



**SPECIAL JOINT MEETING
CITY COUNCIL & PLANNING COMMISSION**

**City Hall
American River Community Room - North
2729 Prospect Park Drive, Rancho Cordova**

Tuesday, February 26, 2008

5:30 p.m. - Work Session

AGENDA

1. WORK SESSION – CALL TO ORDER / ROLL CALL

Council Members Cooley, McGarvey, Sander, Skoglund, and Mayor Budge
Planning Commissioners Burke, Cummings, Konarski, Smith, Vance, Savorn & Chair Moe

2. WORK SESSION ITEM

Subject: Discussion of Draft Zoning Code Chapters Regarding Special Use Regulations; Special Housing Standards and Development Incentives; Form-Based Provisions; and Topics of Specific Interest.

Recommendation: That Council and Commission:

- 1) Review and discuss the final portions of the draft Zoning Code, with a focus on special use regulations, housing provisions, and form-based provisions;
- 2) Provide comments and direction to staff on some key policy questions and document contents; and,
- 3) Consider the list of follow up items (topics of special interest) for the March 25th Joint Work Session and provide direction as appropriate.

Result of Recommended Action: Council and Commission comments will allow staff to finalize the public draft version of the Zoning Code related to development standards, special use regulations, and housing provisions. Council and Commission comments and direction will be solicited, but no formal action is requested or anticipated.

Staff Report: Jeffrey S. Beiswenger, Planning Department

Advances Goals: 1, 2, 4, 5, 6, 7, 8, and 9

ANY ITEM THAT IS NOT INITIATED BEFORE 11 P.M. WILL BE CONTINUED TO THE NEXT DAY AT 5:30 P.M. OR SCHEDULED ON THE NEXT REGULAR MEETING AGENDA OF THE COUNCIL

Public documents related to items on the open session portion of this agenda, which are distributed to the City Council less than 72 hours prior to the meeting, shall be available for public inspection at the time the documents are distributed to the Council. Documents are available for inspection at the City Clerk's office located in Rancho Cordova City Hall.

In compliance with the Americans with Disabilities Act, if you need a disability-related modification or accommodation, including auxiliary aids or services, to participate in this meeting, please contact the City Clerk's Office at (916) 851-8720 at least 48 hours prior to the meeting.

3. PUBLIC COMMENT

At a work session or special meeting, citizens wishing to address the Council for any matter on the agenda may do so at the time the matter is discussed. Note, under the provisions of the California Government Code, the City Council is prohibited from discussing or taking action on any unagendized item.

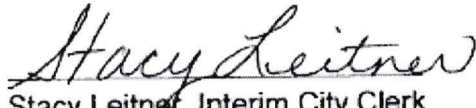
4. ADJOURNMENT

CERTIFICATION OF AGENDA POSTING

City Clerk's Certificate of Posting of Agenda

I, Stacy Leitner, Interim City Clerk for the City of Rancho Cordova, declare that the foregoing agenda for the February 26, 2008 Special Meeting of the Rancho Cordova City Council was posted on February 21, 2008 at the office of the City of Rancho Cordova, 2729 Prospect Park Drive, Rancho Cordova, California, 95670 and was available for public review at that location. The agenda is also available on the city web site at www.cityofranhocordova.org.

Signed this 21st day of February 2008 at Rancho Cordova, California.


Stacy Leitner, Interim City Clerk

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MEMORANDUM

DATE: February 26, 2008

TO: Honorable Mayor and Council Members
Planning Commissioner Members

FROM: Pam Johns, Special Projects Manager
Jeffrey S. Beiswenger, Senior Planner

SUBJECT: ZONING CODE UPDATE PROJECT
Special Use Regulations; Special Housing Standards and Development Incentives; Form-based Provisions; and Topics of Specific Interest



RECOMMENDATION

Review and discuss the final portions of the draft Zoning Code, with a focus on special use regulations, housing provisions, and form-based provisions. Provide comments and direction to staff on some key policy questions and document contents. Consider the list of follow up items (topics of special interest) for the March 25th Joint Work Session and provide direction as appropriate.

RESULT OF RECOMMENDED ACTION

Council and Commission comments will allow staff to finalize the public draft version of the Zoning Code related to development standards, special use regulations, and housing provisions. Council and Commission comments and direction will be solicited, but no formal action is requested or anticipated.

BACKGROUND

This is the fourth Joint Work Session (JWS) with the Rancho Cordova City Council and Planning Commission to discuss articles and chapters of the new Zoning Code. The outline of the new Zoning Code is listed below:

Article 1	Purpose and Authority
Article 2	Procedures
Article 3	Entitlements
Article 4	Zoning Districts, Allowable Uses, and Development Standards
Article 5	Form Based Provisions
Article 6	Site Planning and Development Standards
Article 7	Special Use Regulations
Article 8	Special Housing Standards and Development Incentives
Article 11	Definitions

Note: Articles 9 and 10 will be left blank for future use.

Today's JWS focuses on Article 7 (Special Use Regulations), Article 8 (Special Housing Standards and Development Incentives), and Article 5 (Form Based Provisions). Staff will also

introduce the list of follow up items (items of special interest) planned for the final JWS scheduled for March 25, 2008. This last JWS is intended to be the final working session prior to the preparation of the public hearing draft of the zoning code and will finalize the discussion on Article 5 (Form-based Provisions), share the results of a peer review and consider follow-up items from prior Joint Work Sessions.

ANALYSIS

As the new Zoning Code is developed, staff is paying close attention to the work plan approved by the City Council to ensure that the final Code achieves project objectives and is not “just another conventional zoning code.” Articles 5, 7, and 8 of the Zoning Code implement the following project objectives:

- Implements General Plan vision by providing modern development standards and special use provisions that improve the quality and functionality of development in Rancho Cordova.
- Establishes flexibility to remove arbitrary constraints to innovative development (e.g. flexible form-based provisions, etc.).
- Lowers the City's risk of legal challenge by updating the Code in compliance with State Law (e.g. housing incentives, accessory dwelling units, etc.).

The proposed Code will be a full replacement of the existing Rancho Cordova Zoning Code. With this in mind, staff is completing a full analysis to ensure that useful provisions from the existing Code are carried over into the new Code and to describe significant differences. The following is a summary of this analysis.

Article 7 – Special Use Regulations (Attachment 1)

This Article includes special provisions for certain land use categories and activities. These regulations are in addition to other development standards and regulations in other parts of this Code, such as Article 6 (Site Planning and Development Standards). The intent of this Article is to ensure that the uses regulated are compatible with the surrounding uses.

Chapter 7.1 – Residential Uses

This chapter establishes standards for caretaker housing, home occupations, live/work facilities, mobilehomes, mobilehome parks, and second dwellings units. New regulations include:

- Caretaker housing regulations that require housing to be associated with a permitted non-residential use, limit occupancy to the caretaker and his/her household, and require the design of the housing to be consistent and uniform with the associated use.
- The Home Occupation section has been revised and includes updated performance standards that include the following: 1) Can have more than one home occupation at a residence; 2) The number and types of deliveries allowed are identified; 3) Home occupation provision now allows hours to be limited from 8:00 A.M. to 7:00 P.M..
- New regulations for live/work facilities have been added. The regulations are focused on compatibility of uses, integration of the live and work components, occupancy requirements, and employees.

- A new section that includes definitions as well as development standards for mobilehomes and mobilehome parks.
- The Second Dwelling Unit chapter has been updated to be consistent with state law. This section now includes a definitions section as well as updated development standards that include the following: 1) The minimum lot size for a second dwelling unit is 5,000 square feet; 2) The owner must occupy either the primary or the second dwelling unit; 3) The second dwelling unit shall not exceed 1,200 square feet.

Chapter 7.2 – Agriculture, Resource, and Open Space Uses

This chapter includes provisions for agricultural, resource and open space land uses and/or activities, such as animal keeping and stables. These standards are intended to limit the nuisance from the use on adjacent property.

Chapter 7.3 – Utility, Transportation, and Communication Use

This chapter provides standards for utility, transportation, and communication uses, including telecommunication facilities and utility facility and infrastructure and regulates the size, scale, and location of these uses, as well as requiring additional setbacks, landscaping, and other buffering between the subject use and surrounding property. Changes include:

- The Telecommunications Facilities section has been revised to be consistent with state law. The section now includes definitions, enhanced screening requirements and operation and maintenance standards.
- Collocations are now approved administratively per state law if the wireless facility received a public hearing and had CEQA review on or after January 1, 2007. Rooftop and building mounted antennas that are fully screened and collocations (for towers approved prior to January 1, 2007) that do not require a height increase for the additional antennas are also administratively approved.
- The regulations for utility facilities and infrastructure have been expanded to apply to not only electrical substations but also treatment plants, water storage facilities, and communication substations. Regulations focus on appropriate locations for the facilities and screening of use from adjacent property. The siting requirements have been updated to reflect current development patterns.

Chapter 7.4 – Retail, Service, and Office Uses

This chapter applies to convenience stores and drive-in and drive-through sales and service. Additional setbacks, screening, lighting, and specific security measures are required beyond those provided in the underlying Zoning District, such as:

- The convenience store regulations have been carried over from the existing Zoning Code. A provision on window coverings has been added to limit the coverage to 15 percent of the window.
- Additional dimensional requirements have been added to the drive-in and drive-through section. These include minimum drive-through lane widths and location requirements relative to intersections.
- Provisions for pedestrian access - avoiding drive-through lanes whenever possible.

- Limits on hours for drive-through and drive-in operations within proximity (300 feet) to residences.

Chapter 7.5 – Automotive and Vehicle Uses

This chapter includes regulations for automobile dismantling and service stations and applies special location and design requirements beyond those otherwise required in the underlying zoning. New requirements include:

- Screening of automobile dismantling uses from adjacent uses and the public right-of-way.
- The service station regulations have been carried over from the existing Zoning Code. The permit process has been modified to only require Planning Commission approval of the conditional use permit (where required), rather than City Council. Additional landscaping adjacent to single-family residential is required.

Chapter 7.6 – Industrial, Manufacturing, and Processing Uses

This chapter carries over provisions from the existing Code for junk tire facilities such as additional setbacks, screening, and other location standards.

Chapter 7.7 – Special Regulated Uses

This chapter establishes site planning, development, and/or operating standards for special regulated uses (card rooms, check cashing businesses, pawn shops, recycling facility (collection), sexually oriented businesses, smoke shops, tattoo parlors, and thrift stores). These provisions will help mitigate the potential adverse impacts on adjacent and surrounding land uses by requiring special siting, location standards and special provisions, as follows:

- Regulations for card rooms have been added to limit over concentration through spacing requirements and require additional lighting and site maintenance.
- Regulations for check cashing businesses have been added to address location and proximity to surrounding uses, property maintenance, and additional on-site security.
- Regulations for pawn shops have been added to address potential over concentration, hours of operation, and reference business license requirements.
- Regulations for recycling collection facilities address adjacency to neighboring residential uses, requirements for weather-proof containers, limitations on mechanical equipment, and relationship of the use to the site's parking lot.
- Existing regulations for sexually oriented businesses have been carried over from the existing Zoning Code, including the current moratorium.
- Smoke shop regulations include spacing requirements to limit over concentration of the use.
- Regulations for tattoo parlors limit over concentration through spacing requirements.

- Regulations for thrift stores address over concentration through spacing requirements. Provisions also require additional maintenance and clearly identifiable collection areas.

As discussed later in this report, the City's legal team has provided initial review comments to Planning about these regulations. Staff will be modifying these sections based on these comments and will present a revised chapter at the March JWS.

Chapter 7.8 – Temporary Uses

These provisions place restrictions on the duration of the temporary use, its location, and other development standards to ensure that the temporary use does not adversely impact the long-term uses of the same or neighboring sites, or the general community. Regulations for temporary uses have largely been carried over from the existing Code with new provisions for farmers' markets. Time limits for temporary uses may now be exceeded through approval of a limited use permit.

Article 7 – Policy Discussion

Based on the significant changes proposed to the Chapters of Article 7 (Special Use Regulations), staff has identified several policy questions for consideration by the Planning Commission and City Council below. In the interest of time at the Work Session, staff will prioritize these questions at the meeting:

1. *Home Occupation regulations have been converted to include performance based standards as a means of encouraging a wider range of home based businesses that can operate in a manner compatible with residential neighborhoods. Are the provisions for employees, clients and vehicle parking sufficient to protect the residential character of a neighborhood?*
2. *The location of special regulated uses (card rooms, check cashing, pawn shops, etc.) is controlled by the zoning district, use permit, and by separation requirements. Does this address the City's concerns regarding these uses?*

Article 8 – Special Housing Standards and Development Incentives (Attachment 2)

This Article contains special housing standards and development incentives, such as density bonus and condominium conversion ordinances. It also includes a process to grant reasonable accommodations for housing for persons with disabilities. The standards and provisions contained herein are in addition to the standards elsewhere in the Zoning Code.

Chapter 8.1 – Housing Incentives / Density Bonus Provisions

Incentives can greatly increase the viability of production of housing for very low, lower income, and senior households and are required in accordance with Government Code Sections 65915 through 65918. This chapter is intended to facilitate the development of affordable housing and to implement the goals and policies of the City's General Plan Housing Element. This chapter:

- Incorporates the City's Density Bonus Ordinance - updated to be consistent with recent amendments to state law. It allows for an increase in the density of a project (to a maximum) when a certain number of units are dedicated for very low and low income persons.
- Allows incentives or concessions may be granted as part of the density bonus.

Chapter 8.2 – Condominium Conversion

This chapter establishes procedures to convert multi-family apartments to condominiums to ensure that applicable physical standards are met and the provision of services is adequate. This chapter updates the provision now in the Zoning Code by:

- Updates definitions, submittal information, and relation requirements;
- Requires detailed property inspections; and
- Requires a development agreement to ensure that adequate City services can be provided. For example, additional funds for police protection or land for new parks may be needed in some locations.

Chapter 8.3 – Reasonable Accommodations for Housing for Persons with Disabilities

This chapter provides a process for individuals with disabilities to make requests for regulatory relief from the various land use, zoning, or rules, policies, practices, and/or procedures of the City. It is the policy of the City, pursuant to the Federal Fair Housing Act, to provide people with disabilities reasonable accommodation in rules, policies, and procedures that may be necessary to ensure equal access to housing. For example, waivers from setback and height standards could be granted to allow of installation of ramps, handrails, or other necessary features.

Chapter 8.4 – Executive Housing

Planning Staff is researching possible incentives and regulations related to executive housing. This chapter will provide a location for these regulations. Staff will present research on this topic to the City Council and Planning Commission at the Joint Work Session in late March.

Article 8 – Policy Discussion

Does the City want to facilitate the conversion of apartments into Condominiums? If so, is the City willing to relax certain development standards? Should a development agreement be required to allow for the provisions of public facilities and services (e.g. police protection, parks, etc.)?

Article 5 – Form-based Provisions (Attachment 3)

Article 5 includes form based provisions that are intended to regulate development occurring within the City's mixed use center districts – the Village Center District, the Local Town Center District, and the Regional Town Center District. Relative to traditional zoning codes, form based codes place less importance on permitted land uses, focusing instead on the built form and the public spaces that occur between buildings, especially along the street.

The Zoning Code's form based provisions have been substantially revised to reflect the questions and concerns raised during the November JWS when Article 5 was first presented to the City Council and Planning Commission. The changes include:

- Rescaling regulating plans to accurately reflect each center district's General Plan description and amending the development standards.

- Consistency with existing City approved street typologies presented in the Public Works Street Standards. Street typologies unique to Article 5 may be included in Article 5 or incorporated as new street typologies in the Public Works Street Standards.
- The Frontage Type section has been amended to allow the easier comparison of types and to better reflect the range of frontage types permitted within the districts. The current draft of Article 5 includes two frontage types on each page, reclassifies where the Arcade and Gallery types may be constructed, and introduces the Discontinuous Arcade frontage type. Photographs of each frontage type have also been included to provide a better understanding of how the type may appear when constructed.

Article 5 – Policy Discussion

This article introduces several new street typologies that are more supportive of form-based provisions than the existing street standards. Generally, these street typologies facilitate urban design objectives and favor multi-modal travel (pedestrian, bicycle and transit) and therefore may result in some additional congestion for automobiles. Should these be adopted as new City street standards, which would make them available for use throughout the City? Should the standards be required as part of form-based districts only?

Topics of Specific Interest for Follow Up in March

The following topics were identified at one or more previous JWS as requiring additional research and consideration. Staff has scheduled these follow up items for the March 25, 2008 JWS with the Planning Commission and City Council.

1. Reducing impact of large homes in established neighborhoods. The construction of extremely large homes or large additions to existing homes can be disruptive to the existing character of neighborhoods.
2. Executive housing strategies. The Zoning Code may have a role in the City's strategy for encouraging existing housing within Rancho Cordova.
3. Fences. Concerns were expressed at the January JWS regarding the appropriate placement of fences.
4. Revisit proposed new entitlements. The October JWS focused on entitlements that would be available in the new code. Additional entitlements that were not included in the first draft will be discussed at the March JWS (e.g. adjustments).
5. Rezone question. Should additional property be rezoned in existing areas?
6. Should we replace the sign corridors?

The Planning Commission and/or City Council may want to add items to this list for consideration on March 25, 2008.

Summary of City Staff and Agency Input

The final Zoning Code document will be based on input from all City Departments. Representatives from each department and certain outside agencies have been actively engaged in reviewing and commenting on the Zoning Code. Here is a brief summary of these comments thus far. If technical in nature, department comments will be addressed as direct revisions to the draft Zoning Code. If the comments are more substantive or subjective in nature, an explanation will be provided and/or a policy decision will be referred to the Planning Commission and City Council at a subsequent JWS. Key issues and questions are shown in italicized text.

Police Department

The Police Department has identified a number of potential changes to the draft code that would assist in providing a safe environment for users. In the landscaping chapter, they requested a 6 foot/2 foot rule for landscaping in public spaces. In short, the tree canopy should be open to at least six feet in height and planters and shrubs should not exceed two feet in height. This provision would help to ensure that “bad people” cannot hide behind landscaped hedges and that a pedestrian can see all around an open environment. There were also a number of site development standards and building orientation provisions they requested clarified or strengthened. These included prohibiting a drive-through from running between two buildings where the buildings create a canyon effect, not hiding the entrance to convenience stores from a street intersection, and requiring bicycle parking to be located so as to be visible from the main entrance to a building. Specific types of lighting (e.g., metal halide) should be specifically allowed under the code. Bench seating should be required to have arm rests in the middle so as to prevent people from sleeping on them and be made of materials such as mesh that are not conducive to graffiti.

Public Works

The Public Works Department was concerned that certain useful provisions from the Sacramento County Zoning Code were modified or not included in the new code. These are:

- Access to parking areas and curb cuts. The Public Works Department would like to continue regulating the provision and location of curb-cuts through the Zoning Code. These provisions will be included in the new code as requested.
- Back-out parking. The restriction on back-out parking was eliminated from the new code since it may conflict with new provisions in the Form-based chapter of the Zoning Code that encourages innovative street design and parking solutions. These provisions will be added back into the code as requested by Public Works, with the caveat that back-out parking may be permitted if consistent with an approved street design or special permit. This should address Public Works’ concern while still providing flexibility.

A preliminary draft of Article 5 – Form-based Provisions was presented to Public Works representatives. Planning staff will continue to work closely with Public Works staff on this Article since it deals with the interface between public streets and private development. Public Works staff suggested that the new street standards proposed in Article 5 may need to be incorporated into the Public Works Street Standards list to be effectively implemented.

Housing Services

Housing Services requested a number of changes to the Density Bonus chapter. Planning staff is reviewing these changes for consistency with State law. Some of the initial changes identified include defining “special needs,” reducing parking requirements for senior housing, clarifying the donation and transfers of land, increasing the duration of the income restriction beyond the State requirement, and referencing tax credit financing, if applicable. Additional comments on the Condominium Conversion chapter from Housing Services are forthcoming.

Neighborhood Services

The City's Neighborhood Services team has the unique responsibility of enforcing the provisions of the Zoning Code "on the ground." Therefore, their comments are of particular importance. Clarifications to the types of prohibited sign types were requested, including vehicle signs, pennants/banners affixed to trees and utility poles, and prohibited locations for temporary signs.

Clarification of the Home Occupation performance standards was requested. Some of the provisions (e.g., employee restrictions, on-site effects, traffic/vehicles) present a challenge to comprehensive enforcement. Specifically, it was requested that provisions from the City's Nuisance Ordinance be incorporated into the home occupations section.

Policy clarification is requested with regard to the parking of boats, motor homes, small water craft, and other recreational vehicles (as defined in the State Vehicle Code) on private single family home sites. As currently written, the draft Zoning Code prohibits parking within required front and street side yards but allows parking outside of these required yards when screened by a fence. Therefore, someone could park their boat within an interior side yard or within the rear yard but could not park in their driveway. If the Council would like to modify this provision, this phase of the code update would be an appropriate opportunity.

City Attorney

Planning staff met with members of the City's legal team to discuss preliminary legal review of the draft code. While additional comments and recommendations from the City Attorney's office are forthcoming, initial changes requested included:

- Clarifying grade types and determination and ensuring consistency with the Building Code;
- Avoiding overlap with other City regulations and State law (e.g., Vehicle Code); and
- Providing for an extension of operational hours, where restricted (e.g., Convenience Stores, Drive-In and Drive-Through Sales and Services), through a use permit (e.g., Limited Use Permit, Conditional Use Permit) and clarifying the operational standards.

The legal team provided some direction to the Planning Department on the provisions for the Special Regulated Uses (e.g., card rooms, check cashing businesses, pawn shops, recycling facilities, sexually oriented businesses, smoke shops, tattoo parlors, thrift shops). Based on their direction, planning staff will be:

- Removing the listed provisions for card rooms (this use will be covered in the pending update to the Business License Ordinance);
- Clarifying the regulations for check cashing businesses, smoke shops, and recycling facilities based on ordinances and experiences in other jurisdictions; and
- Ensuring that the property maintenance requirements listed throughout Chapter 7.7 are consistent with other property maintenance provisions elsewhere in the Zoning Code and the Municipal Code.

More time was requested to review the proposed language for landscape surety. As discussed at the previous City Council/Planning Commission workshop, this provision

would require a performance bond for all new landscaping to ensure maintenance consistent with the approved landscaping plan. This provision is being used in other jurisdictions around the area, such as Citrus Heights.

Finally, the legal team suggested that the City Council and Planning Commission weigh in on two issues of policy concern. The first involves requirements for residential landscaping. Section 6.4.060.A is intended to require single-family and two-family residential to provide minimum of 25 percent of the net lot area and a minimum of 40 percent of the front yard area as pervious surface/landscape area. The provision does need to be clarified, however, if the Council would like to see the provision modified, this phase of the Zoning Code update would be an appropriate opportunity.

The second issue concerned policies for nonconforming signage. Under State law, the City has the ability to adopt an amortization schedule that would require the replacement, after a period of amortization, of any signs within the City that are inconsistent with new standards. Conversely, the City could deem all nonconforming signs as legal nonconforming, in which case they could remain in perpetuity, provided they are appropriately maintained. In discussions with the Policy Advisory Team, it was understood that there was not support for an amortization schedule; however, if there is now support for this concept, this phase of the Zoning Code update would be an appropriate opportunity. It should be noted that in order for an amortization schedule to be created, additional work would be required to inventory all existing signage in the City and determine its consistency with the new standards. This level of work would be a subsequent task outside of the Zoning Code update.

CSD-1/Sacramento Area Sewer District and SRCSD

Staff from CSD-1/Sacramento Area Sewer District and SRCSD have reviewed the Working Draft Zoning Code and provided written correspondence to planning staff. They did not identify any conflicts with their policies or standards. Planning staff will stay in contact with this agency if any of the provisions affecting sewer service are modified between now and adoption.

Additional Comments Pending – Building, Economic Development, and SMUD

Planning staff has been in contact with the Building Department, Economic Development Department, and SMUD regarding their review of the draft Zoning Code. Comments from these departments/agencies are forthcoming and will be incorporated prior to release of the Public Draft.

Peer Review Process

A full draft of the Zoning Code will be reviewed by a third party zoning code consultant prior to the preparation of the Public Draft. This will provide an outsider's perspective on the code and help correct structural or legal deficiencies and to ensure that the code is implementing the Smart Growth principles of the General Plan. Firms recommended for the peer review are listed below. The Planning Department is preparing a scope of work for the Peer Review:

- Lisa Wise Consulting – Lisa Wise (<http://lwise.homestead.com/>). Lisa Wise has experience working with Form Based codes and more conventional zoning regulations. She formerly worked at Crawford, Multari, and Clark. She worked on Development Codes for Marin and Santa Barbara County, Zoning Ordinances for Brentwood and Hollister, and a number of specific plans.

- Duncan Associates – Kirk Bishop (<http://www.duncanplan.com/>). Kirk Bishop is a leading national expert on zoning codes. Duncan Associates specializes in the revision of land development regulations and has revised and updated land development codes for over 120 cities and counties in 30 states. Drafting land development regulations is the primary business of the firm. The firm has not worked extensively in California.
- Jacobson and Wack – Bruce Jacobson (jwplans@lightspeed.net). Bruce Jacobson is a principal with Jacobson & Wack. He has prepared numerous zoning ordinances, development codes, subdivision ordinances, and design guidelines. Earlier planning positions include deputy planning director for San Luis Obispo County, principal planner for Ventura County and planning director for the City of Santa Paula. His work on the City of San Bernardino Development Code was recognized with a national award for outstanding planning from the American Planning Association in 1992.
- Crawford Multari & Clark – Paul Crawford (<http://www.cmcaplans.com>). Paul Crawford, FAICP is the former Planning Director of San Luis Obispo County and serves as an instructor at California Polytechnic State University. The firm provides comprehensive consulting services in city and regional planning, including the drafting of zoning ordinances and development codes. CMCA was formed in 1990 and has completed numerous zoning code updates all over the State. The firm has extensive experience in both policy formulation and implementation.
- Hall Alminana - Robert Alminana (<http://www.hallalminana.com/>). Robert Alminana is a proponent of the SmartCode, a type of formula-Form Based Code. The firm has worked on the Central Petaluma SmartCode, Hercules Waterfront/Central Hercules plan, and a number of other corridor and neighborhood plans.

SUMMARY

Staff will utilize results from this work session to help complete the administrative draft version of the Zoning Code related to development standards, special use regulations, and housing provisions. The next Joint Work Session will be scheduled for late March and will focus on the follow up items and items of special interest raised by the staff, community, and/or decision makers in conjunction with the first draft review of the Zoning Code.

ATTACHMENTS

1. Draft Article 7 – Special Use Regulations
2. Draft Article 8 – Special Housing Standards and Development Incentives
3. Draft Article 5 – Form Based Provisions

Article 7

Special Use Regulations

Overview

This Article includes special provisions for certain land use categories and activities. These regulations are in addition to other development standards and regulations in other parts of this Code, such as Article 6 (Site Planning and Development Standards). The intent of this Article is to ensure that the uses regulated are compatible with the surrounding uses.

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Article 7 - Special Use Regulations

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Chapter 7.1 Residential Uses

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Draft Zoning Code Notes:

- 7A. *New regulations for caretaker housing have been added. The regulations require the housing to be associated with a permitted non-residential use, limit occupancy to the caretaker and his/her household, and require the design of the housing to be consistent and uniform with the associated use.*
- 7B. *The Home Occupation Section has been revised and includes updated performance standards that include the following: 1) Can have more than one home occupation at a residence; 2) The number and types of deliveries allowed are identified; 3) The home occupation now has hours that it can be used, which is from 8:00am to 7:00pm.*
- 7C. *New regulations for live/work facilities have been added. The regulations are focused on compatibility of uses, integration of the live and work components, occupancy requirements, and employees.*
- 7D. *This is a new Section to the Zoning Code. This Section includes definitions as well as development standards for mobile homes and mobile home parks.*
- 7E. *The Second Dwelling Unit Chapter has been updated to be consistent with state law. This Section now includes a definitions Section as well updated development standards that include the following: 1) The minimum lot size for a second dwelling unit is 5,000 square feet; 2) The owner must occupy either the primary or the second dwelling unit; 3) The second dwelling unit shall not exceed 1,200 square feet.*

7.1.010 Chapter Purpose and Applicability

- A. **Chapter Purpose.** The purpose of this Chapter is to establish site planning, development, and/or operating standards for caretaker housing, home occupations, live/work facilities, mobilehomes, mobilehome parks, and second dwellings units. It is the City's intent, in establishing these standards, to mitigate the potential adverse impacts of these uses and activities on adjacent and surrounding land uses by applying special design requirements, regulation of activities within the use, and establishing special setback and other development standards.
- B. **Chapter Applicability.** The regulations and standards contained in this Chapter shall apply only to caretaker housing, home occupations, live/work facilities, mobilehomes, mobilehome parks, and second dwelling units as expressly identified in the

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corresponding Section and shall be in addition to any other development standards and regulations contained elsewhere within this Zoning Code (e.g., lighting, landscaping, parking). These uses may only be located in those Zoning Districts as described in, and shall only be authorized in concert with, the permit requirements of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards).

