

Part 2

ZONING DISTRICTS

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Chapter 2-01

ESTABLISHMENT AND DESIGNATION OF ZONING DISTRICTS

Sections:

- 2-01-010 Zoning districts established.
- 2-01-020 Zoning districts designated.
- 2-01-030 Determination of boundaries.
- 2-01-040 Zoning – Annexation.
- 2-01-050 Change of zoning designation.
- 2-01-060 Official zoning district map.

2-01-010 Zoning districts established.

The city of Livermore hereby establishes zoning districts and subzoning districts providing for the categorization and regulation of land use within each zoning district, beginning with and following Chapter 2-07 LPZC. The terms “zoning,” “zone,” and “district” are interchangeable. (Ord. 442 § 2.10)

2-01-020 Zoning districts designated.

The city of Livermore is hereby divided into zoning districts and subzoning districts as set forth in Chapter 2-04, which consists of zoning district map or maps. (Ord. 442 § 2.20)

2-01-030 Determination of boundaries.

Where uncertainty exists as to the boundaries of any of the districts shown on the zoning district map or maps, the planning commission, upon written application or upon its own motion, shall determine the location of such boundaries on said zoning district map or maps. All dedicated public streets within the city shall be zoned. (Ord. 442 § 2.30)

2-01-040 Zoning – Annexation.

All territory hereafter annexed to the city of Livermore shall be zoned OS-A (agricultural) district, unless, prior to the annexation, such lands were rezoned by the city. (Ord. 1002, 1979; Ord. 442 § 2.40)

2-01-050 Change of zoning designation.

A change of zoning district designation for any area shall be made only where such change is in accord with the general plan of the city of Livermore. In the event a proposed change of any zoning district is not in accord with the general plan of the

city, a proposal for an amendment to the general plan shall be considered two weeks prior to the proposed zoning district amendment.

Proposals for zoning district changes may be considered concurrently with a related proposed general plan amendment with a two-thirds vote of the city council prior to the hearing date. In order to ensure consistency between the general plan and the zoning ordinance, approval of any such zoning district change is still contingent upon approval of the associated general plan policy change and map amendment. (Ord. 1591 § 1, 2000; Ord. 1002, 1979; Ord. 442 § 2.50)

2-01-060 Official zoning district map.

The official copy of the zoning code of the city of Livermore, together with the zoning district map or maps, shall remain on file in the office of the city clerk. (Ord. 442 § 2.60)

Chapter 2-04

ZONING DISTRICT MAPS

Sections:

2-04-010 Contents.

2-04-010 Contents.

The zoning district maps shall consist of the zoning map or maps of the city of Livermore, which show the zoning districts being parts of this code under the provisions of Chapter 2-01 LPZC. Said maps and all data shown thereon are hereby adopted and made a part of this code. Said map or maps, properly tested, shall be and shall remain on file in the office of the city clerk. (Ord. 442 § 3.00)

Chapter 2-07

OS – OPEN SPACE DISTRICT

Sections:

- 2-07-010 Purpose.
- 2-07-020 OS-A (agricultural) district.
- 2-07-030 OS-R (rural preservation) district.
- 2-07-040 OS-F (flood plain) district.
- 2-07-050 Uses permitted.
- 2-07-060 OS-A and OS-R districts – Uses permitted.
- 2-07-070 OS-A and OS-R districts – Uses permitted subject to approval of a conditional use permit.
- 2-07-080 OS-F district – Uses permitted.
- 2-07-090 OS-F district – Uses permitted subject to approval of a conditional use permit.
- 2-07-100 Minimum lot specifications.
- 2-07-110 Lot development regulations.
- 2-07-120 Other regulations.

2-07-010 Purpose.

The purpose of the OS district is to designate areas to be maintained as permanent or semi-permanent open space. Lands shall be zoned to the OS district where the open space designation either: (A) represents the actual use of the land; (B) establishes the best use of the land; (C) indicates land intended by the city not to be converted to urban use in the foreseeable future; (D) indicates land having resources found to be in the public interest to preserve; (E) indicates land found not suitable for urban use due to natural or other hazards associated with the land. For purposes of further describing such lands, the OS district is divided into subdistricts described in LPZC 2-07-020 through 2-07-040. (Ord. 442 § 4.10)

2-07-020 OS-A (agricultural) district.

The agricultural district is intended to recognize and preserve lands suitable for long-term production of agricultural commodities, lands suitable for grazing and animal husbandry, and lands suitable for forestry and timber production. Wherever in the code there is reference to the A district, it shall mean the OS-A (agricultural) district. Further, it is the intent that land annexed to the city be automatically zoned OS-A pending initiation by the city of formal zoning procedures. (Ord. 442 § 4.11)

2-07-030 OS-R (rural preservation) district.

The rural preservation district is intended to recognize and preserve in agricultural and rural residential use lands which are proposed by the general plan to be rural residential, existing rural residential areas where the intent is to preserve the rural residential character of the area, and lands which are in close proximity to the urban area of the city and which are planned for ultimate urban development but for which zoning for urban use is premature. (Ord. 442 § 4.12)

2-07-040 OS-F (flood plain) district.

The flood plain district is intended to recognize and preserve those lands that have been historically subject to inundation from flood waters; those lands that must be preserved as flood plains, natural stream channels, and storm runoff channels; and land for watershed and ground recharge purposes. (Ord. 442 § 4.13)

2-07-050 Uses permitted.

The uses in LPZC 2-07-060 through 2-07-090 are permitted, subject to approval of the zoning use permit and conformance to applicable regulations stated below in LPZC Part 3, and elsewhere in this code. (Ord. 442 § 4.20)

2-07-060 OS-A and OS-R districts – Uses permitted.

A. Buildings and structures normally related to agricultural uses, except a conditional use permit shall be required when such uses are located within 500 feet of any R, E, or C district.

B. One single-family dwelling per lot, parcel, or site.

C. Grazing, the raising of field crops, fruit and nut trees, vines, vegetables, horticultural specialties, livestock, and poultry.

D. Incidental and accessory structures and uses located on the same site as a permitted use.

E. Signs, subject to the provisions of Chapter 3-45 LPZC. (Ord. 442 § 4.21)

2-07-070 OS-A and OS-R districts – Uses permitted subject to approval of a conditional use permit.

A. Retail sales of products grown on the premises from roadside stands not exceeding 50 square feet in floor area, and hay, grain, and feed.

B. Agricultural processing, farm products, warehousing and storage, and farm labor housing.

C. Cemeteries, kennels, golf courses, camping and picnicking areas, riding stables, public and quasi-public uses.

D. Veterinarians, animal hospitals, and the boarding and training of horses.

E. Agricultural structures when located within 500 feet of an R, E or C district. (Ord. 442 § 4.22)

2-07-080 OS-F district – Uses permitted.

A. Grazing and the raising of field crops, fruit and nut trees, vines, vegetables, horticultural specialties, livestock and poultry.

B. Signs, subject to the provisions of Chapter 3-45 LPZC. (Ord. 649 § 1, 1968; Ord. 442 § 4.23)

2-07-090 OS-F district – Uses permitted subject to approval of a conditional use permit.

A. One-family residence.

B. Incidental and accessory structures and uses located on the same site as a permitted use. (Ord. 442 § 4.23.1)

2-07-100 Minimum lot specifications.

Any lot hereinafter zoned OS (open space) district or annexed and so zoned shall be considered a lot of record and may be developed or utilized in accordance with applicable regulations. No lot shall be split or subdivided, nor shall property lines be otherwise revised, except in conformance with the following regulations:

A. Minimum Size.

1. OS-A district: 20 acres.

2. OS-R district: one acre.

3. OS-F district: none.

B. Minimum Street Frontage.

1. OS-A and OS-R districts: 100 feet.

2. OS-F district: none. (Ord. 442 §§ 4.30, 4.31, 4.32)

2-07-110 Lot development regulations.

Lots within the OS district shall be developed in conformance with the regulations set forth in LPZC 2-10-040 et seq., plus any additional regulations imposed as a condition of approval of a conditional use permit. (Ord. 1019, 1980; Ord. 442 § 4.40)

2-07-120 Other regulations.

The construction of buildings for the conduct of agricultural activities or the exterior conduct of any agricultural activities, which activities involve the keeping of animals other than grazing in open pasture, shall require approval of a conditional use permit where located within 500 feet of any R, E or C district. (Ord. 442 § 4.50)

Chapter 2-10

RS – SUBURBAN RESIDENTIAL DISTRICT

Sections:

- 2-10-010 Purpose.
- 2-10-020 Uses permitted.
- 2-10-030 Minimum lot specifications.
- 2-10-040 Lot development regulations.
- 2-10-050 Maximum dwellings permitted.
- 2-10-060 Minimum yards.
- 2-10-070 Maximum developable floor area ratio.
- 2-10-080 Maximum building height.
- 2-10-090 Sloping driveways.
- 2-10-100 Off-street parking.
- 2-10-110 Lot size.
- 2-10-120 Density and dimensions table.
- 2-10-130 Lot size variations.
- 2-10-140 Lot splitting.
- 2-10-150 Lot minimums near subdivision boundary.
- 2-10-160 Computation.
- 2-10-170 Exceptions to lot size regulations.
- 2-10-180 Attached dwellings.
- 2-10-190 Attached dwellings – Maximum dwellings per group.
- 2-10-200 Attached dwellings – Side yard.
- 2-10-210 Attached dwellings – Rear yard.
- 2-10-220 Attached dwellings – Maximum coverage.
- 2-10-230 Attached dwellings – Minimum street frontage width.

2-10-010 Purpose.

The purposes of the RS district are:

- A. To designate areas for the location of low density housing, which is generally single-family residential in character;
- B. To regulate development within the district so as to preserve and protect the residential character of the district;
- C. To offer flexibility in subdivision design and development;
- D. To encourage variety in lot size and housing types and design;
- E. To encourage the provision of a wide range of housing costs for all income groups; and
- F. To ensure that densities shall not exceed those conforming to the general plan.

In order to achieve these goals and to enable the city to zone in conformance with general plan densities, the RS district is divided into the RS-.25,

RS-.50, RS-1, RS-2, RS-2.5, RS-3, RS-4, RS-4.5, RS-5 and RS-6 zones. (Ord. 1344, 1990; Ord. 442 § 5.10)

2-10-020 Uses permitted.

The following uses are permitted subject to approval of a zoning use permit, design review as required under LPZC 5-05-110, and any other prerequisite permits, and conformance to all applicable regulations set forth in this chapter, in LPZC Part 3, and elsewhere in this code:

A. Detached single-family dwellings.

B. Subject to approval of a conditional use permit, uses as follows:

1. Attached single-family dwellings, to include those commonly described as couplets, townhouses, or row houses and cluster housing projects proposed for subdivision as condominiums.

2. Public and quasi-public uses.

3. Limited animal husbandry and public or private stables, corrals, and riding academies.

4. Nursery schools and day care centers (LPZC 3-10-330).

5. Bed and breakfast uses, limited to six units per use.

C. Subdivision signs (LPZC 3-45-150), office, sales office, equipment and material yard (LPZC 3-10-320).

D. Off-street parking related to any use permitted (Chapter 3-20 LPZC).

E. Accessory structures and buildings related to any use permitted, except home occupations.

F. Accessory uses as follows:

1. Rooming and/or boarding of not more than two persons (LPZC 3-10-290).

2. Home occupations (LPZC 3-10-180 and 1-10-330).

3. Nursery schools and day care centers as provided by LPZC 3-10-330.

4. Signs (Chapter 3-45 LPZC).

G. Secondary dwelling units as regulated by LPZC 3-10-020. (Ord. 1691 § 2, 2003; Ord. 1491, 1996; Ord. 1487, 1996; Ord. 1302, 1989; Ord. 1175, 1985; Ord. 442 § 5.20)

2-10-030 Minimum lot specifications.

A. Lots created in the RS district shall have the following specifications; however, certain exceptions are stated in LPZC 2-10-180 through 2-10-230.

B. Minimum Lot Size. See LPZC 2-10-110 et seq.

C. Minimum Average Lot Width. Except as set forth in LPZC 2-10-060, the minimum lot width shall be:

1. Lot depth less than or equal to 110 feet: 65 feet.

2. Lot depth greater than 110 feet, but less than or equal to 125 feet: 70 feet.

3. Lot depth greater than 125 feet, but less than or equal to 150 feet: 80 feet.

4. Lot depth greater than 150 feet, but less than or equal to 180 feet: 90 feet.

5. Lot depth greater than 180 feet: one-half average lot depth.

D. Minimum Lot Street Frontage Width. Minimum lot street frontage width shall be 50 feet.

E. Minimum Average Lot Depth. The minimum average lot depth shall be 80 feet. (Ord. 1344, 1990; Ord. 1290, 1988; Ord. 442 §§ 5.30 – 5.34)

2-10-040 Lot development regulations.

The lot development regulations in LPZC 2-10-050 through 2-10-100 apply in each RS district; however, certain exceptions for attached dwellings are stated in LPZC 2-10-180 et seq. (Ord. 442 § 5.40)

2-10-050 Maximum dwellings permitted.

Only one primary dwelling shall be permitted per lot, except where land is subdivided by condominiums. (Ord. 1691 § 3, 2003; Ord. 442 § 5.41)

2-10-060 Minimum yards.

A. Street Frontage Yard. Twenty feet, except in the case of a corner lot, one yard may be reduced to 15 feet, and in the case of lots of record as of December 6, 1971, both street frontage yards may be reduced to 15 feet. In no case shall a garage opening toward the street be set back less than 20 feet.

B. Rear Yards. As follows:

1. RS-.25 through RS-3. Minimum of 25 feet with an average of 35 feet, except that patio covers and screened enclosures may be permitted within 15 feet of the rear property line.

2. RS-4 through RS-6. Minimum of 25 feet with an average of 30 feet, except that patio covers and screened enclosures may be permitted within 15 feet of the rear property line.

2-10-070

3. Lots of Record as of January 8, 1991. The minimum setback shall be either the setback established above or the setback of the dwelling existing on the lot, whichever is less.

4. The planning commission shall establish by resolution the procedure for defining the required average rear yard.

C. Side Yards. As follows:

1. Lots 6,000 to and including 10,000 square feet: minimum 10 feet, total 24 feet.

2. Lots over 10,000 square feet: minimum 12 feet, total 30 feet.

3. The side yard adjacent to the driveway shall have a minimum width of 12 feet.

4. At least one side yard shall be graded and maintained in a manner that will not permanently preclude vehicular access to the rear yard.

5. Each side yard shall be increased five feet at the second story on initial construction of a two-story dwelling or when adding a new second story to an existing single-story dwelling.

D. Setbacks from Major Streets and Railroads. Where contiguous to the right-of-way of any major street, freeway, or major highway existing or shown as an adopted route in the city's general plan, or any railroad or rail transit line, the adjacent required yard shall be 50 feet, except in the case of lots with no landscape easement adjacent to the major roadway. In those cases the adjacent required yard shall be 35 feet. Computation of lot average width requirements per LPZC 2-10-030(C) is determined without regard to the additional yard setbacks established by this section.

E. Accessory buildings and structures shall conform to the regulations stated in LPZC 3-05-150. (Ord. 1589 § 7, 2000; Ord. 1491, 1996; Ord. 1481, 1996; Ord. 1467, 1996; Ord. 1429, 1994; Ord. 1401, 1993; Ord. 1375, 1992; Ord. 1344, 1990; Ord. 1265, 1988; Ord. 1250, 1987; Ord. 442 § 5.42)

2-10-070 Maximum developable floor area ratio.

A. For the initial construction of dwelling units in any subdivision lot less than 12,000 square feet, the floor area ratio shall not exceed 28 percent. For lots exceeding 12,000 square feet, the floor area ratio shall not exceed 35 percent. For initial construction of a dwelling unit, any project that has received allocations either under the City's Resi-

dential Development Policy (RDP) or the Housing Implementation Program (HIP) prior to January 1, 1991, and tentative tract approval prior to January 1, 1992, is permitted a floor area ratio of 35 percent, excluding 600 square feet of garage area. All projects approved as an exemption from either the provisions of the RDP or the HIP prior to January 1, 1991, and tentative tract approval prior to January 1, 1992, are permitted a floor area ratio of 35 percent. The maximum floor ratio for all lots shall increase to 35 percent two years after the building department issues the initial certificate of occupancy.

B. Upon the city's issuance of a conditional use permit, a housing project may be authorized to average a 28 percent floor area ratio within the project. Where a conditional use permit is issued, each lot's floor area shall be identified and subsequent construction subject to the standard. In no case may the floor area ratio exceed 35 percent on an individual lot. (Ord. 1491, 1996; Ord. 1481, 1996; Ord. 1467, 1996; Ord. 1401, 1993; Ord. 1344, 1990; Ord. 1265, 1988; Ord. 442 § 5.43)

2-10-080 Maximum building height.

The main building shall not exceed 35 feet. Accessory buildings shall conform to LPZC 3-05-150. (Ord. 1344, 1990; Ord. 442 § 5.45)

2-10-090 Sloping driveways.

Where the natural grade of a lot within the required front yard slopes so much that it is not practical to provide a driveway with a 12 percent grade or less, the garage may be located within the front yard, but no closer than six feet to the property line. In such cases one additional off-street parking space shall be provided. (Ord. 442 § 5.46)

2-10-100 Off-street parking.

Off-street parking shall be provided for each use as stated in Chapter 3-20 LPZC. (Ord. 442 § 5.47)

2-10-110 Lot size.

To provide variety and flexibility in lot size and development, the lot sizes within a subdivision can vary between the maximum and target stated for the zone in LPZC 2-10-120. In order to meet the stated purposes of this chapter, the lot sizes may be reduced to the minimum provided for each zone. Any increase or decrease of the lot size may also be regulated by LPZC 2-10-130 and 2-10-150. How-

ever, the maximum residential density in each final subdivision map approved and recorded cannot be greater than those stated for the zone in LPZC 2-10-120 and must be in accordance with all other conditions of this section. The residential density shall conform to the limits established by the general plan. (Ord. 1344, 1990; Ord. 1290, 1988; Ord. 442 § 5.50)

2-10-120 Density and dimensions table.

Zone	Maximum Density (du/ac)	Maximum Lot Size (sq. ft.)	Target Lot Size (sq. ft.)	Minimum Lot Size (sq. ft.)
RS-.25	.25	250,000	130,000	104,000
RS-.50	.50	130,000	70,000	56,000
RS-1	1.0	65,000	36,000	28,000
RS-1.5	1.5	42,000	23,000	18,000
RS-2	2.0	32,000	17,500	14,000
RS-2.5	2.5	23,000	13,000	10,000
RS-3	3.0	18,000	10,000	8,000
RS-4	4.0	15,000	8,000	6,500
RS-4.5	4.5	14,000	7,500	6,500
RS-5	5.0	12,000	6,500	6,000
RS-6	6.0	12,000	6,500	6,000

(Ord. 442 § 5.51)

2-10-130

2-10-130 Lot size variations.

Lot sizes may vary from limitations stated in LPZC 2-10-120 as follows:

A. Lots may be reduced below the minimum of the zone to not less than 2,500 square feet for lots created for the construction of dwelling units in conformance with requirements of LPZC 2-10-180 through 2-10-230, where it is found that the design of the subdivision is satisfactory with respect to relationship of land use, circulation, and access and that the design will not create areas of excessive congestion or areas with poor access. In no case, however, shall a detached dwelling be allowed on a lot having an area less than 6,000 square feet.

B. Subject to approval of a conditional use permit, lots may increase in size above the maximum as follows:

1. Where it is found that the increase in lot size is necessary or desirable, either because of the topographic or other physical features that prevent reasonable utilization of the site; or

2. Where it is found to provide open space, or it is necessary to implement the public policy objectives of the general plan.

C. If subsection (B)(1) of this section is utilized to increase the size of any of the lots, the remaining lots in the project must exceed the target lot size. If subsection (B)(2) of this section is utilized to increase the size of any of the lots, the remaining lots in the project must exceed the minimum lot size. (Ord. 1344, 1990; Ord. 442 § 5.52)

2-10-140 Lot splitting.

Since the purpose of this district is to regulate the density of a subdivision or other development rather than lot size, a lot once subdivided and recorded under the provisions of this section shall not be further divided or significantly reduced in area unless the lot was created as a “remainder lot” under the provisions of the California Subdivision Map Act. (Ord. 1344, 1990; Ord. 442 § 5.53)

2-10-150 Lot minimums near subdivision boundary.

The lot size for lots located contiguous to a project boundary shall not be reduced to less than the target lot size stated in LPZC 2-10-120, unless it can be found that one of the following conditions exist:

A. That the project boundary is contiguous to a major street;

B. That the lot is contiguous to properties within either the same zoning district and general plan designation as the project or zoning districts and general plan designations with a higher density than the project; or

C. That the reduction has been approved by conditional use permit. (Ord. 1344, 1990; Ord. 442 § 5.54)

2-10-160 Computation.

For purposes of determining the allowable number of dwelling units, the gross area of land to be subdivided (exclusive of commercial, any other nonresidential uses, park lands required to be dedicated to the city, and lands to be purchased by the public) shall be multiplied by the applicable density specified in LPZC 2-10-120. (Ord. 1344, 1990; Ord. 442 § 5.55)

2-10-170 Exceptions to lot size regulations.

Any project that has an approved tentative subdivision map shall be permitted to file a final map in conformance with the regulations in effect when the tentative map was approved. (Ord. 1344, 1990; Ord. 442 § 5.56)

2-10-180 Attached dwellings.

Any zero lot line, couplet, row, town, and patio houses as defined in subsection (C) of this section may be permitted by conditional use permit in accordance with:

A. The regulations stated in LPZC 2-10-010 through 2-10-180;

B. The exceptions stated in LPZC 2-10-190 through 2-10-230; and

C. Any additional conditions the city may deem necessary for approval of a required permit.

1. Couplet Dwellings. These are defined as two attached single-family dwellings having common or abutting side walls for at least 50 percent of the length of such walls.

2. Town, Patio, and Row Houses. These and similar attached dwellings are defined as three or more attached single-family dwellings in a group, as described in subsection (C)(1) of this section.

3. Zero Lot Line Units. Detached single-family dwelling units with at least 50 percent of the

building depth abutting one side lot line. (Ord. 1177, 1985; Ord. 442 § 5.60)

2-10-190 Attached dwellings – Maximum dwellings per group.

The maximum number of dwellings per group shall be 10. (Ord. 442 § 5.61)

2-10-200 Attached dwellings – Side yard.

A. Couplet Dwellings and Zero Lot Line Units. One side, 15 feet minimum, and the other side, zero feet minimum.

B. Town, Patio, and Row Houses. Zero feet minimum, except the end side yard for a group of town, patio or row houses must be 30 feet minimum.

C. All Attached Dwellings. Along the side yard that is set back zero feet, any portion of the building that is not built on the property line shall be set back at least 10 feet. (Ord. 1250, 1987; Ord. 442 § 5.62)

2-10-210 Attached dwellings – Rear yard.

The minimum rear yard shall be 30 feet, except that patio covers and screened enclosures may be permitted within 15 feet of the rear property line. (Ord. 1250, 1987; Ord. 442 § 5.63)

2-10-220 Attached dwellings – Maximum coverage.

Maximum coverage shall be as follows:

A. Zero lot line and couplet dwellings shall not exceed 30 percent.

B. Row, town and patio houses shall not exceed 40 percent coverage. (Ord. 442 § 5.64)

2-10-230 Attached dwellings – Minimum street frontage width.

