individual specific uses that are classified within the Use Type. These lists of specific typical uses are examples and are not meant to include all uses that may properly be classified within the Use Type. If a specific use is not included under a Use Type, the Planning Director has the discretion of finding that the specific use is similar or consistent with another listed use, and may be allowed as a principal, accessory, or conditional use or, conversely, may find that the use is not an allowed use within the zone.

(a) Retail Uses

This Use Type includes stores and shops of all sizes that sell a wide range of retail goods. Typical uses include drugstores; florist shops; bakeries; grocery stores; hardware stores; antique stores; arts and crafts, "boutiques" and specialty shops; sales of automobiles, household appliances, and furniture; and all other similar retail businesses that sell goods to members of the public.

(b) Eating and Drinking Uses

This Use Type includes all "sit down," as well as drive-through or fast food, restaurants; bars and cocktail lounges; breweries and wine tasting bars; night clubs, dance halls, bowling alleys; and other establishments that sell food and/or alcohol.

(c) Service Uses

This Use Type includes all personal and business services, such as barbers and hairdressers; pet grooming; small and large appliance and furniture repair; auto repair and gasoline service stations; accountants and attorneys that rely on "walk in" traffic; Laundromats; plumbing services; and all other similar businesses that sell services to members of the public. Some of these business services may also be classified under the "Office" Use Type.

(d) Office Uses

This Use Type includes private offices that house professional firms and services that do not rely on "walk in" customers, such as administrative offices, as well as banks/financial institutions and medical professionals.

(e) Live/work, Light Manufacturing and Storage

This Use Type includes "live/work" activities that are involved in light manufacturing and sales of artisan crafts, such as jewelry and pottery. The Use Type also includes limited wholesale and warehouse/storage uses.

(f) Residential Uses

This Use Type includes some high density single-family, and a wide range of multi-family, residential uses that may be combined with commercial uses in the same building, on the same lot, or on adjacent lots. Examples of housing that is allowed and encouraged in the commercial zones are apartments other located on upper floors of commercial buildings, live/work

residences on upper or ground floors in commercial districts, and dense stand-alone single family homes that meet a minimum density of ten units per net acre.

(g) Public/Quasi-Public and Recreation Uses

This Use Type includes public/quasi-public uses such as schools, museums, libraries, fraternal organizations, and also private uses that attract large numbers of customers such as theaters and sports event venues. Public uses would normally be required to locate on lands that have been re-zoned "Public and Quasi-Public" (PQP); however, smaller uses may be permitted to locate in the commercial zones without a rezoning to PQP.

Sec. 8-2.604 Tables of Commercial Permit Requirements

The following Table 8-2.604 lists the permit requirements for examples of each Use Type in each commercial zoning district. Examples of Use Types are defined as "principal," "ancillary," or "accessory" uses which are allowed "by right" (with issuance of only a building permit after zoning clearance), or are allowed through issuance of a non-discretionary (no public hearing) Site Plan Review. Additional examples of Use Types are defined as "conditional uses" that are permitted through the issuance of a discretionary Minor or Major Use Permit, after a public hearing.