7.1.020 **Caretaker Housing**

- A. **Purpose and Applicability.** The regulations contained in this Section shall apply to caretaker housing as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new caretaker housing shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as with other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply.
- B. **Associated Use.** One caretaker housing unit may be permitted in conjunction with an otherwise permitted non-residential use on the same property. The caretaker unit must be associated with and directly support the non-residential use of the property (e.g., night watchman or site superintendent for an industrial use).
- C. **Occupancy.** Occupancy of the caretaker unit shall be limited to the caretaker or superintendent of the associated non-residential use of the site and his or her household.
- D. **Design.** The design of the caretaker unit shall be consistent and uniform with the design of the associated use. Temporary trailers as caretaker units may be permitted with issuance of a Temporary Use Permit (see Chapter 3.3, Temporary Use Permit) for a period of not more than six months as described in Chapter 7.8 (Temporary Uses).

7.1.030 **Home Occupations**

- A. **Purpose and Applicability.** The regulations contained in this Section shall apply to home occupations to ensure the compatibility of the home occupations with the principle residential uses in order to protect the integrity and character of neighborhoods,
- B. **Definition.** A home occupation is an accessory, non-residential business activity that is conducted within a dwelling by its inhabitants, incidental to the residential use of the dwelling, which does not change the character of the surrounding area by generating more traffic, noise, or storage of material than would be normally associated with a residential zone.
- C. **Permit Required.** A home occupation shall not be conducted prior to approval of Zoning Certification (see Chapter 3.2, Zoning Certification)
- D. **Business License.** A business license from the City is required for any home occupation.

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- E. Performance Standards.** It is the intent of the following standards to reduce the impact of the home occupation to the degree that its effects on the neighborhood are undetectable from normal and usual residential activity. These standards shall be incorporated as conditions of the Zoning Clearance. Failure to comply with these standards will result in revocation of the home occupation permit and/or business license.
1. **Number of Home Occupations.** No more than two home occupations shall be allowed at the subject property. In the event of a partnership or corporation, at least one of the members must be a resident of the subject property.
 2. **Employees.** Off-site employees or partners are permitted as part of the home occupation so long as they do not report for work at the subject property.
 3. **Habitable Floor Area.** The use of the dwelling for the home occupation shall be clearly incidental and subordinate to its use for residential purposes. The home occupation may be conducted in the principal dwelling or accessory structures on the subject property provided that the area does not exceed 20 percent of the habitable floor area of the principal dwelling.
 4. **Off-Site Effects.** There shall be no mechanical equipment or operation used which creates or makes dust, odor, vibration, or other effects detectable at the property line. Noise level at the property line shall not exceed 65 dBA and shall comply with the City's Noise Ordinance. No process shall be used which is hazardous to public health, safety, morals, or welfare;
 5. **On-Site Sales.** There shall be no products sold on the premises except artist's originals or products individually made to order on the premises.
 6. **Products which are not "artist's originals" or "individually made to order"** may be constructed on-site, using equipment normally found in a residence; however, these products may only be sold at a permitted commercial location.
 7. **Display.** There shall be no display of products produced by occupants of the dwelling which are visible in any manner from the outside of the dwelling unit.
 8. **Traffic/Vehicles.** The use shall not generate pedestrian or vehicular traffic beyond that which is normal in a residential district nor in any case require the parking of more than two additional vehicles at any one time. No motor vehicle that is used or kept on the premises in conjunction with the home occupation shall exceed two axles or a length of 20 feet.
 9. **Storage.** There shall be no storage of material or supplies out-of-doors.
 10. **Exterior Appearance.** There shall be no remodeling or construction of facilities especially for the home occupation which changes the external appearance of the residence from a residential to a more commercial appearing structure when viewed from the front of the building.

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11. Signs. Signs shall be allowed for the home occupation in accordance with Chapter 6.13 (Signs).

~~12. No process is used which is hazardous to public health, safety, morals, or welfare;~~

12. Visitors and Customers. Visitors and customers shall not exceed those normally and reasonably occurring for a residence, including not more than one business visitor an hour and eight a day, during the hours of 8:00 a.m to 7:00 p.m.

13. Deliveries. Deliveries shall not exceed those normally and reasonably occurring for a residence and not more than one delivery of products or materials a week. Deliveries of materials for the home occupation shall not involve the use of commercial vehicles except for Fed Ex, UPS, or USPS-type home pick-ups and deliveries.

~~14. No more than one home occupation shall be permitted per residence.~~

14. Hazardous Materials. Storage of hazardous materials is limited to below those thresholds as established by the local Fire District which does not require any special permits or licenses.

7.1.040 Live/Work Facility

A. **Purpose and Applicability.** The regulations contained in this Section shall apply to live/work facilities as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new live/work facilities shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply.

B. **Limitations on Use.** The non-residential component of a live/work facility shall be a use allowed within the applicable Base Zoning District; however the uses and activities described below shall be prohibited:

1. Any automobile and vehicle uses as listed in Chapter 11.1 (Land Use Descriptions).
2. Any special regulated uses as listed in Chapter 11.1 (Land Use Descriptions).
3. Any activity which involves:
 - a. Storage of flammable liquids or hazardous materials beyond those normally associated with a residential use;
 - b. Welding, machining, or any open flame work; and/or
 - c. Major manufacturing as defined in Chapter 11.1 (Land Use Descriptions).

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4. Any other activity or use, as determined by the Planning Director to not be compatible with residential activities and/or to have the possibility of affecting the health or safety of live/work unit residents, because of the potential for the use to create dust, glare, heat, noise, noxious gases, odor, smoke, traffic, vibration, or other impacts, or that would be hazardous because of materials, processes, products, or wastes.
- C. **Density.** Live/work units shall comply with the density regulations of the applicable Base Zoning District.
- D. **Design Standards.**
1. **Floor Area Requirements.** The minimum net floor area of a live/work facility shall be 1,000 square feet. No more than 50 percent of the floor area shall be reserved for living space. All other floor area shall be dedicated to working space.
 2. **Separation and Access.** Each live/work facility shall be separated from other units and other uses in the structure. Access to each unit shall be provided from common access areas, corridors, or halls, and the access to each unit shall be clearly separate from other live/work facilities or other uses within the same structure.
 3. **Facilities to Accommodate Commercial or Industrial Activities.** A live/work facility shall be designed to accommodate commercial or industrial uses as evidenced by the provision of ventilation, interior storage, flooring, and other physical improvements of the type commonly found in exclusively commercial or industrial facilities used for the same work activity.
 4. **Integration of Living and Working Space.** The living space within the live/work facility shall be designed as an integral part of the unit and not with separate access from the work space, except that mezzanines and lofts may be used as living space subject to compliance with the other provisions of this Section, and living and working space may be separated by interior courtyards or similar private space.
 5. **Mixed Occupancy Buildings.** If a building contains mixed occupancies of live/work facilities and other non-residential uses, occupancies other than live/work shall meet all applicable requirements for those uses, and proper occupancy separations shall be provided between the live/work and other occupancies, as determined by the Chief Building Official.
 6. **Parking.** Each live/work facility shall comply with the parking standards of Chapter 6.5 (Parking and Loading).
- E. **Occupancy and Sale or Rental of Portions of Unit.** A live/work unit shall be occupied and used only by the operator of the business within the unit or a household of which at least one member shall be the business operator. Individual portions of the live/work unit may not be separately rented or sold as a commercial space for someone not living in the facility or as a residence not occupied by someone working in the facility.

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- F. **Notice to Occupants.** The owner or developer of the live/work facility shall provide written notice to all occupants and users as to the character of the site and surrounding community, including the potential presence of noise, dust, fumes, or other effects associated with commercial and/or industrial development that would not otherwise be expected in a typical residential neighborhood.
- G. **Non-Resident Employees.** Up to two persons who do not reside in the live/work unit may work in the unit at any one time. Additional employment may be permitted through issuance of a Limited Use Permit based on findings that the employment will not adversely affect traffic and parking conditions in the vicinity of the site.
- H. **Changes in Use.** After approval, a live/work facility shall not be converted to entirely residential use, nor shall the ratio of living space to working space be changed, unless authorized through Limited Use Permit approval. As part of the approval of the Limited Use Permit, the designated Approving Authority must find that the exclusive residential use will not impair the ability of non-residential uses on and adjacent to the site to continue operating because of potential health or safety concerns or nuisance complaints raised by the exclusively residential use and/or its occupants.

7.1.050 Mobilehomes and Mobilehome Parks

- A. **Purpose and Applicability.** The Chapter applies to new and existing mobile homes and mobile home parks within the City. The purpose of this Chapter is to establish standards for the development, modification, and operation of mobilehome parks.
- B. **Definitions.** For purposes of this Section, the following terms shall have the definitions set forth herein.

Mobile/Manufactured Home. A trailer, transportable in one or more sections, that is certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, which is over eight feet in width and 40 feet in length, with or without a permanent foundation and not including a recreational vehicle, commercial coach, or factory-built (modular) housing (single-family dwelling). A mobilehome on a permanent foundation is included under the definition of single-family dwellings.

Mobilehome Park. A residential facility arranged or equipped for the accommodation of two or more mobile homes, with spaces for such mobilehomes available for rent, lease, or purchase, and providing utility services and other facilities either separately or in common to mobile home spaces herein.

- C. **Special Standards for Mobilehomes.** Mobilehomes outside of a mobilehome park shall comply with the standards set forth for single-family homes in Article 4 of this Zoning Code, as well as the following criteria.
1. A mobilehome must be built on a permanent foundation as approved by the Building Department.
 2. It must have been constructed after June 15, 1976, and must be certified under the National Manufactured Home Construction and Safety Act of 1974.

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3. The unit's skirting must extend to the finished grade.
 4. Exterior siding must be compatible with adjacent residential structures, and shiny and metallic finishes are prohibited.
- D. **Mobilehome Parks.** Mobilehome parks are permitted in the RMH zone and with a Conditional Use Permit in all other Residential Land Use Zones and shall be constructed in the following manner.
1. **Setbacks.** Individual mobilehome spaces shall be measured from the edge of internal streets and shall be set back a minimum of five feet from the boundary lines of each mobilehome site.
 2. **Landscape Areas.** Landscaping shall be required in compliance with Section 6.4 (Landscaping).
 3. **Recreation Areas.** Recreation areas that are landscaped and maintained dust-free shall be provided as follows:
 - a. **Family park.** 250 square feet of recreation area per mobilehome space for the first through 100th space and 200 square feet of recreational space per mobilehome space for each space in excess of the 100th space.
 - b. **Adult park.** 200 square feet of recreational area per mobilehome space.
 4. **Parking.** Parking shall comply with the requirements of Section 6.5 (Parking and Loading).
 5. **Streets and Access Drives.** The design of streets and access drives shall comply with applicable state standards for mobilehome parks and the requirements established by the Conditional Use Permit for the mobilehome park.
- E. **Management and Maintenance.** Every mobilehome park community shall be properly managed to ensure maintenance of common facilities and to ensure individual home sites are developed and maintained in accordance with recorded rules and regulations for the park.

7.1.060 Second Dwelling Units

- A. **Purpose and Applicability.** This Chapter applies to second dwelling units within the City. Second dwelling units are permitted by right in the agricultural, residential, and residential mixed use zoning districts subject to the standards of this Section. The purpose of this Chapter is to regulate second dwelling units in residential zoning districts and on residential property consistent with state law (California Government Code Sections 65852.1 through 65852.2). Implementation of this Section is intended to expand housing opportunities for low income and moderate income or elderly households by increasing the number of rental units available within existing neighborhoods while maintaining the primarily single-family residential character of the area.

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- B. **Definitions.** For purposes of this Section, the following terms shall have the definitions set forth herein.

Primary Dwelling Unit. An existing single-family residential structure on a single parcel with provisions for living, sleeping, eating, a single kitchen for cooking, and sanitation facilities occupied and intended for one household.

Second Dwelling Unit. An attached or detached dwelling unit which provides complete independent living facilities for one or more persons, with permanent provisions for living, sleeping, eating, cooking and sanitation sited on the same parcel as the primary dwelling unit. This definition includes granny flats. This definition shall also include:

- Efficiency unit as defined in Section 17958.1 of the California Health and Safety Code;
- Manufactured home as defined in Section 18007 of the California Health and Safety Code.

Guest House/Pool House. An attached or detached habitable structure with only sleeping, living, and bathroom provisions, exclusive of kitchen or cooking facilities. Such structures shall not to be used or rented as a separate dwelling for permanent living quarters unless a Conditional Use Permit is granted to do so.

- C. **Development Standards.** Pursuant to Government Code Section 65852.2, second units shall be permitted on agricultural, residential, and residential mixed use parcels when the following conditions are met:

1. Second units shall only be located on lots with an area of ~~5,200~~5,000 square feet or larger.
2. Second units shall be compatible with the architectural style, materials, and colors of the primary dwelling unit.
3. No more than one second unit shall be allowed per parcel.
4. The property owner shall occupy either the primary unit or second unit. The property owner shall record a declaration acknowledging owner occupancy, recorded with the property as a condition of the administrative permit.
5. A second unit shall not exceed ~~400-1,200~~ square feet, excluding garage area.
6. The maximum building coverage, including a second unit, is five percent above the maximum lot coverage as set forth in this code for the underlying Zoning District.
7. Building setbacks for attached second units shall comply with all required building setbacks for the primary unit. Building setbacks for detached second units shall be the same as the underlying zoning district for front and street side yards, five feet from interior and rear yard property lines, with a minimum distance of ten feet between structures.

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8. The maximum height of a detached second unit shall not exceed the height of the primary dwelling unit within the building envelope.
9. No second unit may be sold separately from the primary dwelling unit.
10. Parking. See Chapter 6.5 (Parking and Loading).

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Chapter 7.2 Agricultural, Resource, and Open Space Uses

Sections in this Chapter

7.2.010	Chapter Purpose and Applicability	7.2-1
7.2.020	Agricultural Activities	7.2-1

Draft Zoning Code Changes:

- 7F. *Special provisions for agricultural activities, such as animal keeping and stables, are included in this Chapter. These standards are intended to limit the nuisance from the use on adjacent property.*

7.2.010 Chapter Purpose and Applicability

- A. **Chapter Purpose.** The purpose of this Chapter is to establish site planning, development, and/or operating standards for agricultural, resource and open space land uses and/or activities that are allowed by Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) within individual or multiple Zoning Districts. It is the City's intent, in establishing these standards, to mitigate the potential adverse impacts of these uses and activities on adjacent and surrounding land uses.
- B. **Chapter Applicability.** The regulations and standards contained in this Chapter shall apply only to those uses expressly identified in the corresponding Section and shall be in addition to any other development standards and regulations contained elsewhere within this Zoning Code (e.g., lighting, landscaping, parking). These uses may only be located in those Zoning Districts as described herein and shall only be authorized in concert with the permit requirements of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards). Specifically, this Chapter covers those uses within the agricultural, resource and open space land use categories.

7.2.020 Agricultural Activities

- A. **Chapter Purpose and Applicability.** The purpose of this Section is to establish development and operating standards for incidental agricultural activities. The intent of these provisions is to mitigate the potential adverse impacts of these activities on adjacent and surrounding land uses. Uses subject to these standards include:
1. Incidental agricultural uses, including row crop cultivation and animal husbandry other than kennels, hog farms, feedlots, and the keeping of domestic pets, provided the activity is conducted on a hobby-type basis for personal use or consumption and that such activity is not a primary use of the premises; and
 2. Riding stables, boarding stables, and riding academies, whether private or commercial.

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B. Development Standards. In addition to the development standards of the underlying Zoning District, the following special standards apply to all incidental agricultural activities:

1. **Yards and Height.** All buildings and structures erected or maintained on any lot or parcel for uses set forth in Section 7.2.040(B) shall have yards and height limitations as follows:
 - a. All barns, stables, and other structures used for the housing of animals on any lot or parcel used as a commercial or public stable shall be located not less than 30 feet from all property and street right-of-way lines, except as otherwise herein provided. Said buildings or structures shall not exceed two stories nor be greater than 30 feet in height.
 - b. All barns, stables, and other structures used for the housing of animals, on any lot used as a private stable or for incidental agricultural uses, shall be located not less than ten feet from any property line and not less than 25 feet from the front property line, except as otherwise herein provided. Said buildings or structures shall not exceed one story, except for storage loft, nor be greater than 24 feet in height with plate line not exceeding 12 feet.
 - c. Any barn, stable, or other structure used for the housing of animals may be located not less than three feet from the rear or side property line, provided:
 - i. The building or structure is constructed with solid walls with no openings of any kind (excluding doors facing the interior of the property) within ten feet of the property line.
 - ii. The floor area of any building or structure used as a private stable, barn, or for the housing of animals shall not exceed 1,000 square feet.
 - iii. Height is limited to the height outlined in Section 7.2.020(1)(b).
 - d. Any barn, stable, or other structure used for the housing of animals may be located not less than five feet from the rear or side property line, provided such property line is contiguous with a freeway, railroad, or levee right-of-way, or a property line of a public park or parcel which, at the time the building or structure is erected, is used for or occupied by a public or private stable. Said buildings or structures shall not exceed one story nor be greater than 16 feet with plate line not exceeding ten feet.
2. **Building Area.** The maximum area of buildings or structures used for incidental agricultural uses shall be limited to 1,000 square feet, unless a use permit is first obtained from the Planning Commission.
3. **Lot Area.** The minimum lot area for any lot used for any use set forth in Section 7.2.020(B), whether such use is a principal use of the property or is incidental to another principal use, shall be the area specified in this Code applicable to the zone in which the property is located or the area hereinafter specified, whichever is the greater:

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- a. For any commercial or public stable, the minimum lot area shall be the area specified in this Code applicable to the zone in which the property is located, or three acres, whichever is the greater.
 - b. For any private stable, the minimum lot area shall be the area specified in this Code applicable to the zone in which the property is located, or 20,000 square feet, whichever is the greater.
 - c. The minimum lot area for the keeping of small animals (with a weight of less than 75 pounds at maturity), other than pets as defined in Chapter 11.1, on a non-commercial scale as an incidental use, shall be the area specified in this Code applicable to the zone in which the property is located, or 10,000 square feet, whichever is the greater, except that the Planning Commission may approve the keeping of small animals on a lot of less than 10,000 square feet, subject to the provision of Section 7.2.040(5), and a Conditional Use Permit by the Planning Commission.
 - d. For any other incidental agricultural use, the minimum lot area shall be 20,000 square feet.
4. Riding Stables and Corral Standards. In addition to the requirements set forth in this Article, riding stables, boarding stables, and riding academies, whether private or commercial, shall not be erected, located, enlarged, or maintained without complying with the following standards:
- a. Any corral, riding ring, or exercise yard used for keeping horses shall be enclosed by fence or other enclosure; and no part of any such corral, riding ring, or exercise yard shall be located closer than 20 feet from any door, window, or other opening of any building or structure on the same or any other parcel used or designed to be used for human habitation.
 - b. All fences which enclose livestock shall be designed, constructed, and maintained as provided in Section 6.9.080.H (Agricultural Fencing).
 - c. An operator of a commercial or private stable shall not allow dust, odor, or flies to cause nuisance or annoyance to any considerable number of persons in the neighborhood or the public and at a minimum shall comply with the following:
 - i. All areas shall be maintained so as to be sufficiently dust-free that no visible quantity of dust is observable at the property lines of the parcel. This shall be done by maintaining sufficient natural vegetation, by watering down the corral area as often as necessary to prevent dust problems, or by utilizing other more effective dust prevention methods.
 - ii. The operator of a stable shall take every reasonable precaution to prevent the breeding of flies or the emission of dust or odors into the neighborhood. Reasonable precautions shall include:
 - a. Routine manure and bedding clean out of stalls and routine cleanup of manure deposited on the property.

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- b. Disposal of animal wastes in a manner and location approved by the Department of Health, such as:
 - i. Properly drying or composting, away from neighboring properties;
 - ii. Burying (two feet minimum); and/or
 - iii. Removal to approved disposal site.
 - iii. All areas shall be maintained in a sanitary condition and in compliance with the following standards:
 - a. Water usage and drainage shall not mix with manure accumulations and shall not be disposed of contrary to local and state requirements.
 - b. Animal feed shall be stored and utilized in a manner that will not encourage rodent populations.
- 5. Incidental Keeping of Animals. Animals may be kept on any parcel or lot as an incidental agricultural use subject to the provisions of the zone in which the property is located and the following standards:
 - a. The conditions, standards, and requirements of Rancho Cordova Municipal Code are met to the satisfaction of the Chief of Animal Control.
 - b. All areas devoted to such uses shall comply with standards adopted by the Department of Public Health relative to noise, dust, odor, and pests, and shall be maintained to the satisfaction of the Director of Public Health.
 - c. The keeping of animals on lots smaller than 10,000 square feet shall be conducted in accordance with a development plan and management plan approved by the Planning Commission at public hearing for a Conditional Use Permit.
 - d. The provisions of this Section shall not apply to public or private stables, or where such animals are kept as a general agricultural use.

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Chapter 7.3 Utility, Transportation, and Communication Uses

Sections in this Chapter

7.3.010	Chapter Purpose and Applicability	7.3-1
7.3.020	Telecommunication Facilities	7.3-1
7.3.030	Utility Facility and Infrastructure	7.3-7

Draft Zoning Code Changes:

- 7G. *The Telecommunications Facilities Section has been revised to be consistent with state law. The Section now includes definitions, enhanced screening requirements and operation and maintenance standards. Collocations are now approved administratively per state law if the wireless facility received a public hearing and had CEQA review on or after January 1, 2007. Rooftop and building mounted antennas that are fully screened and collocations (for towers approved prior to January 1, 2007) that do not require a height increase for the additional antennas are also administratively approved.*
- 7H. *The regulations for utility facilities and infrastructure have been expanded to apply to not only electrical substations but also treatment plants, water storage facilities, and communication substations. Regulations focus on appropriate locations for the facilities and screening of use from adjacent property. The siting requirements have been updated to reflect current development patterns.*

7.3.010 Chapter Purpose and Applicability

- A. **Chapter Purpose.** The purpose of this Chapter is to establish site planning, development, and/or operating standards for utility, transportation, and communication uses, including telecommunication facilities and utility facility and infrastructure. It is the City's intent, in establishing these standards, to mitigate the potential adverse impacts of these uses and activities on adjacent and surrounding land uses by regulating the size, scale, and location of these uses, as well as requiring additional setbacks, landscaping, and other buffering between the subject use and surrounding property.
- B. **Chapter Applicability.** The regulations and standards contained in this Chapter shall apply only to telecommunication facilities and utility facility and infrastructure as expressly identified in the corresponding Section and shall be in addition to any other development standards and regulations contained elsewhere within this Zoning Code (e.g., lighting, landscaping, parking). These uses may only be located in those Zoning Districts as described in, and shall only be authorized in concert with the permit requirements of, Article 4 (Zoning Districts, Allowable Uses, and General Development Standards).

7.3.020 Telecommunication Facilities

- A. **Purpose and Applicability.** This Section establishes standards for placement of telecommunications facilities within the City and regulates the installation of antennas

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and other wireless communication facilities consistent with federal law. The City promotes and protects the public safety and public welfare while protecting the visual character of the City to minimize potential impacts of wireless telecommunication facilities' development and installation.

- B. **Definitions.** For purposes of this Section, the following terms shall have the definitions set forth herein.

Antenna. Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves when such system is either external to or attached to the exterior of a structure, or is portable or movable. Antennas shall include devices having active elements extending in any direction, and directional beam-type arrays having elements carried by and disposed from a generally horizontal boom that may be mounted upon and rotated through a vertical mast or tower interconnecting the boom and antenna support, all of which elements are deemed to be a part of the antenna.

Antenna, Amateur Radio. Any antenna which is used for the purpose of transmitting and receiving radio signals in conjunction with an amateur radio station licensed by the Federal Communications Commission.

Antenna, Directional (also known as a panel antenna). An antenna that transmits and/or receives radio frequency signals in a directional pattern of less than 360 degrees.

Antenna, Building-Mounted. Any antenna, directly attached or affixed to a building, tank, tower, or other structure. Building-mounted antenna are identified in two distinct categories herein as follows:

- **Wall-Mounted.** Attached or affixed to the elevation of the structure.
- **Roof-Mounted.** Attached or affixed to the rooftop or top of the structure.

Antenna, Ground-Mounted. Any antenna with its base (either single or multiple posts) placed directly on the ground or a mast 12 feet or less in height and six inches in diameter.

Antenna, Parabolic (also know as satellite dish antenna). Any device incorporating a reflective surface that is solid, open mesh, or bar configured that is shallow dish, cone, horn, bowl, or cornucopia shaped and is used to transmit and/or receive electromagnetic or radio frequency communication/signals in a specific directional pattern from orbiting satellites or ground transmitters. This definition is meant to include what are commonly referred to as television receive only (TVRO) and satellite microwave antennas.

Collocation. A wireless communication facility owned and operated by a communication service provider which is located on the same tower, building, accessory structure, or property as another communication facility owned or operated by a different communication service provider.

Direct Broadcast Satellite Service (DBS). A system in which signals are transmitted directly from a satellite to a small home receiving dish.

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Electromagnetic. An electrical wave propagated by an electrostatic and magnetic field of varying intensity.

NIER. Non-ionizing electromagnetic radiation (e.g., electromagnetic radiation primarily in the visible, infrared, and radio frequency portions of the electromagnetic spectrum).

Related Equipment. All equipment ancillary to the transmission and reception of voice and data by means of radio frequencies. Such equipment may include cable, conduit, connectors, equipment pads, equipment shelters, cabinets, buildings, and access ladders.

Satellite Earth Station. A facility consisting of more than a single satellite dish or parabolic antenna that transmits to and/or receives signals from an orbiting satellite.

Tower. A mast, pole, monopole, lattice tower, or other structure designed and primarily used to support antennas. This definition includes ground-mounted structures 12 feet or greater in height and building mounted structures that extend above the roofline, parapet wall, or other roof screen with a mast greater than six inches in diameter supporting one or more antenna, dishes, arrays, or other associated equipment.

Wireless Communication Facility. A facility that transmits and/or receives electromagnetic signals for the purpose of transmitting analog or digital voice or data communications. It includes antennas, microwave dishes, horns, and other types of equipment for the transmission or receipt of such signals, telecommunication towers or similar structures supporting said equipment, equipment buildings, parking area, and other accessory development.

C. A Conditional Use Permit is required for the following wireless facilities:

1. Any new telecommunication tower that is not part of a collocation.
2. Any collocation that increases the overall height of an existing tower in order to add antennas.
3. Any building-mounted or roof-mounted antennas that are not screened from view.

D. **Exemptions.** The following wireless communication facilities are exempt from the requirements of this Chapter as specified below and are subject to compliance with other provisions of this Title.

1. A wireless communication facility shall be exempt from the provisions of this Section if and to the extent that a permit issued by the California Public Utilities Commission (CPUC) or the rules and regulations of the Federal Communication Commission (FCC) specifically provide that the antenna is exempt from local regulation.
2. Satellite earth station (SES) antennas, which are two meters (6.5616 feet) or less in diameter or in diagonal measurement, located in any non-residential zoning district. In order to avoid the creation of an attractive public nuisance, reduce accidental tripping hazards and maximize stability of the structure, such antennas shall be

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placed whenever possible on top of buildings and as far away as possible from the edges of rooftops.

3. Parabolic antennas, direct broadcast satellite (DBS) antennas and multi-point distribution service (MDS) antennas, which are one meter (3.2808 feet) or less in diameter or diagonal measurement and television broadcast service (TVBS) antennas, so long as said antennas are located entirely on private property and are not located within the required front yard setback area.
 4. Amateur radio antenna structures provide a valuable and essential telecommunication service during periods of natural disasters and other emergency conditions and are therefore exempt from permit provisions of this Chapter in compliance with the following standards.
 - a. Height limits. Amateur radio antennas in any district may extend to a maximum height of 75 feet, provided that the tower is equipped with a lowering device (motorized and/or mechanical) capable of lowering the antenna to the maximum permitted height when not in operation.
 - b. Location parameters. All antenna structures shall be located outside of required front and street side yard areas. Antenna structures shall also be set back a minimum distance of five feet from interior property lines.
 - c. Tower safety. All antenna shall be located within an enclosed fenced area or have a minimum five-foot high tower shield at the tower base to prevent climbing. All active elements of antennas shall have a minimum vertical clearance of eight feet.
 5. Collocation on an existing telecommunications structure. This collocation is allowed if the structure obtained a Conditional Use Permit after January 1, 2007, and was subject to environmental review and a public hearing.
 6. Antennas placed on a building or roof top that are completely screened from view.
- E. General Development Standards.** Unless otherwise exempt pursuant to Subsection D (Exemptions), the following general development standards shall apply to all wireless communication facilities:
1. All wireless communication facilities shall comply with all applicable requirements of the current Uniform Codes as adopted by the City and shall be consistent with the General Plan and this Code, as well as other standards and guidelines adopted by the City.
 2. To minimize the overall visual impact, new wireless communication facilities shall be co-located with existing facilities, with other planned new facilities, and with other facilities such as water tanks, light standards, and other utility structures whenever feasible and aesthetically desirable. To facilitate co-location when deemed appropriate, conditions of approval for Conditional Use Permits shall require all service providers to cooperate in the siting of equipment and antennas to accommodate the maximum number of operators at a given site when found to be

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feasible and aesthetically desirable. The applicant shall agree to allow future co-location of additional antennas and shall not enter into an exclusive lease for the use of the site.