Minimum street frontage width shall be 25 feet. (Ord. 442 § 5.65)

Chapter 2-13

R-R – RURAL RESIDENTIAL DISTRICT

Sections:

- 2-13-010 Purpose.
- 2-13-020 Uses permitted.
- 2-13-030 Accessory uses.
- 2-13-040 Uses permitted with conditional use permit approval.
- 2-13-050 Area, lot width.
- 2-13-060 Yard requirements.
- 2-13-070 Lot depth.
- 2-13-080 Site coverage.
- 2-13-090 Height regulations.
- 2-13-100 Other required conditions.

2-13-010 Purpose.

The purpose of the R-R district is to promote and encourage a suitable environment for family life on large parcels of land. The R-R district is to be used only for rural single-family homes, appropriate agricultural uses and the community services and facilities appurtenant thereto. (Ord. 442 § 5A.10)

2-13-020 Uses permitted.

The following uses are permitted in an R-R district:

- A. Single-family detached dwellings.
- B. Agriculture, except the raising of animals or fowl for commercial purposes, or sale of any products at retail on the premises.
- C. Keeping of animals such as horses, cows and sheep in R-R-3 and R-R-5 districts.
- D. Secondary dwelling units as regulated by LPZC 3-10-020. (Ord. 1691 § 4, 2003; Ord. 442 § 5A.20)

2-13-030 Accessory uses.

The following are the accessory uses permitted in an R-R district:

- A. Private swimming pools, exclusively for the use of the residents and guests.
- B. Subdivision signs (Chapter 3-45 LPZC), office, sales office, equipment and material yard (LPZC 3-10-310).
- C. Off-street parking related to any uses permitted (Chapter 3-20 LPZC).
- D. Accessory structures and buildings related to any use permitted, except home occupation (LPZC 3-10-180).

2-13-040

E. Home occupations (LPZC 3-10-180).

F. Nursery schools and day care centers as provided by LPZC 3-10-330.

G. Signs (Chapter 3-45 LPZC). (Ord. 1302, 1989; Ord. 442 § 5A.21)

2-13-040 Uses permitted with conditional use permit approval.

The following uses are permitted subject to obtaining a conditional use permit in an R-R district:

A. Public and quasi-public uses set forth in LPZC 4-20-040 and other public and quasi-public uses which provide a direct service to residential areas or are otherwise related to residential activities.

B. Nursery schools and day care centers for more than six children.

C. Public or private stables, corrals, and riding academies, which are the primary uses.

D. Keeping of animals such as horses, cows and sheep in R-R-1 district.

E. Bed and breakfast uses, limited to six units per use. (Ord. 1691 § 5, 2003; Ord. 1175, 1985; Ord. 442 § 5A.22)

2-13-050 Area, lot width.

The following minimum requirements shall be observed, except where increased for conditional uses:

A. Lot Area.

1. R-R-1: 40,000 net square feet.
2. R-R-3: 125,000 net square feet.
3. R-R-5: 210,000 net square feet.

B. Lot Width Average.

1. R-R-1: 150 feet.
2. R-R-3: 200 feet.
3. R-R-5: 250 feet. (Ord. 442 § 5A.30)

2-13-060 Yard requirements.

The following minimum requirements shall be observed, except where increased for conditional uses:

A. Front Yard.

1. R-R-1: 30 feet.
2. R-R-3: 30 feet.
3. R-R-5: 30 feet.

B. Side Yard.

1. R-R-1: one side, 20 feet; total both sides, 45 feet.

2. R-R-3: one side, 20 feet; total both sides, 45 feet.

3. R-R-5: one side, 20 feet; total both sides, 45 feet.

C. Rear yard:

1. R-R-1: 50 feet.
2. R-R-3: 50 feet.
3. R-R-5: 50 feet. (Ord. 442 § 5A.40)

2-13-070 Lot depth.

The following minimum requirement shall be observed, except where increased for conditional uses:

- A. R-R-1: minimum 200 feet.
- B. R-R-3: minimum 200 feet.
- C. R-R-5: minimum 300 feet. (Ord. 442 § 5A.41)

2-13-080 Site coverage.

The maximum site coverage shall be 25 percent. (Ord. 442 § 5A.42)

2-13-090 Height regulations.

No principal building shall exceed 35 feet in height. (Ord. 442 § 5A.43)

2-13-100 Other required conditions.

A. Site plan approval is required for all conditional use permits.

B. Off-street parking shall be provided for each use as stated in Chapter 3-20 LPZC.

C. Design review approval is required for the uses listed in LPZC 2-13-040(A). (Ord. 442 § 5A.44)

Chapter 2-16

**RL – LOW DENSITY
RESIDENTIAL DISTRICT**

Sections:

- 2-16-010 Purpose.
- 2-16-020 Uses permitted.
- 2-16-030 Conditional uses.
- 2-16-040 Minimum lot specifications and lot development regulations.

2-16-010 Purpose.

The purpose of the RL district is to provide areas for the location of low density residential dwellings of a single-family dwelling type, to stabilize and protect the residential characteristics of the district, and to promote and encourage a suitable environment for family life in urban homes with community services and facilities appurtenant thereto. In order to allow zoning to be in conformance with general plan densities and to provide a variety of lot sizes, dwelling types and values, as well as variety and flexibility in development, the RL district is divided into the RL-5-0, RL-5, RL-6, RL-6.5, RL-7, RL-7.5, RL-8.5, and RL-10 zoning districts. (Ord. 442 § 6.10)

2-16-020 Uses permitted.

The following uses are permitted in the RL district, subject to approval of a zoning use permit, design review as required under LPZC 5-05-110, and any other prerequisite permits, and conformance to all applicable regulations set forth in this section, in LPZC Part 3, and elsewhere in this code:

- A. One single-family dwelling per lot; in addition to duplex and multiple-family dwellings legally in existence at the time of the adoption of Ordinance No. 442.
- B. Rooming and/or boarding of not more than two persons.
- C. Home occupations (LPZC 3-10-180).
- D. Off-street parking lots related to any permitted use.
- E. Nursery schools and day care centers as provided by LPZC 3-10-330.
- F. Residential or community care facilities for six residents or less (LPZC 3-10-340).
- G. Signs (Chapter 3-45 LPZC).
- H. Subdivision office, sales office, equipment and material yard (LPZC 3-10-310).

I. Accessory uses and structures related to any permitted use, except those used for home occupations.

J. Secondary dwelling units as regulated by LPZC 3-10-020. (Ord. 1691 § 6, 2003; Ord. 1487, 1996; Ord. 1302, 1989; Ord. 1175, 1985; Ord. 442 § 6.20)

2-16-030 Conditional uses.

The following uses may be permitted subject to approval of a conditional use permit (Chapter 4-20 LPZC):

- A. Public and quasi-public uses (LPZC 4-20-040).
- B. Nursery and day care centers for seven or more children.
- C. Residential or community care facilities for seven or more residents (LPZC 3-10-340).
- D. Limited animal husbandry, public or private stables, corrals, and riding academies.
- E. Bed and breakfast uses (LPZC 1-10-130). (Ord. 1691 § 7, 2003; Ord. 1175, 1985; Ord. 442 § 6.21)

2-16-040 Minimum lot specifications and lot development regulations.

A. Lots created in the RL districts shall have the following specifications and be developed in accordance with the following regulations:

Zoning District	Maximum Dwelling Units Permitted	Minimum Lot Specifications		Lot Development* Regulations Yards (Ft.)			
		Area (Sq. Ft.)	Avg. Width	Front	Rear	One	Other
RL-5-0	1	5,000	50'	20	5	10	5
RL-5	1	5,000	50'	20	5	10	5
RL-6-0	1	6,000**	60'	15	5	10	7
RL-6	1	6,000	60'	20	5	10	7
RL-6.5	1	6,500	65'	20	10	10	7
RL-7	1	7,000	70'	20	10	10	7
RL-7.5	1	7,500	75'	20	10	10	7
RL-8.5	1	8,500	80'	20	10	10	10
RL-10	1	10,000	80'	20	20	10	10

* Subject to additional regulation.

** Lots of record less than 6,000 square feet in area at the time of adoption of Ordinance 1729 [July 12, 2004] shall be considered conforming.

B. Minimum Lot Street Frontage Width. Minimum lot street frontage width shall be 50 feet. A reduction in this width is subject to approval of a conditional use permit; provided, the following findings can be made:

1. The reduction in lot street frontage width is necessary or desirable because of the topography or other physical features that prevent reasonable utilization of the undeveloped site.

2. The amount of parking on the residential lots will be increased to replace the reduction of the on-street parking.

3. The reduction in lot street frontage width will not result in a significant reduction in the amount of landscaping visible from the public street.

C. Minimum Street Frontage Yard. Twenty feet, except as stated in subsection (D) of this section.

D. Minimum Street Frontage Yard, Corner Lot. One, 20 feet, one, 15 feet, except in no case shall a garage facing a street be set back less than 20 feet, except in the RL-6-0 district the garage shall be set back a minimum of 15 feet, provided there is a minimum distance of 20 feet between the garage and the inside edge of the public sidewalk.

E. Minimum Rear and Side Yards. Where a side or rear yard is contiguous to the right-of-way of a major street, such yard shall be 35 feet; when contiguous to the right-of-way of a freeway, or a major highway now existing or shown as an adopted route in the city’s general plan, or any railroad or rail transit line, the minimum rear or side yard shall be 50 feet.

F. Accessory buildings and structures shall conform to the regulations stated in LPZC 3-05-150.

G. Maximum Height Limit. The maximum height limit for a main building shall be 35 feet; the maximum height limit for an accessory building shall be 15 feet, except that an accessory building, where allowed within any required setback area, shall not exceed a height of six feet at property line and may be increased in height one foot for each foot of setback to the maximum. The provisions of this section shall not be applicable to sites adjacent to freeways, which may be built to the maximum allowable height.

H. Maximum Site Coverage. Forty percent, except the RL-6-0 district shall have a maximum site coverage of 50 percent.

I. Off-Street Parking. Shall be provided for each use as stated in Chapter 3-20 LPZC.

J. Slope. Where the natural grade of a lot within the required front yard has an average slope, normal to the front lot line at every point along said line, of such a degree or percent of slope that it is not practical to provide a driveway with a grade of 12 percent or less to a private garage conforming to the requirements of this code, such garage may be located within such front yard, but not in any case closer than six feet to the property line, in which case one additional off-street parking space shall be provided.

K. Exceptions. Notwithstanding the provisions of this section, any lot of official record in the RL-5-0, RL-5, RL-6, RL-6.5, and RL-7 districts, prior to May 8, 1968, may conform to the minimum side yard regulations as stated in subsections (K)(1) through (K)(4) of this section, and any lot of official record in all RL districts, prior to March 12, 1970, provided such lot was included in an approved tentative map or preliminary map approved by a PUD permit prior to September 13, 1967, need not conform to subsection (E) of this section.

1. Minimum Side Yards – RL-5-0 and RL-5 Districts. Five feet.

2. Minimum Side Yards – RL-6 Districts. One, seven feet, and one, five feet.

3. Minimum Side Yards – RL-6.5 Districts. One, 10 feet, and one, five feet.

4. Minimum Side Yards – RL-7 Districts. One, 10 feet, and one, six feet.

L. Street Trees. In the RL-6-0 district, a building permit for the construction of any new residential building or an addition in front of an existing building shall not be issued unless the applicant agrees to plant street trees within the right-of-way adjacent to the property upon which the proposed project is located, in accordance with the adopted street tree plan for the particular street and the specifications of the city engineer. (Ord. 1729 § 1, 2004; Ord. 1312, 1989; Ord. 442 §§ 6.30 – 6.54)

Chapter 2-19

RM – MEDIUM DENSITY RESIDENTIAL DISTRICT

Sections:

- 2-19-010 Purpose.
- 2-19-020 Uses permitted.
- 2-19-030 Minimum site area required – One to four dwellings.
- 2-19-040 Minimum site area required per dwelling unit – Five or more dwellings.
- 2-19-050 Site requirements.
- 2-19-060 Open space requirements.
- 2-19-070 District regulations, other.
- 2-19-080 Site plan approval.
- 2-19-090 Exceptions to site requirements.

2-19-010 Purpose.

The purpose of the RM district is to provide areas for the location of multiple residential dwellings and to regulate uses so as to promote a suitable residential environment in such areas. It is intended that the district be established in those areas designated in the general plan to be medium density residential and as a transitional use between intensive commercial uses and low density residential uses. (Ord. 442 § 7.10)

2-19-020 Uses permitted.

The following uses are permitted; provided, that all applicable conditions for the zoning use permit as set forth in LPZC Part 3 are fulfilled:

- A. Single-family, group single-family, duplex, multiple-family dwelling units, rest homes, nursing homes, and rooming and boarding houses.
- B. Bed and breakfast uses, limited to six units per use, public and quasi-public uses, mortuaries, fraternal and social halls, and mobile home parks as set forth in Chapter 3-15 LPZC, all subject to approval of a conditional use permit.
- C. Home occupations and off-street parking lots appurtenant to any permitted use or when appurtenant and adjacent to any C district.
- D. Accessory uses and structures appurtenant to any permitted use, except home occupations.
- E. Tract office and model homes (LPZC 3-10-320) and permitted signs (Chapter 3-45 LPZC).
- F. Health facilities as set forth in LPZC 3-10-340.

G. Nursery schools and day care centers as provided by LPZC 3-10-330. (Ord. 1302, 1989; Ord. 1175, 1985; Ord. 649 § 2, 1968; Ord. 442 §§ 7.20 – 7.28)

2-19-030 Minimum site area required – One to four dwellings.

- A. Single-family or two-family: 5,000 square feet.
- B. Three-family: 7,500 square feet.
- C. Four-family: 10,000 square feet. (Ord. 442 §§ 7.30 – 7.33)

2-19-040 Minimum site area required per dwelling unit – Five or more dwellings.

Bedrooms Per Dwelling Unit	One Story	Two Story	Three Story
One	1,800	1,500	1,400
Two	2,200	1,800	1,650
Three or more	2,400	1,950	1,750

(Ord. 442 §§ 7.40 – 7.43)

2-19-050 Site requirements.

- A. Minimum Yard, Street Frontage. Fifteen feet, except as set forth in LPZC 2-19-090(D).
- B. Minimum Yard, Non-Street Frontage. Five feet plus an additional five feet for every story above the first.
- C. Minimum Site Area. Five thousand square feet; five or more dwellings, 10,000 square feet.
- D. Minimum Site Width. Fifty feet.
- E. Maximum Site Coverage. Fifty percent.
- F. Minimum Separation between Buildings. Shall be provided as set forth in LPZC 3-05-150, et seq.
- G. Maximum Height Limit.
 - 1. One to four dwellings, two stories;
 - 2. Five or more dwellings, three story inclusive of story devoted to off-street parking;
 - 3. Secondary buildings or accessory structures, 15 feet.
- H. Off-Street Parking. Shall be provided for each use as required in Chapter 3-20 LPZC. (Ord. 442 §§ 7.60 – 7.68)

2-19-060

2-19-060 Open space requirements.

A. Usable Open Space. For each dwelling unit in the RM district, there shall be provided a minimum of 300 square feet of usable open space. For purposes of this section, “usable open space” shall be defined as common or private open space, excluding the following:

1. Required front yards.
2. Areas devoted to parking, driveways, and maneuvering areas.
3. Open space at grade less than 10 feet in its minimum dimension.
4. Patios, balconies, or decks less than seven feet in their minimum dimension.

B. Maintenance of Open Areas. Open areas, exclusive of required off-street parking area and developed recreation area, shall be permanently maintained as landscaped and/or developed common or private recreation areas, with paving not to exceed 20 percent of such open area. (Ord. 442 § 7.69)

2-19-070 District regulations, other.

Regulations for permitted uses other than single-family, duplex, and multiple-family dwelling units shall be as set forth in this section or in LPZC Part 3. (Ord. 442 § 7.70)

2-19-080 Site plan approval.

Site plan approval, as regulated by Chapter 4-10 LPZC, is required for each residential development of four or more units, where such development is not regulated by Government Code Section 66400. (Ord. 1156, 1984; Ord. 442 § 7.71)

2-19-090 Exceptions to site requirements.

A. Single-Family Dwellings. Shall conform to the RL-5-0 zoning district regulations.

B. Accessory buildings, when located on the rear one-half of a lot and 10 feet from any main structure existing or under construction on any adjacent property, may be erected on an interior property line or not less than three feet from an interior property line.

C. Where the natural grade of a lot within the required front yard has an average slope, normal to the front lot line at every point along said line, of such a degree or percent of slope that it is not practical to provide a driveway with a grade of 12 percent or less to required off-street parking area in

conformance with the requirements of this code, required off-street parking may be located within required street frontage yards, but in no case closer than six feet to the property line.

D. LPZC 2-19-050(A) shall not apply in the case of garages facing a street, which in all cases shall be set back 20 feet.

E. Additional Dwelling Units Permitted. Subject to other requirements set forth in this code, area equal to any required off-street parking spaces located under main structures may be utilized for the allowance of additional dwelling units, provided the total density of the site does not exceed one dwelling unit per 1,250 square feet. For purposes of computing maximum dwelling units permitted only, a ground story devoted to off-street parking and utility purposes shall not constitute an additional story. (Ord. 442 §§ 7.80 – 7.87)

Chapter 2-22

RH – RESIDENTIAL HIGH DISTRICT

Sections:

- 2-22-010 Purpose.
- 2-22-020 Uses permitted.
- 2-22-030 Conditional uses.
- 2-22-040 Site requirements.
- 2-22-050 Open space requirements.
- 2-22-060 District regulations, other.
- 2-22-070 Site plan approval.
- 2-22-080 Exceptions to site requirements.

2-22-010 Purpose.

The purpose of the RH district is to provide areas for the location of multiple residential dwellings and to regulate uses so as to promote a suitable residential environment in such areas. It is intended that the district be established in those areas designated in the central area element (urban design plan) of the general plan to be medium high density in order to establish an urban residential environment adjacent to the commercial core and as a transitional use between intensive commercial uses and low density residential uses. (Ord. 1241, 1987; Ord. 442 § 7A.10)

2-22-020 Uses permitted.

The following uses are permitted; provided, that all applicable conditions for the zoning use permit as set forth in LPZC Part 3 are fulfilled:

- A. Single-family, group single-family, duplex, multiple-family dwelling units, rest homes, nursing homes, and rooming and boarding houses.
- B. Home occupations and off-street parking lots appurtenant to any permitted use or when appurtenant and adjacent to any C district.
- C. Accessory uses and structures appurtenant to any permitted use, except home occupations.
- D. Tract office and model homes (LPZC 3-10-320) and permitted signs (Chapter 3-45 LPZC).
- E. Health facilities as set forth in LPZC 3-10-340. (Ord. 442 §§ 7A.20 – 7A.25)

2-22-030 Conditional uses.

The following uses may be permitted subject to approval of a conditional use permit (Chapter 4-20 LPZC):

A. Public and quasi-public uses, mortuaries, fraternal and social halls, and mobile home parks as set forth in Chapter 3-15 LPZC.

B. Nursery schools and day care centers as provided by LPZC 3-10-330. (Ord. 1302, 1989; Ord. 442 §§ 7A.26, 7A.27)

2-22-040 Site requirements.

A. Minimum Site Area Required. Five thousand square feet.

B. Minimum Site Area Required Per Dwelling Unit – Five or More Dwellings.

Bedrooms Per Dwelling Unit	One Story	Two Story	Three Story
One	2,500	1,250	1,250
Two	2,500	1,650	1,500
Three or more	2,500	2,050	1,750

C. Minimum Yard, Street Frontage. Fifteen feet, except as set forth in LPZC 2-22-080(D).

D. Minimum Yard, Non-Street Frontage. Five feet plus an additional five feet for every story above the first.

E. Minimum Site Width. Fifty feet.

F. Maximum Site Coverage. Fifty-five percent.

G. Minimum Separation between Buildings. Shall be provided as set forth in LPZC 3-05-150 et seq.

H. Maximum Height Limit.

- 1. One to four dwellings: two stories;
- 2. Five or more dwellings: three residential stories or 45 feet;
- 3. Secondary buildings or accessory structures: 15 feet.

I. Off-Street Parking. Shall be provided for each use as required in Chapter 3-20 LPZC. (Ord. 1241, 1987; Ord. 442 §§ 7A.30 – 7A.67)

2-22-050 Open space requirements.

A. Usable Open Space. For each dwelling unit in the RH district, there shall be provided a minimum of 300 square feet of usable open space. For purposes of this section, “usable open space” shall be defined as common or private space, excluding the following:

- 1. Required front yards.
- 2. Areas devoted to parking, driveways, and maneuvering areas.

3. Open space at grade less than 10 feet in its minimum dimension.

4. Patios, balconies, or decks less than seven feet in their minimum dimension.

B. Maintenance of Open Areas. Open areas, exclusive of required off-street parking area and developed recreation areas, shall be permanently maintained as landscaped and/or developed common or private recreation areas with paving not to exceed 20 percent of such open area. (Ord. 442 § 7A.68)

2-22-060 District regulations, other.

Regulations for permitted uses other than single-family, duplex, and multiple-family dwelling units shall be as set forth in this section or in LPZC Part 3. (Ord. 442 § 7A.70)

2-22-070 Site plan approval.

Site plan approval, as regulated by Chapter 4-10 LPZC, is required for each residential development of four or more units, where such development is not regulated by Government Code Section 66400. (Ord. 442 § 7A.71)

2-22-080 Exceptions to site requirements.

A. Single-Family Dwellings. Shall conform to the RL-5-0 zoning district regulations.

B. Accessory buildings, when located on the rear one-half of a lot and 10 feet from any main structure existing or under construction on any adjacent property, may be erected on an interior property line or not less than three feet from an interior property line.

C. Where the natural grade of a lot within the required front yard has an average slope, normal to the front lot line at every point along said line, of such a degree or percent of slope that it is not practical to provide a driveway with a grade of 12 percent or less to required off-street parking area in conformance with the requirements of this code, required off-street parking may be located within required street frontage yards, but in no case closer than six feet to the property line.

D. LPZC 2-22-040(C) shall not apply in the case of garages facing a street, which in all cases shall be set back 20 feet. (Ord. 442 §§ 7A.80 – 7A.84)

Chapter 2-25

RG – SUBURBAN MULTIPLE RESIDENTIAL DISTRICT

Sections:

- 2-25-010 Purpose.
- 2-25-020 Uses permitted.
- 2-25-030 Minimum area required per dwelling unit.
- 2-25-040 Additional dwelling units permitted.
- 2-25-050 Lot and lot development requirements.
- 2-25-060 Sloping driveways.
- 2-25-070 Maintenance of open areas.
- 2-25-080 District regulations, other.
- 2-25-090 Site plan approval.
- 2-25-100 Single-family dwellings.

2-25-010 Purpose.

The purpose of the RG district is to provide areas for the location of low density, multiple-family residential dwellings and to establish regulations for their development. It is intended that the district be used in higher density areas designated in the general plan or in other areas when found to be necessary or desirable to achieve good neighborhood design and for purposes of stabilizing land use. In order to provide the city the opportunity to vary multiple residential density, the RG district is subdivided into the RG-16, RG-14, RG-12, and RG-10 zoning districts. (Ord. 649 § 17, 1968; Ord. 442 § 8.10)

2-25-020 Uses permitted.