Table 8-2.604

Allowed Land Uses and Permit Requirements for Commercial Uses

A = Allowed use, subject to zoning clearance* SP = Site Plan Review UP (m) = Minor Use Permit UP (M) = Major Use Permit N = Use Not Allowed	Land Use Permit Required by Zone				Specific Use Requirements or Performance Standards
	C-L[1]	C-G	DMX[2]	C-H	
Retail Uses					
Retail sales, specialty stores, small	A	A	A	A	Must meet DMX size and design standards, see Sec. 8-2.606(a)
Retail sales, specialty store, over 3,000 and less than10,000 square feet	SP	A	SP	N	
Large retail sales, specialty store, over 10,000 square feet	UP(M)	UP(m)	UP(m)	N	See Sec. 8-2.606(b)
Grocery stores	SP	A	SP	SP	See Sec. 8-2.606(c)
Convenience, food and beverage stores	SP	A	A	A	
Fruit/vegetable, farmers market, stands	SP	SP	SP	SP	
Small appliance, hardware stores	SP	A	SP	N	
Large furniture, large equipment sales	N	SP	UP(m)	SP	
Auto, boats, farm equipment sales	N	SP	N	SP	
Nurseries	SP	SP	SP	SP	
Wine/olive oil tasting, sales	UP(m)	SP	SP	SP	No onsite production
Adult business	N	UP(M)	N	UP(M)	See Chapter 7
Eating and Drinking Uses					
Restaurant, fast food	SP	SP	UP(m)	SP	
Restaurant, sit down	SP	SP	SP	SP	See Sec.8-2.606(c),(d)
Bar, cocktail lounge, club	UP(M)	UP(m)	UP(m)	UP(m)	See Sec.8-2.606(c),(d)
Drive-through facility	UP(m)	UP(m)	N	SP	
Outdoor eating and drinking	SP	A	SP	A	See Sec. 8-2.606(e)
Services					
Animal shelter/kennel	N	SP	N	SP	
Animal grooming	A	A	A	N	Must meet DMX size and design standards, see Sec. 8-2.606(a)
Barber/beauty salon	A	A	A	N	
Other personal services	A	A	A	A	
Small appliance, shoe repair	A	A	A	N	
Laundry, Laundromat	A	A	SP	A	
Health/fitness clubs	UP(m)	A	SP	N	
Auto service/gas station	N	SP	UP(m)	A	See definitions
Auto/vehicle repair, minor	SP	SP	SP	A	
Auto/vehicle repair, major	N	SP	N	A	
Truck stops, sales and service	N	N	N	UP(m)	
Hotel/motel, less than 60 rooms	N	UP(m)	UP(m)	SP	
Hotel/motel, large, conference rooms	N	UP(m)	UP(M)	UP(m)	
Bed and breakfast	SP	SP	UP(m)	SP	
Recycling center	SP	SP	SP	SP	

Table 8-2.604 (cont.)

A = Allowed use, subject to zoning clearance* SP = Site Plan Review UP (m) = Minor Use Permit UP (M) = Major Use Permit N = Use Not Allowed	Land Use Permit Required by Zone				Specific Use Requirements or Performance Standards
	C-L(1)	C-G	DMX(2)	C-H	
Office uses					
Financial or professional offices	A/SP	A	A/SP	N	Must meet DMX size, design standards, see Sec. 8-2.606(a) and (f)
Banks/financial institutions	A/SP	A	SP/ UP(m)	N	
Medical/dental office	SP	SP	SP	N	
Urgent care clinic	N	UP(m)	UP(m)	N	
Veterinary/animal hospital	N	SP	UP(m)	N	
Research and development park	N	UP(M)	N	N	See Sec. 8-2.606(g)
Medical marijuana dispensary	N	N	N	N	See Sec. 8-2.115
Live/work, light manufacturing, and storage uses					
Live/work	A/SP	A/SP	A/SP	N	See Sec. 8-2.606(h)
Light manufacturing of artisan crafts	A/SP	A/SP	A/SP	A/SP	See Sec. 8-2.606(i)
Personal storage facilities	N	UP(m)	N	UP(m)	
Wholesale, accessory storage	N	SP/UP(m)	SP/UP(m)	UP(m)	See Sec. 8-2.606(j)
Warehouses	N	SP/UP(m)	N	UP(m)	See Sec. 8-2.606(k)
Small solar, wind, cell tower facility	See Article11, Sec. 8-2.1102, 8-2.1103, and 8-2.1104				
Residential uses					
Detached single family units	N	N	UP(m)	N	
Attached single family units	N	SP/UP(m)	SP/UP(m)	SP/UP(m)	See Sec. 8-2.606(l)
Multiple family units (apartments)	N	SP/UP(m)	SP/UP(m)	SP/UP(m)	
Single room occupancy hotel	N	SP/UP(m)	SP/UP(m)	SP/UP(m)	
Group/home care (<6 beds)	A	A	A	A	See Sec. 8-2.506(f)
Group/home care (6 beds or more)	UP(m)	SP/UP(m)	SP/UP(m)	N	
Emergency shelters	N	SP/UP(m)	SP/UP(m)	UP(m)	See Sec. 8-2.606(m)
Farm labor housing	UP(m)	SP/UP(m)	SP/UP(m)	N	See Sec. 8-2.306(aa)
Child care(<9 children)	SP/UP(m)	SP/UP(m)	SP/UP(m)	SP/UP(m)	See Sec. 8-2.506(g)
Child care (9 to 14 children)	SP/UP(m)	SP/UP(m)	SP/UP(m)	N	
Child care center (over 14 children)	UP(m)	SP/UP(m)	SP/UP(m)	N	See Sec. 8-2.506(h)
Public/quasi-public and recreation uses					
Entertainment and spectator sports	N	UP(m)	UP(m)	/UP(m)	
Hospital	N	UP(M)	UP(M)	N	
Fraternal organization, non-profitclub	P/UP(m)	SP/UP(m)	SP/UP(m)	N	See Sec. 8-2.606(n)
Church, religious assembly	UP(m)	UP(m)	UP(m)	N	See Sec. 8-2.606(o)
Government, civic building, library	UP(m)	UP(m)	UP(m)	N	
School, public and private	UP(m)	UP(m)	UP(m)	N	
Recreational vehicle parks	N	N	N	UP(m)	
Utilities and services	UP(m)	SP	UP(m)	N	
Parks	UP(m)	UP(m)	UP(m)	N	See Sec. 8-2.606(o)
Parking lot, commercial	N	SP	UP(m)	N	