3. At least ten feet of horizontal clearance shall be maintained between any part of the antenna and any power lines unless the antenna is installed to be an integral part of a utility tower or facility.

F. Development Standards for Antennas (excluding amateur radio antennas). Unless otherwise exempt pursuant to subsection D (Exemptions), the following development standards shall apply to receive-only antennas (ground- and building-mounted), parabolic antennas, and satellite earth stations as defined in this Section.

1. **Antenna Location.** Parabolic antenna and satellite earth stations shall be ground-mounted in residential zoning districts. In all non-residential zoning districts, the preference is for building-mounted antenna. No antenna shall be located in the required front or street side yard of any parcel unless entirely screened from pedestrian view of the abutting street rights-of-way (excluding alleys). In all Zoning Districts, ground-mounted antennas shall be situated as close to the ground as possible to reduce visual impact without compromising their function, and all portions of the structure/antenna shall be set back a minimum of five feet from any property line.
2. **Height Limit.** The height limit for ground-mounted antenna is six feet. However, the height may be increased to a maximum of 12 feet if the setback distance from all property lines is at least equal to the height of the antenna and if the structure is screened in accordance with subsection iv. (Screening) below. Building-mounted antenna shall not extend above the roofline, parapet wall, or other roof screen or project beyond a maximum of 18 inches from the face of the building or other support structure.
3. **Screening.** Ground-mounted antennas shall be screened consistent with the provisions of Section 6.9.080.A.4 (Screening of Ground-Mounted Antennas).

G. Development Standards for Amateur Radio Antennas. Amateur radio antennas as defined in subsection B (Definitions) may exceed the height limit and/or amend the setback provisions of the exempt amateur radio antenna structures only when said regulation will result in unreasonable limitations on, or prevent, reception or transmission of signals.

H. Development Standards for Towers. The following development standards shall apply to towers (including co-location facilities).

1. **Site Design.** All facilities (including related equipment) shall be designed to minimize the visual impact to the greatest extent feasible, considering technological requirements, by means of placement, screening, camouflage, to be compatible with existing architectural elements, landscape elements, and other site characteristics. The applicant shall use the smallest and least visible antennas possible to accomplish the owner/operator's coverage objective. A visual impact analysis is

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required to demonstrate how the proposed facility will appear from public rights-of-way (including public trails).

2. **Safety Design.** All facilities shall be designed so as to be resistant to and minimize opportunities for unauthorized access, climbing, vandalism, graffiti, and other conditions which would result in hazardous conditions, visual blight, or attractive nuisances.
3. **Location.** Towers shall not be located in any required front or street side yard in any Zoning District. The setback distance from any abutting street right-of-way, residential property line, or public trail shall be equal to the height of the facility (tower and related equipment). Otherwise, the minimum setback distance from all other property lines shall be at least equal to 20 percent of the height of the tower. In order to facilitate collocations, setbacks distance will be waived for placement of antennas on existing towers when there is no increase in the overall height of the tower.
4. **Height Limit.** The height limit for towers shall be consistent with the maximum building height of the Zoning District of the subject parcel. Exceptions to the height limit may be granted when the designated Approving Authority finds that reasonable alternatives do not exist to provide the necessary service. There is no height limit specified for co-locations on existing structures, provided facilities are screened from view of abutting street rights-of-way or camouflaged by matching the color(s) and/or material(s) of the structure to which it is attached.
5. **Lighting.** Towers and related equipment shall be lit consistent with the provisions of Section 6.7.070.K (Telecommunication Towers).
6. **Landscape.** Towers shall be landscaped consistent with the provisions of Section 6.4.060.E (Telecommunication Towers).
7. **Design/finish.** The tower and related equipment shall have subdued colors and non-reflective materials that blend with the colors and materials of surrounding areas.
8. **Advertising.** The tower and related equipment shall not bear any signs or advertising devices other than certification, warning or other required seals or signs.

I. Operation and Maintenance Standards

1. **Noise.** All wireless communication facilities shall comply with the City's Noise Ordinance.
2. **Non-ionizing Electromagnetic Radiation (NIER) Exposure.** No wireless communication facility shall be sited or operated in such a manner that it poses, either by itself or in combination with other such facilities, a potential threat to public health. To this end, no facility or combination of facilities shall produce, at any time, power densities in any inhabited area that exceed the FCC's Maximum Permissible Exposure (MPE) limits for electric and magnetic field strength and power density for transmitters or any more restrictive standard subsequently adopted or promulgated by the City or by the county, state, or federal government.

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- J. **Removal Provisions.** In the event one or more antennas, towers, or related equipment are not operated for the provision of wireless telecommunication services for a continuous period of three months or more, such antenna, tower, and/or related equipment shall be deemed abandoned. The owner of same shall remove all such items within 30 days following the mailing of written notice that removal is required. If two or more providers of wireless telecommunication services use the antenna support structure or related equipment, the period of non-use under this Section shall be measured from the cessation of operation at the location by all such providers. Failure to remove shall constitute a public nuisance and shall be enforced as such.
- K. **Effects of Development.** The City shall not be liable if development within the City, after installation of the antenna, impairs antenna reception.

7.3.030 Utility Facility and Infrastructure

- A. **Purpose and Applicability.** The regulations contained in this Section shall apply to Utility Facility and Infrastructure as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new Utility Facility and Infrastructure shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The intent of these provisions is to minimize the visual and physical impacts of the use on surrounding property by balancing the need for the facilities with a desire to minimize the visual impact.
- B. **Definitions.** For the purpose of this Chapter, the following terms shall have the definitions set forth herein.

Communication Substation. A telephone switching station or similar facility use to route telecommunication signals from their origin to their destination. Wireless communication facilities (e.g., cellular towers) are included in the use listing "Telecommunication Facility" and are regulated in Section 7.3.020 (Telecommunication Facilities).

Electrical Substation. For the purposes of this Zoning Code, means any structure with 100,000 volts or greater incoming capacity which either:

1. Converts electrical energy to a lesser voltage for the purpose of subregional or localized distribution;
2. Functions as a transition point from overhead to underground electrical transmission lines; or
3. Acts as the point of convergence for two or more transmission lines.

Fixed Based Structures and Facilities. Fixed based structures and facilities shall include substations (both communication and electrical), portable water storage facilities, public water system wells, natural gas regulating and distribution facilities, and treatment plants.

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Potable Water Storage Facility. A water tank or similar structure that collects and/or stores potable water, either just prior to or after treatment to make the water safe for human consumption.

Transmission Lines and Pipelines. Those facilities that transmit or transport electricity, potable water, reclaimed water, natural gas, sewage, and telephone, telegraph, cable television, and other communication transmission facilities that utilize direct physical conduits.

Treatment Plants. A facility used to treat water into potable water suitable for human consumption or used to treat sewage/waste water so that it may be reclaimed for use as irrigation water or otherwise released back into the natural environment. It may also include settling ponds and disposal fields related to the operation of the treatment plant.

- C. **Permit Requirements and Exemptions.** To the extent allowed by State or Federal law, the uses regulated by this Section shall be subject to the allowed use and permit requirements of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards). In addition, such facilities may be subject to Design Review as required by Chapter 3.12 (Design Review) and allowed by State and Federal law.

D. **Location Requirements for Transmission Lines and Pipelines.**

1. **General Location.** Generally, transmission lines and pipelines shall be located within public rights-of-way (with approval of the Public Works Director) or within dedicated easements for transmission lines (e.g., public utility easement).
2. **Electrical Transmission Lines.** Electrical transmission lines of 100,000 volts or greater capacity may be located in any zone and shall be located in easements or rights of way which permit access for maintenance with minimal disruption to surrounding properties. Preference shall be given to the location of transmission lines in the rank order specified below; every reasonable effort shall be exerted to avoid established residential areas. In the event SMUD determines that it has no alternative but to route a 100,000 volt or greater capacity transmission line through an established residential area, such lines shall be installed underground except when SMUD can demonstrate that it is not feasible to do so. Feasible shall be as defined in California Government Code, Section 53096 (c).
 - a. Within existing SMUD transmission rights of way or those anticipated for other projects proposed subject to this Code.
 - b. Adjacent to railroads or adopted freeway routes.
 - c. Along or adjacent to major arterial streets where existing or planned uses are commercial or industrial.
 - d. Adjacent to or through existing or planned commercial, industrial, or agricultural uses.
 - e. Along arterial streets where residential uses designated in an adopted plan are RD 20 or greater density.

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- f. Through areas where land uses in an adopted plan are predominately commercial, but include residential uses.
- g. Through residential areas, including side and rear yards, irrespective of density.

E. Location Requirements for Fixed Based Structures and Facilities. In siting fixed based structures and facilities, the City shall place preference on the locations listed below in the order listed. In any case, siting fixed based facilities within Residential Zoning Districts, particularly those intended for multi-family housing, shall be a last resort. All new subdivisions and land planning (e.g., Specific Plans) shall include provisions for siting fixed based facilities in dedicated, reserved locations that are identified with assistance from the utility service provider.

1. ~~Areas designed for industrial or commercial land uses in an adopted plan.~~ Sites zoned Community Service (CS), Transportation Corridor (T), or Parks and Open Space (POS);
2. ~~Undeveloped areas designated for residential use in an adopted plan.~~ Areas within Specific Plans or Special Planning Areas specifically identified for utility facility and infrastructure uses;
3. ~~Areas designated for Agricultural Urban Reserve in an adopted plan.~~ Sites zoned Automobile Commercial (AC) or Heavy Industrial (M-2);
4. ~~Sites designed for residential use in an adopted plan and surrounded by existing residential uses.~~ Sites zoned any Mixed Use Zoning District, provided the facility is not located at the intersection of two major streets;
5. Any other portion of a Mixed Use Zoning District not otherwise described above; or
6. Within a Residential or Agricultural Zoning District.

F. Development Requirements for Fixed Based Structure and Facilities.

1. Communication Substations. Communication substations shall be entirely located within an enclosed building, the design of which shall be consistent with the standards of the underlying Zoning District and the Citywide Design Guidelines, the intent being to integrate the design of the facility into the area in which it is located.
2. Electrical Substations
 - a. Overhead electrical transmission lines of 100,000 volts or greater capacity shall be installed in such a manner as to minimize adverse visual impacts. When feasible, SMUD shall relocate and combine existing overhead transmission poles and lines with new installations.
 - b. Substations shall be designed and constructed in such a manner as to minimize off site visual and noise impacts. Planted or landscaped setbacks of at least 25 feet shall be provided on all property lines.

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3. Potable water storage facility. Potable water storage facilities shall observe all development standards of the underlying Zoning District. Additionally, such facilities shall be screened consistent with the provisions of Section 8.9.080.A.7 (Fences, Walls, and Screening)
4. Treatment plant. Treatment plants shall observe all development standards of the underlying Zoning District, except that any treatment ponds or other structures that may emit an odor shall be located a minimum of 200 feet from a Residential Zoning District or residential use. The use shall also provide landscaping along the perimeter of the use, including a minimum 25 foot wide landscape area and evergreen trees planted 30 feet on center.

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Chapter 7.4 Retail, Service, and Office Uses

Sections in this Chapter

7.4.010	Chapter Purpose and Applicability	7.4-1
7.4.020	Convenience Stores.....	7.4-1
7.4.030	Drive-In and Drive-Through Sales and Service	7.4-3

Draft Zoning Code Notes:

- 7I. *The convenience store regulations have been carried over from the existing Zoning Code. A provision on window coverings has been added to limit the coverage to 15 percent of the window.*
- 7J. *Several additional dimensional requirements have been added to the Drive-in and drive-through Section. These include minimum drive-through lane widths and location requirements relative to intersections. In addition, the Section provides pedestrian access and crossing provisions. Pedestrian access, avoiding drive-through lanes whenever possible, shall be provided from all abutting streets to the primary entrance. The Section also establishes standards limiting the hours for drive-through and drive-in operations within proximity (300 feet) to residences.*

7.4.010 Chapter Purpose and Applicability

- A. **Chapter Purpose.** The purpose of this Chapter is to establish site planning, development, and/or operating standards for retail, service, and office uses within individual or multiple Zoning Districts. Specifically, this Chapter applies to convenience stores and drive-in and drive-through sales and service. It is the City's intent, in establishing these standards, to mitigate the potential adverse impacts of these uses and activities on adjacent and surrounding land uses by requiring additional setbacks, screening, lighting, and specific security measures beyond those otherwise required in the underlying Zoning District.
- B. **Chapter Applicability.** The regulations and standards contained in this Chapter shall apply only to convenience stores and drive-in and drive-through sales and service as expressly identified in the corresponding Section and shall be in addition to any other development standards and regulations contained elsewhere within this Zoning Code (e.g., lighting, landscaping, parking). These uses may only be located in those Zoning Districts as described in, and shall only be authorized in concert with the permit requirements of, Article 4 (Zoning Districts, Allowable Uses, and General Development Standards).

7.4.020 Convenience Stores

- A. **Purpose.** The purpose of this Section is to provide additional design and operational standards for Convenience Stores for increased security and safety for employees and patrons of the convenience store and compatibility with surrounding businesses and residents.

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- B. **Applicability.** The regulations contained in this Section shall apply to all new convenience stores as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new convenience stores shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply.
- C. **Outdoor Lighting.** New convenience stores shall maintain the special lighting standards listed in Section 6.7.070.D (Level of Illumination).
- D. **Property Maintenance and Litter Removal.** Property management shall be responsible for the removal of litter from adjacent property and streets that results from the convenience store developed after the date of adoption of this Section (with adjacent property-owner consent).
- E. **Security Measures.** Convenience stores shall incorporate the following features:
1. Store Windows. Window placement and design shall allow for window surveillance by employees of all outside areas from the employee's primary work position. No more than 15 percent of a window may be covered by displays, posters, or other coverings.
 2. Building Security. Building security systems shall be installed to resist crime attempts by incorporating the following improvements:
 - a. Raised cashier stations to give an advantage of height against would-be criminals.
 - b. Display counter low enough that the cashier has visibility throughout the store. Install mirrors to increase visibility in any corners or hidden areas;
 - c. Buzzer on doors of the coldbox so that the clerks will know when someone has removed merchandise from the refrigerator areas;.
 - d. The cashier station shall be designed to be visible from the parking area. Windows or doors shall not be blocked with posters or signs. Counters shall be maintained free from excess displays to enhance visibility of the cashier station.
 - e. Inside doors to storage, utility, and office areas shall be provided with two-way mirrors to create uncertainty as to how many people are in the store and to deter criminals.
 - f. A timed drop safe shall be provided adjacent to the cashier station. Premises shall be posted accordingly.
 - g. Height tape installed next to the exit.

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- h. A prominently displayed video camera for identifying criminals. The video camera should include a device that records 24 hours of video.
- F. **Required Signs.** Signs shall be posted prohibiting loitering and the consumption of alcoholic beverages in the business or in the parking areas, and any other signs as required by the City. This signage requirement shall not count toward the maximum signage allowed by Chapter 6.13 (Signs).
- G. **Hours of Operation.** The hours of operation for all new convenience stores shall be limited to between the hours of 6:00 a.m. and 11:00 p.m. daily.

7.4.030 Drive-In and Drive-Through Sales and Service

- A. **Purpose.** The purpose of this Chapter is to regulate drive-through windows and remote tellers with development standards that address the mitigation of traffic, congestion, excessive pavement, pedestrian connections, litter, and noise.
- B. **Applicability.** Development standards herein shall apply to all new facilities with drive-in and drive-through sales and services and will be reviewed in conjunction with the required Conditional Use Permit and/or Design Review application.
- C. **Permit Requirements.** Pursuant to Article 4 (Zoning districts, Allowable Uses, and General Development Standards) a Conditional Use Permit is required for all drive-in and drive-through sales and services.
- D. **Required Findings.** All of the findings below shall be made in order for the designated Approving Authority to approve a Conditional Use Permit for a drive-in and drive-through sales and service use.
1. The design and location of the facility and lane will not contribute to increased congestion on public or private streets adjacent to the subject property.
 2. The design and location of the facility and lane will not impede access to or exit from the parking lot serving the facility, nor impair normal circulation within the parking lot.
 3. The design and location of the facility will not create a nuisance for adjoining properties.
- E. **Development and Design Standards.** The following standards shall be the minimum requirements for all drive-through windows and remote tellers.
1. Drive-Through and Remote Teller Aisles. The minimum standards for drive-through aisles are as follows:
 - a. Aisles shall have a 12-foot minimum width on curves and an 11-foot minimum width on straight sections.
 - b. Aisles shall provide at least 180 feet of reservoir space for each facility, as measured from the service window or unit to the entry point into the drive-up lane. Non-food and/or non-beverage businesses may reduce the stacking space

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to a minimum of 60 feet. Exceptions may be granted by the designated Approving Authority when an applicant demonstrates that the required reservoir space is unnecessary.

- c. Each aisle entrance and exit shall be at least 50 feet from an intersection of public rights-of-way, measured at the closest intersecting curbs, and at least 25 feet from the curb-cut on an adjacent property. When an aisle encroaches into the front yard and side street setbacks, 25 feet of landscaping shall be provided, with at least ten feet of landscaping between the aisle and right-of-way. Exceptions may be granted by the designated Approving Authority when aisle pull-out spaces are provided.
 - d. Each aisle shall be separated from the site's ingress and egress routes or access to a parking space.
 - e. Landscaping of Drive-Through Aisles. Landscaping of drive-through aisles shall be consistent with the requirements of Section 6.4.060.C (Screening of Drive-Through Aisles).
2. Pedestrian Access and Crossings. Pedestrian access shall be provided from each abutting street to the primary entrance with a continuous, minimum four-foot-wide sidewalk or delineated walkway. Generally, pedestrian walkways should not intersect the drive-through aisles, but where they do the walkways shall have clear visibility and shall be delineated by textured and colored paving and shall be clearly signed to alert vehicles in the drive-through aisles
3. Hours of Operation. When located on a site within 300 feet of any residential property (measured from the nearest property lines), hours of operation for the drive-up/drive-through service shall be limited from 7:00 a.m. to 10:00 p.m. daily. In the use is located greater 300 feet from a residential use, then there are no restrictions on the hours of operations.
4. Parking. Drive-up windows, remote tellers, and drive-through aisles shall be designed and constructed to be consistent with the requirements of Chapter 6.5 (Parking and Loading). The placement of a drive-up windows, remote tellers, and drive-through aisles shall not be considered as justification for reducing the number of parking spaces which are otherwise required.
5. Congestion. The Conditional Use Permit is revocable if congestion attributable to the facility regularly occurs on public streets or within the parking lot and the management cannot alleviate the situation.
6. Noise. Drive-up windows and their order stations with amplified sound shall be 300 feet from residential zones. Drive-up windows or remote tellers without amplified sound may reduce the separation distance to a minimum of 75 feet from residential zones.
7. Signs. Signage for drive-up windows and remote tellers shall be consistent with the requirements of Chapter 6.13.

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Chapter 7.5 Automotive and Vehicle Uses

Sections in this Chapter

7.5.010	Chapter Purpose and Applicability	7.5-1
7.5.020	Automobile Dismantling	7.5-1
7.5.030	Service Stations	7.5-2

Draft Zoning Code Notes:

- 7K. *New regulations for automobile dismantling have been added to require screening from adjacent uses and the public right-of-way.*
- 7L. *The service station regulations have been carried over from the existing Zoning Code. The permit process has been modified to only require Planning Commission approval of the Conditional Use Permit (where required), rather than City Council. Additional landscaping adjacent to single-family residential is required.*

7.5.010 Chapter Purpose and Applicability

- A. **Chapter Purpose.** The purpose of this Chapter is to establish site planning, development, and/or operating standards for automotive and vehicle uses within individual or multiple Zoning Districts. Specifically, this Chapter includes regulations for automobile dismantling and service stations. It is the City's intent, in establishing these standards, to mitigate the potential adverse impacts of these uses and activities on adjacent and surrounding land uses by applying special location and design requirements beyond those otherwise required in the underlying Zoning District.
- B. **Chapter Applicability.** The regulations and standards contained in this Chapter shall apply only to automobile dismantling and service stations as expressly identified in the corresponding Section and shall be in addition to any other development standards and regulations contained elsewhere within this Zoning Code (e.g., lighting, landscaping, parking). These uses may only be located in those Zoning Districts as described in, and shall only be authorized in concert with the permit requirements of, Article 4 (Zoning Districts, Allowable Uses, and General Development Standards).

7.5.020 Automobile Dismantling

- A. **Purposed and Applicability.** The regulations contained in this Section shall apply to new or expanded automobile dismantling uses as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new automobile dismantling uses shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The intent of these provisions is to promote compatibility between automobile dismantling and adjacent uses through the application of special screening provisions.

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- B. **Location.** Automobile dismantling uses may only be located in those Zoning Districts as described in Article 4 (Zoning Districts, Allowed Land Uses, and Development Standards).
- C. **Screening.** All outdoor storage areas of the automobile dismantling use shall be screened from public view consistent with the standards of Section 6.9.080.A.7 (Screening for Special Uses).

7.5.030 Service Stations

- A. **Purpose.** The purpose of this Section is to establish requirements for the location and construction of new service stations (as defined in Chapter 11.1, Land Use Descriptions). The intent of these provisions is to ensure that new service stations are compatible with surrounding uses and activities by mitigating associated problems with traffic, congestion, excessive pavement and lighting, litter, and hazardous materials.
- B. **Applicability.** The regulations contained in this Section shall apply to service stations as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new service stations shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply.
- C. **Special Requirements for Use Permit Approval**
 - 1. **Approval Authority.** In those instances where a Conditional Use Permit is required by Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) for the establishment of a new service station, the designated Approving Authority shall be the Planning Commission.
 - 2. **Conditions of Approval.** In addition to any other conditions which may be imposed, any Conditional Use Permit issued pursuant to this Section shall include the following conditions:
 - a. If the operation of the service station is discontinued for any reason for a continuous period in excess of 180 days, such discontinuance of operation shall be grounds for revocation or modification of the Conditional Use Permit, consistent with Section 2.8.070 (Permit Revocation or Modification);
 - b. Upon the revocation of the Conditional Use Permit, the applicant shall remove all buildings, pumps, pump islands, signs, underground storage tanks, fences, walls, and all other structures and instruments related to the service station and shall return the property to substantially the condition it was in prior to the construction of the service station; and
 - c. The applicant to whom a Conditional Use Permit has been granted shall post on the premises for public display the use permit or a copy thereof when issued.

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D. Location Requirements

1. **Abutting Residential Zones or Uses.** No new service stations shall be permitted or located on lots abutting property in any Agricultural or Residential Zoning District or residential use, unless the designated Approving Authority can make the finding that the design of the service station, along with the conditions placed upon the Conditional Use Permit, will mitigate any adverse effects the station may have on the abutting property. In the event that the property adjacent an existing service station is subsequently rezoned to an Agricultural or Residential Zoning District, such rezoning shall not cause the service station to be nonconforming with regard to this location requirement.
2. **Location Near Non-Operational Service Stations.** In deciding whether a service station shall be permitted pursuant to this Section, the designated Approving Authority shall consider, in addition to any other limitation provided by this Section, whether there are any vacant or unoccupied service stations within a half-mile radius of the proposed service station site and, if so, shall determine whether the area immediate to such proposed service station suffers from an overconcentration of service stations. If it is determined that the area does suffer from an overconcentration of service stations, then the application for a Conditional Use Permit shall be denied.

E. Development and Design Standards. The following special standards apply to all new service stations and qualifying expansions/improvements to existing service stations. Service station uses shall also comply with all applicable State and Federal regulations regarding site design, pricing signs, containment, maintenance, and operations.

1. **Frontage.** The minimum public street frontage shall be 135 feet on each public street for all new service stations.
2. **Pump Islands.** Service station pump islands may be placed in required yards provided they are no closer than 15 feet to the street right-of-way.
3. **Access Driveways.** Driveway design shall be consistent with the City of Rancho Cordova Public Works Improvement Standards, except that the minimum width for driveways shall be 35 feet. The width shall be expanded to 45 feet whenever the driveway accesses a street with a width of, or with a planned ultimate width of, 84 feet or greater. Driveways shall be no closer than 40 feet from the nearest intersecting point of street right-of-way lines, or as otherwise determined by the Public Works Director for traffic safety.
4. **Landscaping.** Landscape shall be provided consistent with the provisions of Section 6.4.060.D (Service Stations).
5. **Signs.** Signs shall be consistent with the standards of Chapter 6.13 (Signs).
6. **Fences and Walls.** A wall shall be provided between service stations and abutting residential zoning or uses consistent with the provisions of Section 6.9.080.A.7 (Screening for Special Uses).

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7. Structure Height. Structures shall observe the height limits of the underlying Zoning District, except that canopies constructed over pump islands located outside the buildable area of the lot shall not exceed a maximum height of 17 feet. Deviations from these standards may be allowed in conjunction with Design Review.

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Chapter 7.6 Industrial, Manufacturing, and Processing Uses

Sections in this Chapter

7.6.010	Chapter Purpose and Applicability	7.6-1
7.6.020	Junk Tire Facility	7.6-1

Draft Zoning Code Notes:

7M. The existing regulations for junk tire facilities have been carried over.

7.6.010 Chapter Purpose and Applicability

- A. **Chapter Purpose.** The purpose of this Chapter is to establish site planning, development, and/or operating standards for industrial, manufacturing, and processing uses within individual or multiple Zoning Districts. Specifically, this Chapter includes regulations for junk tire facilities. It is the City's intent, in establishing these standards, to mitigate the potential adverse visual impacts of this use on adjacent and surrounding property by requiring additional setbacks, screening, and other location standards.
- B. **Chapter Applicability.** The regulations and standards contained in this Chapter shall apply only to junk tire facilities as expressly identified in the corresponding Section and shall be in addition to any other development standards and regulations contained elsewhere within this Zoning Code (e.g., lighting, landscaping, parking). This use may only be located in those Zoning Districts as described in, and shall only be authorized in concert with the permit requirements of, Article 4 (Zoning Districts, Allowable Uses, and General Development Standards).

7.6.020 Junk Tire Facility

- A. **Purpose and Applicability.** The regulations contained in this Section shall apply to junk tire facilities as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new junk tire facilities shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The purpose of these provisions is to ensure compatibility with surrounding land uses by limiting the amount and duration of tire storage, requiring special siting of storage areas, and requiring additional screening of storage areas from public view.
- B. **Fire Department Review.** No Conditional Use Permit to allow junk tire facilities shall be approved unless the designated Approving Authority has considered any recommendations concerning potential fire hazards associated with the proposed use made by the Chief of the Fire District.

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C. Development Standards. The following special standards apply to all new junk tire facilities and qualifying expansions/improvements to existing junk tire facilities.

1. Junk tires shall be removed from the site within 30 days after their receipt or acquisition.
2. An approved site shall contain no more than one acre of junk tire storage area.
3. All equipment necessary to conduct the proposed junk tire handling activities shall be at the site and in operating condition before operations (including collection, receipt, or storage of junk tires) commence. Any shredder to be used shall be capable of shredding at least 250 passenger tires an hour.
4. The approved junk tire operation shall comply with all federal, state, and local statutes or ordinances, including nuisance laws and noise and air quality standards. The granting of a Conditional Use Permit under this Section shall not be deemed to indicate that all such statutes have been obeyed.
5. Junk tires storage shall be screened consistent with the provisions of Section 6.9.080.A.7 (Screening for Special Uses).
6. Junk tires located on properties approved pursuant to this Section shall be located at least 500 feet from property zoned or used for residential or agricultural/residential purposes.
7. If junk tires are to be stored within areas subject to flooding, no storage is to be permitted during the winter flood season from November 1 through March 31.
8. No junk tires shall be stored within 100 feet of any area where any material is burned, including, but not limited to, farming activities, vehicle dismantling yards, welding shops, or any other activity utilizing flame or fire.

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Chapter 7.7 Special Regulated Uses

Sections in this Chapter

7.7.010	Chapter Purpose and Applicability	7.7-1
7.7.020	Card Room	7.7-2
7.7.030	Check Cashing Business	7.7-2
7.7.040	Pawn Shop	7.7-3
7.7.050	Recycling Facility, Collection	7.7-4
7.7.060	Sexually Oriented Business	7.7-5
7.7.070	Smoke Shop	7.7-8
7.7.080	Tattoo Parlor	7.7-8
7.7.090	Thrift Store	7.7-9

Draft Zoning Code Notes:

- 7N. Regulations for card rooms have been added to limit overconcentration through spacing requirements and require additional lighting and site maintenance.
- 7O. Regulations for check cashing businesses have been added to address location and proximity to surrounding uses, property maintenance, and additional on-site security.
- 7P. Regulations for pawn shops have been added to address potential overconcentration, hours of operation, and reference business license requirements.
- 7Q. Regulations for recycling collection facilities address adjacency to neighboring residential uses, requirements for weather-proof containers, limitations on mechanical equipment, and relationship of the use to the site's parking lot.
- 7R. Existing regulations for sexually oriented businesses have been carried over from the existing Zoning Code, including the current moratorium.
- 7S. Smoke shop regulations include spacing requirements to limit overconcentration of the use.
- 7T. Regulations for tattoo parlors limit overconcentration through spacing requirements.
- 7U. Regulations for thrift stores address overconcentration through spacing requirements. Provisions also require additional maintenance and clearly identifiable collection areas.