The following uses are permitted, subject to approval of a zoning use permit, and conformance to applicable regulations stated below, in LPZC Part 3, and elsewhere in the zoning code:

A. Single-family dwelling units, group single-family dwelling units, duplex dwelling units, and multiple-family dwelling units.

B. Rooming and/or boarding of not more than two persons.

C. Public and quasi-public uses related to the district and mortuaries, both subject to approval of a conditional use permit; home occupations (LPZC 1-10-330 and 3-10-180); off-street parking lots related to any permitted use; and nursery schools and day care centers as provided by LPZC 3-10-330.

D. Signs (Chapter 3-45 LPZC) and tract sales office and model homes (LPZC 3-10-320).

E. Accessory uses and structures and secondary buildings related to any permitted use, except home occupations.

F. Limited animal husbandry, public or private stables, corrals, and riding academies, subject to approval of a conditional use permit and the regulations stated in Chapter 3-10 LPZC.

G. Health facilities as set forth in LPZC 3-10-340.

H. Mobile home parks as set forth in Chapter 3-15 LPZC and subject to approval of a conditional use permit.

I. Bed and breakfast uses, limited to six units per use. (Ord. 1302, 1989; Ord. 1175, 1985; Ord. 649 § 17, 1968; Ord. 442 §§ 8.20 – 8.29)

2-25-030 Minimum area required per dwelling unit.

A. RG-16 Zoning District.

Bedrooms Per Dwelling Unit	One Story	Two Story	Three Story
One	2,500	2,200	2,100
Two	3,100	2,700	2,550
Three or more	3,400	2,950	2,800

B. RG-14 Zoning District. One dwelling per 3,000 square feet (14.5/net acre).

C. RG-12 Zoning District. One dwelling per 3,500 square feet (12.4/net acre).

D. RG-10 Zoning District. One dwelling per 4,500 square feet (9.7/net acre). (Ord. 649 § 17, 1968; Ord. 442 §§ 8.30 – 8.60)

2-25-040 Additional dwelling units permitted.

Subject to other requirements set forth in this code, area equal to any required off-street parking spaces located under main structures may be utilized for the allowance of additional dwelling units, provided the total density of the site does not exceed one dwelling unit per 2,000 square feet. For purpose of computing maximum dwelling units permitted only, a ground story devoted to off-street parking and utility purposes shall not constitute an additional story. (Ord. 649 § 17, 1968; Ord. 442 § 8.70)

2-25-050 Lot and lot development requirements.

A. Table.

Zoning District	Minimum Requirements			Maximum Requirements	
	Lot Area (Sq. Ft.)	Street Frontage Yards	Lot Width	Lot Coverage	Dwellings Per Building
RG-16	6,000	20'	60'	50%	No Limit
RG-14	6,500	20'	65'	40%	No Limit
RG-12	7,500	25'	75'	35%	10
RG-10	9,000	30'	90'	30%	6

B. Minimum Non-Street Frontage Yard. As follows and as specified in subsection (C) of this section, whichever is greater:

1. RG-16: 10 feet.
2. RG-14, RG-12, RG-10: 20 feet.

C. Maximum allowable building height shall be determined by the distance a building is set back from non-street frontage property lines as follows:

1. Where contiguous to property zoned for multiple residential use, found by the city to be indicated in the general plan to be for future multiple-family residential use, or in use or proposed for future use as a public or quasi-public use other than a public park:

- a. Ten- to 40-Foot Height. Setback shall be 20 feet plus four feet for each three feet of wall height in excess of 10 feet.
- b. Over 40- to 60-Foot Height. Setback shall be 60 feet plus three feet for each four feet of wall height in excess of 40 feet.
- c. Over 60-Foot Height. Setback shall be 75 feet.

2. Where contiguous to property zoned for single-family residential use, found by the city to be indicated in the general plan to be for future single-family residential use, or adjacent to a commercial, industrial, or similar nonresidential use, or a public park:

- a. Ten- to 25-Foot Height. Setback shall be 20 feet plus five feet for each one foot of wall height in excess of 10 feet.
- b. Over 25- to 40-Foot Height. Setback shall be 95 feet plus three feet for each one foot of wall height in excess of 25 feet.
- c. Over 40- to 55-Foot Height. Setback shall be 140 feet plus two feet for each one foot of wall height in excess of 40 feet.

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d. Over 55-Foot Height. Setback shall be 170 feet plus one foot for each one foot of wall height in excess of 55 feet.

3. Reduction in setbacks of 10 percent in each case stated in subsections (C)(3)(a) through (e) of this section to a total of 40 percent shall be permitted for buildings having a height in excess of 10 feet, as follows:

a. For a one story building or portion of a building.

b. For a multi-story dwelling unit such as a townhouse.

c. For a wall or side having no windows, glass doors, balconies, sun decks, or similar openings above a height of 15 feet.

d. For a wall having a width less than 40 feet.

e. For walls of a building that are diagonal to the property line between 40 and 50 degrees.

4. For purposes of determining the required setback, building height shall be measured along the horizontal plane of the property line to which the building wall is parallel or closest related.

5. Accessory buildings shall be permitted at a height not to exceed 12 feet; except, where such building is located on a property line, its height shall not exceed eight feet.

6. An accessory structure located on a lot contiguous to the right-of-way of any major street, freeway, or major highway existing or shown as an adopted route in the city's general plan or any railroad or rail transit line, and within a non-street frontage yard contiguous to such right-of-way, shall not exceed a height of five feet within 20 feet of the right-of-way.

7. Development in excess of three stories shall be subject to approval of a conditional use permit where, in addition to the prerequisite findings, it can also be found that:

a. The height of proposed development will not be to the detriment of adjacent properties;

b. The amenities gained in the increased height limit will provide additional amenities in the form of light, air, and open space.

D. Minimum Separation between Buildings. Shall be provided as set forth in LPZC 3-05-160.

E. Minimum District Size. One acre; none when adjacent to any C or I district or the RM district.

F. Off-Street Parking. Shall be provided for each use as required in Chapter 3-20 LPZC. (Ord. 649 § 17, 1968; Ord. 442 §§ 8.80 – 8.93)

2-25-060 Sloping driveways.

Where the natural grade of a lot within the required front yard has an average slope, normal to the front lot line at every point along said line, of such a degree or percent of slope that it is not practical to provide a driveway with a grade of 12 percent or less to required off-street parking area in conformance with the requirements of this code, required off-street parking may be located within required street frontage yards but in no case closer than six feet to the property line. (Ord. 649 § 17, 1968; Ord. 442 § 8.94)

2-25-070 Maintenance of open areas.

Open areas, exclusive of required off-street parking areas and developed recreation areas, shall be landscaped and/or developed as common or private recreation areas with surfacing not to exceed 20 percent of such open area. (Ord. 649 § 17, 1968; Ord. 442 § 8.95)

2-25-080 District regulations, other.

Regulations for uses other than duplex and multiple-family dwelling units shall be as stated in this section or in LPZC Part 3. (Ord. 649 § 17, 1968; Ord. 442 § 8.96)

2-25-090 Site plan approval.

Site plan approval, as regulated by Chapter 4-10 LPZC, is required for each residential development of four or more units, where such development is not regulated by Government Code Section 66400. (Ord. 1156, 1984; Ord. 442 § 8.96A)

2-25-100 Single-family dwellings.

Notwithstanding the definition of "dwelling, single-family," as set forth in Chapter 1-10 LPZC, a single-family dwelling is defined as one dwelling unit exclusively occupying a "lot, parcel, or site" and shall include a dwelling within a "condominium project" as defined by Sections 783 and 1350 of the Civil Code of the state of California. Single-family dwellings shall conform to the following regulations:

A. When detached, such dwellings shall conform to the site development requirements of the RS zoning district as stated in Chapter 2-10 LPZC.

B. When attached, including those within a condominium project, such dwellings shall conform to the site development requirements specified for “attached” dwellings in either LPZC 2-10-180 or those set forth for a “residential townhouse development” as specified in Chapter 3-55 LPZC, whichever is applicable.

C. An existing multiple-family dwelling, in order to be divided as a “condominium project,” that is to say, changed to a use consisting of single-family dwellings, pursuant to Section 11535.1 of the Business and Professions Code of the state of California, shall conform not only to applicable zoning district or other zoning regulations, but also the following regulations:

1. Maximum dwelling units permitted: 10 dwelling units per acre of the site.
2. Off-street parking shall be provided in accordance with LPZC 3-20-050(A)(2).
3. Usable open space shall be provided in accordance with LPZC 3-55-060(D).
4. Fire protection facilities shall be subject to approval of the Livermore fire department.

No tentative or final map causing the subdivision of an existing “multiple-family dwelling” shall be refused if the conditions of this section are met. (Ord. 649 § 17, 1968; Ord. 442 § 8.97)

Chapter 2-28

R2 – DUPLEX DISTRICT

Sections:

- 2-28-010 Purpose.
- 2-28-020 Uses permitted.
- 2-28-030 Accessory uses.
- 2-28-040 Uses permitted with conditional use permit approval.
- 2-28-050 Site requirements.
- 2-28-060 Site development regulations.

2-28-010 Purpose.

The purpose of the R2 district is to provide areas for the location of duplexes and to regulate uses so as to promote a suitable residential environment in such areas. It is intended that the district be established in those areas designated in the general plan to be high density residential (Category 2) and as a transitional use between higher residential and commercial uses and low density residential uses. (Ord. 442 § 8A.10)

2-28-020 Uses permitted.

The following uses are permitted in an R2 district:

- A. Single-family detached dwellings.
- B. Two-family dwellings, attached or detached. (Ord. 442 § 8A.20)

2-28-030 Accessory uses.

The following are the accessory uses permitted in an R2 district:

- A. Private swimming pools, exclusively for the use of the residents and guests.
- B. Subdivision sign (Section 21.72), office, sales office, equipment and material yard (Section 21.57).
- C. Off-street parking related to any uses permitted (Chapter 3-20 LPZC).
- D. Accessory structures and buildings related to any use permitted, except home occupations.
- E. Home occupations (LPZC 3-10-180).
- F. Nursery schools and day care centers as provided by LPZC 3-10-330.
- G. Signs (Chapter 3-45 LPZC). (Ord. 1302, 1989; Ord. 442 § 8A.21)

2-28-040 Uses permitted with conditional use permit approval.

The following uses are permitted subject to obtaining a conditional use permit in an R2 district:

A. Public and quasi-public uses set forth in LPZC 4-20-040 and other public and quasi-public uses which provide a direct service to residential areas or are otherwise related to residential activities.

B. Nursery schools and day care centers for more than 12 children.

C. Bed and breakfast uses, limited to six units per use. (Ord. 1175, 1985; Ord. 442 § 8A.22)

2-28-050 Site requirements.

The minimum site area required is 5,000 square feet and lot width average is 50 feet. The minimum lot depth shall be 100 feet. (Ord. 442 § 8A.30)

2-28-060 Site development regulations.

A. Yard Requirements. The following minimum requirements shall be observed, except where increased for conditional uses:

- 1. Front yard: 15 feet.
- 2. Side yard: five feet plus an additional five feet for every story above the first story.
- 3. Street side yard: 15 feet.
- 4. Rear yard: 15 feet.

B. Site Coverage. A maximum of 50 percent.

C. Height Regulation. No principal building shall exceed 35 feet in height.

D. Other Required Conditions:

- 1. Site plan is required for all conditional uses.
- 2. Design review approval is required for conditional uses. (Ord. 442 §§ 8A.40 – 8A.43)

Chapter 2-31

CS – COMMERCIAL SERVICE DISTRICT

Sections:

- 2-31-010 Purpose.
- 2-31-020 Uses permitted.
- 2-31-030 Uses permitted with conditional use permit approval.
- 2-31-040 Minimum district size.
- 2-31-050 Minimum lot specifications.
- 2-31-060 Site plan approval.
- 2-31-070 Minimum frontage yard.
- 2-31-080 Maximum site coverage.
- 2-31-090 Maximum building height.
- 2-31-100 Off-street parking.
- 2-31-110 Fencing.

2-31-010 Purpose.

The purpose of the CS district is to provide areas for uses which support other activities in the central business district but because of their size, scale or relatively low pedestrian traffic generation are inappropriate for the CBD, including areas for high land demand, recreational, home improvement, repair services and auto-related uses. (Ord. 1336, 1990; Ord. 442 § 9.10)

2-31-020 Uses permitted.

The following uses are permitted subject to approval of any prerequisite permits and conformance to all applicable regulations set forth in this chapter, in LPZC Part 3, and elsewhere in the zoning code:

A. Automotive Sales, Services and Related Uses.

- 1. Automotive accessory shops.
- 2. Automotive dealers, excluding auto wrecking and salvage and gasoline sales.
- 3. Automotive repair, service and garages, excluding gasoline sales and sites adjacent to an R district, including body repair shops, motor rebuilding, paint shops, tire recapping and retreading, truck repair, and storage.
- 4. Trailer, boat, and RV sales, service and rental.
- 5. Car washing, excluding the retail sales of motor vehicle fuels.

B. Commercial Amusement and Entertainment Establishments (Generating Large Traffic Volumes).

- 1. Bowling alleys.

- 2. Miniature golf courses.
- 3. Skating rinks, ice and roller.
- 4. Tennis courts, outdoor, commercial.
- C. Consumer Services.
 - 1. Cocktail lounges.
 - 2. Night clubs.
 - 3. Restaurants, except fast foods.
- D. Farm and Miscellaneous Equipment Sales and Service.
 - 1. Commercial farm equipment sales, rental and repair.
 - 2. Farm and dairy supply and equipment repair.
 - 3. Feed sales.
- E. Home Improvement.
 - 1. Building materials (lumber yards).
 - 2. Building materials and hardware.
 - 3. Hardware only.
 - 4. Paint, glass and wallpaper.
 - 5. Floor and window coverings.
 - 6. Carpentry shop or custom woodworking or custom furniture.
 - 7. Food lockers, rental for individual households.
 - 8. Spa and pool sales, supplies, service and repair.
 - 9. Nursery sales (garden supply).
- F. Miscellaneous Repair Services. Including only:
 - 1. Business equipment and furnishings repair and service.
 - 2. Household yard equipment and appliance repair and service.
 - 3. Audio, video and computer repair and service.
- G. Miscellaneous Service Uses with No Outdoor Storage.
 - 1. Cleaning and janitorial service and supplies.
 - 2. Locksmith.
 - 3. Water purification and filtration.
- H. Miscellaneous Service Uses with No Outdoor Storage and Not Adjacent to an R District.
 - 1. Machine and welding shops.
 - 2. Saw sharpening.
 - 3. Stone cutting and products.
 - 4. Glass and glass products.
 - 5. Sheet metal.

- I. Print and Graphics.
 - 1. Heavy print shop, typesetting, lithograph, silk screening (of printed materials only).
 - 2. Graphics and art services.
 - 3. Sign company.
 - 4. Blueprinting.
 - 5. Nonretail photographic processing and printing.
 - 6. Art services.
- J. Rental Shops, Excluding Construction Equipment Rental. Including only:
 - 1. Consumer-oriented rental shops including party furnishings, household tools and appliances, consumer scale garden equipment, auto-related equipment, etc.
 - 2. Vending machine service.
- K. Subcontractors and Contractors with No Outdoor Construction Vehicle Storage or Other Outdoor Storage.
 - 1. Electrical.
 - 2. Heating and air conditioning.
 - 3. Flooring.
 - 4. Plumbing and fire sprinkler.
 - 5. Insulation.
 - 6. Drywall.
 - 7. Painting.
 - 8. Landscaping, swimming pool installation.
 - 9. Roofing.
 - 10. Concrete and masonry.
 - 11. Glass and glazing.
 - 12. Similar contractors as determined by the zoning administrator.
- L. Travel Accommodations.
 - 1. Hotel.
 - 2. Motel.
- M. Accessory Uses, Structures and Buildings Related to Any Use Permitted.
 - 1. Signs (Chapter 3-45 LPZC).
 - 2. Retail certified recycler (where located within a building or fully screened from public view by a solid wall or fence).
- N. And similar uses and any other retail business or service establishment determined by the zoning administrator to be of the same general character as the above uses. (Ord. 1689 § 1, 2003; Ord. 1538 § 1, 1998; Ord. 1423, 1994; Ord. 1336, 1990; Ord. 1287, 1988; Ord. 1239, 1987; Ord. 649 § 3, 1968; Ord. 442 § 9.20)

2-31-030 Uses permitted with conditional use permit approval.

The following uses are permitted subject to conditional use permit approval in addition to any other prerequisite permits and conformance to all applicable regulations set forth in this chapter and elsewhere in the zoning code:

A. Automotive Sales and Service.

1. Automobile service stations, including accessory car washing, subject to the requirements of LPZC 3-10-070.

2. Automotive repair, service and garages when the site is adjacent to an R district, including body repair shops, motor rebuilding, paint shops, tire recapping and retreading, truck repair, and storage.

B. Commercial Amusement and Entertainment (For Primarily Open Uses).

1. Golf courses.
2. Golf driving ranges.

C. Commercial Amusement and Entertainment (Generating Large Traffic Volumes).

1. Amusement parks, unlimited capacity.
2. Arenas, auditoriums or stadiums, unlimited capacity.
3. Drive-in theaters.
4. Theaters.

D. Consumer Services.

1. Fast foods.
2. Drive-in facilities.

E. Contract Construction.

1. Auto impoundment yards.
2. Building construction, general contractors and subcontractors with outdoor storage.

F. Construction and other large scale equipment rental.

G. Miscellaneous Service Uses When the Site Is Adjacent to an R District or with Outdoor Storage.

1. Machine and welding shops.
2. Saw sharpening.
3. Stone cutting and products.
4. Glass and glass products.
5. Sheet metal.

H. Travel Accommodations.

1. Travel trailer park.

I. Wholesale trade warehousing establishments.

J. Public and semi-public uses.

K. Wholesale certified recycler (where located within a building or fully screened from public view by a solid wall or fence).

L. Any land use that utilizes hazardous materials shall be subject to the regulations of Chapter 3-30 LPZC. Prior to approval, it must be found that the project includes sufficient safeguards to assure that the storage and use of the hazardous materials will be an acceptable risk as defined by Chapter 3-30 LPZC.

M. And similar uses and any other retail business or service establishment determined by the decisionmaking body approving the conditional use permit to be of the same general character as the above uses. (Ord. 1689 § 2, 2003; Ord. 1633 § 8, 2001; Ord. 1423, 1994; Ord. 1376, 1992; Ord. 1336, 1990; Ord. 1287, 1988; Ord. 1239, 1987; Ord. 1041, 1980; Ord. 442 § 9.21)

2-31-040 Minimum district size.

The minimum CS district size shall be two acres. (Ord. 442 § 9.30)

2-31-050 Minimum lot specifications.

A. Minimum Lot Size. There is no minimum requirement for lot size.

B. Minimum Street Frontage. There is no minimum requirement for street frontage; provided, any lot which does not have frontage on a street has an unobstructed easement of access having a width of not less than 25 feet. (Ord. 442 § 9.31)

2-31-060 Site plan approval.

Site plan approval shall be required prior to the development of any site, including the construction of any building, the establishment of any open land use, and the development of related off-street parking. (Ord. 948, 1978; Ord. 442 § 9.40)

2-31-070 Minimum frontage yard.

A. The minimum street frontage yard is 25 feet, which shall be developed and permanently maintained as a landscaped yard.

B. The minimum non-street frontage yard shall be required as follows:

1. No non-street frontage yard is required except where a parcel abuts a CO, CP, or R district, in which event any building or structure, other than a fence located on the property line, shall be set back from the CO, CP, or R district property line a distance of 25 feet. The setback area shall be landscaped.

2. All yards shall have open access to the street, which shall be unrestricted except by fences.

3. All yards and other open space shall be landscaped, surfaced, or otherwise maintained in a dust-free and fire-safe condition. (Ord. 948, 1978; Ord. 442 § 9.41)

2-31-080 Maximum site coverage.

The maximum allowable building site coverage shall be 50 percent. (Ord. 948, 1978; Ord. 442 § 9.42)

2-31-090 Maximum building height.

The height is limited to a maximum of 35 feet except as follows:

A. When a building site is within one-half mile of an airport runway, construction of buildings or other structures having a height in excess of 25 feet shall require approval of a conditional use permit, to be approved in conformance with recommendations of the Federal Aviation Administration.

B. Any building or structure may exceed the maximum building height, up to 50 feet, with a conditional use permit provided the zoning requirements and general plan policies, such as scenic corridor policies, are met. (Ord. 1810 § 1, 2007; Ord. 948, 1978; Ord. 442 § 9.43)

2-31-100 Off-street parking.

Off-street parking shall be provided for each use as set forth in Chapter 3-20 LPZC. (Ord. 948, 1978; Ord. 442 § 9.44)

2-31-110 Fencing.

A. Where a parcel abuts an R district, there shall be provided a masonry wall having a height of not less than six feet.

B. Fences or walls over three feet in height shall be prohibited within a required street frontage yard.

C. Exterior storage shall be screened from the public view by a masonry wall having a height of not less than six feet. No storage may exceed the height of the wall. Walls greater than eight feet in height require the approval of a conditional use permit. (Ord. 1336, 1990; Ord. 442 § 9.45)

Chapter 2-34

CHS – HIGHWAY SERVICE COMMERCIAL DISTRICT

Sections:

- 2-34-010 Purpose.
- 2-34-020 Uses permitted.
- 2-34-030 Uses permitted with conditional use permit approval.
- 2-34-040 Minimum district size.
- 2-34-050 Minimum lot specifications.
- 2-34-060 Site plan approval.
- 2-34-070 Minimum frontage yard.
- 2-34-080 Maximum site coverage.
- 2-34-090 Maximum building height.
- 2-34-100 Off-street parking.
- 2-34-110 Fencing.

2-34-010 Purpose.

The purpose of the CHS district is to provide areas for highly visible locations generally surrounding freeway interchange and similar locations for businesses and uses predominantly serving the traveling public and convention trade with lodging, food service, motor vehicle repair and service, motor fuels, and similar activities. Because of the prominent locations involved, the highest degree of excellence in architecture and site design should be utilized. (Ord. 1276, 1988; Ord. 442 § 9A.10)

2-34-020 Uses permitted.

The following uses are permitted subject to approval of any prerequisite permits and conformance to all applicable regulations set forth in this chapter, in LPZC Part 3, and elsewhere in the code:

- A. Automotive Sales and Services.
 - 1. Automotive accessory shops.
 - 2. Automotive repair, minor repair service and garages, excluding body repair shops, motor rebuilding, paint shops, tire recapping and retreading, truck repair, and storage.
 - 3. Automobile service stations including accessory car washing when located at the intersection of a freeway or public street and major street designated in the general plan, subject to the requirements of LPZC 3-10-070.
- B. Consumer Services.
 - 1. Restaurants.

2-34-030

C. Travel Accommodations.

1. Convention center (maximum occupancy, 500 persons).
2. Hotel.
3. Motel.

D. Accessory uses, structures and buildings related to any use permitted.

E. Signs (Chapter 3-45 LPZC).

F. Similar uses and any other retail business or service establishment determined by the zoning administrator to be of the same general character as the above uses. (Ord. 1523 § 2, 1998; Ord. 1423, 1994; Ord. 442 § 9A.20)

2-34-030 Uses permitted with conditional use permit approval.

The following uses are permitted subject to conditional use permit approval in addition to any other prerequisite permits and conformance to all applicable regulations set forth in this chapter and elsewhere in this code:

A. Automotive Sales and Service. Automotive service stations not located at a major street intersection, subject to the requirements of LPZC 3-10-070.