***An "allowed use" does not require a zoning or land use permit, but is still subject to permit requirements of other Yolo County division such as Building, Environmental Health, and Public Works.**

Notes: (1) No individual uses with floorplates larger than 40,000 square feet are allowed in the C-L zone.

(2) In addition to permit requirements in the DMX zone, all new uses and construction must meet design and other requirements as specified in Section 8.2-606(a).

Sec. 8-2.605 Table of Development Requirements

The following Table 8-2.605 identifies the development requirements, including minimum parcel sizes, setbacks, and other standards that allowed and permitted uses in the commercial zones must meet as a standard or condition of any issued building permit, Site Plan Review, or Use Permit.

Table 8-2.605
Development Requirements in Commercial Zones

<table>
<tr><th>C ZONE</th><th>Minimum Lot Area (1)</th><th>Front Yard Setback (feet)</th><th>Rear Yard Setback (feet)</th><th>Side Yard Setback (feet)</th><th>Height Limits(3) (feet)</th><th>Maximum Floor Area Ratio</th><th>Maximum Impervious Lot Coverage</th></tr>
<tr><td>C-L</td><td>3,500 square feet</td><td rowspan="2">None</td><td colspan="2" rowspan="2">None, except 15 feet if abutting residential zone</td><td>35 feet</td><td>0.5 (1.0 for mixed commercial/ residential)</td><td>85%</td></tr>
<tr><td>C-G</td><td>5,000 square feet</td><td>Maximum of 50 feet or four stories</td><td rowspan="2">1.0 (2.0 for mixed commercial/ residential)</td><td>90%</td></tr>
<tr><td>DMX(2)</td><td>3,500 square feet</td><td>Maximum of 10 feet from property line or sidewalk (see Sec.8-2.606(a)</td><td>10 feet, except 20 feet if abutting residential</td><td>None, except 20 feet if abutting residential</td><td>Minimum of 22 feet(4), maximum of 50 feet or four stories</td><td>90%</td></tr>
<tr><td>C-H</td><td>10,000 square feet</td><td>15 feet from property line or curb strip</td><td>None, except 20 feet if abutting residential</td><td>None, except 15 feet if abutting residential</td><td>40 feet</td><td>1.0</td><td>90%</td></tr>
</table>