7.7.010 Chapter Purpose and Applicability

- A. **Chapter Purpose.** The purpose of this Chapter is to establish site planning, development, and/or operating standards for special regulated uses within individual or multiple Zoning Districts. These provisions apply to card rooms, check cashing businesses, pawn shops, recycling facility (collection), sexually oriented businesses, smoke shops, tattoo parlors, and thrift stores. It is the City's intent, in establishing these

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standards, to mitigate the potential adverse impacts of these uses and activities on adjacent and surrounding land uses by requiring special siting and location standards.

- B. **Chapter Applicability.** The regulations and standards contained in this Chapter shall apply only to those uses expressly identified in the corresponding Section and shall be in addition to any other development standards and regulations contained elsewhere within this Zoning Code (e.g., lighting, landscaping, parking). These uses may only be located in those Zoning Districts as described in, and shall only be authorized in concert with the permit requirements of, Article 4 (Zoning Districts, Allowable Uses, and General Development Standards). Specifically, this Chapter covers those uses within the Special Regulated Uses land use category. Other land use categories are addressed in other Chapters of this Article.

7.7.020 Card Room

- A. **Purpose and Applicability.** The regulations contained in this Section shall apply to all new and qualifying expansion of existing card rooms as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new card rooms shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The purpose of these regulations is to prevent the overconcentration of card rooms within the City and ensure compatibility with surrounding uses by requiring additional lighting and site maintenance.
- B. **Business License.** All new card rooms shall comply with the business license requirements of Chapter 4.22 of the City's Municipal Code.
- C. **Location.** All new card rooms shall be located consistent with the following standards:
1. Located a minimum of 1,000 feet from another card room;
 2. Located a minimum of 500 feet from a public school, community center, or library
- D. **Development Standards.** In addition to the development standards of the underlying Zoning District, the following special standards apply to all new card rooms:
1. Lighting. Card rooms shall maintain lighting consistent with the provisions of Section 6.7.070.D (Level of Illumination)
 2. Site Maintenance. Management shall be responsible for the removal of litter from adjacent property and streets that results from the card room (with adjacent property-owner consent).

7.7.030 Check Cashing Business

- A. **Purpose and Applicability.** The standards of this Section shall apply to all new and qualifying expansion of existing check cashing facilities as defined in Chapter 11.1 (Land Use Descriptions) and as permitted in those Zoning Districts as described in Article 4

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(Zoning Districts, Allowed Uses, and Development Standards). The provisions of this Section shall apply in addition to other regulations of this Zoning Code. In those instances where there are conflicts between other sections and this Section, the provisions of this Section shall apply. The purpose of these regulations is to prevent the overconcentration of check cashing businesses and ensure compatibility with surrounding uses by requiring additional lighting, security, and maintenance, as well as limiting the hours of operation.

B. **Location.** All new check cashing establishments shall be located consistent with the following standards:

1. Located a minimum of 1,000 feet from another check cashing establishment;
2. Located a minimum of 500 feet from all of the following uses:
 - a. Public school, community center, or library;
 - b. State or federally chartered bank, savings association, credit union, or industrial loan company; and
 - c. Alcoholic beverage sales, excluding restaurants, grocery stores/supermarkets, and neighborhood markets.

C. **Development Standards.** In addition to the development standards of the underlying Zoning District, the following special standards apply to all new check cashing businesses:

1. **Lighting.** Card rooms shall maintain lighting consistent with the provisions of Section 6.7.070.D (Level of Illumination)
2. **Days and Hours of Operation.** Operation of check cashing establishments shall be limited to Monday through Saturday, from 7:00 a.m. to 7:00 p.m.
3. **Site Maintenance.** Management shall be responsible for the removal of litter from adjacent property and streets that results from the check cashing business (with adjacent property owner consent).
4. **On-Site Security.** A minimum of one certified uniformed security guard shall be on duty at all times the establishment is open. The guard shall patrol both the interior and exterior portions of the property under control of the owner or lessee including, but not limited to, parking lots and any open public spaces such as lobbies.

7.7.040 Pawn Shop

- A. **Purpose and Applicability.** The regulations contained in this Section shall apply to all new and qualifying expansion of existing pawn shops as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new pawn shops shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the

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standards of the underlying district conflict with the standards herein, these standards shall apply. The purpose of these provisions is to limit the overconcentration of pawn shops within the City by applying minimum distance standards between pawn shops and other sensitive land uses and ensuring compatibility with surrounding uses by limiting the hours of operation.

- B. **Business License.** All new pawn shops shall comply with the business license requirements of Chapter 4.30 of the City's Municipal Code.
- C. **Location and Development Standards.** In addition to the development standards of the underlying Zoning District, the following special standards shall apply to all new pawn shops:
 - 1. **Location.** New pawn shops shall not be located closer than 1,000 from an existing pawn shop and no closer than 250 feet from a public school, park, community center, or library.
 - 2. **Hours of operation.** The hours of operation of pawn shops shall be limited to between 8:00 a.m. and 9:00 p.m. daily.

7.7.050 Recycling Facility, Collection

- A. **Purpose and Applicability.** The regulations contained in this Section shall apply to all new and qualifying expansion of existing recycling collection facilities as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new recycling collection facilities shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The purpose of these provisions is to provide for compatibility with surround uses by requiring additional setbacks, limitation on mechanical equipment, and special parking provisions.
- B. **Location.** New recycling collection facilities shall not be located within 75 feet of a residential use or Residential Zoning District.
- C. **Development Standards.** All new recycling collection facilities shall observe all development standards of the underlying Zoning District, except that they shall also comply with the following additional standards:
 - 1. **Power-driven processing equipment shall not be used except for reverse vending machines;**
 - 2. **Containers must be constructed with durable waterproof and rustproof material(s), secure from unauthorized removal of material, and shall be of a capacity sufficient to accommodate materials collected and the collection schedule;**
 - 3. **Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present; and**

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4. Use of parking spaces by the facility and by the attendant shall not reduce available parking spaces below the minimum number required for the main use unless a parking study shows that existing capacity is not fully utilized during the time the mobile recycling facility would be on the site.

7.7.060 Sexually Oriented Business**A. Purpose**

1. As defined in this Section, sexually oriented businesses include adult book stores, adult motion picture theaters, adult live theaters, and adult video tape stores. Subparagraph (g) of Government Code Section 65850 provides that the City may regulate, pursuant to a content-neutral ordinance, the time, place, and manner of operation of sexually oriented businesses. As hereinafter set forth, the City Council has determined that the regulations of this Section serve a substantial governmental interest and do not unreasonably limit alternative avenues of communication and are based on narrow, objective, and definite land use standards.

In adopting this Section, the City Council relied upon the experience of the City of Renton and the City of Seattle and the findings of federal and state court decisions in establishing the reasonableness and the constitutionality of the provisions of this Section and the reliance thereto the specific effects such adult businesses may have on the residents and businesses of Rancho Cordova, and the proximity of such businesses to other land uses, including but not limited to churches, schools, parks, places frequented by children, and other sexually oriented businesses.

2. The City Council, as a result of concerns regarding the harmful secondary effects of sexually oriented businesses, finds that such establishments require special regulations to restrict the location, operation, and concentration of these businesses.
3. Increasing urbanization, changing community standards, and evolving legal standards for the regulation of such sexually oriented businesses dictated that the City of Rancho Cordova address its regulations of such establishments so as to provide for such uses, taking into consideration the compatibility thereof with existing land uses and land use regulations, and to minimize the cumulative impacts and harmful secondary effects.
4. The City Council recognizes that the land uses regulated by this Section constitute protected expressions of speech and that said uses must be permitted, and reasonably available to potential patrons, within certain areas of the City of Rancho Cordova. The Council also recognizes that the nature of such uses, and the activities of patrons on or near the premises on which the adult uses are located, can be a threat to the public health and safety and the welfare of the citizens of the City of Rancho Cordova. The Council is fully aware that the activities conducted in such businesses are provided protection under the federal and state constitutions. Accordingly, the Council finds that the regulations of this Section are based on narrow, objective, and definite standards that are intended to provide a reasonable number of available sites for such uses while minimizing the harmful secondary effects of these uses.

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- B. **Definitions.** For the purpose of this Chapter, the following terms shall have the definitions set forth herein.

Adult Bookstore. A building or portion thereof used by an establishment under either of the following circumstances:

- Where 25 percent or more of the floor space of the area of the building open to the public, and actually used for the display of books, magazines, or other publications, is devoted to the sale of books, magazines, or other publications which are distinguished or characterized by their emphasis on matters explicitly depicting, describing or relating to specified sexual activities as defined in this Section, and which, because of their sexually explicit nature, may pursuant to state law or county regulatory authority be offered only to persons over the age of 18; or
- Where 25 percent or more of the total number of books, magazines, or other publications offered for sale to the public consist of books, magazines, or other publications which are distinguished or characterized by their emphasis on matters explicitly depicting, describing or relating to specified sexual activities as defined in this Section, and which, because of their sexually explicit nature, may pursuant to state law or county regulatory authority be offered only to persons over the age of 18.

Adult Motion Picture Theater. A building or portion thereof or area, open or enclosed, which regularly features motion pictures distinguished or characterized by an emphasis on matters depicting, describing or relating to specified sexual activities as defined in this Section or specified anatomical areas as defined in this Section.

Adult Live Theater. A building or portion thereof or area, open or enclosed, which regularly features live performances distinguished or characterized by an emphasis on matters depicting, describing or relating to specified sexual activities as defined in this Section or specified anatomical areas as defined in this Section for observation by patrons or customers.

Adult Uses. As used in this Zoning Code, adult uses shall mean sexually oriented businesses.

Adult Video Tape Store. A building or portion thereof used by an establishment under either of the following circumstances:

- Where 25 percent or more of the floor space of the area of the building open to the public, and actually used for the display of video tapes, is devoted to the sale or rental of video tapes which are distinguished or characterized by their emphasis on matters explicitly depicting, describing or relating to specified sexual activities as defined in this Section, and which, because of their sexually explicit nature, may pursuant to state law or county regulatory authority be offered only to persons over the age of 18; or
- Where 25 percent or more of the total number of video tapes offered for sale or rental to the public consist of video tapes which are distinguished or characterized by their emphasis on matters explicitly depicting, describing or relating to specified sexual activities as defined in this Section, and which, because of their sexually

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explicit nature, may pursuant to state law or county regulatory authority be offered only to persons over the age of 18.

Sexually Oriented Business. As used in this Zoning Code, a sexually oriented business is an adult bookstore, adult video tape store, an adult motion picture theater or a live adult theater, or any establishment that consists of any combination of such uses.

Specified Anatomical Areas. Specified anatomical areas are:

- Less than completely and opaquely covered human genitals; pubic region, buttock, and female breast below a point immediately above the top of the areola; and
- Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities. Specified sexual activities are:

- Display of manipulation of human genitals in a state of sexual simulation or arousal;
- Acts of human masturbation, sexual intercourse, or sodomy;
- Fondling or other erotic touching of human genitals, pubic region, buttocks, or female breast.

C. Location Conditions.

1. The zoning conditions set forth in subsection (2) below for sexually oriented businesses were drafted and adopted by the County of Sacramento and were adopted by reference by the City of Rancho Cordova. The City, however, has determined that confusion exists over the application of numerical standards in this Section and that the existence of such confusion could cause the City to approve sexually oriented businesses not intended by this Section. The City is also undertaking a comprehensive update of its Zoning Code, which includes this Section. Therefore, notwithstanding the zoning conditions set forth in subsection (2), for a period of ten months and 15 days beginning March 19, 2007, no new sexually oriented businesses shall be permitted within the City, nor shall any permits or other entitlements be granted for the expansion of any existing sexually oriented business. This temporary modification shall not prohibit the renewal of a business license for an existing sexually oriented business in the City.
2. Sexually oriented businesses are permitted subject to compliance with the following conditions:
 - a. Such use is more than 1,000 feet from any property zoned in an Agricultural or Residential Zoning District.
 - b. Such use is situated more than 1,000 feet from any other sexually oriented business.
 - c. Such use is located more than 1,000 feet from any of the following uses:

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1. Single-family, duplex, or multi-family residences;
 2. Clinic, child-family guidance;
 3. Library;
 4. Public park;
 5. Church;
 6. Citizens improvement club-community center;
 7. Public or private K-12 school;
 8. Indoor or outdoor recreation facilities that are primarily designed to serve persons under the age of 18.
- d. The 1,000-foot separation shall be measured as a radius from the primary entrance of the sexually oriented business to the property lines of the property so zoned or used.
- e. No more than three such uses shall be permitted within the boundary of the planning area for a community planning advisory council established by the City Council pursuant to Chapter 2.36 of the Rancho Cordova Municipal Code.
- f. Such use is situated in either a LIBP or M-2 land use zone.

7.7.070 Smoke Shop

- A. **Purpose and Applicability.** The regulations contained in this Section shall apply to new and qualifying expansion of existing smoke shops as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new smoke shops shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The purpose of these regulations is to limit the overconcentration of smoke shops within the City by applying minimum distance standards between smoke shops and ensuring compatibility with the surrounding community by limiting the location of smoke shops near schools, parks, community centers, and libraries.
- B. **Location.** Smoke shops shall not be located closer than 1,000 feet from another smoke shop and no closer than 250 feet from a public school, park, community center, or library.

7.7.080 Tattoo Parlor

- A. **Purpose and Applicability.** The regulations contained in this Section shall apply to new and qualifying expansion of existing tattoo parlors as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new tattoo parlors shall be consistent with the

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allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The purpose of these regulations is to limit the overconcentration of tattoo parlors within the City by applying minimum distance standards between tattoo parlors and ensuring compatibility with the surrounding community by limiting the location of tattoo parlors near schools, parks, community centers, and libraries.

- B. **Location.** Tattoo parlors shall not be located closer than 1,000 feet from another tattoo parlor and no closer than 250 feet from a public school, park, community center, or library.

7.7.090 Thrift Store

- A. **Purpose and Applicability.** The regulations contained in this Section shall apply to new and qualifying expansion of existing thrift stores as defined in Chapter 11.1 (Land Use Descriptions). The establishment of new thrift stores shall be consistent with the allowed use provisions of Article 4 (Zoning Districts, Allowable Uses, and General Development Standards) and the standards contained within this Section, as well as other development standards as required in the underlying Zoning District. Where the standards of the underlying district conflict with the standards herein, these standards shall apply. The purpose of these regulations is to limit the overconcentration of thrift stores within the City by applying minimum distance standards between thrift stores and ensuring compatibility with surrounding uses by requiring special standards for collection/receiving and refuge areas and requiring additional property maintenance.
- B. **Location.** Thrift stores shall not be located closer than 1,000 feet from another thrift store.
- C. **Development Standards.** All new thrift stores shall observe all development standards of the underlying Zoning District, except that they shall also comply with the following additional standards:
1. **Enclosed Activities.** All activities shall be completely enclosed within the building for the use.
 2. **Collection/Receiving Area.** The collection area shall be located on the side or rear of the building. Adequate directional signage shall be provided from the main entrance to the use to direct individuals to the collection area. The collection area shall be noticed to prohibit depositing goods when the store is closed.
 3. **Property Maintenance.** Management shall be responsible for the removal of litter from the subject property, adjacent property, and streets that results from the thrift store (with adjacent property owner consent).

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Chapter 7.8 Temporary Uses

Sections in this Chapter

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Draft Zoning Code Notes:

- 7V. *Regulations for temporary uses have been carried over from the existing Code. Requirements for fireworks stands in the business license ordinance have been referenced. New regulations for farmers markets have been added.*
- 7W. *Time limits for temporary uses may be exceeded through approval of a Limited Use Permit.*
- 7X. *New standards for Farmers Markets have been added.*

7.8.010 Chapter Purpose

The purpose of this Chapter is to establish regulations for uses of private property that are temporary in nature. These provisions place restrictions on the duration of the temporary use, its location, and other development standards. The intent of these regulations is to ensure that the temporary use does not adversely impact the long-term uses of the same or neighboring sites, or impact the general health, safety, and welfare of persons residing within the community.

7.8.020 Permit Required

- A. Except as otherwise provided in this Zoning Code, the temporary uses listed in this Chapter shall require the issuance of a Temporary Use Permit from the designated Approving Authority prior to establishment of the use. The process for accepting, reviewing, and approving or denying a Temporary Use Permit shall be as described in Chapter 3.3 (Temporary Use Permit). Additionally, the designated Approving Authority may impose conditions on the approval of a temporary use consistent with the standards of Chapter 3.3 (Temporary Use Permit).
- B. Applicants seeking a Temporary Use Permit for a time period longer than otherwise allowed by this Chapter may submit for a Limited Use Permit for said activity, provided that it complies with all other relevant development and operational standards (other than time duration) for the use as provided in this Chapter. Approval of the Limited Use Permit shall be in accordance with the standards of Chapter 3.8 (Limited Use Permits).

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7.8.030 Temporary Use Regulations

A. **Exempt Temporary Uses.** The following temporary uses are exempt from the permit requirements of this Chapter, provided they comply with the development standards listed herein.

1. Garage sales are permitted on any parcel where the sale operator resides, not to exceed three sales per calendar year and two consecutive days for each sale.
2. Construction yards and storage sheds for the storage of materials and equipment used as part of a construction project provided a valid building permit has been issued and the materials and equipment are stored on the same site as the construction activity.

3. Fireworks stands, except that other permit(s) may be required by the Fire District and/or other regulatory agencies and a valid Business License has been issued, consistent with the requirements of Chapter 4.54, Article 7 (Fireworks) of the City's Municipal Code

B. **Regulated Temporary Uses.** The following temporary uses may only be established after first obtaining a valid Temporary Use Permit as described in Section 7.8.020 (Permit Required).

1. Expositions, concerts, carnivals, clinics, amusement rides, and flea markets may be conducted for a period not to exceed ten days within a calendar year (either consecutive or intermittent). The use must be located on Mixed Use, Automotive, and Industrial zoned land and shall be under the supervision of a public agency or an organization, school, or church which qualifies for an exempt fee license pursuant to the Business License ordinance (Chapter 4.06, General Business Licenses, of the City's Municipal Code). Temporary uses of a similar nature when located within an entirely enclosed building are exempt from the permit requirement.
2. Farmers' market may be permitted, provided such markets qualify as Certified Farmers' Market and all producers/vendors qualify as Certified Producers under the California Department of Food and Agriculture. The market must be located within the buildable portion of the lot on which it is to be located. The Temporary Use Permit may impose conditions limiting the length of the permit, days and hours of operation, and other development factors as deemed appropriate
3. Outdoor sales and display of goods, including promotional sales, may be conducted as part of an otherwise lawfully permitted or allowed permanent use, provided all activities are conducted within the buildable portion of the lot and limited to 30 days within the first 180 days of business and for other businesses shall be limited to one period not exceeding ten days within a given year. Sales and display may not occupy more than ten percent of the parking area and shall not substantially alter the existing circulation pattern of the site. Temporary sales shall and display shall not obstruct any existing handicap accessible parking space.

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4. Seasonal sales (e.g., Christmas tree sales, pumpkin sales, etc.) may be permitted in any non-residential Zoning District upon issuance of a Temporary Use Permit. The term of permit shall not exceed 45 days per calendar year.
5. Temporary dwellings, including mobile homes, when a primary dwelling is being constructed or remodeled may be permitted, provided a valid building permit has been issued. The temporary dwelling shall be limited to a maximum of one year.
6. Temporary sales and construction offices used for the sale of lots and/or homes as part of a new residential subdivision may be permitted. Parking shall be provided as required by Chapter 6.5 (Parking and Loading). In addition, conditions of approval regulating the hours of operation, landscaping, or other aspects as deemed necessary may be imposed as part of the Temporary Use Permit.

7.8.040 Similar Uses

When a temporary use is not specifically listed in this Section, the Planning Director shall determine whether the proposed use is similar in nature to listed uses(s) and shall establish the term and make necessary findings and conditions for the particular use, consistent with the provisions for Similar Use Determination in Chapter 3.7 (Similar Use Determination).

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Article 8**Special Housing Standards and Development Incentives****Overview**

This Article contains all of the City's special housing standards and development incentives, such as the Density Bonus Ordinance and Condominium Conversion Ordinance. It also includes a process to grant reasonable accommodations for housing for persons with disabilities. The standards and provisions contained herein are in addition to the standards elsewhere in the Zoning Code.

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Chapter 8.1 Housing Incentives/Density Bonus Provisions

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Draft Zoning Code Notes:

- 8A. This Chapter contains the City's Density Bonus Ordinance. It has been updated to be consistent with recent amendments to state law. It allows for an increase in the density of a project (to a maximum) when a certain number of units are dedicated for very low and low income persons. In addition, certain incentives or concessions may be granted as part of the density bonus.

8.1.010 Chapter Purpose

The purpose of this Chapter is to provide incentives for the production of housing for very low, lower income, and senior households in accordance with Government Code Sections 65915 through 65918. In enacting this Chapter, it is the intent of the City Council to facilitate the development of affordable housing and to implement the goals and policies of the City's General Plan Housing Element.

8.1.020 Definitions

For the purpose of this Chapter, the following terms shall have the definitions set forth herein.

Affordable Rent. Affordable rent means monthly housing expenses, including a reasonable allowance for utilities (30 percent of gross monthly income), for rental target units reserved for very low or lower income households, not exceeding the following calculations:

- Very low income: Fifty percent of the area median income for Sacramento County, adjusted for household size, multiplied by 30 percent and divided by 12.
- Lower income: Sixty percent of the area median income for Sacramento County, adjusted for household size, multiplied by 30 percent and divided by 12.

Affordable Sales Price. Affordable sales price means a sales price at which lower or very low income households can qualify for the purchase of target units, calculated on the basis of underwriting standards of mortgage financing available for the development.

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Child Care Facility. Child care facility means a facility installed, operated, and maintained for the nonresidential care of children as defined under applicable state licensing requirements for the facility. Such facilities include, but are not limited to, infant centers, preschools, extended day care facilities, school age child care centers, or family day care homes as defined in this Title.

Density Bonus. Density bonus means a density increase over the otherwise Maximum Allowable Residential density under the applicable Zoning District and Land Use Element of the General Plan.

Density Bonus Housing Agreement. Density bonus housing agreement means a legally binding agreement between a developer and the City to ensure that the requirements of this Chapter are satisfied.

Density Bonus Units. Density bonus units means those residential units granted pursuant to the provisions of this Chapter which exceed the otherwise Maximum Residential Density for the development site.

Equivalent Financial Incentive. Equivalent financial incentive means a monetary contribution, based upon a land cost per dwelling unit value, equal to one of the following:

- A Density Bonus and an Incentive(s); or
- A Density Bonus, where an Incentive(s) is not requested or is determined to be unnecessary.

Housing Cost. Housing cost means the sum of actual or projected monthly payments for all of the following associated with for-sale target units: principal and interest on a mortgage loan, including any loan insurance fees, property taxes and assessments, fire and casualty insurance, property maintenance and repairs, homeowner association fees, and a reasonable allowance for utilities. Adjustments should be made as necessary for down payment assistance.

Housing Development. Housing development means one or more groups of projects for residential units planned for construction in the City. It includes a subdivision or common interest development as defined in Section 1351 of the Civil Code, residential units or unimproved residential lots, the rehabilitation of existing multi-family dwellings where the rehabilitation would result in a net increase in available units, and the conversion and rehabilitation of an existing commercial building to residential use.

Incentive and Concession. Incentive and concession means such regulatory concessions as specified in subdivision (I) of Government Code Section 65915 which include, but are not limited to, the following:

- The reduction of site development standards or a modification of Zoning Code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission including, but not limited to, a reduction in setback and square footage requirements and in the

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ratio of vehicular parking spaces that would otherwise be required that results in identifiable financially sufficient and actual cost reductions.

- Approval of mixed-use zoning in conjunction with the housing project if commercial, office, industrial, or other land uses will reduce the cost of the housing development and if the commercial, office, industrial, or other land uses are compatible with the housing project and the existing or planned development in the area where the proposed housing project will be located.
- Direct financial assistance.
- Other regulatory incentives or concessions which result in identifiable cost reductions or avoidance.

Lower Income Household. Lower income household means households whose income does not exceed the lower income limits applicable to Sacramento County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Health and Safety Code Section 50079.5

Maximum Residential Density. Maximum residential density means the maximum number of residential units permitted by the City's General Plan Land Use Element and Zoning Ordinance at the time of application.

Non-Restricted Unit. Non-restricted unit means all units within a housing development excluding the target units.

Persons and Families of Moderate Income. Persons and families of moderate income shall mean households whose income does not exceed the moderate limits applicable to Sacramento County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50093 of the California Health and Safety Code.

Qualifying Housing Development. Qualifying housing development is a housing development where the applicant or developer of the housing development agrees to provide one or more of the following:

- At least 20 percent of the total units of the housing development as target units affordable to lower income households;
- At least 10 percent of the total units of the housing development as target units affordable to very low income households; or
- Senior citizen housing.

Qualifying Resident. Qualifying resident means senior citizens or other persons eligible to reside in a senior citizen housing development.

Senior Citizen Housing Development. Senior citizen housing development means a residential development developed, substantially rehabilitated, or substantially renovated

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for senior citizens that has at least 35 dwelling units and complies with the requirements of California Civil Code Section 51.3.

Target Unit. Target unit means a dwelling unit within a housing development which will be reserved for sale or rent to, and affordable to, very low or lower income households, or qualifying residents.

Very Low Income Household. Very low income household means households whose income does not exceed the very low income limits applicable to Sacramento County, as published and periodically updated by the State Department of Housing and Community Development pursuant to Section 50105 of the California Health and Safety Code.

8.1.030 Eligibility for Incentives and Bonuses

The City of Rancho Cordova shall grant one density bonus, with concessions or incentives, as specified in Section 8.1.050 (Number and Types of Incentives and Bonuses Allowed), or provide other incentives or concessions of equivalent financial value based upon the land cost per dwelling unit, when the applicant for the housing development seeks and agrees to construct a housing development, excluding any units permitted by the density bonus awarded pursuant to this Chapter, that will contain at least one of the following:

- A. Ten percent of the total units of a housing development for lower income households;
- B. Five percent of the total units of a housing development for very low income households;
- C. A senior citizen housing development; or
- D. Ten percent of the total dwelling units in a common interest development as defined in Section 1351 of the California Civil Code for persons and families of moderate income, provided that all units in the development are offered to the public for purchase.

8.1.040 General Provisions for Incentives and Bonuses

The following general provisions apply to the application and determination of all incentives and bonuses:

- A. All density calculations resulting in fractional units shall be rounded up to the next whole number.
- B. The granting of a density bonus shall not be interpreted, in and of itself, to require a General Plan Amendment, Rezone, or other discretionary approval.
- C. The density bonus shall not be included when determining the number of housing units that is equal to five or ten percent of the total.
- D. Upon request by the applicant, the City shall not require that a housing development meeting the requirements of Section 8.1.030 (Eligibility for Incentives and Bonuses) provide a vehicular parking ratio, inclusive of handicapped and guest parking, that exceeds the following:

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1. Zero (studio) to one bedrooms: one on-site parking space per unit
2. Two to three bedrooms: two on-site parking spaces per unit
3. Four and more bedrooms: two and one-half parking spaces per unit

If the total number of parking spaces required for a housing development is other than a whole number, the number shall be rounded up to the next whole number. For purposes of this subsection, a development may provide “on-site parking” through tandem parking or uncovered parking, but not through on-street parking.

- E. The City shall not apply any development standard that would have the effect of precluding the construction of a housing development meeting the requirements of Section 8.1.030 (Eligibility for Incentives and Bonuses) at the densities or with the incentives permitted by this Chapter. An applicant may submit to the City a proposal for the waiver or reduction of development standards. Nothing in this subsection, however, shall be interpreted to require the City to waive or reduce development standards if the waiver or reduction would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or the physical environment or on any real property that is listed in the California Register of Historical Resources and for which the City determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact. Furthermore, the applicant shall be required to prove that the waiver or modification is necessary to make the target units economically feasible.

8.1.050 Number and Types of Incentives and Bonuses Allowed

- A. **General Project Density Bonus.** A housing development that satisfies all applicable provisions of this Chapter shall be entitled to the following density bonus:

1. For developments providing lower income target units, a 20 percent base density bonus plus a one-and-a-half percent supplemental increase over that base for every one percent increase in low income units above ten percent. The maximum density bonus allowed including supplemental increases is 35 percent.
2. For developments providing very lower income target units, a 20 percent base density bonus plus a two-and-a-half percent supplemental increase over that base for every one percent increase in very low income units above five percent. The maximum density bonus allowed including supplemental increases is 35 percent.
3. For senior citizen housing developments, a flat 20 percent density bonus.
4. For common interest developments providing moderate income target units, a five percent base density bonus plus a one percent increase in moderate-income units above ten percent. The maximum density bonus allowed including supplemental increases is 35 percent.

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B. Number of Incentives or Concessions. In addition to the eligible density bonus percentage described in this Section, an applicant may request one or more incentives or concessions in connection with its application for a density bonus as follows:

1. A reduction in the site development standards or a modification of zoning code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 Section 18907 of Division 13 of Health and Safety Code, including but not limited to a reduction in setback and square footage requirements and in ratio of vehicle parking spaces that would otherwise be required and that results in identifiable, financially sufficient, and actual cost reductions.
2. Approval of mixed-use development in conjunction with the housing development if the non-residential land uses will reduce the cost of the housing development and the non-residential land uses are compatible with the housing development and surrounding development.
3. Other regulatory incentives or concessions proposed by the applicant or that the City determines will result in identifiable, financially sufficient, and actual cost reductions.
4. Priority processing of a housing development that provides income-restricted units.