B. Commercial Amusement and Entertainment (For Primarily Open Uses).

1. Golf courses.
2. Golf driving ranges.

C. Commercial Amusement and Entertainment (Generating Large Traffic Volumes).

1. Amusement parks, unlimited capacity.
2. Arenas, auditoriums, convention centers or stadiums, unlimited capacity.

D. Consumer Services.

1. Drive-in facilities.

E. Travel Accommodations.

1. Travel trailer park.
2. Truck stops.

Findings: Conditional use permits shall be approved only where the findings set forth in Chapter 4-20 LPZC and the following findings can be made: in the case of truck stops and other establishments dispensing motor fuels for trucks, the city shall find that the premises of the business are located and designed in such a manner that the truck movement activity, noise, lights, and similar effects generally anticipated with such a use will not have a detrimental effect on adjacent uses. Site access shall be oriented and screened so that the activity of vehicle parking, motor fuel dispensing,

and other potentially aesthetically disruptive activities are screened by solid masonry walls not less than eight feet in height. In addition, a landscaping screen of trees and shrubbery hedge plantings shall produce a 90 percent opaque screen extending above the eight-foot fence to the maximum allowable height of truck trailers at the time of site development.

F. Public and semi-public uses.

G. Any land use that utilizes hazardous materials shall be subject to the regulations of Chapter 3-30 LPZC. Prior to approval, it must be found that the project includes sufficient safeguards to assure that the storage and use of the hazardous materials will be an acceptable risk as defined by Chapter 3-30 LPZC.

H. And similar uses and any other retail business or service establishment determined by the decisionmaking body approving the conditional use permit to be of the same general character as the above uses. (Ord. 1633 § 9, 2001; Ord. 1423, 1994; Ord. 1376, 1992; Ord. 442 § 9A.21)

2-34-040 Minimum district size.

The minimum CHS district size shall be two acres. (Ord. 442 § 9A.30)

2-34-050 Minimum lot specifications.

A. Minimum Lot Size. There is no minimum requirement for lot size.

B. Minimum Street Frontage. There is no minimum requirement for street frontage; provided, any lot which does not have frontage on a street has an unobstructed easement of access having a width of not less than 25 feet. (Ord. 442 § 9A.31)

2-34-060 Site plan approval.

Site plan approval shall be required prior to the development of any site, including the construction of any building, the establishment of any open land use, and the development of related off-street parking. In keeping with the intent of this district to provide focal point uses at prominent freeway interchanges, the site plan approval shall include review and approval of the architectural details of all elements to be constructed or placed upon the site. The planning commission shall make specific findings in its approval of the site plan and find that the design of the proposed building(s) or use(s) is

consistent with the intent to provide the highest quality of architectural and site design treatment. (Ord. 1861 § 1, 2009; Ord. 442 § 9A.40)

2-34-070 Minimum frontage yard.

A. The minimum street frontage yard is 25 feet, which shall be developed and permanently maintained as a landscaped yard.

B. The minimum non-street frontage yard shall be required as follows:

1. No non-street frontage yard is required except where a parcel abuts a CO, CP, or R district, in which event any building or structure, other than a fence located on the property line, shall be set back from the CO, CP, or R district property line a distance of 25 feet. The setback area shall be landscaped.

2. All yards shall have open access to the street, which shall be unrestricted except by fences.

3. All yards and other open space shall be landscaped, surfaced, or otherwise maintained in a dust-free and fire-safe condition. (Ord. 442 § 9A.41)

2-34-080 Maximum site coverage.

The maximum allowable building site coverage shall be 50 percent. (Ord. 442 § 9A.42)

2-34-090 Maximum building height.

The height is limited to a maximum of 35 feet except as follows:

A. When a building site is within one-half mile of an airport runway, construction of buildings or other structures having a height in excess of 25 feet shall require approval of a conditional use permit, to be approved in conformance with recommendations of the Federal Aviation Administration.

B. Any building or structure may exceed the maximum building height, up to 50 feet, with a conditional use permit provided the zoning requirements and general plan policies, such as scenic corridor policies, are met. (Ord. 1810 § 2, 2007; Ord. 442 § 9A.43)

2-34-100 Off-street parking.

Off-street parking shall be provided for each use as set forth in Chapter 3-20 LPZC. (Ord. 442 § 9A.44)

2-34-110 Fencing.

A. Where a parcel abuts an R district, there shall be provided a masonry wall having a height of not less than eight feet as measured from the commercial property elevations.

B. Fences or walls over three feet in height shall be prohibited within a required street frontage yard.

C. In no case shall a fence or wall exceed a height of eight feet. (Ord. 442 § 9A.45)

Chapter 2-37

CN – NEIGHBORHOOD COMMERCIAL DISTRICT

Sections:

- 2-37-010 Purpose.
- 2-37-020 Uses permitted – Generally.
- 2-37-030 Uses permitted – Specifically.
- 2-37-040 Uses permitted with conditional use permit approval.
- 2-37-050 Accessory uses.
- 2-37-060 Site requirements.
- 2-37-070 Site plan approval.
- 2-37-080 Maximum allowable floor area ratio.
- 2-37-090 Minimum district yard – Street frontage.
- 2-37-100 Minimum district yard – Non-street frontage.
- 2-37-110 Maximum building height limit.
- 2-37-120 Fencing.
- 2-37-130 Off-street parking.
- 2-37-140 Landscaping.
- 2-37-150 Solid waste storage.
- 2-37-160 Store service areas.
- 2-37-170 Customer service facilities.
- 2-37-180 Stage development – Generally.
- 2-37-190 Stage development – Service stations.
- 2-37-200 Stage development – Planning commission review.
- 2-37-210 Performance standards – General.
- 2-37-220 Light sources.
- 2-37-230 Confinement of use.
- 2-37-240 Prohibition of exterior storage.
- 2-37-250 Noise standards.

2-37-010 Purpose.

The purpose of the CN district is to designate sites for the location of neighborhood shopping centers which will provide shopping services at locations generally indicated in the general plan and specifically located on the basis of detailed land use and circulation studies. It is intended that such shopping facilities shall be designed in a way so as to be operated completely compatible to and harmonious with the character of surrounding residential areas and shall provide primarily those services which are intended to serve the one or more neighborhoods of which it is a part. (Ord. 442 § 10.10)

2-37-020 Uses permitted – Generally.

The following uses are permitted subject to approval of a zoning use permit prior to occupancy of any building or site, approval of any other prerequisite permits, and conformance to all applicable regulations set forth in this chapter, in LPZC Part 3, and elsewhere in this code. (Ord. 442 § 10.20)

2-37-030 Uses permitted – Specifically.

The following uses shall be permitted:

A. Consumer Services.

1. Business services, excluding sales, storage or rental of heavy equipment.
2. Catering establishments.
3. Restaurants less than 1,500 square feet, except fast foods.
4. Financial and business institutions.
5. Motion picture production distribution services.
6. Newspaper publishing offices.
7. Nursery sales (garden supply).

B. Personal Service Shops.

1. Barber and beauty shops.
2. Garment pressing repair and alteration.
3. Laundering, dry cleaning, laundromats.
4. Cleaning pickup stations.
5. Shoe repair shops.
6. Printing, limited to letter press and duplication machines.
7. Specialty schools, which would not generate excessive noise or amounts of people or traffic, and would not create a nuisance for the surrounding area.
8. Studios, photographers and artists.
9. TV and radio stations.
10. Vending machines.

11. Health spas including fitness centers and fitness instruction including dance and gymnastics, self-defense instruction (for example, judo and karate), and diet and weight control services, provided the space occupied is 3,000 square feet or less in size.

C. Home Improvements.

1. Hardware, including light building materials.
2. Paint, glass, wallpaper and floor covering.
3. Miscellaneous repair services, including only establishments engaged in the repairing and

servicing of household and business equipment, machines and furnishings.

D. Retail Uses.

1. Bicycle sales, service, and rental.
2. Bookstores, except adult book stores.
3. Apparel and accessories.
4. Bakeries.
5. Food stores (including convenience markets).
6. Furniture, home furnishings and appliances sales, service, and rental.
7. Miscellaneous retail, including candy or ice cream stores, drug stores, hobby or crafts shops, liquor stores, jewelry stores, newsstands, specialty shops, variety stores, pet stores, computer stores, or animal grooming.

E. Offices.

1. Administrative.
2. Business.
3. Dental.
4. Medical.
5. Optical.
6. Pharmacy.
7. Professional.
8. X-ray laboratory.

F. Signs (Chapter 3-45 LPZC).

G. Automobile parking lots.

H. Retail certified recycler where located within a building or fully screened from public view by a solid wall or fence.

I. And similar uses and other retail business or service establishment determined by the zoning administrator to be of the same general character as the above uses. (Ord. 1747 § 1, 2004; Ord. 1538 § 3, 1998; Ord. 1423, 1994; Ord. 1239, 1987; Ord. 649 § 4, 1968; Ord. 442 § 10.21)

2-37-040 Uses permitted with conditional use permit approval.

The following uses are permitted subject to approval of a conditional use permit:

A. Automotive Services. Automobile service stations subject to the requirements of LPZC 3-10-070.

Findings: Conditional use permits shall be approved only where the findings set forth in LPZC 3-10-070 are made; in no case shall the structure or equipment of an automotive service station be located within 75 feet of a parcel zoned residential.

B. Personal Service Shops.

1. Health spas including fitness centers and fitness instruction including dance and gymnastics, self defense instruction (for example, judo and karate), and diet and weight control services, provided the space occupied is more than 3,000 square feet in size.

C. Consumer Services.

1. Animal hospitals, veterinarians.
2. Cocktail lounges.
3. Dance clubs.
4. Restaurants more than 1,500 square feet.
5. Fast foods.

Findings: Conditional use permits shall be approved only where the findings set forth in Chapter 4-20 LPZC and the following findings can be made: In the case of a fast food restaurant, the city shall find that the premises of the business are located within the shopping center site in such a manner that the late evening automobile activity, noise, lights, and similar effects generally anticipated with such a use will not have a detrimental effect on adjacent residential areas. Building access shall be oriented or screened so that the activity which generally occurs at points of access will not disturb adjacent or nearby residences.

D. Drive-in facilities.

Findings: Conditional use permits shall be approved only where the findings set forth in Chapter 4-20 LPZC and the following findings can be made: In the case of uses servicing customers "within motor vehicles," the city shall find that the use is located within the shopping center and access is provided such that waiting automobiles shall not impair the movement of traffic within the center or the public right-of-way, or restrict ingress and egress of traffic between the shopping center and the public right-of-way.

E. Bed and breakfast uses, limited to six units per use.

F. Public and semi-public uses.

G. Freestanding uses, which shall be defined as any use located within a structure which is not part of the main building complex.

H. Any use where the maximum floor area ratio ranges between 20 and 25 percent of the shopping center site area.

I. Wholesale certified recycler (where located within a building or fully screened from public view by a solid wall or fence).

2-37-050

J. Any land use that utilizes hazardous materials shall be subject to the regulations of Chapter 3-30 LPZC. Prior to approval, it must be found that the project includes sufficient safeguards to assure that the storage and use of the hazardous materials will be an acceptable risk as defined by Chapter 3-30 LPZC.

K. And similar uses and other retail business or service establishment determined by the decision-making body approving the conditional use permit to be of the same general character as the above uses.

L. Health facilities as set forth in LPZC 3-10-340. (Ord. 1747 § 2, 2004; Ord. 1633 § 10, 2001; Ord. 1595 § 1, 2000; Ord. 1538 § 4, 1998; Ord. 1475, 1996; Ord. 1423, 1994; Ord. 1376, 1992; Ord. 1250, 1987; Ord. 1239, 1987; Ord. 442 § 10.22)

2-37-050 Accessory uses.

In a CN district, accessory uses and structures appurtenant to any permitted use are also permitted. (Ord. 442 § 10.23)

2-37-060 Site requirements.

A. Minimum District Size. None.

B. Maximum District Size. The maximum district size shall be 12 acres exclusive of public rights-of-way.

C. Minimum Parcel Size. There shall be no minimum parcel size. (Ord. 1275, 1988; Ord. 442 §§ 10.30 – 10.32)

2-37-070 Site plan approval.

Site plan approval shall be required prior to the development of any site including the construction of any building, the establishment of any open land use, and the development of related off-street parking. A site plan approval permit shall be approved only for a total site although stage development and subsequent site plan revision may be permitted as specified in LPZC 2-37-180 et seq. (Ord. 442 § 10.40)

2-37-080 Maximum allowable floor area ratio.

The maximum allowable floor area of a shopping center shall not exceed 20 percent, except it may be increased to 25 percent upon approval of a conditional use permit, exclusive of any automo-

bile service station site area. In the event subdivision of a shopping center site occurs subsequent to its development, additional development shall not be permitted on any parcel unless it can be found that the floor area ratio and off-street parking regulations for the entire center are still in conformance with this code. (Ord. 1250, 1987; Ord. 442 § 10.41)

2-37-090 Minimum district yard – Street frontage.

Either of the following alternatives may be utilized:

A. A minimum building setback of 80 feet. A landscaped strip having a minimum width of 10 feet shall be provided adjacent to all public rights-of-way.

B. A minimum building setback of 20 feet shall be provided adjacent to the public right-of-way. Any intermediate setback between 20 feet and 80 feet shall comply with the 20-foot landscaping requirement. (Ord. 442 § 10.42)

2-37-100 Minimum district yard – Non-street frontage.

The minimum district yard, non-street frontage, shall be 50 feet, except that a portion of a structure designed for loading or unloading may project into required yard a distance not to exceed 12 feet; provided, the total length of such portion does not exceed 20 feet in length or 12 feet in height. (Ord. 442 § 10.42.1)

2-37-110 Maximum building height limit.

The maximum building height limit shall be 35 feet. (Ord. 442 § 10.43)

2-37-120 Fencing.

On any interior property line where the boundary of a CN district abuts an R or E district, a minimum six-foot high masonry wall shall be constructed and permanently maintained in good repair. (Ord. 1051, 1981; Ord. 442 § 10.44)

2-37-130 Off-street parking.

Off-street parking and bicycle facilities and loading spaces shall be provided as required in Chapter 3-20 LPZC. (Ord. 442 § 10.45)

2-37-140 Landscaping.

Landscaping, to include planted areas, the required parking lot tree planting, pedestrian walks, and exterior malls, shall be provided and maintained in perpetuity in conformance with LPZC 3-20-070 and the following:

- A. At least 20 percent of the site shall be landscaped.
- B. A landscaped strip having a minimum width of 10 feet shall be provided adjacent to all public rights-of-way.

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C. A landscaped strip providing a tall vegetative screen and having minimum width of 10 feet shall be provided along any property line abutting a parcel in an R or any E district.

D. Pedestrian walks, malls, and similar paved or impervious areas shall be counted as landscaping only to the extent of 20 percent of the required landscaping. (Ord. 442 § 10.46)

2-37-150 Solid waste storage.

Enclosures for the storage of solid waste shall be provided within 50 feet of each space available for rental or lease. Such enclosure need not be roofed and shall be designed to enable the enclosure of solid waste containers and similar large items. (Ord. 442 § 10.47)

2-37-160 Store service areas.

Each store space within a shopping center shall be provided with a second (and normally rear) access to be used for service purposes. Store service areas having loading and unloading docks and similar service structures shall be screened or otherwise designed so as to be not visible from public rights-of-way. (Ord. 442 § 10.49)

2-37-170 Customer service facilities.

Facilities for the convenience and comfort of customers within the shopping center shall be provided, which shall include benches within 50 feet of each establishment, toilet facilities with public access which may be controlled by a business in the center and which shall remain open during the business hours of the major tenant, and rest areas having at least 400 square feet of area with shade structure, benches, and drinking fountains. (Ord. 442 § 10.50)

2-37-180 Stage development – Generally.

Stage development may be permitted provided the first stage includes at least 66-2/3 percent of the floor area and 50 percent of the off-street parking area of an approved ultimate site development plan as provided for in LPZC 2-37-070. (Ord. 442 § 10.60)

2-37-190 Stage development – Service stations.

In no case shall an automobile service station be approved until 50 percent of the site is completely developed. (Ord. 442 § 10.61)

2-37-200 Stage development – Planning commission review.

The planning commission shall review annually the status of undeveloped or partially developed shopping center sites and shall, if all of the following findings cannot be made, initiate possible rezoning of the shopping centers to another zoning district, in the manner required by law:

A. The shopping center location and size is still in conformance with standards set forth in the general plan.

B. There exists, or the probability still exists, that a residential population in the area provides the necessary marketing support and other justification for a shopping center.

C. There are no proposals pending for a shopping center within the same vicinity or intended to serve the same population.

D. The property owner has demonstrated that he is actively pursuing the development of the site as a neighborhood shopping center. (Ord. 442 § 10.62)

2-37-210 Performance standards – General.

Shopping centers shall be developed and operated in accordance with the general regulations set forth in this chapter. (Ord. 442 § 10.70)

2-37-220 Light sources.

Light sources, including exterior and interior illumination and electrically illuminated signs, shall not be erected or installed to a height greater than 15 feet and shall be directed and shielded as to not illuminate surrounding residential areas. All light sources except the minimum necessary for protection of property and for the protection of the general public shall be extinguished during periods when businesses within the center are closed. (Ord. 442 § 10.71)

2-37-230 Confinement of use.

All uses or activities shall be conducted wholly within completely enclosed buildings, except for the auto service station, restaurants and drinking

places, off-street parking and loading facilities, public utility lines and substations, and/or where in the opinion of the city the use is incidental to a principal use on the premises and plans for the proposed use show construction and design to be in character and harmony with the surrounding area. (Ord. 1538 § 5, 1998; Ord. 442 § 10.72)

2-37-240 Prohibition of exterior storage.

Exterior storage of solid wastes and containers for solid waste, and containers, merchandise, or other items or goods awaiting pickup, sale or other disposition, shall be prohibited. (Ord. 442 § 10.73)

2-37-250 Noise standards.

No use shall generate noise that will exceed a reading of 50 dba in the adjacent use. (Ord. 993, 1979; Ord. 442 § 10.74)

Chapter 2-40

CB – CENTRAL BUSINESS DISTRICT

Sections:

- 2-40-010 Purpose.
- 2-40-020 Permitted uses.
- 2-40-030 Uses permitted with conditional use permit approval.
- 2-40-040 Site requirements.
- 2-40-050 Other requirements.

2-40-010 Purpose.

The purpose of the CB district is to encourage commercial and service uses of a non-nuisance type which are not in direct competition with the uses in the downtown core area district. As the city’s entry way into the downtown area from the west, the enhancement of this area is crucial to the orderly development and revitalization of the downtown commercial area. (Ord. 1241, 1987; Ord. 442 § 11.10)

2-40-020 Permitted uses.

- A. Automotive Sales and Service.
 - 1. Auto accessory shops.
- B. Commercial Amusement and Entertainment (Generating Large Traffic Volume).
- C. Consumer Services.
 - 1. Business services, excluding sales and storage of heavy equipment.
 - 2. Financial and business institutions.
 - 3. Cocktail lounges.
 - 4. Restaurants, except fast foods and night clubs.
 - 5. Parking facilities.
- D. Personal Service Shops.
 - 1. Barber and beauty shops.
 - 2. Garment pressing, repair and alterations.
 - 3. Laundering, dry cleaning.
 - 4. Laundromats.
 - 5. Cleaning pickup stations.
 - 6. Shoe repair shops.
 - 7. Pharmacies.
 - 8. Schools of music and dance.
 - 9. Studios, photographers and artists.
 - 10. TV and radio stations.
 - 11. Vending machines.

E. Home Improvement.

1. Building materials and hardware, excluding lumber yards, paint, glass, wallpaper and floor covering.

2. Miscellaneous repair services, including only establishments engaged in the repairing and servicing of household and business equipment, machines and furnishings.

F. Retail Uses.

1. Bicycle sales and service.

2. Apparel and accessories.

3. Bakeries.

4. Food stores (including convenience markets).

5. Furniture.

6. Home furnishings and appliances.

7. General merchandise stores (department stores).

8. Garment stores.

9. Miscellaneous retail, including only candy or ice cream stores, drug stores, hobby or crafts shops, liquor stores, newsstands, specialty shops, variety stores, pet stores, computer stores.

G. Residential Uses.

1. Hotel.

2. Motel.

H. Offices.

1. Administrative.

2. Business.

3. Dental.

4. Medical.

5. Optical.

6. Pharmacy.

7. Professional.

8. X-ray laboratory.

I. Accessory uses and buildings appurtenant to any permitted use, except auto service and/or repair.

J. Signs (Chapter 3-45 LPZC).

K. Retail certified recycler where located within a building or fully screened from public view by a solid wall or fence.

L. And similar uses and other retail business or service use determined by the zoning administrator to be of the same general character as the uses listed in this section. (Ord. 1689 § 3, 2003; Ord. 1538 § 6, 1998; Ord. 1423, 1994; Ord. 1241, 1987; Ord. 1239, 1987; Ord. 649 § 5, 1968; Ord. 442 § 11.20)

2-40-030 Uses permitted with conditional use permit approval.

A. Consumer Services.

1. Fast food.

2. Drive-in facilities.

3. Animal hospitals, veterinarians.

4. Amusement centers.

5. Bowling alleys.

B. Retail Uses.

1. Supermarkets.

2. Nursery sales and garden supplies.

3. Shopping centers.

C. Automotive Sales and Services.

1. Automobile service stations subject to the requirements of LPZC 3-10-070.

2. Auto service centers in conjunction with a department store or as part of a shopping center/mall development.

3. Service repair and installation, only when directly appurtenant to uses listed under permitted uses in this district.

D. Theaters.

E. Public and semi-public uses.

F. Residential Uses at an RM Density. Subject uses will not be permitted on the ground floor.

G. Wholesale certified recycler where located within a building or fully screened from public view by a solid wall or fence.

H. Any land use that utilizes hazardous materials shall be subject to the regulations of Chapter 3-30 LPZC. Prior to approval, it must be found that the project includes sufficient safeguards to assure that the storage and use of the hazardous materials will be an acceptable risk as defined by Chapter 3-30 LPZC.

I. And similar uses and other retail business or service establishment determined by the decision-making body approving the conditional use permit to be of the same general character as the uses listed in this section.

J. Health facilities as set forth in LPZC 3-10-340. (Ord. 1689 § 4, 2003; Ord. 1633 § 11, 2001; Ord. 1595 § 2, 2000; Ord. 1538 § 7, 1998; Ord. 1423, 1994; Ord. 1376, 1992; Ord. 1241, 1987; Ord. 1239, 1987; Ord. 442 § 11.21)

2-40-040 Site requirements.

A. Minimum District Size. None.

B. Minimum Parcel Size. None.

C. Minimum Front Yard. None, except in the case of shopping centers where a minimum 15-foot fully landscaped strip is required along all street frontage yards, and along non-street frontage yards when adjacent to residential districts.

D. Minimum Non-frontage Yard. None.

E. Maximum Height Limit. Fifty feet.

F. Off-Street Parking. Off-street parking and loading spaces shall be required for each use as established in Chapter 3-20 LPZC. (Ord. 1241, 1987; Ord. 442 §§ 11.30 – 11.36)

2-40-050 Other requirements.

A. Uses in the CB district shall be conducted primarily within a completely enclosed building, except for off-street parking and loading facilities. Permanently improved outdoor sales areas shall be clearly incidental to the use and subject to site plan approval requirements.