Notes:
1 Parcels in rural areas with no access to public water and/or wastewater services are subject to minimum parcel sizes for new building permits that are established by the Special Building (“B”) overlay zone, see Section 8-2.906(b).
2. In addition to these development requirements in the DMX zone, new uses and construction must meet design and other requirements as specified in Section 8.2-606(a).
3. Structures built in the 100-year flood plain to comply with FEMA and local requirements will be measured from the top of the bottom floor, which may include a basement, crawlspace, or enclosed floor.
4. Minimum height limit along Yolo Avenue and Woodland Avenue only.
5. Development near the toe of any levee is restricted, see Section 8-2.306(ad).

Sec. 8-2.606 Specific Use Requirements or Performance Standards

The following specific use requirements may be applicable to some of the specific uses or zones identified in the previous Table 8-2.604, and shall be applied to any issued building permits, Site Plan Review, or Use Permit for uses in the commercial zones.

(a) Downtown Mixed Use (DMX) zone

The following additional requirements and regulations shall be applied to all proposed projects in the Esparto DMX area:

(1) For projects proposed on vacant lands of more than one acre in size, the following regulations apply:

- (i) Projects are encouraged to include a mix of residential and non-residential uses (a mixed use development project), integrated either vertically or horizontally. Retail uses are strongly encouraged on the ground floor of buildings fronting along the main streets, and other nonresidential uses (e.g., offices or services) or housing are encouraged on the upper floors and behind the retail frontage.
- (ii) Projects that are predominantly one single commercial use (e.g., large retail or service establishments such as a hardware store, or a motel/hotel) that are proposed for construction on eighty-five percent (85%) or more of the gross acreage of the vacant parcel are also encouraged to be accompanied by one or more significant community benefits, such as a public plaza, park, or other public use.
- (iii) Projects that are predominantly (sixty percent (60%) or more of the gross acreage) single or multiple family residential use are prohibited.
- (iv) All projects should include some public amenities such as public open areas, public art, public meeting rooms, pedestrian walkways, etc.
- (v) All projects must be designed with a grid circulation pattern that connects with the existing community.
- (vi) The architecture and design of buildings must be coordinated throughout the site and must be harmonious with the adjacent community.
- (vii) All projects shall conform with all other regulations in this Article, and should be consistent with the Design Review Guidelines of the Esparto General Plan.

(2) The following residential uses and densities apply in the DMX zone:

- (i) The minimum residential density allowed in new buildings in the DMX zone is 10 dwelling units per net acre for new residential structures, and for large projects proposed on vacant lands of more than one acre in size.
- (ii) The maximum and minimum residential density standards in (i), above, shall not be applied to new, converted, or expanded residential uses proposed within existing urban buildings located in the historic downtown along Yolo Avenue and Woodland Avenue.
- (iii) The maximum building height shall be 50 feet, or four stories, whichever is greater, for all buildings.
- (iv) The minimum height for new or renovated mixed-use buildings located in the historic downtown along Yolo Avenue, and Woodland Avenue shall be 22 feet.

(v) The gross floor area of individual commercial establishments in the DMX district shall not exceed 25,000 square feet, or 35,000 square feet if it is selling or serving multiple lines of merchandise.

(vi) The ground floor frontage space of new or renovated mixed-use buildings located along Yolo Avenue, Woodland Avenue, and County Road 87 shall not include apartments and shall contain the following minimum retail (non-residential) space:

A. At least 800 square feet or 25 percent of the ground floor area (whichever is greater) on lots with street frontage of less than 50 feet; or

B. At least 20 percent of the ground floor area on lots with 50 feet of street frontage or more.

(3) The following setbacks apply in the DMX zone:

(i) The entire building façade of new or renovated buildings located along Yolo Avenue, Woodland Avenue, and County Road 87 shall generally abut front and street side property lines or be located within 10 feet of such property lines. An exception may be made for the "train station" property (APN: 049-240-017), if the existing structure is retained. However, a portion of new or renovated buildings may be set back from the maximum setback line in order to provide a specific feature or to reflect the prevailing setbacks of existing buildings along the block or the street. Specific features include an articulated façade, or to accommodate a building entrance feature or an outdoor eating area.