C. Available Incentives and Concessions. The following incentives and concessions are available for compliance with this Chapter.

1. A reduction in the site development standards or a modification of Zoning Code requirements or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission as provided in Part 2.5 Section 18907 of Division 13 of Health and Safety Code, including but not limited to a reduction in setback and square footage requirements and in ratio of vehicle parking spaces that would otherwise be required and that results in identifiable, financially sufficient, and actual cost reductions.
2. Approval of mixed-use development in conjunction with the housing development if the non-residential land uses will reduce the cost of the housing development and the non-residential land uses are compatible with the housing development and surrounding development.
3. Other regulatory incentives or concessions proposed by the applicant or that the City determines will result in identifiable, financially sufficient, and actual cost reductions.
4. Priority processing of a housing development that provides income-restricted units.

D. Additional Density Bonus and Incentives and Concessions for Donation of Land to the City

1. When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to the City and agrees to include a minimum of ten percent of the total units before the density bonus for very low income households, as provided for in this subsection, the applicant shall be entitled to a 15

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percent base density bonus plus a one percent supplemental increase for each additional percentage of very low income units to a maximum density bonus of 35 percent.

2. The density bonus provided in this subsection shall be in addition to any other density bonus provided by this Chapter to a maximum combined density bonus of 35 percent.
3. The applicant shall be eligible for the increased density bonus described in this subsection if all of the following conditions are met:
 - a. The applicant donates and transfers the land no later than the date of approval of the final subdivision map, parcel map, or residential development application;
 - b. The developable acreage and Zoning designation of the land being transferred are sufficient to permit construction of units affordable to very low income households in an amount not less than ten percent of the number of residential units of the proposed development;
 - c. The transferred land is at least one acre in size or is of sufficient size to permit development of at least 40 units, has the appropriate General Plan Land Use and Zoning designations, and is or will be served by all required public utilities;
 - d. The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with the requirements of this Chapter;
 - e. The land is transferred to the City or to a housing developer approved by the City; and
 - f. The transferred land shall be within the boundary of the proposed development or, at the City's approval, within one-quarter mile of the boundary of the proposed development.
4. Nothing in this subsection shall be construed to enlarge or diminish the authority of the City to require a developer to donate land as a condition of development.

E. Additional Density Bonus and Incentives and Concessions for Development of Child Care Facility

1. Housing developments meeting the requirements of Section 8.1.030 (Eligibility for Incentives and Bonuses) and including a child care facility that will be located on the premises of, as part of, or adjacent to the housing development shall receive either of the following:
 - a. An additional density bonus that is an amount of square feet of residential space that is equal to or greater than the amount of square footage in the child care facility.

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- b. An additional incentive or concession that contributes significantly to the economic feasibility of the construction of the child care facility.
- 2. The density bonus housing agreement for the housing development shall ensure that:
 - a. The child care facility shall remain in operation for a period of time that is as long as or longer than the period of time during which the target units are required to remain affordable; and
 - b. Of the children who attend the childcare facility, the children of very low income households, lower income households, or persons or families of moderate income shall equal a percentage that is equal to or greater than the percentage of target units that are required pursuant to Section 8.1.030 (Eligibility for Incentives and Bonuses).
- 3. The City shall not be required to provide a density bonus or incentive or concession for a child care facility if it makes a written finding, based upon substantial evidence, that the community has adequate child care facilities.

F. Condominium Conversion Incentives for Low Income Housing Development

- 1. When an applicant for approval to convert apartments to a condominium project agrees to the following, the City shall grant either a density bonus of 25 percent over the number of apartments (to be provided within the existing structure or structures proposed for conversion) or provide other incentives of equivalent financial value.
 - a. Provide at least 33 percent of the total units of the proposed condominium project to persons and families of low or moderate income; or
 - b. Provide at least 15 percent of the total units of the proposed condominium project to lower income households; and
 - c. Agree to pay for the reasonably necessary administrative costs incurred by the City.
- 2. For purposes of this subsection, “other incentives of equivalent financial value” shall not be construed to require the City to provide cash transfer payments or other monetary compensation but may include the reduction or waiver of requirements which the City might otherwise apply as conditions of conversion approval.
- 3. Nothing in this subsection shall be construed to require the City to approve a proposal to convert apartments to condominiums.
- 4. An applicant shall be ineligible for a density bonus or other incentives under this subsection if the apartments proposed for conversion constitute a housing development for which a density bonus or other incentive was previously provided.

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8.1.060 Location of Bonus Units

As required by State law, the location of density bonus units within the housing development may be at the discretion of the developer. However, the inclusionary units shall be dispersed throughout the development (where feasible), shall contain, on average, the same number of bedrooms as the non-inclusionary units in the development, and shall be compatible with the design or use of the remaining units in terms of appearance, materials, and quality finish.

8.1.070 Continued Availability

- A. If a housing development providing lower or very low income target units receives only a density bonus, the target units must remain restricted to lower or very low income households for a minimum of 30 years from the date of issuance of the Certificate of Occupancy.
- B. If a housing development providing lower or very low income target units receives both a density bonus and an additional incentive, the target units must remain restricted to lower or very low income households for a minimum of 50 years from the date of issuance of the Certificate of Occupancy.
- C. In the case of a housing development providing moderate income target units, the initial occupant of the target unit must be a person of family of moderate income. Upon resale, the seller of the target units shall retain the value of any improvements, the down payment, and the seller's proportionate share of appreciation, which shall be used within three years for any of the purposes described in subdivision (e) of Section 33334.2 of the California Health and Safety Code that promote homeownership. The City's "proportionate share" shall be equal to the percentage by the initial sale price to the moderate income household was less than the fair market value of the home at the time of the initial sale.

8.1.080 Process for Approval or Denial

- A. **Process for Approval.** The density bonus and incentive(s) and concession(s) request shall be considered in conjunction with any necessary development entitlements for the project. The designated Approving Authority for density bonuses shall be the City Council. In approving the density bonus and any related incentives or concessions, the City and applicant shall enter into a density bonus agreement. The form and content of the density bonus agreement shall be determined by the City.
- B. **Approval Required Unless Denial Findings Made.** The City shall grant the density bonus, incentive(s), and concession(s) requested by the applicant unless the City makes a written finding, based upon substantial evidence, of either of the following:
 - 1. The incentive or concession is not required in order to provide for affordable housing costs or affordable rents.
 - 2. The incentive or concession would have a specific adverse impact, as defined in paragraph (2) of subdivision (d) of Section 65589.5 of the California Government Code, upon public health and safety or physical environment or any real property that is listed in the California Register of Historical Resources and for which the

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City determines there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low and moderate income households.

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Chapter 8.2 Condominium Conversion

Sections in this Chapter

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Draft Zoning Code Changes:

- 8B. *This Chapter contains the City's updated Condominium Conversion Ordinance.*
- 8C. *This revised ordinance includes definitions, the requirement for a Development Agreement, application submittal requirements (including vacancy rates), tenant relocation assistance, and the property must be inspected and upgraded to current building code and standards.*

8.2.010 Chapter Purpose

The provisions of this Section shall apply to the development of all residential condominiums and stock cooperatives including the conversion of existing dwelling units to condominiums, row houses, town houses, and stock cooperatives. The purpose of the ordinance is to establish procedures for the conversion as well as to maintain the availability of rental housing stock and to ensure that rental apartments being converted meet applicable physical standards.

8.2.020 Definitions

For the purpose of this Chapter, the following terms shall have the definitions set forth herein.

Applicant. The owner(s) or subdivider(s) with a controlling interest in the proposed project and any successors in interest.

Condominium. Means and includes the items below. The term "condominium" specifically includes, but is not limited to, the conversion of any existing structure for sale pursuant to a method described in subsections (1) through (4) of this definition:

1. Condominium as defined by Section 783 of the Civil Code;

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2. Community apartment project as defined by Section 11004 of the Business and Professions Code;
3. Stock cooperative as defined by Section 11003.2 of the Business and Professions Code; and
4. Planned development as defined by Section 11003 of the Business and Professions Code.

Condominium Conversion or Conversion. A change in the ownership of a parcel or parcels of property, together with structures thereon, whereby the parcel or parcels and structures previously used as rental units are changed to condominium ownership. Condominium conversion includes projects which have previously obtained final map approval, but have not proceeded to sell any of the apartment units to individual unit owners.

Condominium Project or Project. Includes the real property and any structures thereon, or any structures to be constructed thereon, which are to be divided into condominium ownership.

Condominium Unit or Units. The individual spaces with a condominium project owned as individual estates.

Eligible Tenant. Any tenant who was a resident of the project proposed for conversion on the date of notice of intent to convert is given as required by state law.

Low Income. When used by itself or as a modifier of person or household or other term, means a household whose income does not exceed 80 percent of the median income applicable to Sacramento County, adjusted for family size as published and annually updated by the United States Department of Housing and Urban Development.

Moderate Income. When used by itself or as a modifier of person or household or other term, means a household whose income does not exceed 81 percent to 120 percent of the median income applicable to Sacramento County, adjusted for family size as published and annually updated by the United States Department of Housing and Urban Development.

Notice of Intent to Convert. A notice required to be served upon tenants or prospective tenants pursuant to the requirements of Sections 66427.1, 66452.8, 66452.9, or 66459 of the Subdivision Map Act. The definition includes both 60- and 180-day notices as further defined in the applicable Section.

Special Category Tenants. Refers to persons or tenants who fall within one or more of the following categories:

1. Elderly means individuals 62 years of age or older;
2. Handicapped or permanently disabled as defined in Section 50072 of the California Health and Safety Code or 42 USC 423 and 24 C.F. R. 8.3;

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3. Low income or very low income as defined in this Section.

Vacancy Rate. The actual physical vacancy rate of non-rented apartments in the project.

Very Low Income. When used by itself or as a modifier of person or household or other term, means a household whose income does not exceed 50 percent of the median income applicable to Sacramento County, adjusted for family size as published and annually updated by the United States Department of Housing and Urban Development.

8.2.030 Application Acceptance

An application for a condominium conversion permit will only be accepted when the City-wide vacancy rate for multiple family housing, as determined by the Director, is more than five percent averaged over the previous four quarters. Additionally, no application shall be accepted if the current percentage of multi-family rental units (within complexes of three or more units) is currently at or below fifteen percent of the total number of housing units for the City or if the conversion would reduce that percentage to below fifteen percent. An application for conversion shall apply to the whole multi-family housing project and partial conversions shall not be permitted.

8.2.040 Permit and Development Agreement Required

All condominium conversion projects require a Condominium Conversion Permit and Development Agreement as outlined in Chapter 3.10 (Condominium Conversion). The Development Agreement may require such items as park renovation fees, mixed income housing requirement, or other items as determined by the designated Approving Authority. At a minimum, the Development Agreement with the City shall provide the following:

- A. The maintenance and preservation of a minimum of ten percent of all units (in complexes of more than nine units) to be affordable to low income households. Smaller project of nine units or less may develop alternate strategies to on-site requirements.
- B. Addresses in a manner satisfactory to the City, the needs of all special needs households (elderly, disabled, large, single-parent, and female-headed households) currently in residence as renters in the units to be converted.

8.2.050 Application Content

Recognizing that the conversion of existing structures which have been previously occupied and constructed as rental units presents unique problems to present tenants and future buyers, the application for a use permit for a condominium conversion project shall include the following information:

- A. The proposed organizational documents, including the Covenants, Conditions and Restrictions, to be recorded pursuant to Section 1350 et seq. of the Civil Code. The organizational documents shall provide for the following:
 - 1. Transfer of title to each unit;

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2. Assignment of parking for each owner, and provisions for parking of recreational vehicles;
 3. The management of common areas within the project and the complex generally;
 4. The anti-discrimination provisions set forth in this Chapter;
 5. A copy of the maintenance program and proposed budget by a homeowners association or other enforceable means to ensure maintenance of common areas, landscaping, private streets, parking areas, and recreational facilities.
- B. A property report. The property report prepared by an licensed engineer shall describe the condition and structural integrity, and estimate the remaining useful life of each of the following elements of each structure situated within the project proposed for conversion: roofs, foundations, exterior paint, insulation, paved surfaces, mechanical systems, electrical systems, plumbing systems, sewage systems, sprinkler systems for landscaping, utility delivery systems, central or community heating and air conditioning systems, fire protection systems including any automatic sprinkler systems, alarm systems, or standpipe systems, structural elements, and drainage systems.
- The property report shall state what the Sound Transmission Class and Sound Impact Class of the existing floor-to-ceiling and wall-to-wall assemblies of sample units are. The report shall also explain, in nontechnical terms, what the class ratings mean and state what measure, if any, the applicant will take to improve sound attenuation between units.
- The property report shall list each fixed appliance to be contained in each or any unit offered for sale and shall state whether the appliance is or will be new or used when the unit is first offered for sale. The report shall also state the terms and nature of the warranty offered by the applicant on each such appliance.
- Each portion of the property report shall be prepared by an appropriately licensed engineer, and each unit shall be fully inspected. Upon completion and submittal of the report, the City's Neighborhood Services Rental inspection team shall confirm the findings of the property report in writing subsequent to their independent review of conditions.
- The property report should include an estimate of the cost to improve all of the systems so that a new buyer could reasonably expect a 30-year life from the structure and grounds involved.
- C. A structural pest control report.
 - D. A building history report identifying the date of construction of all elements of the project.
 - E. A report identifying all characteristics of the building not in compliance with this ordinance or applicable building or housing codes. The report shall also indicate how the buidings and/or units will be brought into compliance with the existing Building Code.
 - F. A rental history report detailing the size, in square footage, of the building or buildings and each unit; the current or last rental rate; the name and address of each present

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tenant; the monthly rental rate for the preceding ~~three years~~four quarters for each unit; the average monthly vacancy over the preceding ~~three years~~four quarters; and the number of evictions over the preceding ~~three years~~four quarters. In addition, evidence shall be submitted that tenants have been notified and have acknowledged the applicant's intent to file a request for conversion for a period of at least 90 days prior to the initial filing of an application for a conversion use permit or tentative subdivision map.

Failure to provide any information required by (b) through (f) above shall be accompanied by an affidavit or declaration given under penalty of perjury setting forth in detail all efforts undertaken to discover the information and all reasons why the information could not be obtained.

- G. A detailed report describing the relocation and moving assistance information to be given to each tenant, and the steps the applicant will take to ensure the successful relocation of each tenant. The report should state in detail what assistance will be provided for special category tenants, including a discussion of long-term or life-term leases and provisions to allow such tenants to continue renting after conversion until comparable housing are available.
- H. A survey of all the tenants in the conversion project indicating the tenants' household income, how long each tenant had been a resident of the project, how long each tenant had planned to live in the project, whether or not each tenant would be interested in purchasing a unit, to which City area each tenant would choose to relocate if the conversion took place and the tenant did not purchase a unit, and the extent of tenant approval in principle of the conversion. The survey must include an estimate of the sales price for each unit, not including inflation and adjustments that would take place during conversion.

To comply with this provision, the applicant shall provide a tenant rights handout and a questionnaire, in a form approved by the City, to each tenant with an envelope, postage prepaid, addressed to the City Planning Department. The questionnaire shall direct the tenant to return the completed form directly to the City Planning Department. The Planning Director may require additional information necessary to assist in evaluating said conversion project in order to make proper findings in accordance with the purposes and objectives set forth in the adopted City General Plan. Such information may include, but shall not be limited to:

1. A report comparing the units in the conversion project, as both rentals and ownership units, with housing available within the City as affected by the project.
2. A report on availability of comparable rental units at similar rental rates remaining within the City, including vacancy rate information.
3. A report outlining the available low and moderate income housing units (rental and sales housing) within the City.

~~I. **Ownership Association.** The developer shall submit to the Planning Commission a copy of the maintenance program and proposed budget by a homeowner's association or other enforceable means to ensure maintenance of common areas, landscaping, private streets, parking areas, and recreational facilities.~~

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Article 8 – Special Housing Standards and Development Incentives

8.2.060 Building Code Requirements

All converted units shall be retrofitted to the standards required of new residential condominiums as required by the Chief Building Inspector, including energy conservation.

~~A building proposed for conversion, and each unit within the building, shall comply at a minimum with all applicable Building Code standards in effect at the time of the last alteration, repair, relocation, or reconstruction of the building, necessitating compliance with the Building Code, or, if none, at the time of first construction.~~

~~No building shall be permitted to be converted to condominium ownership unless the building was constructed and subject to a building permit issued under the provisions of the 1952 Uniform Building Code, or subsequently adopted Uniform Building Code, unless it is found by the Appropriate Authority that the building constructed prior to 1952 is decent, safe, and sanitary based upon property report review by building inspector.~~

~~No building constructed after May 10, 1980 shall be permitted to be converted to condominium ownership unless the building was constructed in full compliance with all applicable building codes and the development standards applicable to new condominium construction, in effect at the time of the last alteration, repair, relocation, or reconstruction of the building, or, if none, at the time of first construction.~~

~~After reviewing the property report required pursuant to Section 305-91 (b-e) and after inspecting the structures within the project when deemed necessary, the Chief of the Building Inspections Division shall identify and make available to the Planning Commission and Board all items evidenced by such reports or inspection to be in noncompliance with applicable building and housing codes or to be hazardous to the life, health or safety of any occupant of the units within the project or the general public. All such items shall be corrected to the satisfaction of the Chief of Building Inspections Division. An appropriate fee to cover the cost of the Building Inspection Division's review and inspection may be collected.~~

~~If the proposed project does not comply with the provisions relating to utilities, personal safety and Building Code compliance, or if the Chief of the Building Inspections Division identifies items to be corrected as provided in Section 305-96, any use permit issued pursuant to this part shall require the developer to furnish a performance bond or other means of security approved by the County Counsel in an amount to be determined by the Chief of Building Inspections to be the reasonable estimated cost to bring the project into compliance with said codes and to make all necessary repairs. The bond shall run in favor of individual purchasers and the Association, and the bond shall provide for reasonable attorney's fees in the event of default by the principal.~~

8.2.070 Consumer Protection Provisions

In addition to the tenant protection provisions set out in the Subdivision Map Act, the applicant shall comply with the provisions in Sections 305-101 through 305-104 below, as conditions of any use permit for a condominium conversion project approved pursuant to this Article..

- A. **Sales and Lease Termination.** The tenants of the project on the date of application shall be offered the first right of refusal to purchase units. The offer shall run for 90 days from the date of issuance of subdivision public report by the State Department of Real Estate unless the tenant gives prior written notice of intention not to exercise the right. A

RANCHO CORDOVA ZONING CODE

Article 8 – Special Housing Standards and Development Incentives

tenant of any project proposed for conversion on the date of application for each conversion may terminate any lease after giving 30 days notice. The required relocation assistance shall be applicable to all units from the date of final approval of the use permit to the closing of escrow for the final unit in the project.

- B. **Relocation Assistance.** The applicant shall offer to each eligible tenant a plan for relocation to comparable housing, as approved by the Planning Commission.

The relocation plan shall provide, at a minimum, for the following:

1. Assistance to each eligible tenant in locating comparable housing, including but not limited to, providing availability reports and transportation, where necessary.
2. Payment of a relocation fee to each tenant who does not choose to stay. At a minimum, such payment shall be equal in amount to two months rent and the security deposit amount paid by the tenant for the existing apartment unit. The payment shall be a cash payment of at least \$300.00 if the tenant is relocating from an unfurnished apartment, or \$200.00 if the tenant is relocating from a furnished apartment. A tenant is not entitled to a relocation fee pursuant to this subsection if the tenant has been evicted for just cause. ~~Cash payment minimums will be adjusted annually. In addition, up to \$50.00 cash payment shall be made for utility deposits and hook-up costs.~~
3. In the case of eligible tenants who are elderly, handicapped, low income, or single heads of households living with one or more minor children, the following additional provisions must be made:
 - a. Payment of the first month's rent in the new complex and refund of all key, utility, and pet deposits to which the tenant is entitled upon vacating the unit. Cleaning and security deposits, minus damages, shall be refunded to the tenant upon vacating the unit.
 - ~~b. In lieu of the transfer of deposits to the new complex, the tenant may, at his or her option, elect to be refunded all deposits to which he or she is entitled.~~
 - b. If the amount of deposits and other fees required upon moving into the new complex exceed the amounts refunded to the tenant plus damages, the applicant shall pay the difference.
 - c. If amount of damage to any unit exceeds the deposit, the excess may be subtracted from the relocation assistance payment.
 - d. Residents with school-age children shall not be required to relocate during the school year.
4. In the case of eligible special category tenants, the following additional provisions must be made:

RANCHO CORDOVA ZONING CODE**Article 8 – Special Housing Standards and Development Incentives**

- a. Subsidy. Where the rent for the comparable unit is higher than the rent for the current unit, the applicant shall pay the difference for a period of one year from the date of relocation.
- b. Evictions. Until each tenant is successfully relocated, the tenant shall not be unjustly evicted.
- c. Life-Term and Long-Term Leases. The applicant shall offer eligible tenants leases for a term of:
 - i. Fifty-nine years when the tenant is elderly or handicapped and who also qualifies as low income. Such leases shall provide that annual rent increase shall not exceed the percent of change in HUD's defined fair market rent.
 - ii. Fifty-nine years when the tenant is elderly or handicapped with a moderate income or greater. Rents may be increased at the prevailing market rate.
 - iii. An annually renewable lease for a term not to exceed five years for low income households when the appropriate authority finds that comparable units are not available for the relocation of low income persons. Such agreements shall be certified for tenant eligibility each calendar year. Qualification for the federal Section 8 program or its successor shall constitute certification.
- 5. The offer to each eligible tenant of a plan for relocation shall be free of any coercion, intimidation, inducement, or promise not herein specified and shall not cause the tenant to vacate in advance of, or prior to, a timetable or schedule for relocation as approved in the application for approval of conversion.

8.2.080 Anti-Discrimination

The applicant or owner of any condominium unit within a project shall not discriminate in the sale, or in the terms and conditions of sale, of any dwelling unit against any person who is or was a lessee or tenant of any such dwelling unit because such person opposed, in any manner, the conversion of such building into a condominium. In a like manner, the applicant or owner shall not discriminate in the sale, or in the terms and conditions of sale, of any dwelling unit against any person or household based upon age or household size, when household size does not exceed the Uniform Housing Code standard which states, "Every dwelling unit shall have at least one room which shall have not less than 150 square feet of floor area. Other habitable rooms, except kitchens, shall have an area of not less than 70 square feet. Where more than two persons occupy a room used for sleeping purposes, the required floor area shall be increased at the rate of 50 square feet for each occupant in excess of two (Uniform Housing Code Section 503(b))." This anti-discrimination Section shall be included in the conditions, covenants, and restrictions for the project.

8.2.090 Preconversion Protection

From the date of application for a permit to convert, or until relocation takes place or the application is denied or withdrawn, but in no event for more than two years, no tenant shall be unjustly evicted and no tenant's rent shall be increased (1) more frequently than once every six

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months nor (2) in an amount greater than the annual increase in utility costs and insurance costs, plus increased operating costs not to exceed two percent per year. This limitation shall not apply if rent increases are expressly provided for in leases or contracts in existence prior to the filing date of the use permit.

8.2.100 Appliance Warranties

The applicant shall provide free of charge to the first individual purchaser of each unit a one-year warranty on each fixed appliance contained in the unit, whether new or used.

8.2.110 Development Standards

The following development standards shall apply to all applications for a use permit for condominium conversion and new construction.

- A. **Gas.** Each condominium unit shall have a separate gas service where gas is a necessary utility. If this provision places unreasonable economic burden on the applicant, the designated Approving Authority may approve an alternative.
- B. **Electricity.** Each condominium unit shall have a separate electrical service, with separate meters and disconnects, and with ground fault interrupters where ground fault interrupters are required by present building codes.
- C. **Telephone Company Access.** The telephone company serving the location under conversion shall have the right to construct and maintain (place, operate, inspect, repair, replace, and remove) communication facilities as it may from time-to-time require (including access) in or upon any portion of the common area, including the interior and exterior of the buildings as necessary to maintain communication service within the project. This provision may not be amended or terminated without the consent of the serving telephone company.

8.2.120 Lapse of Use Permit

An approved condominium conversion permit, if not used for the purpose for which it was granted, shall lapse three years following the date on which the permit became effective. Since the regulations related to condominium conversions are unique in that (1) measures come into place with the filing of the application for the use permit; (2) in terms of the financial obligations related to eligible tenants; and (3) rental limitations, the following provision shall apply to use permits for condominium conversions:

A use permit shall be deemed in effect if, within three years from the date of approval, one of the following occurs:

- A. A final subdivision map is recorded for all or a portion of the property involved in the use permit, or
- B. Pursuant to the approved relocation assistance plan, written evidence has been filed with the Planning Director that more than ten percent of eligible tenants have been relocated.

RANCHO CORDOVA ZONING CODE**Article 8 – Special Housing Standards and Development Incentives****8.2.130 Right to Terminate Conversion**

Within three years of the approval of a use permit for a condominium conversion or pursuant to Chapter 3.10 (Condominium Conversion) after the use permit is in effect, the applicant may elect not to pursue the completion of all or part of the approved conversion. Upon the acceptance of a notice of termination by the designated Approving Authority, along with evidence that all remaining eligible tenants have been notified in writing, the condominium conversion permit shall be deemed lapsed and void. Acceptance of the notice of termination shall be an administrative authority of the Planning Director. Such acceptance shall be by a written notice of acceptance which may be withheld until such time as the Director is assured that any required tenant obligations incurred during the preconversion process have been satisfied.

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Chapter 8.3 Reasonable Accommodations for Housing for Persons with DisabilitiesSections in this Chapter

8.3.010	Chapter Purpose	8.3-1
8.3.020	Requesting Reasonable Accommodation	8.3-1
8.3.030	Required Information	8.3-2
8.3.040	Approving Authority and Approval Process	8.3-2
8.3.050	Group Homes	8.3-3
8.3.060	Required Findings for Reasonable Accommodations	8.3-3
8.3.070	Appeals	8.3-3

Draft Zoning Code Notes:

8D. This Chapter contains a new process to provide reasonable accommodations for housing for persons with disabilities. The process allows persons with disabilities, as defined in the Federal Fair Housing Act, to be granted reasonable accommodations, such as waivers from setback and height standards to allow of installation of ramps, handrails, or other necessary features. This process is required under recent SB2 legislation.

8.3.010 Chapter Purpose

The purpose of this Chapter is to provide a process for individuals with disabilities to make requests for reasonable accommodation in regard to relief from the various land use, zoning, or rules, policies, practices, and/or procedures of the City. It is the policy of the City, pursuant to the Federal Fair Housing Act (as amended), to provide people with disabilities reasonable accommodation in rules, policies, and procedures that may be necessary to ensure equal access to housing.

8.3.020 Requesting Reasonable Accommodation

- A. In order to make specific housing available to an individual with a disability, a disabled person or representative may request reasonable accommodation relating to the various land use, zoning, or rules, policies, practices, and/or procedures of the City.
- B. If an individual needs assistance in making the request for reasonable accommodation or appealing a determination regarding reasonable accommodation, the Planning Department will endeavor to provide the assistance necessary to ensure that the process is accessible to the applicant or representative.
- C. A request for reasonable accommodation in laws, rules, policies, practices, and/or procedures may be filed on an application form provided by the Planning Department at the time that the accommodation may be necessary to ensure equal access to housing.

RANCHO CORDOVA ZONING CODE**Article 8 – Special Housing Standards and Development Incentives****8.3.030 Required Information**

The applicant shall provide the following information:

- A. A completed City application indicating, among other things, the applicant's name, address, and telephone;
- B. Address of the property for which the request is being made;
- C. The current actual use of the property;
- D. The zoning code provision, regulation, or policy from which reasonable accommodation is being requested;
- E. The basis for the claim that the person(s) for whom reasonable accommodation is sought is/are considered disabled under the Fair Housing Act and why the accommodation is reasonably necessary to make specific housing available to the person(s);
- F. Such other relevant information as may be requested by the Planning Director or his or her designee.

8.3.040 Approving Authority and Approval Process

Notwithstanding any other provision of this Zoning Code, the Planning Director shall be the designated Approving Authority to consider and take action on requests for reasonable accommodation. When a request for reasonable accommodation is filed with the Planning Department, it will be referred to the Planning Director for review and consideration as a ministerial action unless determined otherwise by the Planning Director. A request for reasonable accommodation shall be considered ministerial in nature when it is related to a physical improvement that cannot be constructed to conform to the City's setbacks or design standards. Typical improvements considered to be "ministerial" in nature would include ramps, walls, handrails, or other physical improvements necessary to accommodate a person's disability. The Planning Director shall issue a written determination of his or her action within 30 days of the date of receipt of a completed application and may:

- A. Grant or deny the accommodation request; or
- B. Grant the accommodation request subject to specified nondiscriminatory condition(s); or
- C. Forward the request to the Planning Commission for consideration as a Limited Use Permit as prescribed in Chapter 3.8 (Limited Use Permit) and subject to the findings stated in Section 8.3.060 (Required Findings for Reasonable Accommodations).