B. Site plan approval is required for each use involving a new structure or expansion of an existing structure or use.

C. Signs per Chapter 3-45 LPZC. (Ord. 1241, 1987; Ord. 442 §§ 11.40 – 11.43)

Chapter 2-43

DSP – DOWNTOWN SPECIFIC PLAN DISTRICT

Sections:

2-43-010 Purpose.

2-43-020 Use, development and design regulations.

2-43-010 Purpose.

The purpose of the downtown specific plan district is to implement the community’s desire for a revitalized historical downtown area which includes: a more defined, intense retail core area allowing mixed uses on First Street; an enhanced, pedestrian-oriented public realm along First Street including slower traffic, more shade trees and seating, pocket plazas, outdoor eating areas, and public places for art and special events; emphasis on a downtown arts and culture district; additional housing of varied types and densities; and preservation of the historical characteristics and structures that make the downtown area unique. In order to facilitate revitalization of the downtown and carry out the community’s goals, a detailed specific plan has been prepared to implement this zoning district. (Ord. 1709 § 2, 2004)

2-43-020 Use, development and design regulations.

The use, development and design standards and guidelines contained within the 2003 downtown specific plan apply in this zoning district. (Ord. 1709 § 2, 2004)

Chapter 2-46

OCA – OUTER CORE AREA DISTRICT

(Repealed by Ord. 1709)

Chapter 2-49

CG – GENERAL COMMERCIAL DISTRICT

(Repealed by Ord. 1736)

Chapter 2-52

CO – COMMERCIAL OFFICE DISTRICT

Sections:

- 2-52-010 Purpose.
- 2-52-020 Uses permitted.
- 2-52-030 Uses permitted with conditional use permit approval.
- 2-52-040 Minimum district size.
- 2-52-050 Minimum parcel size.
- 2-52-060 Front yard requirement – Street frontage.
- 2-52-070 Yard requirement – Non-street frontage.
- 2-52-080 Maximum aggregate site coverage.
- 2-52-090 Maximum building height.
- 2-52-100 Off-street parking.
- 2-52-110 Site plan approval.

2-52-010 Purpose.

The purpose of the CO district is to provide areas for the grouping of professional offices, business offices, medical clinics and research laboratories. The district is intended to provide restrictive commercial areas which are to be non-retail in nature, grouping permitted uses in areas most favorable to those uses and to the community as a transitional area between more intensive commercial districts and residential districts. (Ord. 442 § 13.10)

2-52-020 Uses permitted.

The following uses are permitted subject to the provisions set forth in LPZC Part 3:

- A. Offices.
 - 1. Business.
 - 2. Dental.
 - 3. Medical.
 - 4. Optical.
 - 5. Pharmacy.
 - 6. Professional.
 - 7. X-ray laboratory.
- B. Signs (Chapter 3-45 LPZC).
- C. Accessory uses, structures and buildings related to any use permitted.
- D. And similar uses and any other service establishment determined by the zoning administrator to be of the same general character as the above uses. (Ord. 649 § 7, 1968; Ord. 442 § 13.20)

2-52-030

2-52-030 Uses permitted with conditional use permit approval.

The following uses are permitted subject to conditional use permit approval in addition to any other prerequisite permits and conformance to all applicable regulations set forth in this chapter and elsewhere in the zoning code:

- A. Consumer Services.
 - 1. Animal hospitals.
 - 2. Veterinarians.
 - 3. Restaurants, except fast foods.
 - 4. Mortuaries.
- B. Public and semi-public uses.
- C. Residential uses subject to RM requirements.
- D. Bed and breakfast uses limited to six units per use.
- E. Any land use that utilizes hazardous materials shall be subject to the regulations of Chapter 3-30 LPZC. Prior to approval, it must be found that the project includes sufficient safeguards to assure that the storage and use of the hazardous materials will be an acceptable risk as defined by Chapter 3-30 LPZC.
- F. And similar uses and any other service establishment determined by the decisionmaking body approving the conditional use permit to be of the same general character as the above uses.
- G. Health facilities as set forth in LPZC 3-10-340. (Ord. 1633 § 15, 2001; Ord. 1595 § 4, 2000; Ord. 1538 § 11, 1998; Ord. 1376, 1992; Ord. 1175, 1985; Ord. 442 § 13.21)

2-52-040 Minimum district size.

The minimum district size shall be one acre, unless adjacent to CN, CB, CH, or CG districts. (Ord. 442 § 13.30)

2-52-050 Minimum parcel size.

The minimum parcel size shall be 5,000 square feet. (Ord. 442 § 13.31)

2-52-060 Front yard requirement – Street frontage.

The minimum front yard size shall be five feet in depth and shall be improved with a sprinkler irrigation system and landscaping. The strip shall not be used for parking. In the event the parcel is located in a block which is partially in an R zone and partially in the CO zone, or has street frontage across

the street from R zone property, the minimum front yard size shall be 15 feet in depth, and shall be improved with a sprinkler irrigation system and landscaping. The strip shall not be used for parking. (Ord. 442 § 13.32)

2-52-070 Yard requirement – Non-street frontage.

There is no yard requirement where the parcel does not front on a street, except where the parcel is adjacent to an R district, in which event the non-street frontage yard shall be 10 feet. (Ord. 442 § 13.33)

2-52-080 Maximum aggregate site coverage.

There is no maximum limit for aggregate site coverage. (Ord. 442 § 13.34)

2-52-090 Maximum building height.

The maximum building height limit is 35 feet. (Ord. 442 § 13.35)

2-52-100 Off-street parking.

Off-street parking and loading spaces shall be provided for each use as required in Chapter 3-20 LPZC. (Ord. 442 § 13.36)

2-52-110 Site plan approval.

Site plan approval is required for each use involving a new structure or expansion of an existing structure. (Ord. 442 § 13.37)

Chapter 2-55

NM – NEIGHBORHOOD MIXED USE DISTRICT

Sections:

- 2-55-010 Purpose.
- 2-55-020 Uses permitted.
- 2-55-030 Uses permitted with conditional use permit approval.
- 2-55-040 Minimum lot specifications and lot development regulations.

2-55-010 Purpose.

The purposes of the NM district are:

- A. To designate areas for the location of a mixture of neighborhood-serving businesses and residential uses;
- B. To provide options for housing with ready access to neighborhood shops;
- C. To offer flexibility in subdivision design and development;
- D. To encourage a variety of housing types; and
- E. To ensure that densities shall not exceed those conforming to the general plan. In order to achieve these goals and to enable the city to zone in conformance with general plan densities, the NM district is divided into the NM-1, NM-2, and NM-3 zones. (Ord. 1736 § 2, 2004)

2-55-020 Uses permitted.

The following uses are permitted subject to approval of a zoning use permit, design review as required under LPZC 5-05-110, and any other prerequisite permits, and conformance to all applicable regulations set forth in this chapter and elsewhere in this code:

- A. Commercial Uses. Up to 100 percent of the project may be developed with commercial uses. The following commercial uses are permitted:
 - 1. Retail Uses.
 - a. Bicycle sales, service, and rental.
 - b. Bookstores, except adult bookstores.
 - c. Apparel and accessories.
 - d. Bakeries.
 - e. Food stores (including convenience markets).
 - f. Furniture, home furnishings and appliance sales, service, and rentals.
 - g. Miscellaneous retail, including candy or ice cream stores, drug stores, hobby or crafts

shops, jewelry stores, liquor stores, newsstands, specialty shops, variety stores, pet stores, computer stores, or animal grooming.

- 2. Consumer Services.
 - a. Business services, excluding sales, storage or rental of heavy equipment.
 - b. Catering establishments.
 - c. Restaurants up to 2,000 square feet, except fast foods.
 - d. Financial and business institutions.
- 3. Personal Service Shops.
 - a. Barber and beauty shops.
 - b. Garment pressing, repair and alteration.
 - c. Laundering, dry cleaning, laundromats.
 - d. Cleaning pickup stations.
 - e. Shoe repair shops.
 - f. Printing, limited to letter press and duplication machines.
 - g. Specialty schools, which would not generate excessive noise or amounts of people or traffic, and would not create a nuisance for the surrounding area.
 - h. Studios, photography and artists.
 - i. Vending machines.
 - j. Karate, judo, health fitness facilities not exceeding 3,000 square feet.
- 4. Home Improvements.
 - a. Hardware, including light building materials.
 - b. Paint, glass, wallpaper and floor covering.
 - c. Miscellaneous repair services, including only establishments engaged in the repairing and servicing of household and business equipment, machines and furnishings.
- 5. Offices.
 - a. Administrative.
 - b. Business.
 - c. Dental.
 - d. Medical.
 - e. Optical.
 - f. Pharmacy.
 - g. Professional.
 - h. X-ray laboratory.
- 6. Signs.
- 7. Automobile parking lots.

B. Residential Uses. A minimum of 25 percent of the project site's floor area shall be developed with commercial uses. The following residential uses are permitted:

1. Single-family, duplex, multiple-family dwelling units, rest homes, nursing homes, and rooming and boarding houses.
2. Home occupations.
3. Off-street parking lots appurtenant to any permitted use.
4. Accessory uses and structures appurtenant to any permitted use, except home occupations.
5. Tract office and model homes (LPZC 3-10-320) and permitted signs (Chapter 3-45 LPZC).
6. Health facilities as set forth in LPZC 3-10-340.
7. Nursery schools and day care centers as provided by LPZC 3-10-330. (Ord. 1736 § 2, 2004)

2-55-030 Uses permitted with conditional use permit approval.

The following uses are permitted subject to approval of a conditional use permit:

- A. Public and quasi-public uses.
- B. Karate, judo, and health fitness facilities exceeding 3,000 square feet.
- C. Similar uses determined by the planning commission to be of the same general character as the above uses.
- D. Restaurants exceeding 2,000 square feet. (Ord. 1736 § 2, 2004)

2-55-040 Minimum lot specifications and lot development regulations.

- A. Floor Area Ratio.
 1. Commercial uses in conjunction with residential development shall comprise a minimum floor area of 20 percent of the total floor area up to a maximum of 30 percent.
 2. Commercial development with no residential component is subject to the standards of the CN zoning district.
 3. Residential uses may be developed on-site consistent with the permitted density and in conjunction with a minimum of 20 percent of the site floor area developed with commercial uses.
 4. Vertical mixed use is permitted and encouraged on-site (i.e., ground-level retail sales and service uses or eating and drinking establish-

ments with the above floors used for residential or office).

B. Residential Density. Residential development shall be consistent with the following densities for the total project site area:

1. Neighborhood Mixed Use 1 (NM-1). Base density is two to three dwelling units per acre. A density of 12 to 15 dwelling units per acre may be achieved through the purchase of transferable development credits per the TDC ordinance.
2. Neighborhood Mixed Use 2 (NM-2). Base density is three to four and one-half dwelling units per acre. A density of 15 to 24 dwelling units per acre may be achieved through the purchase of transferable development credits per the TDC ordinance.
3. Neighborhood Mixed Use 3 (NM-3). Base density is six to eight dwelling units per acre. A density of 24 to 38 dwelling units per acre may be achieved through the purchase of transferable development credits per the TDC ordinance.

C. Street Frontage Yards.

1. Ground Floor Commercial Development and Residential Development above the First Floor. There is no minimum setback; the maximum setback is 20 feet.
2. Ground Floor Residential Development. Fifteen feet.
3. For residential development, front entrances, entrance porticos, porches, stairs, canopies and special architectural entry features may extend a maximum of six feet into the street frontage yard area. The total linear building frontage encroaching into the street frontage yard area may not exceed one-half of the total length of the building.

D. Minimum Nonstreet Frontage Yard.

1. Commercial and Residential Development. Ten feet, except when located adjacent to an existing residential use or district, the nonstreet frontage yard shall be increased to a minimum of 20 feet.

E. Building Height.

1. Maximum building height shall be three stories, but no greater than 40 feet.
2. When located adjacent to existing residential use or district, the maximum height of a building shall be two stories, but no greater than 20 feet and located a minimum of 20 feet from the adjacent property line. Building height may increase to

three stories, but no greater than 40 feet, 30 feet from the property line.

F. Fencing.

1. On any property line where the boundary abuts a residential use, a minimum six-foot high masonry wall shall be constructed and maintained in good repair.

G. Landscaping.

1. A landscaped strip providing a tall vegetative screen and having a minimum width of 20 feet shall be provided along any property line abutting a residential district or use.

H. Parking.

1. Commercial Development. Parking shall be provided at a ratio of one space per 500 square feet of floor area.

2. Residential Development. Parking shall be provided consistent with Chapter 3-20 LPZC.

I. Required Open Space.

1. Outdoor space shall be provided at a minimum of 200 square feet of common open space and 100 square feet of private open space per residential unit.

2. Common open space areas and the paths that link them should facilitate the integration of mixed land uses on the site.

3. Common open space shall not include required dwelling yard areas.

4. Open space must be provided on-site.

5. Minimum dimension for common open space is 12 feet in any single direction.

6. Private open space in multifamily developments may be provided as porches, balconies, decks, yards, terraces, or patios. Minimum dimension for private open space is six feet in any single direction, if provided as part of a porch or balcony; if provided as a deck, yard, terrace or patio, the minimum dimension for private open space is eight feet in any single direction.

J. Utility, Trash, Recycling, Food Waste and Service Equipment.

1. Shall not be located within any required setback.

2. Shall be enclosed or screened by landscaping, fencing, or other architectural means.

3. Rooftop equipment must be screened on all sides and must be integrated architecturally in the building design.

Trash facilities and recycling containers must always be within structural enclosures consistent with city guidelines and regulations (Chapter 3-60 LPZC). (Ord. 1770 § 1, 2005; Ord. 1736 § 2, 2004)

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Chapter 2-58

I-1 – RESEARCH AND DEVELOPMENT DISTRICT

Sections:

- 2-58-010 Purpose.
- 2-58-020 Principal permitted uses.
- 2-58-030 Accessory uses.
- 2-58-040 Conditional uses.
- 2-58-050 Height regulations.
- 2-58-060 Area, width and yard requirements.
- 2-58-070 Lot coverage.
- 2-58-080 Other required conditions.

2-58-010 Purpose.

The purpose of the I-1 (research and development) district is to provide an environment exclusively for and conducive to the development and protection of modern professional and administrative facilities, research institutions, and manufacturing operations, all of a non-nuisance type. The district is intended to provide for an aesthetically attractive working environment with park- and/or campus-like grounds, attractive buildings, ample employee parking and other amenities appropriate to an employee-oriented activity where problems of product handling, storage and distribution are not of significant concern. (Ord. 442 § 14.10)

2-58-020 Principal permitted uses.

The following are the principal permitted uses in an I-1 district:

- A. Research and development facilities.
- B. Professional and administrative offices.
- C. Experimental and testing laboratories.
- D. Manufacturing, assembly, processing, storage, or packaging of products from previously prepared materials such as, but not limited to, cloth, plastic, paper, leather, and precious or semi-precious metals or stones, but not including such operations as saw and planing mills, any manufacturing uses involving primary production of wood, metal, or chemical products from raw materials and similar uses.
- E. Manufacture of electric and electronic circuits and instruments and devices, such as, but not limited to, radio and television, phonographic equipment, calculators, computers, semi-conductors and transistors, and similar uses.
- F. Manufacture of pharmaceutical products.

G. Restaurants, except fast food. (Ord. 649 § 8, 1968; Ord. 442 § 14.20)

2-58-030 Accessory uses.

The following are the accessory uses permitted in the I-1 district:

- A. Signs complying with the regulations governing industrial districts in Chapter 3-45 LPZC.
- B. Accessory uses and buildings customarily appurtenant to a permitted use.
- C. Living quarters determined by the zoning administrator to be necessary for surveillance purposes.
- D. Off-street parking and loading spaces in accordance with Chapter 3-20 LPZC.
- E. Fuel stations subject to the requirements of LPZC 3-10-070. (Ord. 1423, 1994; Ord. 442 § 14.30)

2-58-040 Conditional uses.

The following uses are intended as secondary uses in this district and are to be permitted only after the permitted uses have created a demonstrable demand for the conditional use:

- A. Public and quasi-public uses.
- B. Motels, fast-food businesses, banks, personal services, or goods reasonably required for the convenience and support of occupants of uses in the surrounding I district(s).
- C. Light distribution uses subject to approval of a conditional use permit when all of the following findings can be made:
 1. That the proposed use will not result in occupation by light distribution uses greater than 25 percent of any individual building on site.
 2. That the proposed light distribution use is consistent with the following definition:

“Light industrial” means any storage and distribution use which does not include hazardous wastes or resulting large truck usage/parking on the site. The use shall be accomplished entirely inside of the building except for incidental movement of products or materials into and out of the building to a delivery vehicle. Size of an individual light distribution business shall generally be limited to 4,000 square feet of storage (warehouse) area and one truck delivery door.
 3. That the proposed use will not generate traffic or parking demand which will negatively

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impact other uses in the building project site or vicinity.

4. That the delivery area for the proposed use will not be visible from I-580 or other major streets.

D. Any land use that utilizes hazardous materials shall be subject to the regulations of Chapter 3-30 LPZC. Prior to approval, it must be found that the project includes sufficient safeguards to assure that the storage and use of the hazardous materials will be an acceptable risk as defined by Chapter 3-30 LPZC. (Ord. 1376, 1992; Ord. 1230, 1987; Ord. 442 § 14.40)

2-58-050 Height regulations.

The height is limited to 35 feet plus an additional foot of height for every additional foot of setback above that required, not to exceed a maximum of 45 feet of height. The height may be increased up to a maximum of 100 feet with a conditional use permit. (Ord. 442 § 14.50)

2-58-060 Area, width and yard requirements.

The following minimum requirements shall be observed, except where increased for conditional uses:

- A. Lot Area. Forty thousand square feet.
- B. Width. One hundred feet.
- C. Yards.

1. Front or Street Side. Thirty-five feet on major streets and 30 feet on frontage roads and interior streets.

2. Rear and Side. None, except when adjoining an R district or an OS district designated for future residential use in the general plan (unless separated by a public street), then not less than 25 feet. For buildings more than 45 feet high, the yard requirements shall be 20 feet.

D. Uses of Yard Areas. The following uses only shall be made of yard areas and then only if such uses are otherwise permissible pursuant to the provisions of this chapter:

1. Landscaping shall be regulated by the following requirements:

a. All required yards adjacent to streets shall be landscaped, except for driveways and sidewalks which are found to be necessary for the efficient use of the property.

b. In the case of a parking lot being located between the building and the street, the

landscaped strip adjacent to the street, required by subsection (D)(1)(a) of this section, may be reduced by up to 10 feet, provided a landscaped strip equal to the amount of reduction is added to a landscaped planter adjacent to the street side of the building.

c. A landscaped strip of land, at least 25 feet wide, shall be maintained along any property line where an I-1 district abuts an R district or an OS district designated for future residential use in the general plan.

d. All landscaping shall be carried out in accordance with the landscaping plan approved by the city, and such landscaping shall be installed and maintained in such a manner so as to prevent the viewing of outdoor storage, parking and loading areas from contiguous residential properties insofar as is practicable.

e. In any case where the building frontage is visible from the street, a minimum five-foot landscaped strip abutting the foundation shall be included, allowing for necessary entrances.

2. Driveways.

3. Sidewalks.

4. Exterior Storage. Exterior storage shall not be allowed adjacent to a public street or freeway. Exterior storage shall be screened from the public view by a suitable fence, wall or berm not exceeding 15 feet in height, with stored material kept below the top of such screen. The exterior storage area shall not exceed 10 percent of the building area on the site. (Ord. 442 § 14.60)

2-58-070 Lot coverage.

The building coverage maximum shall be 40 percent. (Ord. 442 § 14.70)

2-58-080 Other required conditions.

The following additional conditions shall apply to an I-1 district:

A. Site plan and design review approval are required prior to the development of any site, including the construction of any buildings or the establishment of any open use.

B. The following performance standards will be required in the district:

1. Air Pollution. All uses shall comply with regulations of the San Francisco Bay Area Air Pollution Control District.

2. Noise. No use shall be permitted which creates an ambient noise level greater than 75 decibels (dba) beyond the boundaries of the site, nor greater than 60 decibels at the boundary of an R district.

3. Vibration, Heat, Glare, Electrical Disturbance. No use shall be permitted which creates vibrations, heat, glare or electrical disturbances beyond the boundaries of the site. Lighting used to illuminate buildings, structures, uses, or parking and loading areas shall not be directed toward any public right-of-way.

4. Fire, Explosion. All uses shall provide adequate safety devices and adequate fire fighting and fire suppression equipment to protect against fire, explosion, and other hazards.

5. Solid and Liquid Wastes. No solid or liquid waste discharges, other than into a public sewage disposal system, shall be permitted. The chemical composition and volume of industrial effluent discharged shall be subject to the waste water permit requirements established by LMC Title 13, Division II. (Ord. 442 § 14.80)

Chapter 2-61

I-2 – LIGHT INDUSTRIAL DISTRICT

Sections:

- 2-61-010 Purpose.
- 2-61-020 Principal permitted uses.
- 2-61-030 Accessory uses.
- 2-61-040 Conditional uses.
- 2-61-050 Height regulations.
- 2-61-060 Area, width and yard requirements.
- 2-61-070 Lot coverage.
- 2-61-080 Other required conditions.

2-61-010 Purpose.

The purpose of the I-2 (light industrial) district is to provide an environment exclusively for and conducive to the development of modern professional and administrative facilities, research institutions, and manufacturing operations, all of a non-nuisance type, and which are not proposed to be located in a campus- or park-like environment. It is intended to provide an optimum general industrial environment by providing an alternate choice for industrial uses that is not objectionable nor detrimental to adjacent properties because of hazards, noise, or other disturbance. (Ord. 442 § 14A.10)

2-61-020 Principal permitted uses.

The following are the principal permitted uses in an I-2 district:

- A. Manufacturing, assembling, processing, storage or packaging of products, except:
 - 1. Uses manufacturing, processing, storage or packaging of chemicals, petroleum, and heavy agricultural products or other hazardous materials.
 - 2. Vehicle-dismantling yards, scrap and waste yards.
- B. Warehousing and distribution facilities.
- C. Research and development facilities.
- D. Professional and administrative offices.
- E. Restaurants, except fast food.
- F. Wholesale certified recycler (where located within a building or fully screened from public view by a solid wall or fence).
- G. Recycle processor (provided all activities occur within a wholly enclosed building).
- H. Self-storage facilities. (Ord. 1801 § 1, 2006; Ord. 1352, 1991; Ord. 1239, 1987; Ord. 442 § 14A.20)

2-61-030 Accessory uses.

The following are the accessory uses permitted in the I-2 district:

A. Signs complying with the regulations governing industrial districts in Chapter 3-45 LPZC.

B. Accessory uses and buildings customarily appurtenant to a permitted use.

C. Living quarters determined by the zoning administrator to be necessary for surveillance purposes.

D. Off-street parking and loading spaces in accordance with Chapter 3-20 LPZC.

E. Fuel stations subject to the requirements of LPZC 3-10-070(C). (Ord. 1423, 1994; Ord. 442 § 14A.30)

2-61-040 Conditional uses.

The following uses are permitted subject to conditional use permit approval in addition to any other prerequisite permits and conformance to all applicable regulations set forth in this chapter and elsewhere in this code:

A. Public and quasi-public uses.

B. Motels, fast-food businesses, banks, personal services, or goods reasonably required for the convenience and support of occupants of uses in the surrounding I district(s).