(ii) Special architectural features such as balconies, bay windows, arcades, and awnings may project into front setbacks and public street right-of-ways (but not extend past the curb line) provided they meet minimum required clearance above the sidewalk and leave a minimum five foot wide unobstructed sidewalk. Prior to new encroachment into the public right-of-way, a permit shall be obtained from the County Planning, Public Works and Environmental Services Department, or Caltrans.

(iii) The minimum rear setback is 10 feet, except when DMX zoned property abuts R-zoned property, in which case the minimum rear setback required is 20 feet.

(iv) No interior side setbacks are required in the DMX district, except when DMX zoned property abuts R-zoned property, in which case the minimum side setback required is 20 feet.

(4) The following other building regulations apply in the DMX zone:

(i) All permitted uses in the DMX district must be conducted within completely enclosed buildings unless otherwise expressly authorized. This requirement does not apply to off-street parking or loading areas, automated teller machines, kiosks, mailboxes, farmers markets, or outdoor eating or drinking areas.

(ii) Building frontage of new or renovated buildings shall be eighty percent (80%) to one hundred percent (100%) of the frontage measured from side property line to side property line at front property line.

(iii) A minimum of forty percent (40%), and a maximum of seventy-five percent (75%), of the street-facing building façade of new or renovated commercial buildings along Yolo Avenue and Woodland Avenue shall be comprised of clear windows that allow views of indoor space or product display areas between two feet and eight feet in height. The bottom of any window or product display window used to satisfy this transparency standard shall not be more than three (3) feet above the adjacent

sidewalk, and product display windows used to satisfy this requirement must have a minimum height of four (4) feet and be internally lighted.

(iv) No more than thirty (30) feet of horizontal distance of a wall on any floor shall be provided without architectural relief, such as windows, for building walls and frontage walls facing the street.

(v) Commercial buildings shall have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

(5) The following building design regulations apply in the DMX zone:

(i) New and renovated buildings should be designed consistent with this section and with the Design Review Guidelines of the Esparto General Plan. Historical buildings may be exempted from some of these individual guidelines, at the discretion of the Director of Planning, Public Works and Environmental Services or the Planning Commission, sitting as the Historic Preservation Commission.

(ii) Building surface variation should be incorporated in new buildings through the placement of windows and entries, planar changes (where the building surface recedes or projects), significant color changes, material changes, or other elements that add variation along the length of a building.

(iii) Structures should be designed with articulation at entries, bases, and tops. The organization used shall break up the mass into smaller elements. Buildings shall provide as much visual interest as possible without creating a chaotic image.

(iv) New and renovated buildings shall utilize at least three of the following design features to provide architectural relief along all elevations of the building:

A. Divisions or breaks in materials and color (materials should be drawn from a common palette)
B. Window bays
C. Separate entrances and entry treatments
D. Variation in roof lines
E. Projecting architectural elements (porches, awnings, balconies, etc.)
F. Recessed entries (at least three (3) feet from the primary façade)
G. Protruding entries (at least three (3) feet from the primary façade)
H. Cupolas

(v) Buildings shall include a clear visual division (e.g., a cornice or awning) between the first and upper floors.

(vi) Variable roof forms shall be incorporated into the building design. Long, uninterrupted horizontal lines of parapet are discouraged. Generally it is preferred to break up the parapet, eaves, or ridge line by vertical or horizontal off-sets or changing the roof forms.

(vii) Commercial and mixed-use buildings shall express a “storefront character,” by including corner building entrances on corner lots, and including regularly spaced and similar-shaped windows with window hoods or trim (all building stories).

(viii) All proposed motel/motel projects shall be required to meet minimum design criteria outlined in this section and in the Design Review Guidelines of the Esparto General Plan, including requirements for extensive landscaping to buffer structures and parking areas.