In the event the Planning Director determines that the request for reasonable accommodation(s) is non-ministerial in nature, such request shall be forwarded to the Planning Commission in accordance with Section 2.3.030 (Elevation of Level 2 to Level 3) and shall be subject to the findings stated in Section 8.3.060 (Required Findings for Reasonable Accommodations).

RANCHO CORDOVA ZONING CODE**Article 8 – Special Housing Standards and Development Incentives**

All written determinations of actions of the Planning Director shall give notice of the right to appeal and the right to request reasonable accommodation on the appeals process (e.g., requesting that City staff attempt to schedule an appeal hearing as soon as legally and practically possible), if necessary. The notice of action shall be sent to the applicant by mail.

If necessary to reach a determination or action on the request for reasonable accommodation, the Planning Director may request further information from the applicant consistent with the Planning Department's specifying in detail what information is required. In the event a request for further information is made, the 30-day period to issue a written determination shall be stayed until the applicant fully and sufficiently responds to the request.

8.3.050 Group Homes

All requests for reasonable accommodation relating to increased occupancy of a group home shall be filed first with the Planning Director. At his/her sole discretion, the Planning Director can act upon the request as described in Section 8.3.040 (Approving Authority and Approval Process) or such request shall be forwarded to the Planning Commission. If a request is forwarded to the Planning Commission, it shall be processed as a Limited Use Permit in accordance with Chapter 3.8 (Limited Use Permits) and shall be subject to the findings stated in Section 8.3.060 (Required Findings for Reasonable Accommodations).

8.3.060 Required Findings for Reasonable Accommodations

In making a determination regarding the reasonableness of a requested accommodation, the Designated Approval Authority shall make the following findings:

- A. The housing which is the subject of the request for reasonable accommodation will be used for an individual protected under the Fair Housing Act.
- B. The request for reasonable accommodation is necessary to make specific housing available to an individual protected under the Fair Housing Act.
- C. The requested reasonable accommodation does not impose an undue financial or administrative burden on the City and does not fundamentally alter City zoning, development standards, policies, or procedures.

8.3.070 Appeals

Appeal of the Planning Director or Planning Commission action on the request for reasonable accommodation shall be made in accordance with the procedures specified in Chapter 2.6 (Appeals and Council Elevations).

Chapter 8.4 Executive Housing Standards

Sections in this Chapter

8.4.010 Chapter Purpose8.4-1

Draft Zoning Code Notes:

8E.

8.4.010 Chapter Purpose

The purpose of...

RANCHO CORDOVA ZONING CODE

Article 5**Form Based Zoning Provisions****Overview**

This article provides form based provisions for three new “center” zoning districts: the Village Center Zone, the Local Town Center Zone and the Regional Town Center Zone. These districts implement the General Plan vision to create vibrant activity nodes serving a more sustainable and livable building blocks model. The provisions contained within this chapter include development standards that provide incentives and requirements for more urban style, multi-modal development at key locations within the City. The form based provisions are intended to facilitate the development of mixed-use projects and discourage isolated single use projects that are not integrated with surrounding neighborhoods.

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Chapter 5.1 Introduction to Form Based Provisions

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Draft Zoning Code Notes:

How is this Chapter different than the current Zoning Code?

This chapter introduces three new form based zoning districts. The current code does not have any form based districts, but does include some mixed use zoning districts. Unlike traditional zoning districts that regulate by segregating different land uses from one another, a form based district is more concerned with how each development project relates to the larger context of the community. This chapter describes how the form based provisions are implemented within the context of the larger code.

5.1.010 Purpose

This Chapter defines "form based zoning" and clarifies the relationship between this Article and the remainder of the zoning code. The Chapter also explains how the form based provisions are applied and administered.

5.1.020 Defining Form Based Zoning

Form based zoning provides a method of regulating development to achieve a desired urban form. Form based provisions address the relationship between building facades and the public realm, the form and mass of buildings, and the size, character and type of streets and blocks. The central focus of form based provisions is the regulating plan that designates the appropriate form (and character) of development rather than only distinctions in land-use types, which is the basis of conventional zoning.

5.1.030 Applicability

The article implements three form based zones (Village Center, Local Town Center and Regional Center) as identified on the zoning map. Each of these districts prescribes appropriate development at a unique scale. The following General Plan descriptions describe the correct scale and mixture of uses for each center.

- A. Village Centers. Village centers are five- to fifteen-acre pedestrian-oriented developments with smaller parking fields and buildings located in proximity to the street. Village center uses may include small- and medium-size grocery stores, drug stores,

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restaurants, banks, and other similar uses. Typically, no single tenant in a village center is larger than 50,000 square feet to ensure a local, rather than a Citywide or regional, retail focus. Village centers are sized and located to encourage local markets and support services in proximity to all residents of the village.

- B. **Local Town Centers.** Local town centers are the most prevalent and fundamental type of town center. They provide most of the commercial shopping needs of the district and are designed to supplement village centers with retail, service, and entertainment needs for a larger population. Local town centers are typically between 15 and 30 acres in size and will probably not include uses such as grocery stores that are provided in the village centers. Rather, general retail and restaurant uses are envisioned for the local town center (e.g., clothing stores, book/music stores).
- C. **Regional Town Centers.** Regional town centers are designed to meet a regional need for shopping, entertainment, and other large destination uses (e.g., sports arena). They are strategically located for accessibility and range in size from 25 to 100 acres.

The form based provisions apply wherever a location is zoned to a form based district or to any area identified for comparable development by a Specific Plan.

5.1.040 Organization and Use of Form Based Provisions

The Article is organized into the following five chapters.

- A. **Chapter 5.1 – Introduction to Form Based Provisions.** Chapter 5.1 defines form based zoning and designates where the provisions apply. The Chapter also indicates how the code may be implemented, explains how provisions relate to other portions of the Zoning Code, and describes the associated administrative review process.
- B. **Chapter 5.2 – The Regulating Plan.** Chapter 5.2 introduces a regulating plan for each of the center districts. Unlike a zoning map that focuses on distinguishing between different uses, a regulating plan dictates the urban form by describing how the form based provisions are applied. The regulating plans included in this Chapter specifically address how form based provisions pertain to development occurring within the private realm (development standards and frontage types) and the design of the public realm (streetscape typologies).
- C. **Chapter 5.3 – Village Center Zone.** Chapter 5.3 introduces the Village Center Zone. Special form based zoning provisions are established for connectivity and density, building placement, building profile and type, and parking.
- D. **Chapter 5.4 – Local Town Center District.** The Code introduces the Town Center Zone. Special form based zoning provisions are established for connectivity and density, building placement, building profile and type, and parking.
- E. **Chapter 5.5 – Regional Town Center District.** The Code introduces the Regional Center Zone. Special form based zoning provisions are established for connectivity and density, building placement, building profile and type, and parking.

RANCHO CORDOVA ZONING CODE**Article 5 – Form Based Provisions****5.1.050 Relationship to Other Zoning Provisions**

Where there is conflicting or overlapping provisions, form based provisions within this chapter supersede other provisions within the zoning code. The descriptions below explain how other Articles within the code work with form based provisions:

- F. Article 2 – Procedures. Article 5 does not create any special procedures for development within form based districts. Compliance with form based provisions will be determined within the regulatory framework established in Article 2.
- G. Article 3 – Entitlements. A project within one of the form-based districts will require the approval of one or more entitlements, such as design review, tentative map or conditional use permit. Compliance with form based provisions will be analyzed during the entitlement review process.
- H. Article 4 – Zoning District, Allowable Uses and Development Standards. This article identifies the allowable land uses within each form-based district. Many of the provisions related to land uses for form based districts are not provided in Article 4 and are instead provided in Article 5 due to the special nature of the districts.
- I. Article 6 – Development Standards. The form based chapter will not contain all development standards needed for every development scenario or for all site elements. For example, standards for signs, landscaping, lighting and other site elements are provided in Article 6.
- J. Article 7 – Special Use Provisions. Certain special uses that are proposed within a form based district will be regulated by this Article of the zoning code. Where conflicts exist, the form based provision shall supersede.

5.1.060 Relationship to Folsom Boulevard Specific Plan

Within the Folsom Boulevard Planning Area, the Specific Plan takes precedent unless it is silent on an issue.

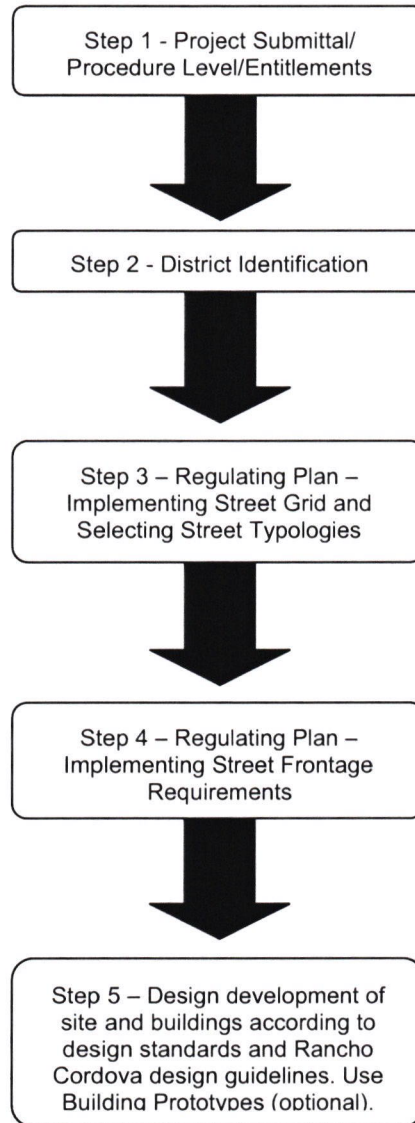
5.1.070 Administering Form Based Zoning

Development sites within form based districts will not require special administrative procedures beyond those provided in Article 2. The districts do function differently than traditional zoning districts and will require more detailed analysis during the entitlement review process. A typical development proposal will be analyzed consistent with Figure 5.1.050-1 (Form Based Zoning Development Proposal Process).

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Article 5 – Form Based Provisions

Figure 5.1.070-1: Form Based Zoning Development Proposal Process



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Article 5 – Form Based Provisions

Chapter 5.2 The Regulating Plan

Sections in this Chapter:

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5.2.020	Defining the Regulating Plan	5.2-5
5.2.030	Defining the Development Standards	5.2-15
5.2.040	Form Based Zoning Streetscape Typologies	5.2-17
5.2.050	Frontage Types	5.2-30

Draft Zoning Code Notes:

How is this Chapter different than the current Zoning Code?

This Chapter introduces a regulating plan for each of the form based districts and the components of the City's form based code. Unlike a traditional zoning map that focuses on the details and distinction of individual land uses, a regulating plan dictates urban form and character by illustrating where and how form based provisions are applied. The regulating plans included in this Chapter specifically address how form based provisions pertain to development occurring within the private realm (development standards, building prototypes and frontage types) and the design of the public realm (streetscape typologies). A regulating plan may be applied to a location zoned to the corresponding form based district or to an area identified for comparable development by a Specific Plan.

5.2.010 Purpose

The purpose of this Chapter is to establish a conceptual regulating plan for each of the City's three form based districts (Village Center, Town Center and Regional Center) and introduce the components of the Article's form based code.

5.2.020 Defining the Regulating Plan

The regulating plan represents a key component of a form based code by dictating where and how specific provisions are applied. The regulating plans appearing in this Chapter accomplish this by addressing development occurring within the private realm (development standards, building prototypes and frontage types) and the design of the public realm (street typologies). This is achieved by conceptually applying the regulating plans to specific locations in the following manner:

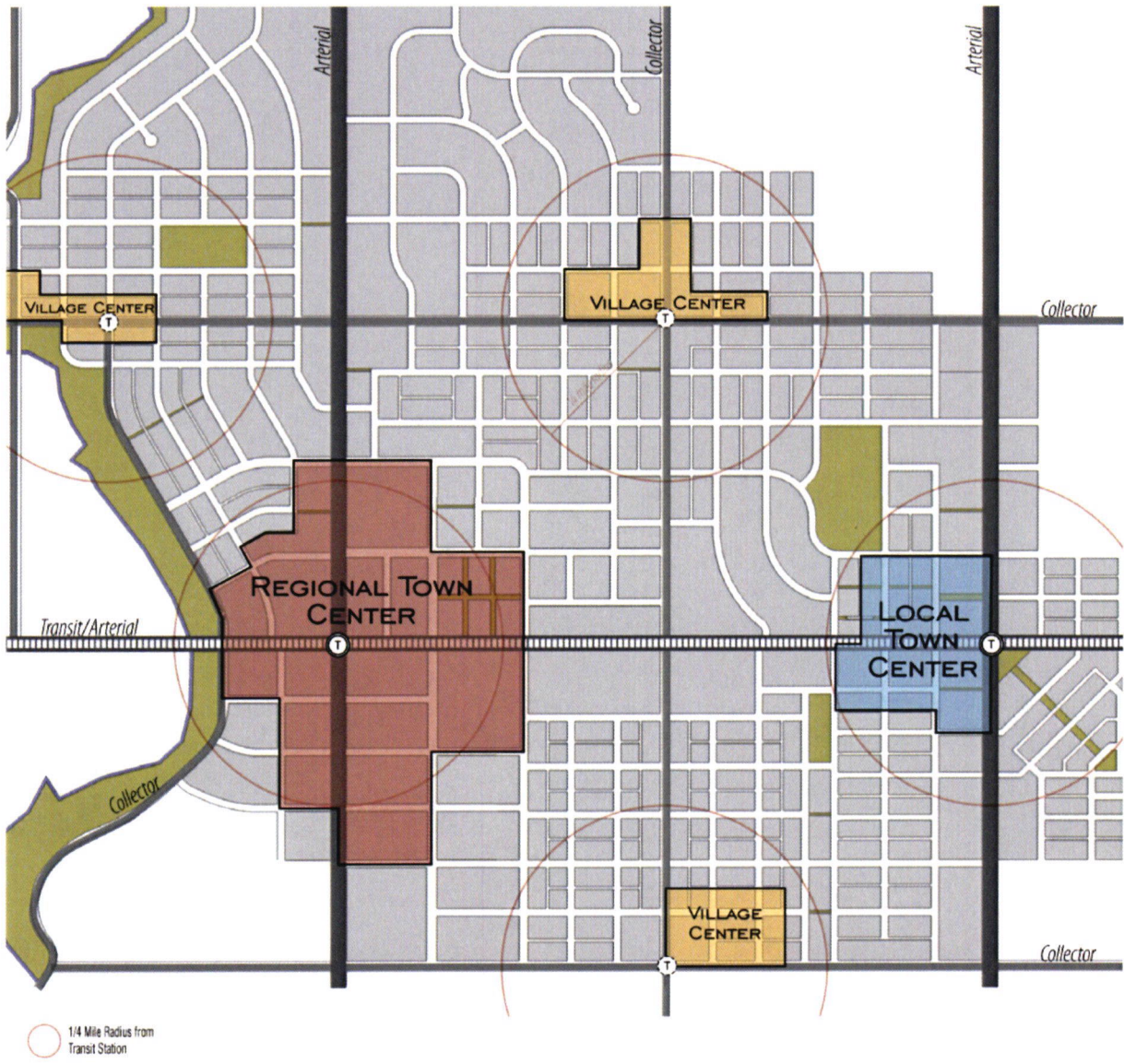
A. Regulating Plan for Each Form Based Zone

The Chapter provides a conceptual regulating plan to illustrate each of the three form based districts (Village Center, Local Town Center, and Regional Town Center). A regulating plan can be applied to a location zoned to the corresponding district or an area identified for comparable development by a Specific Plan (see Figure 5.2.020-1, Figure 5.2.020-3, Figure 5.2.020-5 and Figure 5.2.020-7).

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Article 5 – Form Based Provisions

Figure 5.2.020-1:
Regulating Plan for Village Center, Local Town Center, and Regional Town Center Zoning Districts on Prototypical District Map



Source: SERA Architects, 2008

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Article 5 – Form Based Provisions

B. Regulating Plan for Transit Areas

The Chapter implements special provisions for the Transit Oriented Development Overlay Zoning District (referred to throughout this Article as the Transit Area Overlay) in each form based district to encourage denser, transit-oriented development within $\frac{1}{4}$ mile of light rail and other fixed transit stations, major bus stops, and other transit stations and stops identified by the City (see Figure 5.2.020-2, Figure 5.2.020-4, Figure 5.2.020-6 and Figure 5.2.020-8).

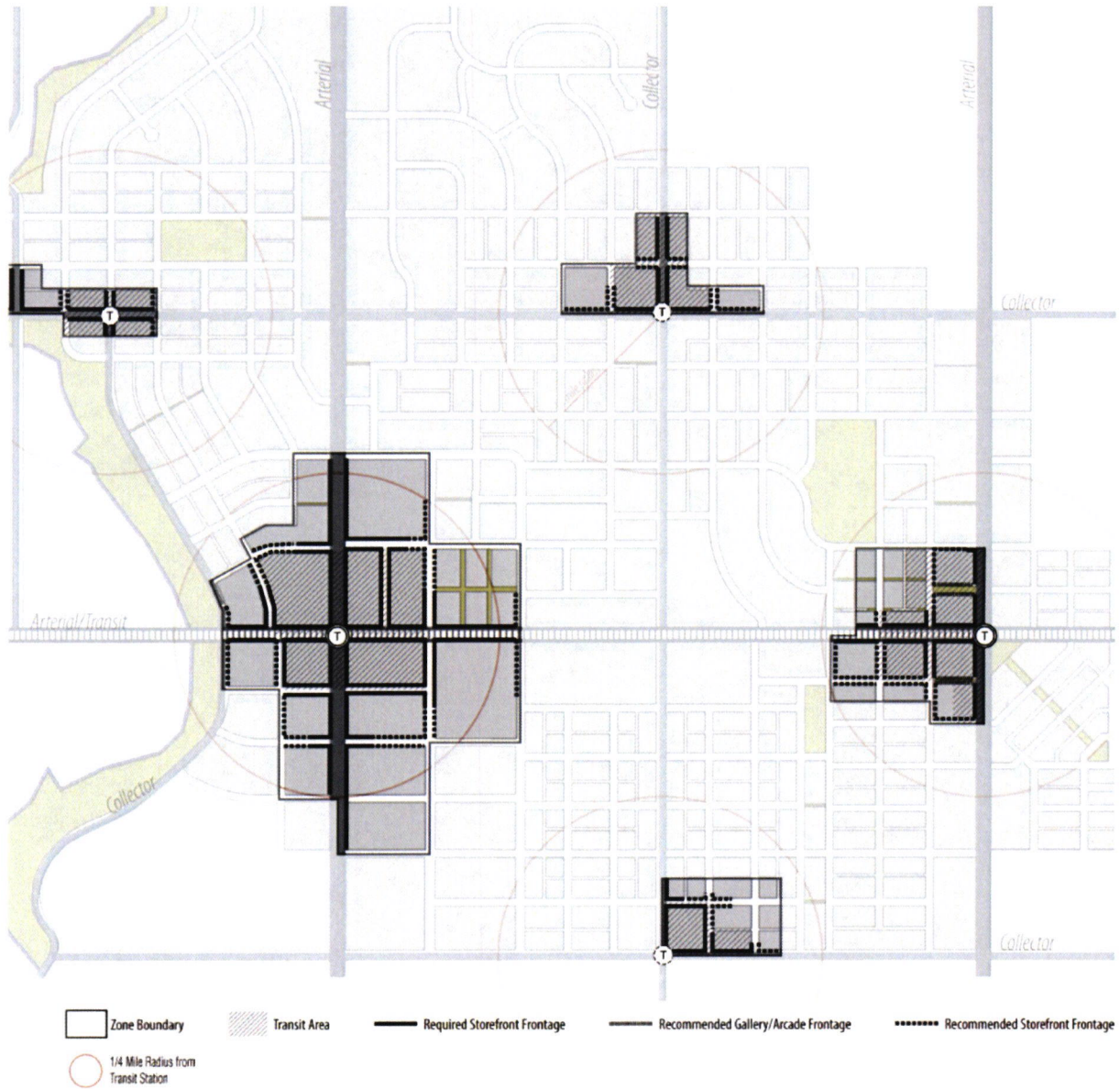
C. Regulating Plan Required/Recommended Frontages

The Chapter implements special frontage requirements along important corridors to encourage commercial retail development within or adjacent to the Special Transit Area Overlays. These provisions include a Required Storefront Frontage, a Recommended Storefront Frontage, and a Recommended Gallery/Arcade Frontage (see Figure 5.2.020-2, Figure 5.2.020-4, Figure 5.2.020-6 and Figure 5.2.020-8).

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**Figure 5.2.020-2:
Regulating Plan: Transit Areas and Frontages Shown on Prototypical District Map**

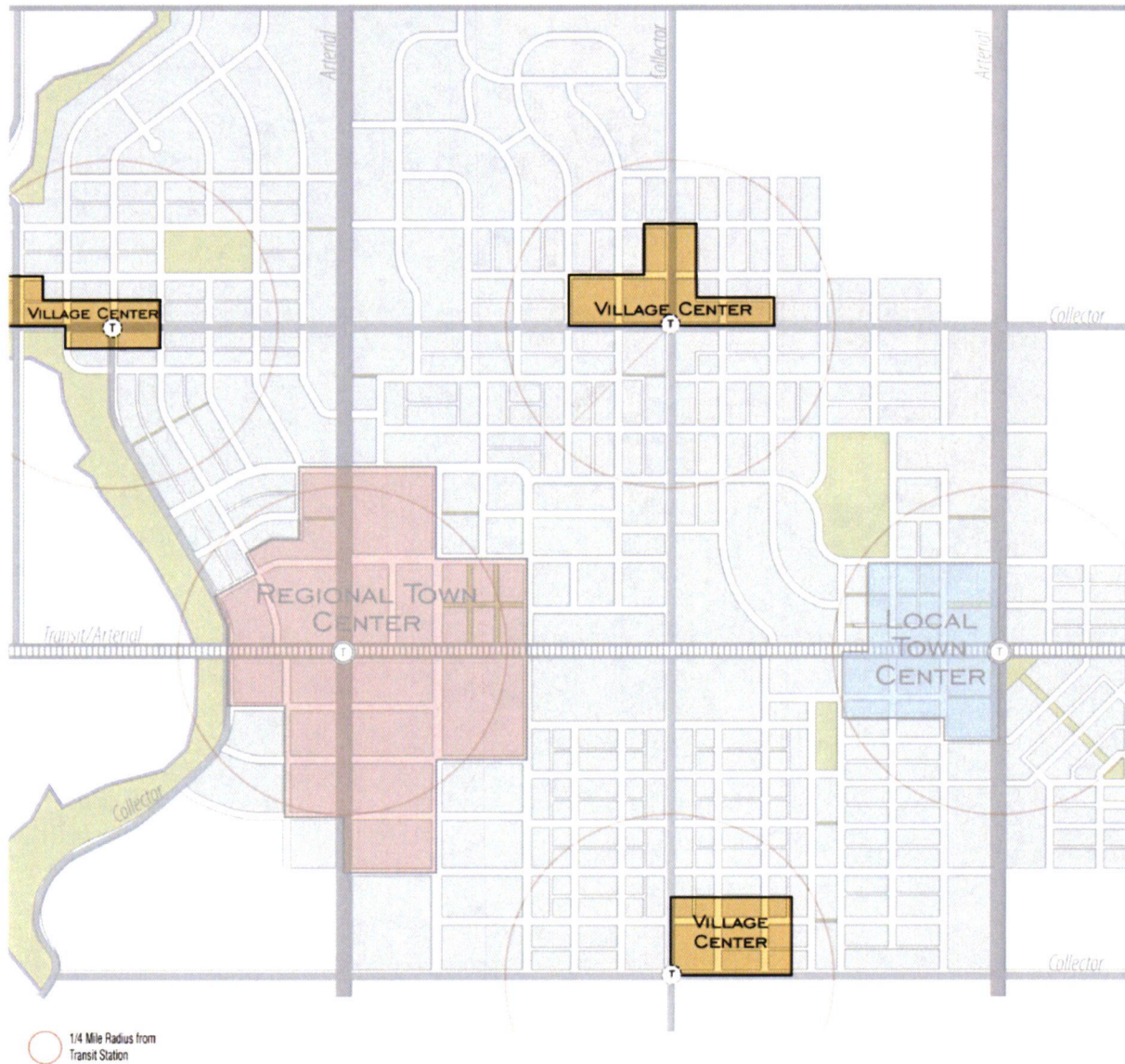


Source: SERA Architects, 2008

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Figure 5.2.020-3:
Regulating Plan: Village Center Zones Shown on Prototypical District Map

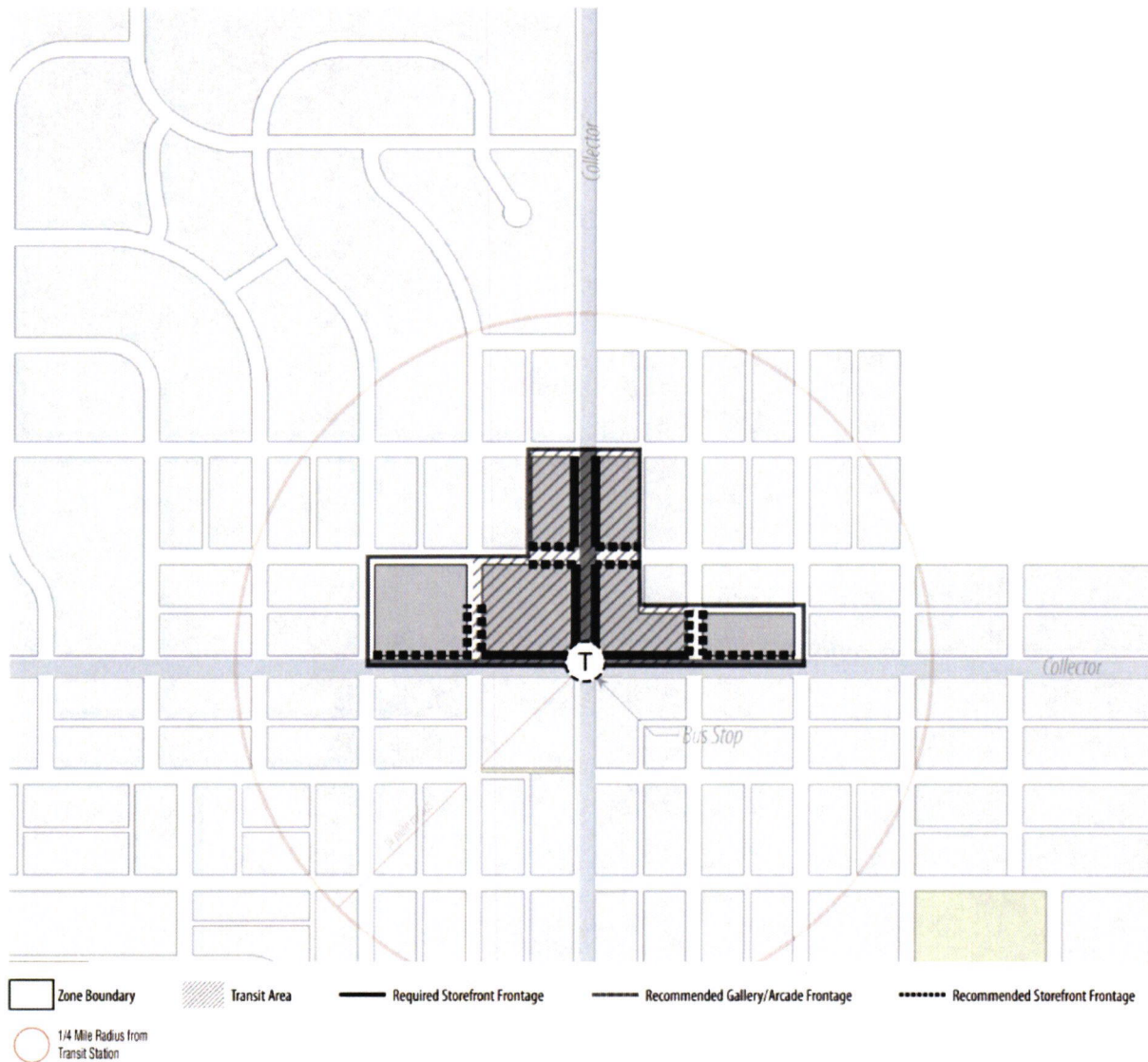


Source: SERA Architects, 2008

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Figure 5.2.020-4:
Regulating Plan: Village Center Zone Transit Areas and Frontages Shown on
Prototypical Map