C. Contractor's storage yards, truck terminals, or other open storage uses when screened by a solid wall or fence, not to include vehicle dismantling yards, scrap and waste yards.

D. Any uses determined by the decisionmaking body approving the conditional use permit to be similar to, ancillary to, or compatible with those listed in the permitted or conditional use category of this district.

E. The manufacturing, assembly, processing, storage, or packaging of products involving chemicals, petroleum, and heavy agricultural products or other hazardous materials.

F. Any land use that utilizes hazardous materials shall be subject to the regulations of Chapter 3-30 LPZC. Prior to approval, it must be found that the project includes sufficient safeguards to assure that the storage and use of the hazardous materials will be an acceptable risk as defined by Chapter 3-30 LPZC. (Ord. 1633 § 17, 2001; Ord. 1376, 1992; Ord. 1352, 1991; Ord. 442 § 14A.40)

2-61-050 Height regulations.

The height is limited to 35 feet plus an additional foot of height for every additional foot of setback above that required, not to exceed a maximum of 45 feet. The height may be increased up to a maximum of 100 feet with a conditional use permit. (Ord. 442 § 14A.50)

2-61-060 Area, width and yard requirements.

The following minimum requirements shall be observed, except where increased for conditional uses:

A. Lot Area. Twenty thousand square feet.

B. Width. One hundred feet.

C. Yards.

1. Front or Street Side. Thirty-five feet on major streets and 30 feet on frontage roads. Twenty-five feet on interior streets.

2. Rear and Side. None, except when adjoining an R district or an OS district designated for future residential use in the general plan (unless separated by a public street), then not less than 25 feet. For buildings more than 40 feet high, the yard requirements shall be 20 feet.

D. Use of Yard Areas. The following uses only shall be made of yard areas and then only if such uses are otherwise permissible pursuant to the provisions of this chapter:

1. Landscaping shall be regulated by the following requirements:

a. All required yards adjacent to streets shall be landscaped, except for driveways and sidewalks which are found to be necessary for the efficient use of the property.

b. In the case of a parking lot being located between the building and the street, the landscaped strip adjacent to the street, required by subsection (D)(1)(a) of this section, may be reduced by up to 10 feet, provided a landscaped strip equal to the amount of reduction is added to a landscaped planter adjacent to the street side of the building.

c. A landscaped strip of land, at least 25 feet wide, shall be maintained along any property line where an I-2 district abuts an R district or an OS district designated for future residential use in the general plan.

d. All landscaping shall be carried out in accordance with the landscaping plan approved by the city, and such landscaping shall be installed and

2-61-070

maintained in such a manner so as to prevent the viewing of outdoor storage, parking and loading areas from contiguous residential properties insofar as is practicable.

e. In any case where the building frontage is visible from the street, a minimum five-foot landscaped strip abutting the foundation shall be included, allowing for necessary entrances.

2. Driveways.

3. Sidewalks.

4. Exterior Storage. Exterior storage shall not be allowed adjacent to a public street or freeway. Exterior storage shall be screened from the public view by a suitable fence, wall or berm not exceeding 15 feet in height, with stored material kept below the top of such screen. The exterior storage area shall not exceed 10 percent of the building area on the site. (Ord. 442 § 14A.60)

2-61-070 Lot coverage.

The building coverage maximum shall be 45 percent. (Ord. 442 § 14A.70)

2-61-080 Other required conditions.

The following additional conditions shall apply to an I-2 district:

A. Site plan and design review approval are required prior to the development of any site, including the construction of any buildings or the establishment of any open use.

B. The following performance standards will be required in the district:

1. Air Pollution. All uses shall comply with regulations of the San Francisco Bay Area Air Pollution Control District.

2. Noise. No use shall be permitted which creates an ambient noise level greater than 75 decibels (dba) beyond the boundaries of the site, nor greater than 60 decibels (dba) at the boundary of an R district.

3. Vibration, Heat, Glare, Electrical Disturbance. No use shall be permitted which creates vibrations, heat, glare or electrical disturbances beyond the boundaries of the site. Lighting used to illuminate buildings, structures, uses, or parking and loading areas shall not be directed toward any public right-of-way.

4. Fire, Explosion. All uses shall provide adequate safety devices and adequate fire fighting

and fire suppression equipment to protect against fire, explosion, and other hazards.

5. Solid and Liquid Wastes. No solid or liquid waste discharges, other than into a public sewage disposal system, shall be permitted. The chemical composition and volume of industrial effluent discharged shall be subject to the waste water permit requirements established by LMC Title 13, Division II. (Ord. 442 § 14A.80)

Chapter 2-64

I-3 – HEAVY INDUSTRIAL DISTRICT

Sections:

- 2-64-010 Purpose.
- 2-64-020 Principal permitted uses.
- 2-64-030 Accessory uses.
- 2-64-040 Conditional uses.
- 2-64-050 Height regulations.
- 2-64-060 Area, width and yard requirements.
- 2-64-070 Lot coverage.
- 2-64-080 Other required conditions.

2-64-010 Purpose.

The purpose of the I-3 (heavy industrial) district is to provide an environment for and conducive to basic or primary industries and related industrial activities requiring the use and storage of bulk quantities of raw or scrap materials for processing to semi-finished or finished products. The district is intended to encourage sound heavy industrial development by providing and protecting areas within the city for such development, subject to regulations necessary to ensure the purity of the air and groundwater in the Livermore planning area, and the protection of nearby uses of land from hazards, noise, or other radiated disturbances. (Ord. 442 § 14B.10)

2-64-020 Principal permitted uses.

The following are the principal permitted uses in an I-3 district:

- A. All of the uses permitted in the I-2 district.
- B. Contractor's storage yards, truck terminals, or other open storage uses, when screened by a solid wall or fence, not to include vehicle dismantling yards, scrap or waste yards.
- C. Recycle processor (provided outdoor storage is fully screened).
- D. Live adult entertainment businesses, as those uses are defined in, and subject to the regulations in, Article IV of Chapter 5.08 LMC. (Ord. 1886 § 4, 2009; Ord. 1239, 1987; Ord. 442 § 14B.20)

2-64-030 Accessory uses.

The following are the accessory uses permitted in the I-3 district:

- A. Signs complying with the regulations governing industrial districts in Chapter 3-45 LPZC.

B. Accessory uses and buildings customarily appurtenant to a permitted use.

C. Living quarters determined by the zoning administrator to be necessary for surveillance purposes.

D. Off-street parking and loading spaces in accordance with Chapter 3-20 LPZC.

E. Fuel stations subject to the requirements of LPZC 3-10-070(C). (Ord. 1423, 1994; Ord. 442 § 14B.30)

2-64-040 Conditional uses.

The following uses are permitted subject to conditional use permit approval in addition to any other prerequisite permits and conformance to all applicable regulations set forth in this chapter and elsewhere in the zoning code:

- A. Public and quasi-public uses.
- B. Motels, fast-food businesses, banks, personal services, or goods reasonably required for the convenience and support of occupants of uses in the surrounding I district(s).
- C. Manufacturing, assembly, processing, storage, or packaging of products involving chemicals, petroleum, and heavy agricultural products.
- D. Vehicle dismantling yards, scrap and waste yards.
- E. Any land use that utilizes hazardous materials shall be subject to the regulations of Chapter 3-30 LPZC. Prior to approval, it must be found that the project includes sufficient safeguards to assure that the storage and use of the hazardous materials will be an acceptable risk as defined by Chapter 3-30 LPZC.
- F. Any uses determined by the decisionmaking body approving the conditional use permit to be similar to, ancillary to, or compatible with those listed in the permitted or conditional use category of this district. (Ord. 1633 § 18, 2001; Ord. 1376, 1992; Ord. 442 § 14B.40)

2-64-050 Height regulations.

The height is limited to 45 feet, except that with a conditional use permit the height may be increased up to a maximum of 100 feet. (Ord. 442 § 14B.50)

2-64-060 Area, width and yard requirements.

The following minimum requirements shall be observed, except where increased for conditional uses:

- A. Lot Area. Twenty thousand square feet.
- B. Width. One hundred feet.
- C. Yards.

1. Front or Street Side. Thirty-five feet on major streets, 30 feet on frontage roads, and 15 feet on interior streets.

2. Rear and Side. None, except when adjoining an R district or an OS district designated for future residential use in the general plan (unless separated by a public street), then not less than 25 feet. For buildings more than 40 feet high, the yard requirements shall be 20 feet.

D. Use of Yard Areas. The following uses only shall be made of yard areas and then only if such uses are otherwise permissible pursuant to the provisions of this chapter:

1. Landscaping shall be regulated by the following requirements:

a. All required yards adjacent to streets shall be landscaped, except for driveways and sidewalks which are found to be necessary for the efficient use of the property.

b. In the case of a parking lot being located between the building and the street, the landscaped strip adjacent to the street, required by subsection (D)(1)(a) of this section, may be reduced by five feet, provided a landscaped strip five feet wide is added to the landscaped planter adjacent to the street side of the building.

c. A landscaped strip of land, at least 25 feet wide, shall be maintained along any property line where an I-3 district abuts an R district or an OS district designated for future residential use in the general plan.

d. All landscaping shall be carried out in accordance with the landscaping plan approved by the city, and such landscaping shall be installed and maintained in such a manner so as to prevent the viewing of outdoor storage, parking and loading areas from contiguous residential properties, insofar as is practicable.

e. In any case where the building frontage is visible from the street, a minimum five-foot landscaped strip abutting the foundation shall be included, allowing for necessary entrances.

2. Driveways.

3. Sidewalks.

4. Exterior Storage. Exterior storage shall not be allowed adjacent to a public street or freeway. Exterior storage shall be screened from the public view by a suitable fence, wall or berm not exceeding 15 feet in height, with stored material kept below the top of such screen. (Ord. 442 § 14B.60)

2-64-070 Lot coverage.

The building coverage maximum shall be 60 percent. (Ord. 442 § 14B.70)

2-64-080 Other required conditions.

The following additional conditions shall apply to an I-3 district:

A. Site plan and design review approval are required prior to the development of any site, including the construction of any buildings or the establishment of any open use.

B. The following performance standards will be required in the district:

1. Air Pollution. All uses shall comply with regulations of the San Francisco Bay Area Air Pollution Control District.

2. Noise. No use shall be permitted which creates an ambient noise level greater than 75 decibels (dba) beyond the boundaries of the site, nor greater than 60 decibels at the boundary of an R district.

3. Vibration, Heat, Glare, Electrical Disturbance. No use shall be permitted which creates vibrations, heat, glare, or electrical disturbances beyond the boundaries of the site. Lighting used to illuminate buildings, structures, uses, or parking and loading areas shall not be directed toward any public right-of-way.

4. Fire, Explosion. All uses shall provide adequate safety devices and adequate fire fighting and fire suppression equipment to protect against fire, explosion, and other hazards.

5. Solid and Liquid Wastes. No solid or liquid waste discharges, other than into a public sewage disposal system, shall be permitted. The chemical composition and volume of industrial effluent discharged shall be subject to the waste water permit requirements established by LMC Title 13, Division II. (Ord. 442 § 14B.80)

Chapter 2-67

E – EDUCATION AND INSTITUTIONS DISTRICT

Sections:

- 2-67-010 Purpose.
- 2-67-020 Uses permitted.
- 2-67-030 Exceptions.
- 2-67-040 Site requirements.
- 2-67-050 Other requirements.
- 2-67-060 Site plan approval.
- 2-67-070 Conditional use permits.
- 2-67-080 Procedure.
- 2-67-090 Public-supported institutions.

2-67-010 Purpose.

The purpose of the E district is to provide areas for the development of public and private educational institutions wherein all directly related types of uses may be located, areas for publicly owned park and recreation facilities, and areas for governmental buildings and facilities. (Ord. 442 § 16.10)

2-67-020 Uses permitted.

The following uses are permitted subject to the provisions set forth in LPZC Part 3:

A. Public-supported, private and parochial institutions conducting regular academic instruction at preschool, kindergarten, elementary, secondary and collegiate levels.

B. Dwellings designed for occupancy of living groups and having a central dining facility and single-family dwellings appurtenant to any permitted use.

C. Laboratories and other research facilities appurtenant to any permitted use; governmental facilities on publicly owned land and necessary for the administration of federal, state, county, and city governments or local agencies as defined in the Government Code.

D. Publicly owned parks, recreation areas, and institutions.

E. Accessory uses and buildings appurtenant to any permitted use.

F. Signs (Chapter 3-45 LPZC).

G. Mortuaries, subject to approval of a conditional use permit.

H. Other public and quasi-public uses in addition to those listed above, subject to approval of a conditional use permit.

I. Bed and breakfast uses, limited to six units, subject to conditional use permit. (Ord. 1175, 1985; Ord. 649 § 10, 1968; Ord. 442 §§ 16.20 – 16.29)

2-67-030 Exceptions.

A. The provisions of this code shall not apply to non-academic institutions teaching special skills such as the arts, trades, or business; provided, however, that these institutions are permitted in the zoning district in which they are proposed.

B. The provisions of this code shall not apply to the establishment of a child care center, day school, preschool center, or nursery by any group or individual, except where the aforementioned uses are appurtenant to any academic institution. (Ord. 442 §§ 16.30 – 16.32)

2-67-040 Site requirements.

A. Minimum District Size. One acre.

B. Minimum Parcel Size. One acre, except as otherwise specified herein.

C. Minimum Front Yard. Twenty-five feet.

D. Minimum Side Yard. Twenty-five feet, except that in the case of a side yard abutting a street, an open chainlink fence may be erected on the property line.

E. Minimum Rear Yard. Twenty-five feet, except that in the case of a rear yard abutting a street, an open chainlink fence may be erected on the property line.

F. Maximum Aggregate Coverage. Fifty percent.

G. Maximum Height Limit. Thirty-five feet. (Ord. 442 §§ 16.40 – 16.47)

2-67-050 Other requirements.

A. Minimum site standards for public institutions shall be those specified in Title 5 of the State Education Code.

B. Minimum site requirements for private institutions having a proposed classroom capacity in excess of 50 students shall be increased in area proportionately with classroom capacity on the basis of one acre per 100 single classroom seats.

C. Required front yard and side and rear yards which are not enclosed by fencing shall be planted and permanently maintained.

D. Required yards shall not be used to satisfy off-street parking requirements.

E. Open areas other than required yards shall be maintained in a dust-free condition through planting, paving, maintenance of natural vegetation, or other available means.

F. When determined by the planning commission to be necessary for public safety, fenced areas shall be provided with gates for the passage of emergency vehicles.

G. Off-street parking and loading spaces shall be provided for each use as required in Chapter 3-20 LPZC.

H. Institutions above high school level shall be required to have a minimum site area to be determined by the planning commission on the basis of location, proposed enrollment, and type of institution.

I. A six-foot high solid board or chainlink fence or masonry wall shall be erected and maintained on all interior lot lines, except in required front yards. (Ord. 442 §§ 16.50 – 16.59)

2-67-060 Site plan approval.

Site plan approval shall be required for public-supported institutions, subject to the provisions of Section 53091 of the Government Code of the state of California. Site plan approval shall be required of all other uses. (Ord. 442 § 16.60)

2-67-070 Conditional use permits.

A conditional use permit shall be required for any other use which is not specifically permitted in the district and for education institutions above high school level. (Ord. 442 § 16.70)

2-67-080 Procedure.

Rezoning application and request for site plan approval may be filed and considered concurrently. (Ord. 442 § 16.80)

2-67-090 Public-supported institutions.

Public-supported institutions shall be subject to only those necessary to cover costs of legal publication. (Ord. 442 § 16.90)

Chapter 2-70

CP – PROFESSIONAL OFFICE DISTRICT

Sections:

- 2-70-010 Purpose.
- 2-70-020 Uses permitted.
- 2-70-030 Uses permitted with conditional use permit approval.
- 2-70-040 Site requirements.
- 2-70-050 Exceptions to site requirements.
- 2-70-060 Exclusions.
- 2-70-070 Mixed uses.
- 2-70-080 Conditional use permits.

2-70-010 Purpose.

The purpose of the CP district is to establish areas in which professional offices may be permitted as:

- A. Permanent transitional uses between nonresidential districts and residential districts;
- B. Interim transitional uses for parcels which are vacant or are developed with structures determined by the building official to be no longer suitable for use within residential zones indicated in the general plan to be ultimately commercial;
- C. A grouping of professional offices within neighborhoods as a service facility in areas determined by the planning commission to be undesirable for residential use; and
- D. Uses to be noncommercial in nature and compatible with residential areas. (Ord. 442 § 17.10)

2-70-020 Uses permitted.

The following uses are permitted provided that any conditions for a zoning use permit as set forth in LPZC Part 3 are fulfilled:

- A. Offices.
 - 1. Architectural.
 - 2. Engineer.
 - 3. Law.
 - 4. Dental.
 - 5. Medical.
 - 6. Optical.
 - 7. Pharmacy.
 - 8. Professional.
 - 9. X-ray laboratory.
- B. Off-street parking lots appurtenant to each use; public and quasi-public uses.
- C. Accessory uses and structures appurtenant to any permitted use.

D. Signs (Chapter 3-45 LPZC).

E. And similar uses and any other service establishment determined by the zoning administrator to be of the same general character as the above uses. (Ord. 649 § 11, 1968; Ord. 442 § 17.20)

2-70-030 Uses permitted with conditional use permit approval.

The following uses are permitted subject to conditional use permit approval in addition to any other prerequisite permits and conformance to all applicable regulations set forth in this chapter and elsewhere in this code:

A. Consumer Services.

1. Animal hospital.
2. Veterinarian.
3. Mortuary.

B. Public and semi-public uses.

C. Residential uses subject to RM requirements.

D. Bed and breakfast uses limited to six units per use.

E. Any land use that utilizes hazardous materials shall be subject to the regulations of Chapter 3-30 LPZC. Prior to approval, it must be found that the project includes sufficient safeguards to assure that the storage and use of the hazardous materials will be an acceptable risk as defined by Chapter 3-30 LPZC.

F. And similar uses and any other service establishment determined by the decisionmaking body approving the conditional use permit to be of the same general character as the above uses.

G. Health facilities as set forth in LPZC 3-10-340. (Ord. 1633 § 19, 2001; Ord. 1595 § 6, 2000; Ord. 1376, 1992; Ord. 1175, 1985; Ord. 442 § 17.21)

2-70-040 Site requirements.

A. Minimum District Size. Five thousand square feet.

B. Minimum Parcel Size. Five thousand square feet.

C. Minimum Yard, Street Frontage. That of the R district to which the district or parcel is appurtenant.

D. Minimum Yard, Non-Street Frontage. Five feet.

E. Maximum Aggregate Coverage. Fifty percent.

F. Maximum Building Height Limit. Two stories, to a maximum of 26 feet. Any building or structure may exceed the maximum building height, up to 35 feet, with a conditional use permit provided the zoning requirements and general plan policies, such as scenic corridor policies, are met.

G. Off-street parking shall be provided for each use as required in Chapter 3-20 LPZC, except that for each professional building established, there shall be provided five off-street parking spaces for each office or practicing professional, which may not be located in the required front yard.

H. Site plan approval shall be required for each use involving a new structure or expansion of an existing structure.

I. Maximum Parcel Size. Ten thousand square feet. (Ord. 1810 § 3, 2007; Ord. 1107, 1982; Ord. 442 §§ 17.30 – 17.39)

2-70-050 Exceptions to site requirements.

The conversion of an existing structure to a professional office use shall not be subject to LPZC 2-70-040(C) through (F); provided, that no structural expansion or increase of floor area is proposed. (Ord. 442 § 17.40)

2-70-060 Exclusions.

The following occupations are not considered to be professionals for the purposes of this section of the code:

Uses which are commercial, retail sales, or wholesale sales in nature; bacteriologist, barber, beautician, teacher, instructor, printer, chemist, employer's agent, detective, engraver, sign painter, photographer, artist, realtor, masseuse, public stenographer, taxidermist, veterinarian, manufacturer's agent, and such other occupation as may be determined by the planning commission to be of the same general character as those specifically excluded. (Ord. 442 § 17.50)

2-70-070 Mixed uses.

Residential and professional office uses shall not be permitted to occupy the same structure. In the event residential and professional office uses occupy the same site, each use shall be defined and separately maintained. (Ord. 442 § 17.60)

2-70-080 Conditional use permits.

A conditional use permit is required for any other use which is not specifically permitted in this district. (Ord. 442 § 17.70)

Chapter 2-73

COMBINING DISTRICTS

Sections:

- 2-73-010 Purpose.
- 2-73-020 H – Highway district.
- 2-73-030 P – Parking district.
- 2-73-040 HP – Historic preservation districts.
- 2-73-050 *Repealed.*
- 2-73-060 DR – Design review combining district.
- 2-73-070 Transferable development credits combining district.

2-73-010 Purpose.

For purposes of modifying zoning districts in a manner which may be more restrictive or less restrictive as the city of Livermore may deem necessary in the establishment of zoning for particular areas, the following combining districts are established to be used in combination with zoning districts. (Ord. 442 § 18.10)

2-73-020 H – Highway district.

A. Purpose. To permit additional limited commercial uses associated with other compatible uses along major streets or highways in areas not suitable for zoning to restricted residential use or desired by the city to be zoned for unrestricted commercial use.

B. Uses Permitted. In addition to the uses permitted in the zoning district with which this district is combined, the following uses are permitted; provided, that any conditions for a zoning use permit as set forth in LPZC Part 3 are fulfilled: hotels, inns, motels, restaurants, cafes, and other uses determined by the planning commission to be of the same general character as the listed uses; and signs (Chapter 3-45 LPZC).

C. Site Requirements. Permitted uses shall conform to the site requirements set forth in LPZC 2-31-060 through 2-31-110 or to those of the zoning district with which this district is combined, whichever are greater.

D. Conditional Use Permit. A conditional use permit shall be required for any other use which is not specifically permitted in the district. (Ord. 649 § 12, 1968; Ord. 442 §§ 18.20 – 18.24)

2-73-030 P – Parking district.

A. Purpose. To designate areas on a site in which off-street parking shall be required to be located. It shall be intended that the P district may be applied in conformance to a site plan submitted by an applicant, or to any municipal or district parking lots established within the city. Also, it shall be intended to be applied when in the opinion of the city of Livermore the health, safety and general welfare requires designation of those areas to be used for the principal use and for its appurtenant off-street parking.

B. Uses Permitted. The following uses are permitted; provided, that any conditions for a zoning use permit as set forth in LPZC Part 3 are fulfilled: off-street parking lots, accessory uses and structures appurtenant to any permitted use in the zoning district with which this district is combined, and signs as may be permitted in the zoning district with which this district is combined.

C. Site Requirements. Permitted uses shall conform to the site requirements of the zoning district with which this district is combined. (Ord. 442 §§ 18.30 – 18.33)

2-73-040 HP – Historic preservation districts.