(6) The following notice requirements apply in the DMX:

(i) Purchasers of residential lots or homes in the DMX zone shall be notified that they are purchasing property within a mixed use zone and that adjacent residential uses could be changed to nonresidential uses over time.

(ii) Residential neighbors within the DMX zone shall be notified of any proposed change of use from residential to a nonresidential use of adjacent lots or homes within 100 feet, regardless whether the new use is permitted by right or by Conditional Use Permit.

(b) Large retail sales, specialty store, over 10,000 square feet

Large retail sales, specialty store, over 10,000 square feet must be served by public utilities (water, sewer).

(c) Alcohol sales

The sale of alcohol requires the issuance of a Use Permit, as described in Chapter 6 of this Title.

(d) Live entertainment

Artists performing activities within or outside a structure that meet the definition of "live entertainment" (see Sec. 8-2.607) requires the issuance of a Site Plan Review or Use Permit, at the discretion of the Planning Director.

(e) Outdoor eating spaces

Outdoor dining is permitted and may occur within the public right-of-way with issuance of an encroachment permit. A minimum of five (5) feet of clear sidewalk access for pedestrians shall be maintained, if feasible, otherwise three (3) feet shall be maintained.

(f) Professional offices

Professional offices are allowed by right if located above the ground floor of a building in the C-L and DMX zones, or if they meet the definition of a "walk in business." Professional offices on the ground floor that are not a "walk in business" are permitted through a Site Plan Review in the C-L and DMX zones.

(g) Research and development parks

A research and development park is permitted in the C-G zone provided that the project meets the following development and performance standards:

(1) Minimum lot size of 1.5 acres.

(2) The project submits and receives approval of a Planned Development (PD) rezoning.

(3) The PD rezoning includes development and performance standards that are generally consistent with, but exceed in quality, the requirements of the C-G zone.

(4) The PD rezoning requires offices and service support as the primary use (more than 50 percent of total square footage).

(5) The PD rezoning requires architectural design and landscaping of a high quality that enhances the commercial district.

(h) Live/work uses

(1) Live/work units are allowed in the C-L, C-G, and DMX zones by right provided that the commercial use or activity within the unit is allowed by right in the respective zone and the following development standards are met:

(i) Live/work units at the street and/or adjacent to a sidewalk level meet the development and transparency standards of ground-floor retail or commercial establishments of the DMX zone (see Sec. 8-2.606(a), above), and the living area does not exceed one-third of the total floor area of the unit.

(ii) At least one resident in each live/work unit maintains a valid business license and other required permits for a business on the premises.

(2) Live/work units that do not meet the standards in (1), above, may be permitted with the issuance of a Site Plan Review.

(i) Light manufacturing of artisan crafts

Light manufacturing of artisan crafts, associated with live/work space and/or retail/specialty stores, is allowed by right if the use meets the definition of “Artisan crafts production, small scale.” “Artisan crafts production, large scale or mechanized” activities are permitted with the issuance of a Site Plan Review. See definitions in Sec. 8-2.607.

(j) Wholesale, accessory storage activities

Wholesale uses and accessory storage are permitted in the indicated zones with the issuance of a Site Plan Review if the use meets all development and performance standards for the zone and is less than 3,000 square feet. Otherwise, the use may be permitted through the issuance of a Minor Use Permit.

(k) Warehouses

Warehouse uses and structures are permitted in the indicated zones if the use is incidental or accessory to an allowed or permitted commercial use. Warehouse uses and structures are permitted with the issuance of a Site Plan Review in the C-G zone if the use meets all development and performance standards for the zone and is less than 5,000 square feet. Otherwise, the use may be permitted through the issuance of a Minor Use Permit.

(l) Attached single and multi-family residential/single room occupancy

Attached single and multiple family units, and single room occupancy hotels are allowed with the issuance of a Site Plan Review in the C-G, DMX, and C-H zones, provided that the project is designed to be compatible with adjacent commercial uses and any adjoining single family residences, and meets development standards. At the discretion of the Planning Director, a Minor Use Permit may be required if there are any compatibility issues or if setbacks or other development standards are not met.