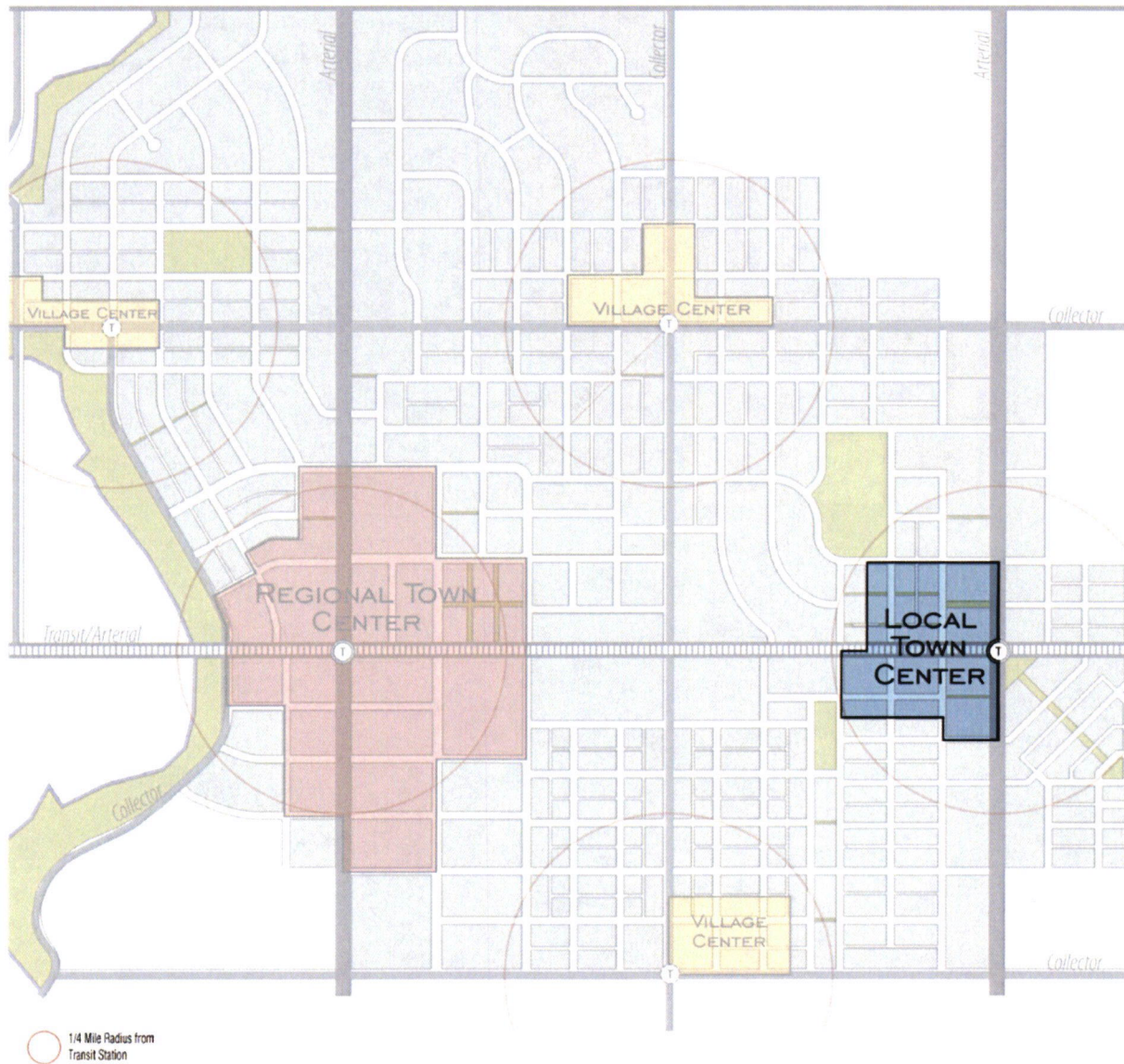


Source: SERA Architects, 2008

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Figure 5.2.020-5:
Regulating Plan: Local Town Center Zone Shown on Prototypical District Map

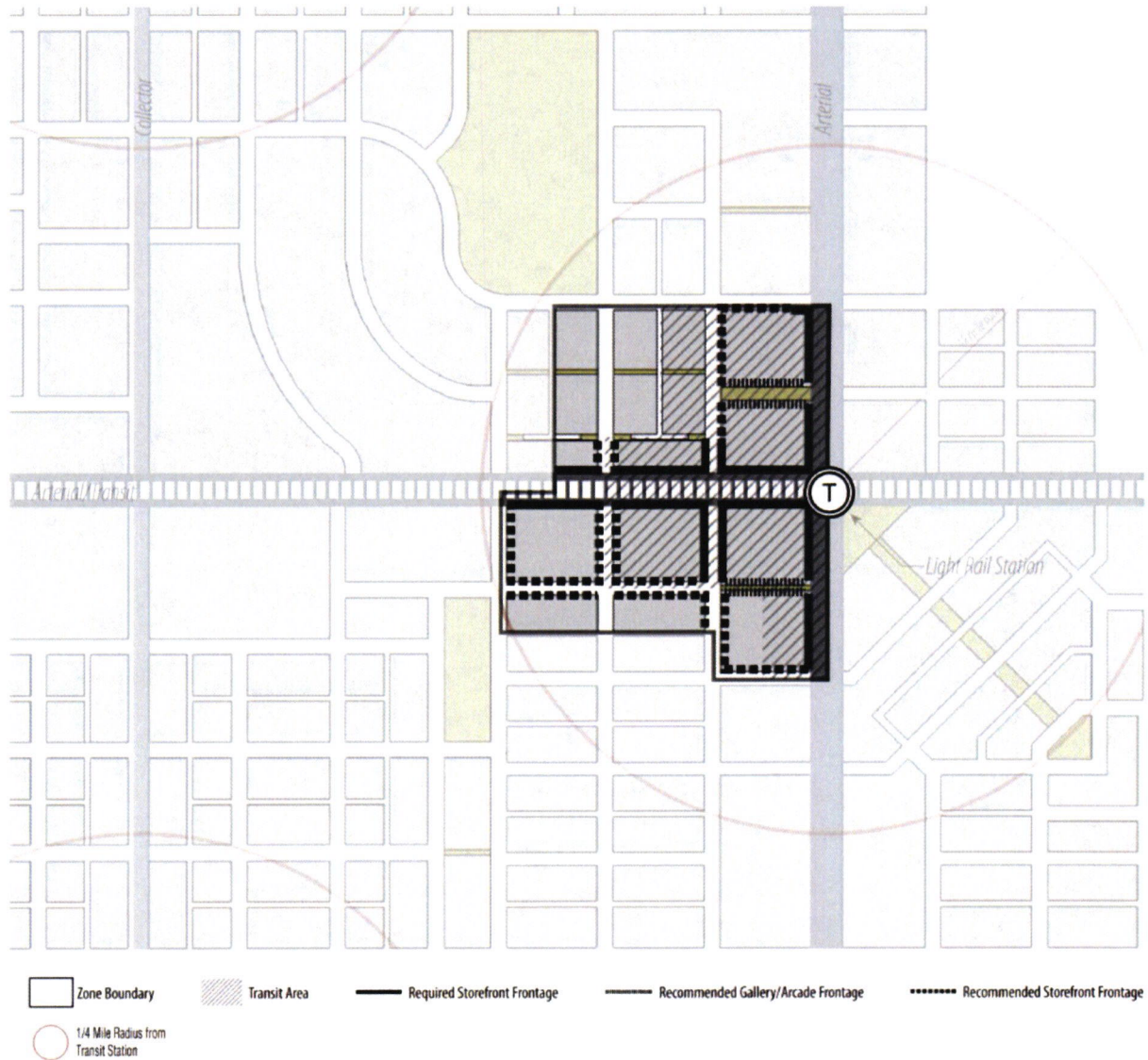


Source: SERA Architects, 2008

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**Figure 5.2.020-6:
Regulating Plan: Local Town Center Zone Transit Area and Frontages Shown on
Prototypical District Map**

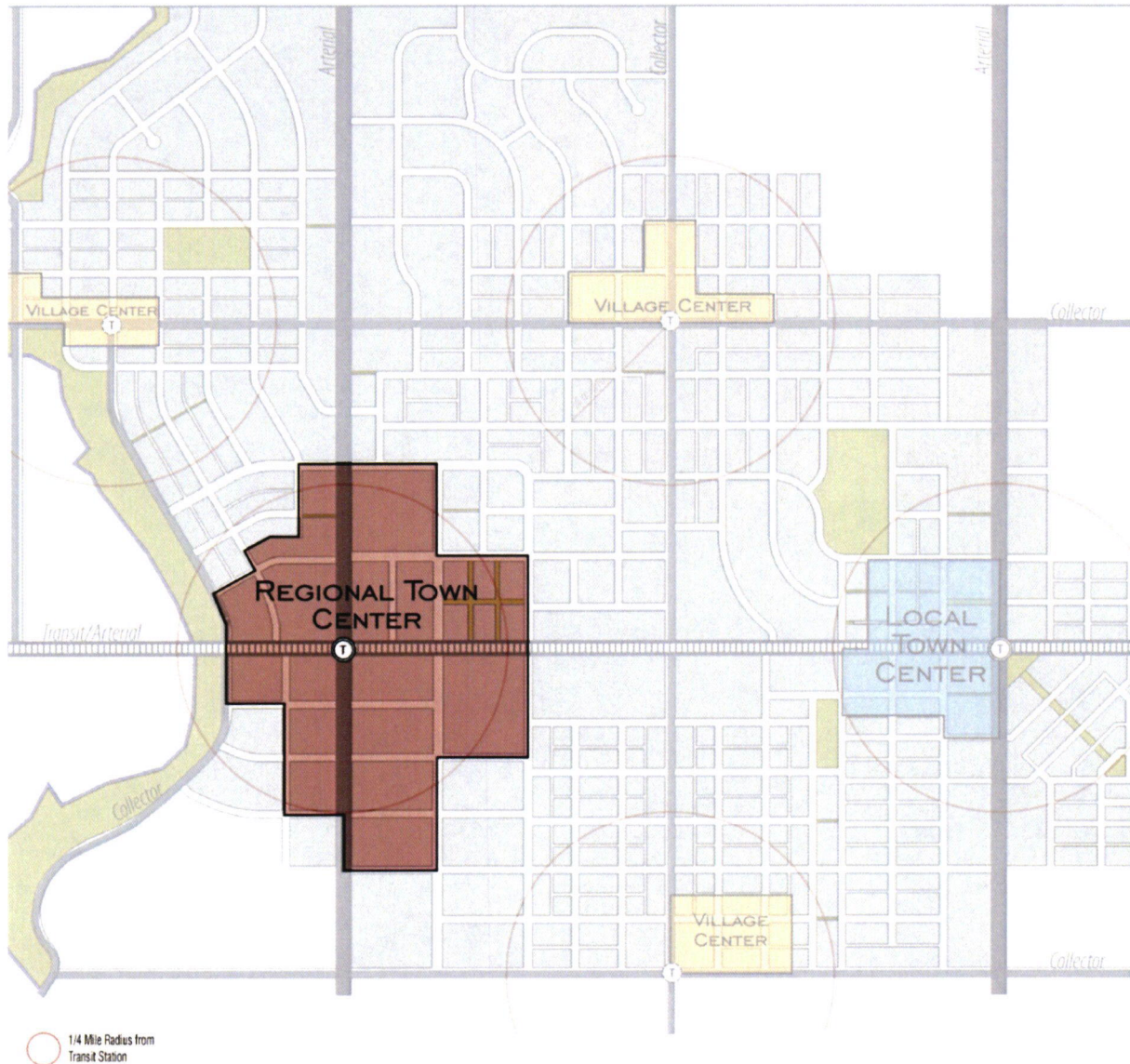


Source: SERA Architects, 2008

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Figure 5.2.020-7:
Regulating Plan: Regional Town Center Zone Shown on Prototypical District Map

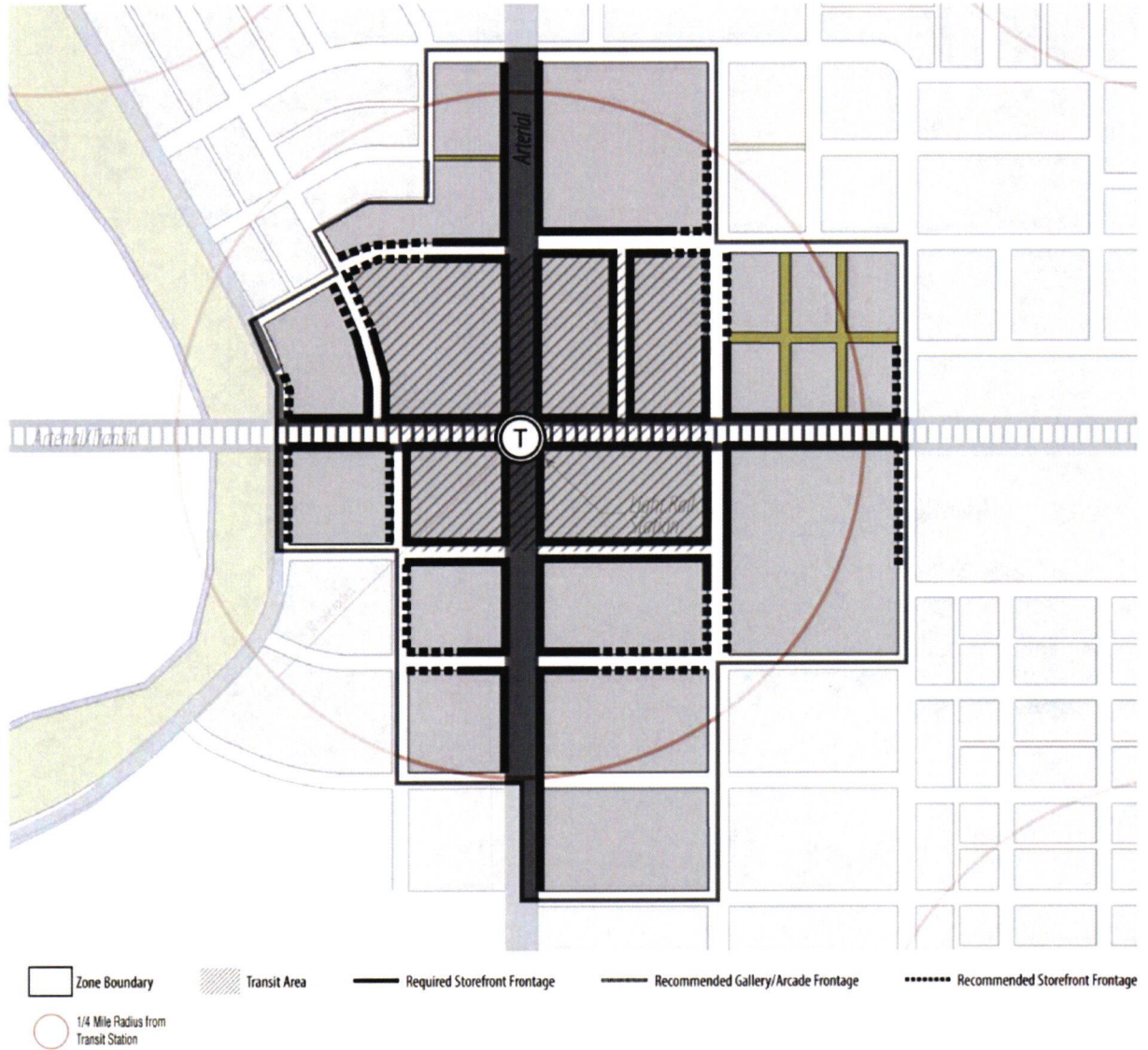


Source: SERA Architects, 2008

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Figure 5.2.020-8:
Regulating Plan: Regional Town Center Zone Transit Area and Frontages Shown on
Prototypical Map



Source: SERA Architects, 2008

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Article 5 – Form Based Provisions

5.2.030 Defining the Development Standards

A. Purpose

The purpose of this Section is to provide a concise listing of each form based district's development standards within a single matrix. The intent of this Section is to provide an efficient method of comparing the development standards between districts and reviewing them in conjunction with other form based provisions. Detailed development standards for each district are located in Chapter 5.3 (Village Center Zone), Chapter 5.4 (Local Town Center Zone), and Chapter 5.5 (Regional Town Center Zone).

Table 5.2.030-1: Development Standards Comparison Matrix (Part 1 of 2)

	Village Center	Village Center Transit Area	Local Town Center	Local Town Center Transit Area	Regional Town Center	Regional Town Center Transit Area
Connectivity and Density						
Connectivity						
Maximum block length	600 ft ¹	600 ft ¹	600 ft ¹	600 ft ¹	660 ft	600 ft ¹
Maximum block perimeter	2,000 ft	2,000 ft	2,000 ft	2,000 ft	2,640 ft	2,000 ft
Residential density						
Minimum density	6.1 du/ac	6.1 du/ac	6.1 du/ac	20 du/ac	6.1 du/ac	20 du/ac
Maximum density	18.0 du/ac	18.0 du/ac	18.0 du/ac	40 du/ac	20 du/ac	80 du/ac
Building Placement						
Primary building setback/build-to lines						
Front yard	10 ft min/20 ft max	0 ft min/10 ft max	0 ft min/10 ft max	0 ft min/10 ft max	0 ft min/10 ft max	0 ft min/10 ft max
Side yard	5 ft min	0 ft min	0 ft min	0 ft min	0 ft min	0 ft min
Side street	10 ft min	0 ft min	0 ft min	0 ft min	0 ft min	0 ft min
Rear yard and alley	5 ft min	0 ft min	0 ft min	0 ft min	0 ft min	0 ft min
Courtyard	20 ft max	20 ft max	20 ft max	20 ft max	20 ft max	20 ft max
Accessory building placement						
Front yard	30 ft min	30 ft min	na	Na	na	na
Side yard	5 ft min	5 ft min	na	Na	na	na
Side street						
Rear yard and alley	5 ft min	5 ft min	na	Na	na	na

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	Village Center	Village Center Transit Area	Local Town Center	Local Town Center Transit Area	Regional Town Center	Regional Town Center Transit Area
Minimum building frontage	50%min	60% min	70% min	70% min	70%min	70% min
Minimum FAR	1.0	1.5	1.5	2.5	1.5 ²	3.0
Building Profile and Type						
Building height						
Minimum height	na	20 ft	20 ft	20 ft	20 ft	20 ft
Maximum height	45 ft	60 ft	65 ft	65 ft ³	65 ft ^{3,4}	na
Encroachments						
Frontage Types	Common Yard Porch Door Yard/Terrace Light Court Stoop Storefront	Door Yard/Terrace Light Court Stoop Storefront	Door Yard/Terrace Light Court Courtyard Stoop Storefront Gallery Arcade	Door Yard/Terrace Light Court Courtyard Stoop Storefront Gallery Arcade	Door Yard/Terrace Light Court Courtyard Stoop Storefront Gallery Arcade	Door Yard/Terrace Light Court Courtyard Stoop Storefront Gallery Arcade
Canopies						
Awnings						
Special Parking Provisions						
Parking placement						
Front yard setback	Rear 50% of lot	Rear 50% of lot	Rear 75% of lot	Rear 75% of lot	Rear 75% of lot	Rear 75% of lot
Side yard setback	0 ft min	0 ft min	0 ft min	0 ft min	0 ft min	0 ft min
Side street setback	10 ft min	5 ft min	5 ft min	5 ft min	5 ft min	5 ft min
Rear yard and alley setback	5 ft min	5 ft min	5 ft min	5 ft min	5 ft min	5 ft min
Access						
Maximum driveway width	20 ft max	20 ft max	24 ft max	24 ft max	24 ft max	24 ft max
Required parking spaces						
Commercial uses						
Residential uses						

Notes:

- 1 Through block pedestrian connection of 350' minimum. Cul-de-sacs are prohibited.
- 2 Parcels within ½ mile of U.S. 50 are permitted a Minimum FAR of 2.0.
- 3 Parking structures are exempt from the Maximum Building Height Requirements.
- 4 Parcels within ½ mile of U.S. 50 are permitted a Maximum Building Height of 80 feet.

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5.2.040 Form Based Zoning Streetscape Typologies

The purpose of this section is to provide roadway standards that will facilitate the creation of streets that are inviting, multimodal public places. This will provide pedestrians and bicyclists with safe and easy access throughout centers and into adjoining villages and neighborhoods. The intent of this section is to strengthen the City's adopted street typologies by making them compatible with development occurring within centers and to include new typologies that further facilitate the creation of a pedestrian-oriented street network.

The Streetscape Typologies allowed in one or more of the form based districts as described in the following pages are listed below.

- A. **Major Arterial**
- B. **Minor Arterial**
- C. **Avenue-4 Lane (with Single Turn Lane) - NEW**
- D. **Avenue-2 Lane (with Single Turn Lane) - NEW**
- E. **Non-Residential Collector Street (with Center Turn Lane) (Commercial) - NEW**
- F. **Non-Residential Collector Street (Commercial)**
- G. **Residential Collector Street**
- H. **Main Street**
- I. **Non-Residential Local Street (Commercial)**
- J. **Standard Residential Street**
- K. **Minor Residential Street**
- L. **Alley**
- M. **Paseo - NEW**
- N. **Multi-use Path - NEW**

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A. Major Arterial

1. Characteristics of a Major Arterial

- Use of this street typology is not permitted with Village Center Zones and discouraged within the other zones. At maximum, 1 Major Arterial shall pass through a Local Town Center; and 2 Major Arterials shall pass through a Regional Town Center. Wherever a high speed, high capacity roadway is required, an Avenue typology is preferred over an Arterial. If possible, this typology should also be avoided in Transit Areas. The high traffic speeds and lack of on-street parking make it less likely that this typology can support a pedestrian-oriented retail environment.
- The median in the center of the roadway should be utilized to facilitate the safe passage of pedestrians along and across a Major Arterial. Suggested treatments include landscaping and pedestrian refuges at crossings.
- The landscaping strip along the sides of the roadway should be designed to facilitate the safe passage of pedestrians along a Major Arterial. It is suggested that the strip include a continuous landscaped area between the edge of the curb and the sidewalk measuring at least four feet wide. This area should include street trees and lighting designed at a pedestrian scale.
- Where right-turn lanes are required, the sidewalk and landscape strip widths should not be diminished.
- Wherever buildings are situated near the public right-of way, storefront frontage types are preferred due to the high traffic volumes. It is preferred that building frontages approach the sidewalk near intersections, especially those anchoring the intersection between an Arterial and a Non-Residential Collector Street or Main Street.

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B. Minor Arterial

1. Characteristics of a Minor Arterial

- Use of this street typology is not permitted with Village Center Zones and discouraged within the other zones. At maximum, 1 Major Arterial shall pass through a Local Town Center; and 2 Major Arterials shall pass through a Regional Town Center. However, wherever a high speed, high capacity roadway is required, an Avenue typology is preferred over an Arterial. If possible, this typology should also be avoided in Transit Areas. The high traffic speeds and lack of on-street parking make it less likely that this typology can support a pedestrian-oriented retail environment.
- The median in the center of the roadway should be utilized to facilitate the safe passage of pedestrians along and across a Major Arterial. Suggested treatments include landscaping and pedestrian refuges at crossings.
- The landscaping strip along the sides of the roadway should be designed to facilitate the safe passage of pedestrians along a Major Arterial. It is suggested that the strip include a continuous landscaped area between the edge of the curb and the sidewalk measuring at least four feet wide. This area should include street trees and lighting designed at a pedestrian scale.
- Where right-turn lanes are required, the sidewalk and landscape strip widths should not be diminished.
- Wherever buildings are situated near the public right-of way, storefront frontage types are preferred due to the high traffic volumes. It is preferred that building frontages approach the sidewalk near intersections, especially those anchoring the intersection between an Arterial and a Non-Residential Collector Street or Main Street.

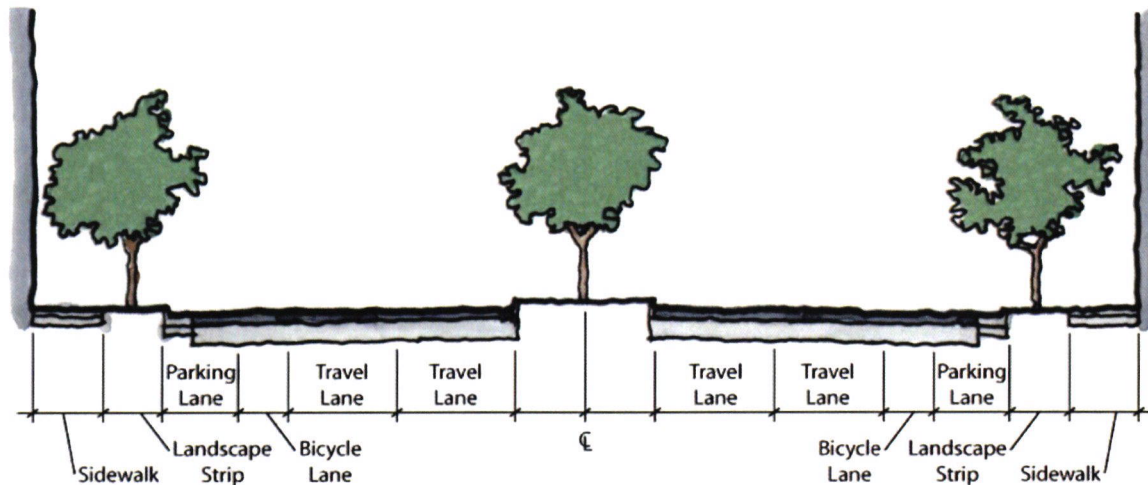
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C. Avenue-4 Lane (with Single Turn Lane) - NEW

Thoroughfare Type:	Avenue
Right-of-Way Width:	110-125 Feet
Through Traffic Lanes:	4 Lanes, 2 Bicycle Lanes
Turning Lanes:	1 Left Turn Lane
Parking Lanes:	8 Feet, Each Side
Curb Radius:	xx
Public Frontage Type:	Storefront, Gallery, Arcade
Bike Facilities:	6 Feet Wide Bicycle Lanes

Figure 5.2.030-1
Avenue-4 Lane (with Single Turn Lane)



1. Characteristics of a 4 Lane Avenue (with Single Turn Lane)

- 4 Lane Avenues connect districts or regions and are capable of carrying a high amount of vehicular traffic while still maintaining a higher quality pedestrian environment and retail-supporting urban edge. This street typology may be used in place of an Arterial in a Local Town Center or a Regional Town Center. This typology should be avoided in the Transit Areas of Village Center Zones.
- The median in the center of the roadway should be utilized to facilitate the safe passage of pedestrians along and across a Major Arterial. Suggested treatments include landscaping and pedestrian refuges at crossings.
- The landscaping strip along the sides of the roadway should be designed to facilitate the safe passage of pedestrians along a Major Arterial. It is suggested

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that the strip include a continuous landscaped area between the edge of the curb and the sidewalk measuring at least four feet wide. This area should include street trees and lighting designed at a pedestrian scale.

- Wherever a 4 Lane Avenue intersects with an Arterial or another Avenue Street, the intersection should be designed to provide pedestrians with safe passage. Features may include pedestrian bulbouts, differentiated accent paving within the intersection, pedestrian refuge areas within the medians of Arterials, and in-street crossing lights.
- Store front, Gallery Arcade, and Discontinuous Gallery frontage types are preferred due to the high traffic volumes and urban character of the street.
- This street typology may be adapted to accommodate light rail transit, bus rapid transit or streetcar alignments.

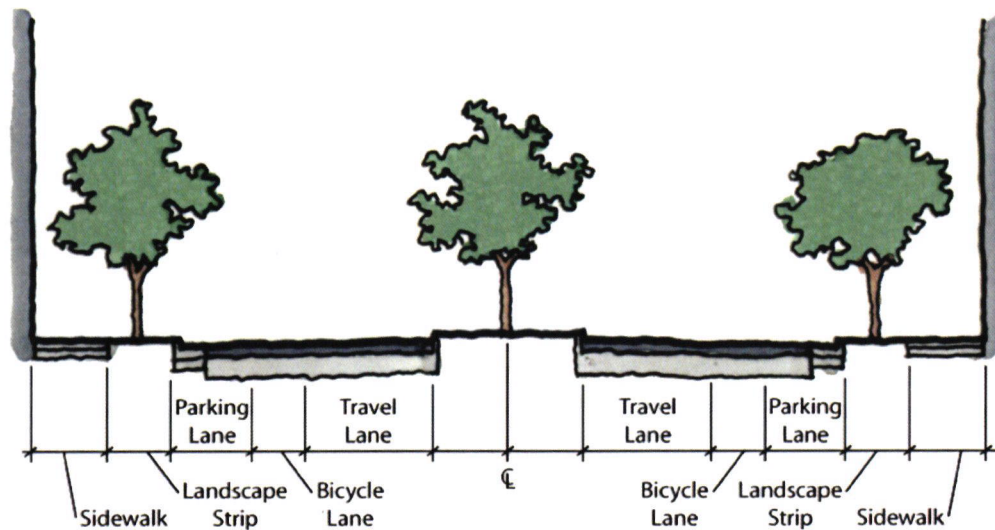
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D. Avenue-2 Lane (with Single Turn Lane) – NEW

Thoroughfare Type:	Avenue
Right-of-Way Width:	90 Feet
Through Traffic Lanes:	2 Lanes, 2 Bicycle Lanes
Turning Lanes:	1 Left Turn Lane
Parking Lanes:	8 Feet, Each Side
Curb Radius:	Xx
Public Frontage Type:	Door Yard/ Terrace or Light Court, Stoop, Storefront, Gallery, Arcade
Bike Facilities:	6 Feet Wide Bicycle Lanes

**Figure 5.2.030-2
Avenue-2 Lane (with Single Turn Lane)**



2. Characteristics of a 2 Lane Avenue (with Single Turn Lane)

- Avenue-2 Lane streets connect districts or regions and are capable of carrying a high amount of vehicular traffic while still maintaining a higher quality pedestrian environment and retail-supporting urban edge. This street typology may be used in place of a Minor Arterial in a Local Town Center or a Regional Town Center.
- The median in the center of the roadway should be utilized to facilitate the safe passage of pedestrians along and across a Major Arterial. Suggested treatments include landscaping and pedestrian refuges at crossings.