A. Purpose. The purpose of the historic preservation districts are:

1. To promote the historic preservation objectives of the city of Livermore;
2. To safeguard the city's heritage as embodied and reflected in its resources;
3. To encourage public knowledge, understanding and appreciation of the city's past;
4. To foster civic and neighborhood pride and a sense of identity based on the recognition and use of historic resources;
5. To promote the enjoyment and use of historic resources appropriate for the education and recreation of the people of the city;
6. To preserve diverse and harmonious architectural styles and design preferences reflecting phases of the city's history and to encourage complementary contemporary design and construction;
7. To protect and enhance the city's attractiveness to tourists and visitors;
8. To assist in the early identification and resolution of potential conflicts between the pres-

ervation of historic resources and alternate land uses;

9. To integrate the preservation of historic resources into the city's planning process; and

10. To conserve valuable historic material by ongoing use and maintenance of the existing structures.

The HP combining districts will provide a system of uniform regulations for those historic resources deemed worthy of a higher degree of protection than is provided under the zoning code. In order to achieve these goals, the HP combining district is divided into the HP-L (landmark) and HP-H (heritage) districts.

B. Uses Permitted. The uses permitted in the HP districts are restricted to those uses permitted in the zone with which the HP district is combined; provided, however, that upon the favorable recommendation of the historic preservation commission, a conditional use permit may be granted to permit uses that will advance or support the city's historic preservation objectives.

C. HP-L (Landmark) District Regulations. The following development standards shall be imposed on any site that has been zoned with this combining zoning district. When a difference between the zoning regulations exists, the more restrictive standards shall be utilized.

1. All structures within these zoning districts are considered local historic landmarks;

2. Any demolitions, additions, alterations or moving of any historic features will be subject to the approval of a certificate of appropriateness;

3. Floor area ratio for any site combined with an R district shall not exceed 25 percent.

D. HP-H (Heritage) District Regulations. The following development standards shall be imposed on any site that has been zoned with this combining zoning district. When a difference between the zoning regulations exists, the more restrictive standards shall be utilized.

1. All sites are considered a historic resource;

2. Demolitions or additions to sites shall be subject to approval of a certificate of appropriateness if they are visible from a public right-of-way, a private street, or a parking lot available for public use;

3. Floor area ratio for any site combined with an R district shall not exceed 25 percent.

E. Certificate of Appropriateness. A certificate of appropriateness is a permit that can be approved, conditionally approved or denied when the project involves alteration or demolition of any features or properties subject to the requirements of the historic preservation zoning districts, or any demolition or exterior modification to structures within the city identified in the Livermore historical resources survey or deemed to have historical value based on other evidence available to the city. If the project is consistent with all of the findings noted below, the historic preservation commission may approve the certificate of appropriateness. Historic preservation commission actions may be appealed to the planning commission pursuant to the appeal procedures of this code.

F. Findings Required. Approval of a certificate of appropriateness shall be based upon the following findings:

1. The proposed work will neither adversely affect the significant architectural features of the historic resource nor adversely affect the character of historical, architectural, or aesthetic interest or value of the historic resource and its site;

2. With regard to any property located within a historic preservation district, the proposed work is consistent with the standards of other resources in the district and does not adversely affect the character of the district;

3. That an engineering report and restoration cost estimate has been submitted in compliance with Chapter 15.24 LMC, if the certificate of appropriateness is for the demolition of any structure that has been designated as a landmark;

4. That the project is not in conflict with the general plan;

5. That the project is consistent with the requirements of the California Environmental Quality Act. (Ord. 1861 § 1, 2009; Ord. 1386, 1992; Ord. 1374, 1992; Ord. 442 §§ 18.40 – 18.47)

2-73-050 CAC – Central area combining district.

Repealed by Ord. 1709. (Ord. 1196, 1985; Ord. 442 §§ 18.50 – 18.56)

2-73-060 DR – Design review combining district.

A. Purpose. This district provides a means by which the city may evaluate the site, building,

and/or landscaping design of proposed developments of property, and to provide discretion in the evaluation of the standards of design, architectural style and compatibility, building bulk, height, and setbacks. Discretionary review and the ability to apply additional standards of design are intended to protect the overall appearance of the area by regulating the design of the proposed use or development. The provisions of this district are intended to ensure that the design of new construction or substantial alterations of existing structures, is consistent with adjoining properties and uses in the immediate neighborhood area, the zoning for allowable uses thereon, and in keeping with the policies and objectives of the general plan.

B. Definitions.

1. “New construction” means the placement of uses or structures on a property upon which no existing construction has taken place. New construction shall include requests for new development under the provisions of a site plan approval, conditional use permit, subdivision, variance, zoning use permit, or building permit.

2. “Remodeling” means a change in the exterior of an existing structure by 25 percent or more of the current assessed value of the structure.

3. “Rebuilding” means the reconstruction of at least 25 percent of an existing structure.

4. “Expansion of an existing building” means the increase in area of an existing building by 25 percent or more of the existing floor area.

C. Development Standards Subject to Discretionary Review. The development standards set forth in the zoning code may be modified in a manner consistent with the findings required in subsection (D) of this section, but in no case shall these standards be modified in a manner which would be less restrictive than established by this code. Those standards include, but are not necessarily limited to:

1. Minimum lot size, minimum lot width, and minimum lot street frontage;

2. Minimum yards, including street frontage yards, rear yards, side yards, and setbacks from major streets, highways or railroads;

3. Maximum developable floor area;

4. Maximum building height;

5. Minimum open space requirements;

6. The location, height and bulk of an accessory structure;

- 7. Landscaping standards;
- 8. Architectural, landscaping or site design theme; and
- 9. Colors, materials, or architectural treatments.

D. Necessary Findings. No development shall occur within the boundaries of the design review district through rebuilding, remodeling, expansion of existing use, or by new construction unless the agency with approval authority makes the following findings:

1. That the proposed development and use is consistent with the goals and objectives of the visual resources policies of the general plan, and the goals, policies and objectives of the city of Livermore design guidelines.

2. That where two dissimilar uses abut one another, such as single-family adjacent to multiple-family, or an industrial area visible from a residential area, that the more intensive use will not have an adverse impact upon the character, harmony, public safety and general welfare, or economic stability of the less intensive use.

3. That the intended use including its size and shape, any yards, setbacks, walls, fences, height, bulk, architecture and landscaping, or similar features are consistent with the purpose and intent of the design review district, and that the design of the use is compatible with those on abutting land and/or in the neighborhood.

4. That in approving the intended design there will not be adverse effects on abutting or neighboring property and the permitted use thereof.

5. That the conditions imposed as conditions of approval are necessary to protect the health, safety, and general welfare and to make possible development of the city in an orderly and efficient manner and in conformity with the intent and purposes set forth in this code and in the general plan.

E. Establishing Special Conditions of Approval. Where the proposed development does not require a discretionary permit approval, a zoning use permit must be reviewed and approved prior to issuance of a building permit. The agency with authority to review and approve permits under the provisions of this code shall have the authority to apply reasonable conditions of approval to any

permit consistent with the purposes and intent of this district. (Ord. 1709 § 5, 2004; Ord. 1543 § 4, 1999; Ord. 1298, 1989; Ord. 442 §§ 18.60 – 18.65)

2-73-070 Transferable development credits combining district.

A. Purpose. The purpose of the transferable development credits (TDC) combining district is:

1. To identify receiver sites under the transferable development credits (TDC) program included in the general plan and LPZC 3-10-360;

2. To identify the residential zoning districts consistent with the TDC densities when a property owner chooses to utilize increased densities provided through the TDC program.

B. The TDC combining district shall be combined with the zoning district for the baseline density of a TDC receiver site. The TDC combining district shall identify the zoning district consistent with the increased densities under the TDC program for the receiver site as follows:

TDC Density	TDC Combining District Zoning
Single-family up to 6 du/ac	Suburban Residential (RS)
Multifamily up to 14 du/ac	Medium Density Residential (RM)
Multifamily 14.1 du/ac and higher	High Density Residential (RH)

C. Uses Permitted. The uses permitted on TDC receiver sites shall be consistent with the general plan land use designation and zoning district for either the baseline density or the TDC density in conformance with the provisions of LPZC 3-10-360.

D. Site Requirements. Permitted uses shall conform to the site requirements of the baseline zoning district or the TDC combining district in conformance with the provisions of LPZC 3-10-360. (Ord. 1734 § 2, 2004)

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Chapter 2-76

PD – PLANNED DEVELOPMENT DISTRICT

Sections:

- 2-76-020 Purpose.
- 2-76-040 Uses permitted.
- 2-76-060 Procedures for rezoning or amendment.
- 2-76-080 Requirements for residential PD zones.
- 2-76-100 Requirements for commercial and industrial PD zones.
- 2-76-120 Zoning map designation – District file.
- 2-76-140 Existing PUD permit – Existing PD designation with PUD permit.

2-76-020 Purpose.

A. Residential. The intent and purpose of a PD district for primarily residential uses is to permit more imaginative and flexible designs for residential development projects than would otherwise be permitted under the more conventional residential zoning designations. This flexibility may include such concepts as the flexibility in the location of structures; clustering; variation in yards and setbacks; the reservation of open space; and provision of neighborhood amenities. The flexibility also allows a developer to address geologic, topographical and environmental factors. At the same time, a PD district must conform to the requirements of the general plan and the intent of this code and municipal code in requiring adequate standards necessary to protect the public health, safety and general welfare.

B. Commercial and Industrial. The intent and purpose of a PD district for primarily commercial and industrial uses is to guide the development of commercially and industrially designated land, particularly (but not necessarily) near a freeway or freeway interchange, near a major entrance to the city, or adjacent to residential uses. Both the community serving general commercial (CSGC) and the business and commercial park (BCP) general plan designations require implementation through a PD district. The flexibility allowed in design in a PD district also allows a developer to address geologic, topographical and environmental factors. At the same time, a PD district must conform to the requirements of the general plan and the intent of

this code and municipal code in requiring adequate standards necessary to protect the public health, safety and general welfare.

C. South Livermore Valley Specific Plan Area. This chapter, including LPZC 2-76-020 through 2-76-140, does not apply to the South Livermore Valley Specific Plan Area. The regulations in Chapter 2-82 LPZC, Planned Development – South Livermore Valley Specific Plan (PD-SLVSP), apply to development within the South Livermore Specific Plan Area. (Ord. 1561 § 2, 1999; Ord. 1543 § 3, Exh. A § 19.02, 1999)

2-76-040 Uses permitted.

A. Where Specific Regulations Adopted. In a PD ordinance adopted under this chapter, the PD ordinance shall specify the uses permitted and the uses conditionally permitted, if any.

In a PD zoning district where regulations have been established, the uses permitted are those uses authorized by the PD ordinance (or formerly issued PUD permit, if such a permit is still in effect).

B. No Specific Regulations Yet Adopted. In a PD zoning district where no specific regulations have been established, the uses permitted and development standards are those set forth below:

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Type of PD District (based on general plan designation)	Uses and Standards Allowed Where No Specific Regulations Have Been Adopted
PD-R (residential)	Uses and density shall conform to the density specified in the general plan and to the residential zoning district which is the closest to that density: Single-family up to 6 du/ac – (RS) Multifamily up to 14 du/ac – (RM) Multifamily 14.1 and up du/ac – (RH)
PD-C (commercial), including property designated CSGC in the general plan	Uses allowed in the CB zoning district. Development standards of the I-1 zoning district.
PD-I (industrial), including property designated BCP in the general plan	Uses and development standards of the I-1 zoning district, plus uses allowed in the CHS zoning district in BCP areas.
PD-OS (open space)	Uses and development standards of the OS-A zoning district.

C. For All PD Zoning Districts. Except as otherwise set forth in the PD ordinance, property in a PD zone is subject to other generally applicable zoning regulations (in LPZC Part 3, such as parking requirements, sign regulations, second unit standards, etc.) as they exist at the time of a PD ordinance and as they may be amended in the future. (Ord. 1543 § 3, Exh. A § 19.04, 1999)

2-76-060 Procedures for rezoning or amendment.

A. Rezoning. To create or amend a PD district, the procedures in this section apply, in addition to the procedures for a zoning amendment set forth at Chapter 5-20 LPZC.

B. Application – Required Information.

1. Application. The property owner(s) shall file an application for a rezoning to a PD district (a PD ordinance) with the community development department. The submittal shall include the application fee established by council resolution, and as soon as an estimate is available, a deposit for the cost of environmental review. The city may also initiate an application.

2. Required Information. The applicant shall include the following information with the PD ordinance application. For each element, the applicant shall include a reference to the zoning district and zoning code section most nearly equivalent to the proposed use or standard.

- a. Statement of purpose.
- b. Permitted uses.
- c. Conditional uses, if any.
- d. Accessory uses.

- e. Development standards, including:
 - i. Minimum lot size, lot width, yards and lot street frontage;
 - ii. Maximum coverage or floor area ratio;
 - iii. Maximum building height;
 - iv. Off-street parking standards (or reference to Chapter 3-20 LPZC);
 - v. For commercial and industrial developments, add:
 - (A) Sign standards (or reference to Chapter 3-45 LPZC);
 - (B) Required landscaping, fencing or lighting;
 - (C) Proposed hours of operation; regulation of noise, vibration or odors; and exterior storage and screening.
 - f. Architectural standards, if applicable.
 - g. A general site plan showing the general distribution of uses, i.e., commercial, industrial, residential.

h. Any proposed exceptions to LPZC Part 3, Development Standards.

i. For a residential PD, a description of design features which exceed those required by the city under a typical zoning district (see LPZC 2-76-080(D)).

j. Other pertinent information to establish that the proposed project meets the requirements set forth in LZPC 2-76-080 or 2-76-100, whichever is applicable.

D. Planning Commission Hearing and Recommendation. The planning commission shall hold a noticed public hearing to consider the application.

The commission shall recommend to the city council either approval, conditional approval or disapproval of the application.

E. City Council Hearing and Decision. The city council shall hold a noticed public hearing to consider the application and the commission’s recommendation. The council shall by ordinance approve, approve subject to conditions or deny the application. The zoning administrator shall notify the applicant in writing of the council’s decision.

F. Amendments. The property owner may submit an application for an amendment to the PD ordinance, or the city may initiate a zoning amendment. The procedures for amending a PD ordinance are the same as those set forth in this section.

If a PD ordinance is later amended, the amending ordinance shall restate all the standards and requirements for the district, including the amendment, and shall then supersede any prior PD ordinances for that district. (Ord. 1543 § 3, Exh. A § 19.06, 1999)

2-76-080 Requirements for residential PD zones.

The planning commission may recommend and the city council may approve a PD ordinance for residential uses only when all of the following requirements are met:

A. Consistency with General Plan. The proposed PD-R district is consistent with the Livermore general plan, including its uses and residential density.

B. Development Standards. The PD ordinance includes clear development standards, including:

- 1. Uses permitted;
- 2. Conditional uses, if any;
- 3. Site requirements: lot sizes, yards, site coverage, height of structures, off-street parking, open space requirement;
- 4. Other district regulations.

Development standards shall not include exceptions to other, nonzoning requirements in the municipal code (such as street, storm drain or other utility standards), unless the other, nonzoning code section authorizes such an exception.

C. Site Plan and Design Review. The PD ordinance includes the following requirement:

Site plan approval and design review.
Before a building permit is issued for any new structure, or a grading permit for grad-

ing, the property owner shall obtain site plan approval under Chapter 4-10 LPZC and design review under LPZC 5-05-110. In addition to any requirements under Chapter 4-10 LPZC, the site plan approval for property within this PD-R district may include development conditions not limited to building design and arrangement, circulation, access, lighting, fencing, landscaping and screening, and maintenance of common areas.

D. Additional Design Features To Justify Variation from Conventional Zoning. The proposed PD-R district reflects additional design features and common open areas, related to the proposed development, sufficient to justify the variation from more conventional zoning regulations.

For each variation from the conventional regulations, the applicant shall describe a design feature which is in proportion to the degree of variation, and shall explain why the variation is appropriate. The city shall consider only those design features which exceed what is otherwise legally required by the city or by the California Environmental Quality Act.

Any design feature approved under this subsection shall be assured and implemented through a development agreement or tentative map condition of approval, or both. Any development agreement shall be approved concurrently with the PD ordinance.

Following are examples of the types of additional design features which may be considered:

- 1. Reservation of open space;
- 2. Parks, trails, bicycle paths or playgrounds beyond those required under the parkland dedication ordinance;
- 3. Clustering of homes (in order to provide greater open space, or more parks, trails, neighborhood amenities, etc.);
- 4. Inclusion of more affordable (low- and very-low-income) housing, above what is required by the general plan and state law;
- 5. Provision of public, neighborhood amenities;
- 6. Diversification of building sizes and types; or
- 7. Other public features not generally available in the neighborhood of a standard zoning district.

E. Environmental Design. If there are any geologic, topographical and environmental factors and constraints on the site, the proposed design addresses these in a manner that could not be achieved in a more conventional zoning district. (Ord. 1543 § 3, Exh. A § 19.08, 1999)

2-76-100 Requirements for commercial and industrial PD zones.

The planning commission may recommend and the city council may approve a PD ordinance for commercial or industrial uses, or both, only when all of the following requirements are met:

A. All Commercial and Industrial Zones (PD-C and PD-I).

1. Consistency with General Plan. The proposed PD-C or PD-I district is consistent with the Livermore general plan, including uses and density.

2. Development Standards. The ordinance includes clear development standards, including:

- a. Uses permitted;
- b. Conditional uses, if any;
- c. Accessory uses;
- d. Site and development standards: lot sizes, setbacks, street frontage, yards, site coverage, height of structures, off-street parking, open space requirement, sign standards;
- e. Other district regulations, including, but not limited to: required landscaping, fencing or lighting; architectural standards (if applicable); proposed hours of operation; regulation of noise, vibration and odors; exterior storage and screening.

Development standards shall not include exceptions to other, nonzoning requirements in the municipal code (such as street, storm drain or other utility standards), unless the other, nonzoning code section authorizes such an exception.

3. Site Plan Approval and Design Review. The PD ordinance includes the following requirement:

Site plan approval and design review.

Before a building permit is issued for any new structure, or a grading permit for grading, the property owner shall obtain site plan approval under Chapter 4-10 LPZC and design review under LPZC 5-05-110. In addition to any requirements under Chapter 4-10 LPZC, the site plan approval for property within this PD district may in-

clude development conditions not limited to building design and arrangement; architectural standards; storage facilities; phasing of improvements; circulation; access; lighting; fencing; landscaping and screening; buffers; hours of operation; regulations of noise, vibration and odors; and property maintenance.

4. Additional Design Features to Justify Variation from Conventional Zoning. The proposed PD-C or PD-I district contains additional design features, related to the proposed development, sufficient to justify the variation from more conventional zoning regulations.

For each variation from the conventional regulations, the applicant shall describe a design feature which is in proportion to the degree of variation, and shall explain why the variation is appropriate. The city shall consider only those design features which exceed what is otherwise legally required by the city or by the California Environmental Quality Act.

Any design feature approved under this subsection shall be assured and implemented through a development agreement or tentative map condition of approval, or both. Any development agreement shall be approved concurrently with the PD ordinance.

Following are examples of the types of additional design features which may be considered:

- a. Increased landscaping;
- b. Increased landscape setbacks;
- c. Provision of open space in excess of what is otherwise required;
- d. Pedestrian areas, outdoor benches, fountains, trails, or other outdoor recreation areas;
- e. Extraordinary architecture;
- f. Employee facilities, such as on-site day care, showers and locker rooms.

The requirements of this subsection do not apply to property which is designated BCP and CSGC in the general plan by city-initiated action rather than by application of the property owner.

5. No Significant Adverse Impact. The proposed PD district will not have a significant adverse impact on surrounding development.

B. Property Designated Community Serving General Commercial (CSGC). If the property is designated in the general plan as CSGC, the following requirements apply:

1 – 5. Requirements set forth in subsection (A) of this section;

6. Location. The proposed PD district is located along a major street in the vicinity of a free-way interchange;

7. Uses. The proposed PD district includes any one or a combination of community serving retail, office, service or mixed residential uses. If commercial uses are proposed, they consist of a size, bulk and coverage found in a retail shopping center, including destination-oriented large retail tenant, business and commercial services, and professional and administrative offices;

a. Superstores, as defined in LPZC 1-10-597, are prohibited;

8. Additional Site Plan Approval Requirements. The PD ordinance includes the following requirement, in addition to that set forth in subsection (A)(3) of this section:

Before the site plan is approved, the applicant shall:

- (a) Identify the core tenant(s),
- (b) Identify the core tenant’s relationship to ancillary retail, office, service and residential uses,
- (c) Identify the effect of the development upon surrounding commercial activity, in particular the consequences of implementing this project upon the CBD,
- (d) Achieve outstanding architectural design which takes into consideration the site location, its visibility, its physical site characteristics, and its relationship to the surrounding community,
- (e) Be integrated into the community-wide circulation system through proper access and public street improvements necessary to successfully serve the type and intensity of development proposed, and
- (f) Identify the phasing/timing of this project, and its relationship to other segments of the commercial, residential or industrial marketplace.

C. Property Designated Business and Commercial Park (BCP). If the property is designated in the general plan as BCP, the following requirements apply:

1 – 5. Requirements set forth in subsection (A) of this section;

6. Location. The proposed PD district is located along a major street in the vicinity of a free-way interchange;

7. Minimum Area. The area zoned PD is a minimum of 20 acres in size;

8. Uses and Coverage. The proposed PD district includes any one or a combination of the following uses, with the maximum building coverage indicated:

a. Large, destination-oriented retail commercial use (e.g., factory outlet center, warehouse, wholesale/retail store) or a large, commercial service use (e.g., home improvement center, furnishing and appliance store, automobile or recreational vehicle sales), with a maximum building coverage of .30,

i. Superstores, as defined in LPZC 1-10-597, are prohibited.

b. Professional and administrative office, with maximum building coverage of .40,

c. Highway-oriented commercial use (e.g., hotel/motel, convention center), with maximum building coverage of .40,

d. Support and ancillary services (e.g., restaurants, service stations),

e. Low-intensity industrial uses compatible with the above uses, with a maximum building coverage of .45;

9. Additional Site Plan Approval Requirements. The PD ordinance includes the following requirement, in addition to that set forth in subsection (A)(3) of this section:

Before the site plan is approved, the applicant shall:

- (a) Address the general configuration, location and intensity of land uses. Identify the appropriate range of land uses to ensure compatibility within the development and with adjacent land uses.
- (b) Provide for well designed, architecturally integrated development consistent with the intent of the Livermore Urban Design Implementation Program. Development of the area shall also consider and integrate any unique environmental features with the urban elements of the site.
- (c) Integrate the development into the community-wide circulation system through proper access and public street improvements necessary to serve the type and intensity of development proposed.

(d) Identify the phasing/timing of the project, and its relationship to other segments of the commercial, residential or industrial marketplace.

(Ord. 1809 § 2, 2007; Ord. 1543 § 3, Exh. A § 19.10, 1999)

2-76-120 Zoning map designation – District file.

A PD district shall be noted on the zoning map by one of the following designations, followed by the given district number:

- PD-R-__ (residential)
- PD-I-__ (industrial)
- PD-C-__ (commercial, including BCP and CSGC)
- PD-OS (open space)

The ordinance(s) adopting, or amending, the PD district shall not be codified, but shall be kept on file in the community development department offices as a permanent reference file under the PD district number. (Ord. 1543 § 3, Exh. A § 19.12, 1999)

2-76-140 Existing PUD permit – Existing PD designation with PUD permit.

A PD district with a PUD permit existing on the effective date of the ordinance codified in this chapter shall remain in effect until the property owner initiates an application for a PD ordinance under this chapter.

If a property owner proposes any amendment (major or minor) to a PUD permit existing on the effective date of the ordinance codified in this chapter, that amendment may only be approved by an amendment under this chapter. If such an amendment is approved, it shall only be adopted as part of a new PD ordinance containing all the relevant terms of the original PUD permit, plus the amendment.