(m) Emergency shelters

Emergency shelters for the homeless or displaced, fewer than twenty beds in size, are allowed with the issuance of a Site Plan Review in commercial zones, provided that the project is served by public water and wastewater facilities, is designed to be compatible with any adjoining single family residences, and meets the other development standards listed below.. Projects larger than twenty beds are subject to a Minor Use Permit. At the discretion of the Planning Director, a Minor Use Permit may be required for a project under twenty beds, or a Major Use Permit may be required for a project larger than twenty beds, if there are any compatibility issues, or if any of the following development standards are not met:

(1) The project is designed to be compatible with any adjoining single family residences, including appropriate setbacks, landscaping, and parking.
(2) The site is connected to public services, including a public water and wastewater system.
(3) The project provides at least one off-site parking space for each ten residents, plus one space for the manager.
(4) The project meets any State regulatory requirements and has received, or will receive in the near future, all necessary State operating permits.

(n) Fraternal organization, non-profit private club

Fraternal organizations and non-profit private clubs are permitted through a Site Plan Review if located above the ground floor of a building in the C-L, C-G and DMX zones, or if they are less than 1,000 square feet on the ground floor. Fraternal organizations and private clubs on the ground floor or larger than 1,000 square feet are permitted through a Minor Use Permit in the C-L, C-G and DMX zones, and in specified industrial zones.

(o) Public/quasi-public uses

Public/quasi-public uses such as churches and other religious assembly, government/civic buildings, libraries, public schools, and parks would normally be required to locate on lands that have been zoned “Public/Quasi-Public” (PQP), however smaller uses of less than 5,000 square feet of total building space, or one acre in size for a park, may be permitted to locate in the commercial, and specified industrial, zones without a rezoning to PQP, with the issuance of a Minor Use Permit.

Sec. 8-2.607 Definitions

Adult business
See Chapter 7 of this Title.

Artisan crafts production, large scale or mechanized
"Artisan crafts production, large scale or mechanized" means the creation of unique arts and crafts products using heavy mechanical or industrial tools, e.g., welding, glass blowing, or any production process involving hazardous materials, excluding art paint.

Artisan crafts production, small scale
"Artisan crafts production, small scale" means the creation of unique arts and crafts products using hand operated or light mechanized tools only, e.g., jewelry or ceramics.

Artist live/work space
"Artist live/work space" means a building or spaces within a building used jointly for commercial and residential purposes where the residential use of the space is secondary or accessory to the primary use as a place of work. "Live-work unit" is further defined as a structure or portion of a structure:

(1) That combines a commercial or manufacturing activity allowed in the zone with a residential living space for the owner of the commercial or manufacturing business, or the owner's employee, and that person's household;
(2) Where the resident owner**,** occupant, or employee of the business is responsible for the commercial or manufacturing activity performed; and
(3) Where the commercial or manufacturing activity conducted takes place subject to a valid business license associated with the premises.

Auto/vehicle repair, major
"Auto/vehicle repair, major" means the general repair, rebuilding, or reconditioning of engines, including the removal of the same; motor vehicle, truck, or trailer collision services, including body, frame, or fender straightening or repair; and overall painting or paint shops.

Auto/vehicle repair, minor
"Auto/vehicle repair, minor" means upholstering, replacement of parts, and motor service, not including the removal of the motor, to passenger cars and trucks not exceeding one and one-half (1/2) tons' capacity, but not including any operation set forth in the definition of "automobile repair, major" or any other use similar thereto.

Auto service/gas, station
"Auto service/gas station" means a place which provides for the servicing, washing, and fueling of operating motor vehicles, including minor repairs and the sale of merchandise and supplies incidental thereto.

Emergency shelter
"Emergency Shelter" shall mean housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person, as defined in Section 50801(b) of the California Health and Safety Code.