If the city initiates and adopts a zoning amendment which affects a PUD permit, a structure or use covered by the PUD permit which is inconsistent with the new zoning shall become a legal non-conforming structure or use, subject to LPZC 3-05-010 and 3-05-020. (Ord. 1709 § 6, 2004; Ord. 1543 § 3, Exh. A § 19.14, 1999)

Chapter 2-79

PD-AG – PLANNED DEVELOPMENT/ AGRICULTURE DISTRICT

Sections:

- 2-79-010 Purpose.
- 2-79-020 Uses permitted.
- 2-79-030 Uses permitted with conditional use permit approval.
- 2-79-040 Minimum lot specifications.
- 2-79-050 Yard requirements.
- 2-79-060 Density bonus provision.
- 2-79-070 Density bonus provision – Permitted uses.
- 2-79-080 Density bonus provision – Conditional uses.
- 2-79-090 Density bonus provision – Minimum lot specifications.
- 2-79-100 Density bonus provision – Site development regulations.
- 2-79-110 Private street and driveway standards.

2-79-010 Purpose.

The purpose of the PD-AG district is to preserve and promote agriculture and viticulture uses in locations suitable for cultivated agriculture and to protect sensitive or unique environmental or land characteristics, including the area’s rural character. Land shall be zoned to the PD-AG district to reflect:

- A. The actual use of the land;
- B. The best use of the land based on soil type, location, and surrounding land uses;
- C. Land intended by the city not to be converted to urban use in the foreseeable future;
- D. Land found not suitable for urban use due to environmental constraints and natural or other hazards associated with the land; and
- E. Land having resources found to be in the public interest to preserve. (Ord. 1561 § 3, 1999; Ord. 1391, 1992; Ord. 442 § 19.50.010)

2-79-020 Uses permitted.

The following uses are permitted subject to approval of a zoning use permit and any other prerequisite permits, and conformance to all applicable regulations set forth in this chapter, and elsewhere in this code:

- A. One single-family dwelling per lot, parcel or site.

2-79-030

B. Buildings and structures normally related to permitted agricultural uses, except a conditional use permit shall be required when such uses are located within 500 feet of any R, E or C district or areas designated for residential, commercial or educational/institutional uses.

C. Grazing and the raising of field crops, fruit and nut trees, vines, vegetables, horticulture specialties, livestock, and poultry.

D. Incidental and accessory structures and uses located on the same site as a permitted use. (Ord. 1561 § 3, 1999; Ord. 1391, 1992; Ord. 442 § 19.50.020)

2-79-030 Uses permitted with conditional use permit approval.

The following uses are permitted subject to approval of a conditional use permit:

A. Retail sales of products grown on the premises from roadside stands not exceeding 100 square feet in floor area.

B. Agricultural processing, farm products, warehousing and storage, wineries.

C. One caretaker’s residence.

D. Cemeteries, kennels, golf courses, camping and picnicking areas, riding stables.

E. Veterinarians, animal hospitals, and the boarding and training of horses.

F. Bed and breakfast establishments.

G. Public and quasi-public uses.

H. Agricultural structures located within 500 feet of an R, E or C district or areas designated for residential, commercial or educational/institutional uses. (Ord. 1561 § 3, 1999; Ord. 442 § 19.50.021)

2-79-040 Minimum lot specifications.

Any lot, parcel or site zoned PD-AG shall be considered a lot of record and may be developed or utilized in accordance with applicable regulations. No lot, parcel or site shall be subdivided nor shall property lines be otherwise revised except in conformance with the following regulations:

A. Minimum Size. One hundred acres.

B. Minimum Street Frontage. One hundred feet. (Ord. 1561 § 3, 1999; Ord. 442 § 19.50.030)

2-79-050 Yard requirements.

A. The following minimum requirements shall be observed, except where noted otherwise:

1. Front Yard. Thirty feet.

2. Side Yard. Twenty feet.

3. Rear Yard. Fifty feet.

4. The construction of buildings for the conduct of agricultural activities or the exterior conduct of any agricultural activities which involve the keeping of animals, other than grazing in open pasture, shall have a minimum setback of 500 feet adjacent to any R, E, or C district or areas designated for residential, commercial or educational/institutional uses. Setbacks may be reduced subject to approval of a conditional use permit.

B. Maximum Site Coverage. None.

C. Height Regulations. No principal building shall exceed 40 feet in height. The maximum building height for agricultural-related and public structures may be increased up to 100 feet upon approval of a conditional use permit. (Ord. 1561 § 3, 1999; Ord. 442 §§ 19.50.040 – 19.50.042)

2-79-060 Density bonus provision.

The minimum lot size may be reduced below 100 acres to a maximum average density of one dwelling unit per 20 acres (minimum parcel size of 18 acres), if the following criteria are met:

A. Adequate water supplies are available for both domestic and irrigation needs, and all proposed uses can be served by individual septic systems;

B. Sensitive or unique environmental and land characteristics are protected;

C. The property owner shall grant an agricultural conservation easement which ensures the following: No later than 24 months after approval of the final subdivision map, grantor shall initiate and thereafter diligently pursue planting of wine grapes or other cultivated agriculture on a minimum of 90 percent of each parcel created by the final subdivision map; provided, however, that improvements which are directly related to agriculture need not be completed. The planting required shall be completed within 15 months after the initiation thereof (total time of 39 months from approval of the final map to completion of planting). In the event that the planting is not completed prior to approval of the final subdivision map, grantor shall provide surety in form and content acceptable to the city that such planting will be initiated and/or completed within the time limits specified in this section. Notwithstanding the foregoing, grantor shall not be required to plant on any lands on which the

city has reasonably determined it is not feasible or practicable to plant (“less suitable lands”), such as areas with excessive slope, required buffer zones for waterways and courses, areas to preserve significant vegetation (e.g., oak trees) and environmentally sensitive features. The time for initiating and/or completing planting may be extended if the city determines that additional time is reasonably necessary for completion of planting. To the extent practicable and consistent with city policies, all land uses other than cultivated agriculture on each parcel shall be sited on less suitable lands if necessary to ensure that 90 percent of each parcel is planted. Grantor shall ensure continued cultivated agricultural use through a long-term (minimum of eight years) agreement for operation and maintenance in form and content acceptable to the city;

D. Each new parcel has adequate area for building sites and agriculture uses outside of the environmentally sensitive areas and slopes exceeding 25 percent;

E. Development of each bonus parcel shall be subject to design review guidelines approved for the project. The design guidelines must address location of residential homesites; protection of scenic views, vistas, and ridgelines; architectural design, including but not limited to style, colors and materials which complement the area, building types and heights, building scale and massing of structures, and solar efficiency and innovation; fencing location and materials; and landscaping guidelines to encourage the use of native and/or low-water-use plant materials and fire protection practices. The design guidelines must also include a requirement for low reflectivity and earth tone color roofs. Final review and approval of these design guidelines shall be obtained from the planning commission. (Ord. 1861 § 1, 2009; Ord. 1561 § 3, 1999; Ord. 1442, 1995; Ord. 442 § 19.50.050)

2-79-070 Density bonus provision – Permitted uses.

Under the provisions of the density bonus, the following uses are permitted:

A. One single-family dwelling per parcel to be located on a designated building site. The designated building site shall not exceed 10 percent of the parcel or two acres, whichever is less.

B. Cultivated agriculture uses such as vineyards, orchards, the raising of field crops and horticulture specialties.

C. Incidental and accessory structures and uses located on the same site as a permitted use.

D. Other cultivated agriculture and similar uses determined by the zoning administrator to be of the same general character as the above uses. (Ord. 1561 § 3, 1999; Ord. 1442, 1995; Ord. 442 § 19.50.051)

2-79-080 Density bonus provision – Conditional uses.

The following uses may be permitted, subject to approval of a conditional use permit, and such uses are found to support and/or enhance and are compatible with the permitted agriculture uses:

A. Bed and breakfast establishments located within the designated two-acre building site.

B. Wineries.

C. Retail sales of products grown on the premises from roadside stands not exceeding 100 square feet in floor area.

D. Other ancillary uses determined by the decisionmaking body approving the conditional use permit to be in support of the permitted agriculture uses. (Ord. 1633 § 20, 2001; Ord. 1561 § 3, 1999; Ord. 442 § 19.50.052)

2-79-090 Density bonus provision – Minimum lot specifications.

Any land division under the density bonus provisions shall not exceed a maximum average density of one dwelling unit per 20 acres. The minimum parcel size is 18 acres. Nonresidential parcels less than 18 acres may be created for special purpose uses only, including:

A. Necessary public facilities, such as storm drainage, flood control and water management facilities;

B. Existing uses and facilities, as identified under LPZC 2-79-030, excluding roadside stands and caretaker residences;

C. Wildlife habitat protection; and

D. Preservation of historic/archaeologic resources.

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The gross acreage of any special purpose parcels shall be deleted from the total site gross acreage for the purpose of calculating maximum allowed density. (Ord. 1561 § 3, 1999; Ord. 1442, 1995; Ord. 442 § 19.50.053)

2-79-100 Density bonus provision – Site development regulations.

Site development regulations under the density bonus provision shall be in conformance with the regulations set forth in LPZC 2-79-050. In addition, coverage on the building sites shall not exceed 30 percent for residential buildings, or a total of 40 percent coverage for all development on the building site. No solid fencing will be allowed along property lines. All development must be consistent with the terms of the conservation easement. (Ord. 1561 § 3, 1999; Ord. 1442, 1995; Ord. 1391, 1992; Ord. 442 § 19.50.054)

2-79-110 Private street and driveway standards.

Lots without frontage on a public street may be permitted subject to the following requirements:

A. Private Streets. All private streets shall conform to the following minimum requirements:

- 1. A minimum paved width of 20 feet.
- 2. Four-foot-wide compacted aggregate base shoulders on each side of the paving.
- 3. No parking permitted along the street.
- 4. All private streets shall have a minimum right-of-way width of 40 feet.

B. Private Driveway. All private driveways shall conform to the following minimum requirements:

- 1. A minimum width of 16 feet. If the driveway will be utilized by more than one lot or when it crosses over another lot it shall be paved. For a driveway utilized by only one owner on his/her property, it may be constructed with a compacted aggregate base.
- 2. For paved driveways, four-foot-wide compacted aggregate base shoulders on each side of the driveway.
- 3. If any driveway will be utilized by more than one lot or if it crosses over another lot, use of the driveway shall be assured by joint ownership or granting of easements.

C. Access to Lots.

- 1. All lots shall have clear unobstructed access to a public street over a driveway or private street.
- 2. All structures or landscaping over the private driveways and streets shall provide a minimum clearance of 15 feet to provide unobstructed access for emergency vehicles.

D. Minimum Improvements. Improvements shall be in conformance with the City of Livermore Standard Street Sections for Traffic Index 5, for private streets within the project.

E. Development Standards. The development of private streets shall not preclude the subdivision of adjacent properties, shall not preclude the development of streets necessary to handle local traffic needs, and shall be adequate to protect the health, safety and general welfare of the city. (Ord. 1561 § 3, 1999)

Chapter 2-82

PLANNED DEVELOPMENT DISTRICT – SOUTH LIVERMORE VALLEY SPECIFIC PLAN AREA (PD-SLVSP)

Sections:

- 2-82-010 Purpose.
- 2-82-020 Uses permitted – District requirements – Regulations.
- 2-82-030 Procedures for rezoning and for PUD permits.
- 2-82-040 PUD permit application.
- 2-82-050 PUD permit – Public hearings and decision.
- 2-82-060 Regulations – Conditions of approval.
- 2-82-070 Findings required for PUD permit.
- 2-82-080 Effective date of PUD permit.
- 2-82-090 Use of PUD permit.
- 2-82-100 Amendment of PUD permit.

2-82-010 Purpose.

The purpose of the planned development district for the South Livermore Valley Specific Plan Area (PD-SLVSP) is to implement the South Livermore Valley Specific Plan. This district applies only to properties within the South Livermore Valley Specific Plan Area. (Ord. 1561 § 4, 1999; Ord. 1513, 1997; Ord. 442 § 19.60.010)

2-82-020 Uses permitted – District requirements – Regulations.

A. Uses Permitted. The uses permitted in this district are:

1. The uses permitted under LPZC 2-79-020 (PD-AG).

2. Any other uses subject to the approval of a planned unit development (PUD) permit under this chapter.

B. District Requirements. There are no minimum or maximum area requirements for this district.

C. Regulations.

1. PD-SLV-AG. For a parcel without an approved PUD permit, development shall be in accordance with the PD-SLV-AG district, under LPZC 2-85-010 through 2-85-060.

2. PUD Permit. For a parcel with an approved PUD permit, development shall conform to the regulations specified in the permit. (Ord. 1619 § 1, 2001; Ord. 1561 § 4, 1999; Ord. 442 § 19.60.020)

2-82-030 Procedures for rezoning and for PUD permits.

A. An applicant proposing to rezone property to PD-SLVSP shall follow the rezoning procedures set forth at Chapter 5-20 LPZC.

B. An applicant seeking a PUD permit shall follow the procedures set forth in LPZC 2-82-040 through 2-82-100. (Ord. 1561 § 4, 1999; Ord. 442 § 19.60.030)

2-82-040 PUD permit application.

An applicant for a PUD permit shall submit the following information:

A. Title report not more than six months old showing that the applicant is the property owner. Property owners may file a joint application.

B. Development plans showing:

1. Proposed uses;

2. Dimensions and locations of proposed structures;

3. Dimensions and locations of proposed areas, if any, for streets, yards, playgrounds, school sites, landscaping, open space;

4. Site plans, design guidelines, and architectural drawings or sketches demonstrating the design and character of the proposed uses and the physical relationship of the elements.

C. Other pertinent information necessary for a determination that the proposed project is consistent with and satisfies the requirements of the South Livermore Valley Specific Plan. (Ord. 1561 § 4, 1999; Ord. 442 § 19.60.040)

2-82-050 PUD permit – Public hearings and decision.

A. Public Hearings. In considering a PUD permit application, the planning commission and city council shall hold public hearings as required by law.

B. Planning Commission Recommendation. The planning commission shall consider the PUD permit application at a public hearing and shall make a recommendation to the city council to either approve, approve subject to conditions, or disapprove the application.

C. City Council Action. The city council shall consider the application and the recommendations of the planning commission at a public hearing before making a decision.

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D. Notice of Decision. The planning division shall notify the applicant in writing of the action taken. If the application is approved and the requirements of LPZC 2-82-080 are met, the planning division shall issue the PUD permit. (Ord. 1561 § 4, 1999; Ord. 442 § 19.60.050)

2-82-060 Regulations – Conditions of approval.

A. Regulations. The PUD permit shall constitute the zoning regulations for the property covered by the permit. Those regulations may include, but are not limited to, permitted uses; setbacks and buffers; site coverage/floor coverage; fences and/or walls; lighting; surfacing or parking areas subject to city specifications; requirements for agricultural mitigation; regulation of time for certain activities; regulation of points of vehicular ingress or egress; regulation of noise, vibrations, odors, etc.; sign regulation; landscaping and maintenance; requiring maintenance of grounds and signs; requiring service roads and/or alleys; and other conditions which contribute to orderly development. Some of the regulations may be set forth by referring to and incorporating specific provisions from the city’s zoning code.

B. Consistency. The PUD permit and its regulations shall be consistent with the general plan and the South Livermore Valley Specific Plan.

C. Conditions of Approval. The regulations shall be set forth as conditions of approval for the PUD permit. The conditions shall include the effective date terms set forth in LPZC 2-82-080. (Ord. 1561 § 4, 1999; Ord. 442 § 19.60.060)

2-82-070 Findings required for PUD permit.

The city council may approve a PUD permit only if it finds that the proposed development is consistent with and satisfies the requirements of the Livermore General Plan and the South Livermore Valley Specific Plan. (Ord. 1561 § 4, 1999; Ord. 442 § 19.60.070)

2-82-080 Effective date of PUD permit.

The PUD permit takes effect when all of the following are satisfied:

A. The city council has approved the PUD permit; and

B. The property has been rezoned to PD-SLVSP and the rezoning ordinance has taken effect (30 days after its adoption). (Ord. 1561 § 4, 1999; Ord. 442 § 19.60.080)

2-82-090 Use of PUD permit.

The PUD permit is void if not exercised within the period specified in the permit, or any extension authorized by the permit. The permit is “exercised” by the commencement of development, which means: (1) the beginning of construction of a structure approved under the permit and under a city building permit; or (2) for a subdivision, the completion of excavation of streets to the subgrade elevation on at least one-third of the area within the development or stage under development. (Ord. 1561 § 4, 1999; Ord. 442 § 19.60.090)

2-82-100 Amendment of PUD permit.

A. Minor Amendments. The planning commission may approve minor amendments to a PUD permit if the amendment is:

1. Minor in nature;
2. To grant an extension of the permit for six months or less;
3. Necessary to clarify the original permit.

B. Other Amendments. Amendments of a PUD permit which are not minor are subject to the same procedures as approval of a new permit. (Ord. 1561 § 4, 1999; Ord. 442 § 19.60.100)

Chapter 2-85

SOUTH LIVERMORE VALLEY – AGRICULTURAL (SLV-AG)

Sections:

- 2-85-010 Purpose.
- 2-85-020 Uses permitted.
- 2-85-030 Uses permitted with conditional use permit approval.
- 2-85-040 Minimum lot specifications.
- 2-85-050 Site development regulations.
- 2-85-060 Site plan and design review.

2-85-010 Purpose.

The purpose of the South Livermore Valley – Agricultural zoning district, hereinafter designated as SLV-AG, is to implement the Agriculture Viticulture General Plan designation. The district will provide for uses and development standards that enhance and support agriculture, viticulture, and related wine country commercial uses. This designation protects existing viticultural and cultured agricultural uses, and provides space for and encourages such uses in places where more intensive development is not desirable or necessary for the general welfare. This district should be used in areas where the urban designation of the South Livermore Valley Specific Plan is not applicable.

Land shall be zoned to the SLV-AG district to reflect:

- A. The actual use of the land at the time of adoption of this chapter;
- B. The best use of the land based on soil type, location, and surrounding land uses;
- C. Land intended by the city not to be converted to urban use in the foreseeable future;
- D. Land found not suitable for urban use due to environmental constraints and natural or other hazards associated with the land;
- E. Land having resources found to be in the public interest to preserve; and
- F. Land found inappropriate for the density bonus provisions of Chapter 2-79 LPZC, PD-AG – Planned Development – Agriculture District. (Ord. 1580 § 1, 2000; Ord. 442 § 19.55.010)

2-85-020 Uses permitted.

The following principle uses are permitted in an SLV-AG district subject to approval of a zoning use permit and other prerequisite permits, and conformance to all applicable regulations set forth in this chapter, and elsewhere in this code.

- A. One single-family dwelling per lot, parcel, or site;
- B. Buildings and structures normally related to permitted agricultural uses as listed in this section and LPZC 2-85-030;
- C. Grazing of horses or cattle, noncommercial breeding, or training of horses;
- D. The raising of field crops, fruit and nut trees, vines, vegetables, horticulture specialties, livestock, and poultry;
- E. Boutique winery (100 to 5,000 cases) or boutique olive mill (100 to 5,000 gallons), including indoor retail sales of processed products produced on-site and related products provided the retail sales portion shall not exceed 20 percent of the winery or olive mill building area;
- F. Small winery (5,000 to 10,000 cases) on parcels greater than 10 acres;
- G. Incidental and accessory structures and uses located on the same site as a permitted use; and
- H. Signs, subject to the general provisions of Chapter 3-45 LPZC and Section 12.3.5 of the Specific Plan. (Ord. 1580 § 1, 2000; Ord. 442 § 19.55.020)

2-85-030 Uses permitted with conditional use permit approval.

The following are conditional uses and shall be permitted in an SLV-AG district subject to the approval of a conditional use permit.

- A. Retail sales of products grown on the premises, from a retail facility not exceeding 400 square feet in floor area;
- B. Agricultural processing (not associated with on-site winery or olive mill) and warehousing and storage of farm products;
- C. Killing and dressing of poultry, rabbits, and other small livestock raised on the premises, but not including an abattoir for sheep, cattle, or hogs;
- D. One caretaker's residence not to exceed 1,200 square feet;
- E. Cemeteries, kennels, golf courses, camping and picnicking areas, riding stables;

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F. Veterinarians, animal hospitals, and the commercial boarding and training of horses, dogs, and related animals;

G. Bed and breakfast establishment;

H. Public or quasi-public uses;

I. One secondary dwelling unit per LPZC 3-10-020 except size may be increased up to 1,200 square feet and LPZC 3-10-020(B)(2)(a) shall not apply;

J. Wineries larger than a boutique and small winery per LPZC 2-85-020(E) and (F), including indoor retail sales of processed products produced on-site and related products, provided the retail sales do not exceed a maximum of 20 percent of the building area; or larger olive mills (greater than 5,000 gallons), including indoor retail sales of processed products produced on-site and related products, provided the retail sales do not exceed a maximum of 20 percent of the building area;

K. Winery or olive mill related uses, including on-site food preparation and sales, restaurant or delicatessen, non-wine-related retail sales, outdoor facilities for commercial food service or entertainment;

L. Restaurant, with seated service only, and a maximum of 49 permanent indoor seats, that features agricultural products of the South Livermore Valley Area; and

M. Bicycle rental not to exceed 50 bicycles. (Ord. 1580 § 1, 2000; Ord. 442 § 19.55.021)

2-85-040 Minimum lot specifications.

Any existing lot, parcel, or site zoned SLV-AG shall be considered a lot of record and may be developed or utilized in accordance with applicable regulations. No lot, parcel, or site shall be subdivided nor shall property lines be otherwise revised except in conformance with the following regulations:

A. Minimum Lot Size. One hundred acres.

B. Minimum Street Frontage. One hundred feet. (Ord. 1580 § 1, 2000; Ord. 442 § 19.55.030)

2-85-050 Site development regulations.

A. Yard Requirements. The following minimum requirements shall be observed for all structures, except where noted otherwise:

1. Front Yard. Thirty feet.
2. Side Yard. Twenty feet.
3. Rear Yard. Fifty feet.

4. The construction of buildings for the conduct of agricultural activities or the exterior conduct of any agricultural use which involves the keeping of animals, other than grazing in open pasture, shall have a minimum setback of 50 feet adjacent to any R, E, or C zoning district or areas designated for residential, commercial, or educational/institutional uses.

5. Incidental and accessory structures should be constructed in conformance with the standards set forth in LPZC 3-05-150.

B. Maximum Site Coverage. Twenty percent.

C. Height Regulations. No principal building shall exceed 40 feet in height. The maximum building height for agricultural-related and public structures may be increased up to 100 feet upon approval of a conditional use permit.

D. Private Street and Driveway Standards. Per LPZC 2-79-110. (Ord. 1580 § 1, 2000; Ord. 442 § 19.55.040 – 19.55.043)

2-85-060 Site plan and design review.

Before a building permit is issued for any new structure, or a grading permit for grading, the property owner shall obtain site plan approval under Chapter 4-10 LPZC and design review under LPZC 5-05-110 through 5-05-190. In addition to any requirements under Chapter 4-10 LPZC, the site plan approval for property within this SLV-AG district may include development conditions not limited to building design and arrangement, circulation, access, lighting, fencing, landscaping and screening, and maintenance of common areas. (Ord. 1580 § 1, 2000; Ord. 442 § 19.55.044)