Floor area ratio (FAR)
The ratio of a building's total floor area to the size of the parcel of land upon which it is built. Thus, an FAR of 2.0 would indicate that the total floor area of a building is two times the gross area of the plot on which it is constructed, as would be found in a multiple-story building.

Floor plate
The total space taken up by a single company, tenant, or user on a single floor.

Gross floor area
"Gross floor area" is the sum of the gross horizontal areas of all floors of a building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. Gross floor area does not include basements when at least one half the floor-to-ceiling height is below grade, accessory parking (i.e., parking that is available on or off-site that is not part of the use's minimum parking standard), attic space having a floor-to-ceiling height less than seven feet, exterior balconies, uncovered steps, or inner courts.

Hotel
"Hotel" shall mean any building, or portion thereof, containing living quarters or dwelling units without kitchen facilities and designed for, or intended to be used by, six (6) or more transient guests, but not including motels, mobile home parks, boarding houses, dormitories, or farm labor housing.

Live entertainment
"Live entertainment" includes the following:

- Music or vocals provided by one or more professional or amateur musicians or vocalists;
- Dancing performed by one or more professional or amateur dancers or performers;
- Acting or drama provided by one or more professional or amateur actors or players;
- Acrobatics or stunts provided by one or more professional or amateur acrobats, performers or stunt persons;
- Athletic or sporting contests, events or exhibitions provided by one or more professional or amateur athletes or sportsmen;
- Comedy or magic provided by one or more professional or amateur comedians, magicians, illusionists, entertainers or performers;
- A show, production, or performance involving any combination of the activities described above; or
- A performance involving one or more of the activities described above by a disc jockey who presents recorded music.

Live entertainment excludes the following:

- Instrumental or vocal music in a restaurant, lounge or similar area if such music does not routinely rise to the volume that interferes with casual conversation and if such music would not generally cause patrons to watch as well as listen;
- Occasional performances by employees whose primary job function is that of preparing or serving food, refreshments or beverages to patrons, or by other non-professional artists, if such performances are not advertised as entertainment to the public; and
- Television, radio, closed circuit or Internet broadcasts of live entertainment.

Mixed use development project
"Mixed use development project" means a development project of one or more buildings that includes a mixture of uses, i.e., residential, retail, office, service, industrial, or public, either vertically integrated (a mixture of uses on separate floors of a single building) or horizontally integrated (a mixture of uses in more than one building spread over a large parcel, e.g., retail, office, and upstairs apartments in a building along a main frontage arterial, with residential uses behind).

Motel
"Motel" shall mean a building or group of buildings comprising individual living quarters or dwelling units for the accommodation of transient guests, which building or group of buildings is so designed that parking is on the same building site and is conveniently accessible from the living units without having to pass through a lobby, and where luggage is moved between the parking area and living unit without necessarily having to pass through a lobby or interior court.

“Motel” shall include the terms “auto court“, “tourist court”, and “motor hotel” but shall not include accommodations for mobile homes.

Office, medical/dental
“Medical office” shall mean a place for the practice of physiotherapy or medical, dental, optical, psychoanalytical, osteopathic, or chiropractic professions.

Office, professional
“Professional office” shall mean an office from which, and at which, a doctor, attorney, engineer, architect, accountant, or similar professional person may offer services.

Retail sales, specialty stores
“Retail sales, specialty stores” means stores and shops supplying a commodity such as bakeries, florist shops, hardware stores, antique and other specialty shops. “Stores, shops, retail sales” does not include sales or services related to large or heavy commodities such as building materials, furniture manufacturing, electrical and plumbing services, wholesale business and accessory storage, and other similar uses.

Walk in business
“Walk in business” means a professional service or office use that relies on some pedestrian foot traffic to thrive, and which contributes to, and does not detract from, a pedestrian-oriented retail/services shopping environment.

Vacant land
“Vacant land” means land that is currently undeveloped with urban structures, but may be occupied by a rural residence or structure, and is designated for future urban growth.