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- The landscaping strip along the sides of the roadway should be designed to facilitate the safe passage of pedestrians along a Major Arterial. It is suggested that the strip include a continuous landscaped area between the edge of the curb and the sidewalk measuring at least four feet wide. This area should include street trees and lighting designed at a pedestrian scale.
- Wherever a 2 Lane Avenue intersects with an Arterial or another Avenue, the intersection should be designed to provide pedestrians with safe passage. Features may include pedestrian bulbouts, differentiated accent paving within the intersection, pedestrian refuge areas within the medians of Arterials, and in-street crossing lights.
- Door Yard/Terrace or Light Court, Stoop, Storefront, Gallery, Arcade, and Discontinuous Arcade frontage types are preferred due to the urban character of the street.
- This street typology may be adapted to accommodate light rail transit, bus rapid transit or streetcar alignments.

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E. Non-Residential Collector Street (with Center Turn Lane) (Commercial) – NEW**1. Characteristics of a Commercial Street-3 Lane (with Center Turn Lane)**

- Commercial Street-3 Lane streets connect neighborhoods or districts and are capable of carrying a moderate amount of vehicular traffic while still maintaining a higher quality pedestrian environment and retail-supporting urban edge. This street typology may be used in the Regional Town Center, Local Town Center, and Village Center Zones.
- The Landscape Strip areas should be designed to provide pedestrians with secure passage along the roadway and motorists with adequate views of the storefronts located along the street. It is recommended that street trees and lights designed to the pedestrian scale be placed within strips to provide a barrier between the roadway and sidewalk. The strips may be comprised of a continuous landscaped area or intermittent tree wells surrounded by paving materials that are compatible with the sidewalk's materials. Smaller canopy street trees should be used to maintain views of storefronts.
- Wherever a Non-Residential Collector Street intersects with an Arterial, an Avenue, or another Collector Street, the intersection should be designed to provide pedestrians with safe passage. Features may include pedestrian bulbouts, differentiated accent paving within the intersection, pedestrian refuge areas within the medians of Arterials, and in-street crossing lights.
- Turning movements typically occur from within the main travel lanes; however, short (1 to 2 car-length) turn pockets may be provided at some intersections in lieu of parking on one side of the street.
- Porch, Door Yard/Terrace or Light Court, Stoop, Storefront, Gallery, Arcade, and Discontinuous Arcade frontage types are preferred due to the urban character of the street.

F. Non-Residential Collector Street (Commercial)**1. Characteristics of a Non-Residential Collector Street (Commercial)**

- This street typology may be used in the Regional Town Center, Local Town Center, and Village Center Zones.
- The Landscape Strip areas should be designed to provide pedestrians with secure passage along the roadway and motorists with adequate views of the storefronts located along the street. It is recommended that street trees and lights designed to the pedestrian scale be placed within strips to provide a barrier between the roadway and sidewalk. The strips may be comprised of a continuous landscaped area or intermittent tree wells surrounded by paving materials that are compatible with the sidewalk's materials. Smaller canopy street trees should be used to maintain views of storefronts.

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- Wherever a Non-Residential Collector Street intersects with an Arterial, an Avenue, or another Collector Street, the intersection should be designed to provide pedestrians with safe passage. Features may include pedestrian bulbouts, differentiated accent paving within the intersection, pedestrian refuge areas within the medians of Arterials, and in-street crossing lights.
- Turning movements typically occur from within the main travel lanes; however, short (1 to 2 car-length) turn pockets may be provided at some intersections in lieu of parking on one side of the street.
- Porch, Door Yard/Terrace or Light Court, Stoop, Storefront, Gallery, and Arcade frontage types are preferred due to the urban character of the street.

G. Residential Collector Street

1. Characteristics of a Residential Collector Street

- This street typology may be used in the Regional Town Center, Local Town Center, and Village Center Zones.
- The Landscape Strip areas should be designed to provide pedestrians with secure passage along the roadway and motorists with adequate views of the storefronts located along the street. It is recommended that street trees and lights designed to the pedestrian scale be placed within continuous landscape strips to provide a barrier between the roadway and sidewalk. Larger canopy trees should be used where possible to shade the sidewalk and the street.
- Wherever a Residential Collector Street intersects with an Arterial, an Avenue, or another Collector Street, the intersection should be designed to provide pedestrians with safe passage. Features may include pedestrian bulbouts, differentiated accent paving within the intersection, pedestrian refuge areas within the medians of Arterials, and in-street crossing lights.
- Turning movements typically occur from within the main travel lanes; however, short (1 to 2 car-length) turn pockets may be provided at some intersections in lieu of parking on one side of the street.
- Porch, Door Yard/Terrace or Light Court, and Stoop frontage types are preferred.

H. Main Street

1. Characteristics of a Main Street

- This street typology may be used in the Regional Town Center, Local Town Center, and Village Center Zones.
- Landscaping and larger trees should frequently interrupt the parking lanes to soften visual impact of the parked vehicles and to help cool the air heated by the pavement.

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- Wherever a Main Street intersects with an Arterial or another Collector Street, the intersection should be designed to provide pedestrians with safe passage. Features may include pedestrian bulbouts, differentiated accent paving within the intersection, pedestrian refuge areas within the medians of Arterials, and in-street crossing lights.
- Turning movements typically occur from within the main travel lanes; however, short (1 to 2 car-length) turn pockets may be provided at some intersections in lieu of parking on one side of the street.
- Storefront, Gallery, Arcade, and Discontinuous Arcade frontage types are preferred due to the urban and retail character of the street.

I. Non-Residential Local Street (Commercial)

1. Characteristics of a Non-Residential Local Street (Commercial)

- This street typology may be used in the Regional Town Center, Local Town Center, and Village Center Zones.
- The Landscape Strip areas should be designed to provide pedestrians with secure passage along the roadway and motorists with adequate views of the storefronts located along the street. It is recommended that street trees and lights designed to the pedestrian scale be placed within strips to provide a barrier between the roadway and sidewalk. The strips may be comprised of a continuous landscaped area or intermittent tree wells surrounded by paving materials that are compatible with the sidewalk's materials. Smaller canopy street trees should be used to maintain views of storefronts.
- Wherever a Non-Residential Local Street intersects with an Arterial, a Collector Street, or a Main Street, the intersection should be designed to provide pedestrians with safe passage. Features may include pedestrian bulbouts, differentiated accent paving within the intersection, pedestrian refuge areas within the medians of Arterials, and in-street crossing lights.
- Turning movements typically occur from within the main travel lanes; however, short (1 to 2 car-length) turn pockets may be provided at some intersections in lieu of parking on one side of the street.
- Porch, Door Yard/Terrace or Light Court, Stoop, Courtyard, and Storefront frontage types are preferred due to the urban, but more intimate, scale of the street.

J. Residential Street

1. Characteristics of a Residential Street

- This street typology may be used in the Regional Town Center, Local Town Center, and Village Center Zones.

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- It is recommended that street trees and lights designed to the pedestrian scale be placed within the Landscape strips. The strips should be comprised of a continuous landscaped area. Larger canopy trees should be used where possible to shade the sidewalk and the street.
- Wherever a Standard Residential Street intersects with a Collector Street, a Main Street, or a Non-Residential Local Street, the intersection should be designed to provide pedestrians with safe passage. Features may include pedestrian bulbouts and differentiated accent paving within the intersection.
- Turning movements typically occur from within the main travel lanes; however, short (1 to 2 car-length) turn pockets may be provided at some intersections in lieu of parking on one side of the street.
- Porch, Door Yard/Terrace or Light Court, Stoop, Courtyard, and Storefront frontage types are preferred due to the urban character of the street.

K. Minor Residential Street**1. Characteristics of a Minor Residential Street**

- This street typology may be used in the Regional Town Center, Local Town Center, and Village Center Zones.
- It is recommended that street trees and lights designed to the pedestrian scale be placed within the Landscape strips. The strips should be comprised of a continuous landscaped area. Larger canopy trees should be used where possible to shade the sidewalk and the street.
- Wherever a Standard Residential Street intersects with a Collector Street, a Main Street, or a Non-Residential Local Street, the intersection should be designed to provide pedestrians with safe passage. Features may include pedestrian bulbouts and differentiated accent paving within the intersection.
- Turning movements typically occur from within the main travel lanes; however, short (1 to 2 car-length) turn pockets may be provided at some intersections in lieu of parking on one side of the street.
- Porch, Door Yard/Terrace or Light Court, Stoop, Courtyard, and Storefront frontage types are preferred due to the urban character of the street.

L. Alley**1. Characteristics of an Alley**

- This street typology may be used in the Regional Town Center, Local Town Center, and Village Center Zones.
- Porch and Stoop frontages are preferred for use in accessory dwelling units facing the alley.

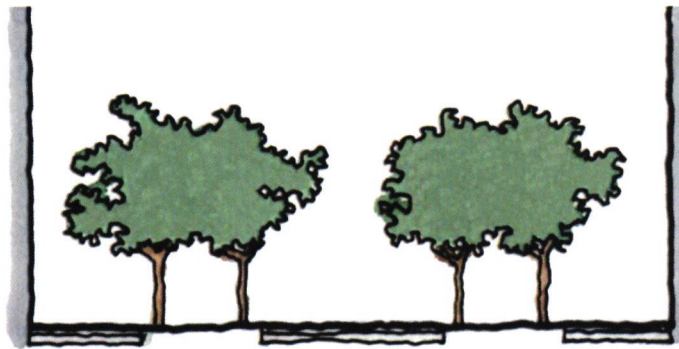
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M. Paseo - NEW

Thoroughfare Type:	Pathway
Right-of-Way Width:	20-100 feet
Through Traffic Lanes:	Emergency only
Turning Lanes:	-
Parking Lanes:	-
Curb Radius:	xx
Public Frontage Type:	Porch, Door Yard/Terrace or Light Court, Storefront, Gallery, Arcade
Bike Facilities:	Designated bicycle lane(s)

Figure 5.2.030-10
Paseo



1. Characteristics of a Paseo

- This street typology may be used in the Regional Town Center, Local Town Center, and Village Center Zones.
- Paseos are local or private pathways serving pedestrians and bicyclists only.
- Paseos may also provide some limited service access during specified periods of the day.
- Street lighting and landscaping should be designed at a pedestrian scale. Larger canopy trees should be used where possible to shade the Paseo.
- Porch, Door Yard/Terrace or Light Court, Stoop, Courtyard, Storefront, Gallery, and Arcade frontage types are preferred due to the urban and intimate scale of the street.

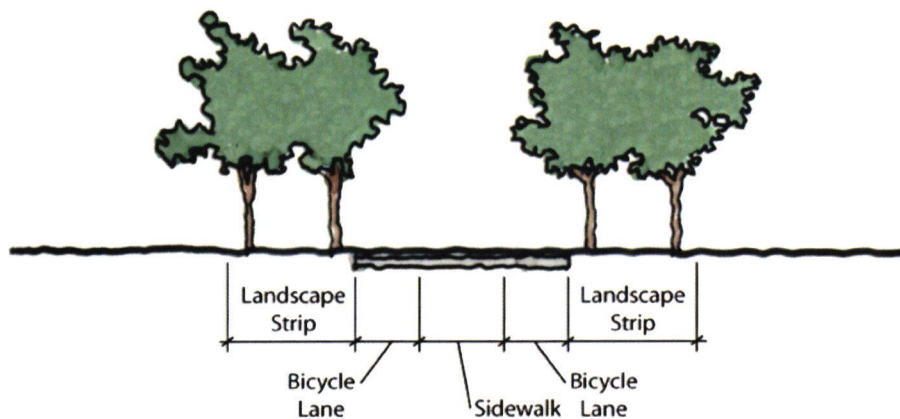
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N. Multi-use Path

Thoroughfare Type:	Pathway
Right-of-Way Width:	20-40 feet
Through Traffic Lanes:	Emergency only
Turning Lanes:	-
Parking Lanes:	-
Curb Radius:	Xx
Public Frontage Type:	Porch, Door Yard/Terrace or Light Court, Courtyard
Bike Facilities:	2 Designated bicycle lanes

Figure 5.2.030-11
Multi-use Path



1. Characteristics of a Multi-use Path

- This street typology may be used in the Regional Town Center, Local Town Center, and Village Center Zones.
- Multi-use paths are pathways that connect neighborhoods, districts, and regions and serve pedestrians and bicyclists only.
- Street lighting and landscaping should be designed at a pedestrian scale. Larger canopy trees should be used where possible to shade the pathway.
- Porch, Door Yard/Terrace or Light Court, and Courtyard frontage types are preferred due to the intimate scale of the street.

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5.2.050 Frontage Types

The purpose of this section is to provide appropriate building frontage types for the form based zones. The frontage types will ensure a proper transition from public to private realm by defining of the edge of the streetscape, while perpetuating the character of individual centers. The intent of this section is to introduce a limited number of common building frontages that may be broadly applied along the streetscape typologies. Specific permitted frontage types for each streetscape typology may be found in Section 5.2.040.

The Frontage Types allowed along one or more of streetscape typologies are as follows.

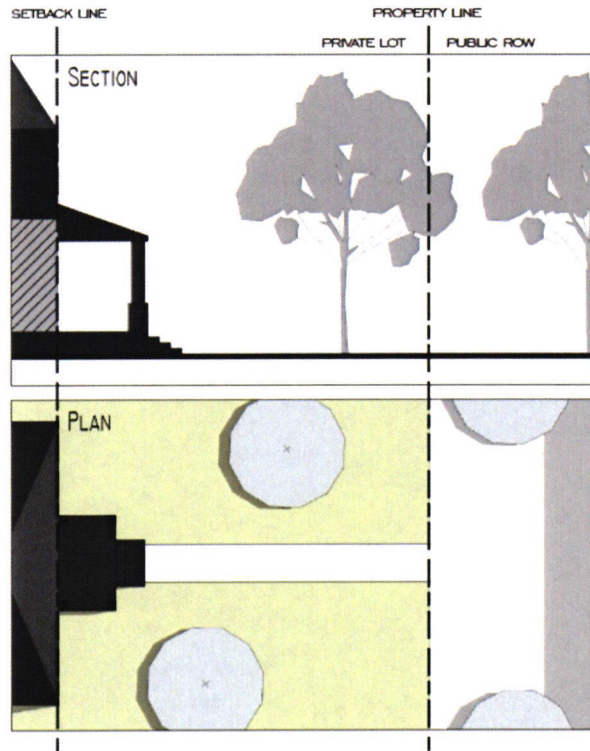
- A. Common Yard
- B. Porch
- C. Door Yard/Terrace or Light Court
- D. Courtyard
- E. Stoop
- F. Storefront
- G. Gallery
- H. Arcade
- I. Discontinuous Arcade/Gallery

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A. Common Yard

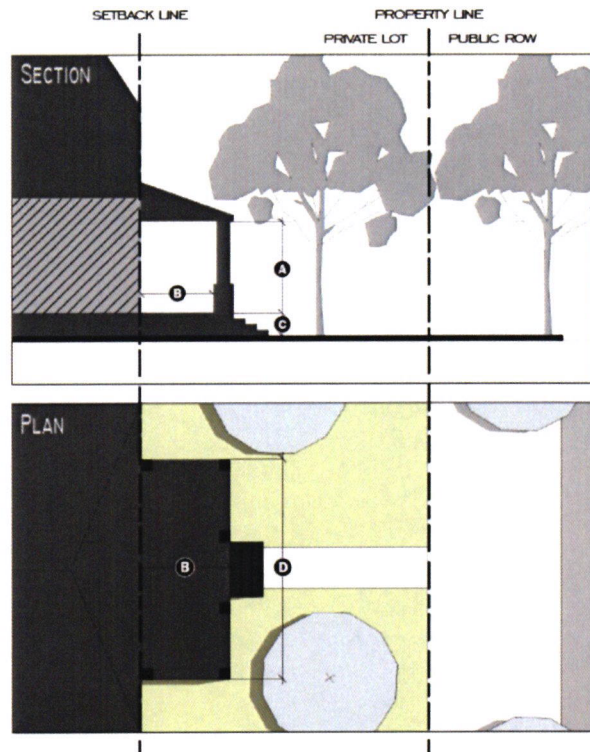
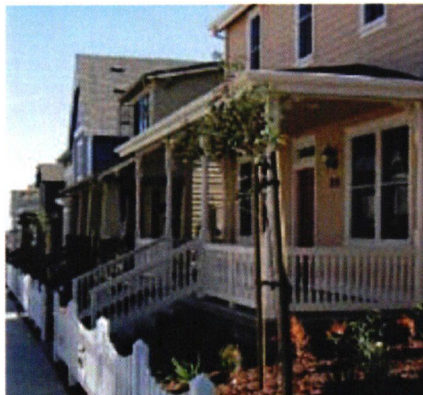
1. A Common Yard frontage is characterized by deep front yard setbacks. Front yards do not contain fences, and are visually continuous with one another, thereby creating a "strip" of green between the building frontage and the public right-of-way. Porches and/or stoops are not required, though they are recommended.



Source: SERA Architects, 2008

B. Porch

1. This frontage type is characterized by a facade which is set back from the property line with a front yard, and by a porch which is appended to the front facade (the porch may encroach into the front setback).



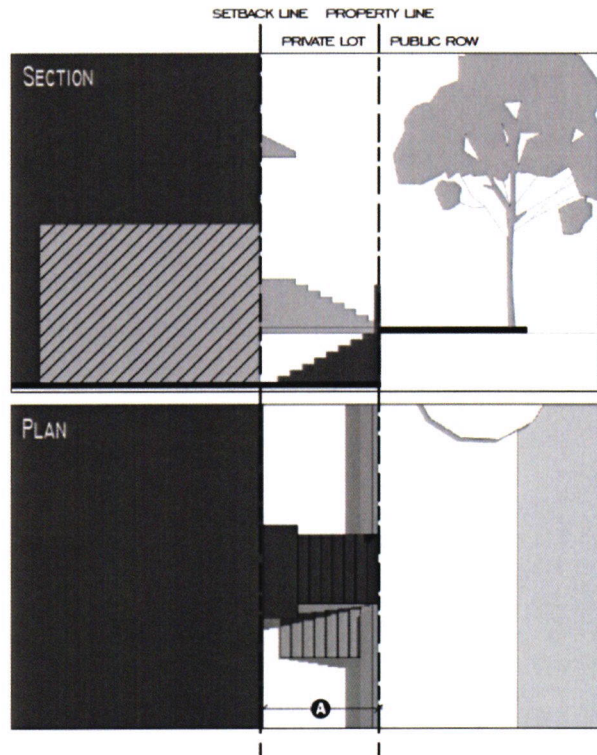
Source: SERA Architects, 2008

RANCHO CORDOVA ZONING CODE

Article 5 – Form Based Provisions

C. Door Yard/Terrace or Light Court

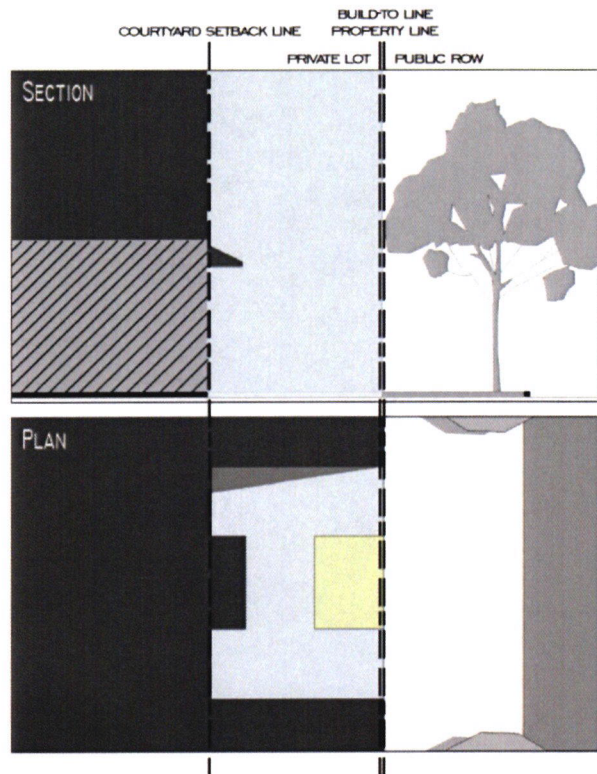
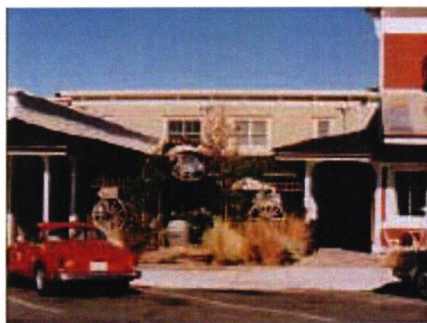
1. A Door Yard/Terrace or Light Court frontage is characterized by a facade that is set back from the street property line by an elevated terrace or a sunken light court. This buffers residential uses from the sidewalk and removes the private yard from public encroachment. The Door Yard/Terrace or Light Court is suitable for outdoor dining.



Source: SERA Architects, 2008

D. Courtyard

1. A Courtyard frontage may be created by recessing a central portion of the facade for a portion of the building frontage. The Courtyard frontage should be allocated with other frontage types (typically Storefront, Stoop, Gallery, or Arcade). A Courtyard may be suitable for gardens, outdoor dining, and vehicle drop-offs. A low fence or wall, with a pedestrian opening in all cases, may be provided along the Setback Line to define the space of the Courtyard. A Courtyard is not covered.



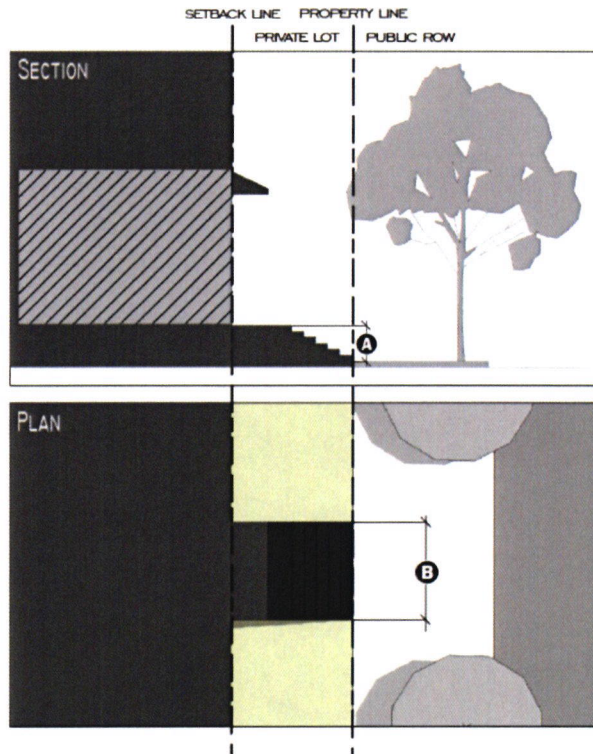
Source: SERA Architects, 2008

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Article 5 – Form Based Provisions

E. Stoop

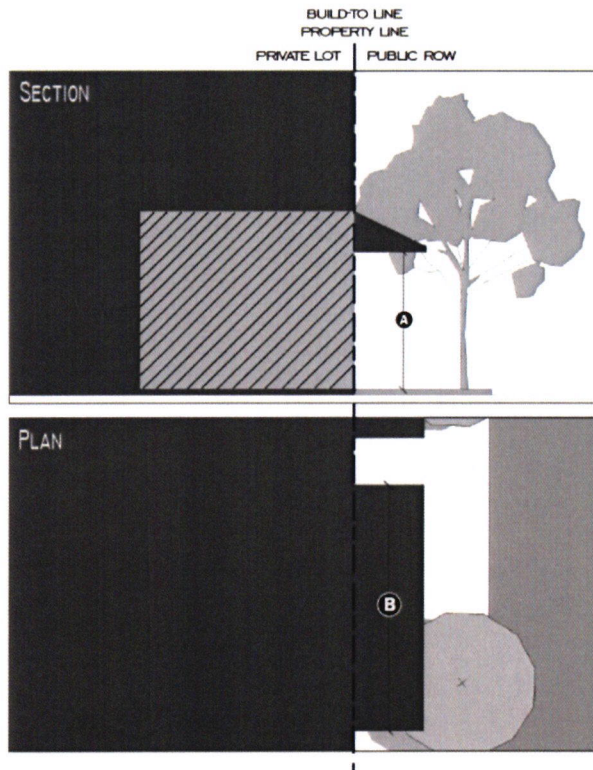
1. A Stoop frontage is characterized by a facade which is aligned close to the frontage line with the ground story elevated from the sidewalk to provide privacy for the ground floor uses. The entrance is usually an exterior stair or landing which may be combined with a small porch or roof. The Stoop frontage type is suitable for ground floor residential uses with short setbacks.



Source: SERA Architects, 2008

F. Storefront

1. Storefront frontage is characterized by a facade which is aligned close to or directly on the right-of-way line with the building entrance at sidewalk grade. Storefront frontage has substantial glazing on the ground floor. Storefront frontages are commonly equipped with awnings cantilevered over the sidewalk. Recessed Storefronts are also acceptable.



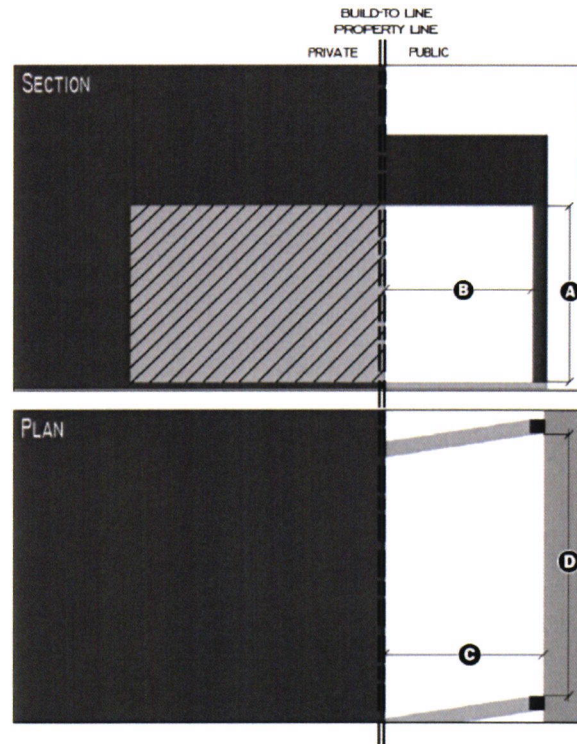
Source: SERA Architects, 2008

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Article 5 – Form Based Provisions

G. Gallery

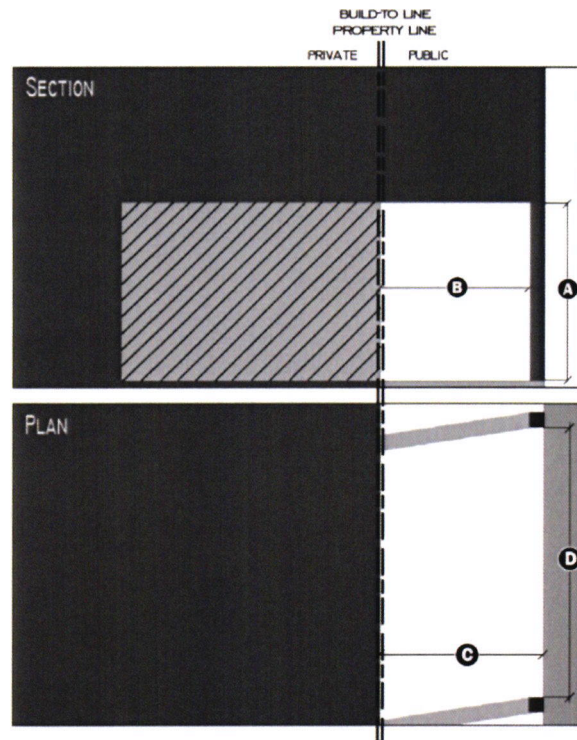
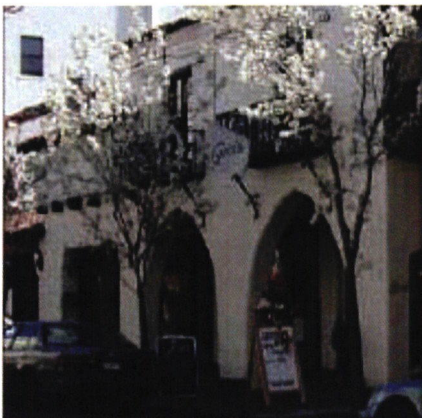
1. A Gallery frontage is characterized by a facade which is aligned close to or directly on the back-of-sidewalk line with the building entrance at sidewalk grade and with an attached colonnade that encroaches onto the sidewalk. The sidewalk must be fully absorbed within the colonnade so that a pedestrian may not bypass it. This frontage is conventional for retail use and only permitted along private streets.



Source: SERA Architects, 2008

H. Arcade

1. An Arcade frontage is nearly identical in character to the Gallery frontage except that the upper stories of the building may project over the sidewalk. The sidewalk must be fully absorbed within the colonnade so that a pedestrian may not bypass it. This frontage is conventional for retail use and only permitted along private streets.



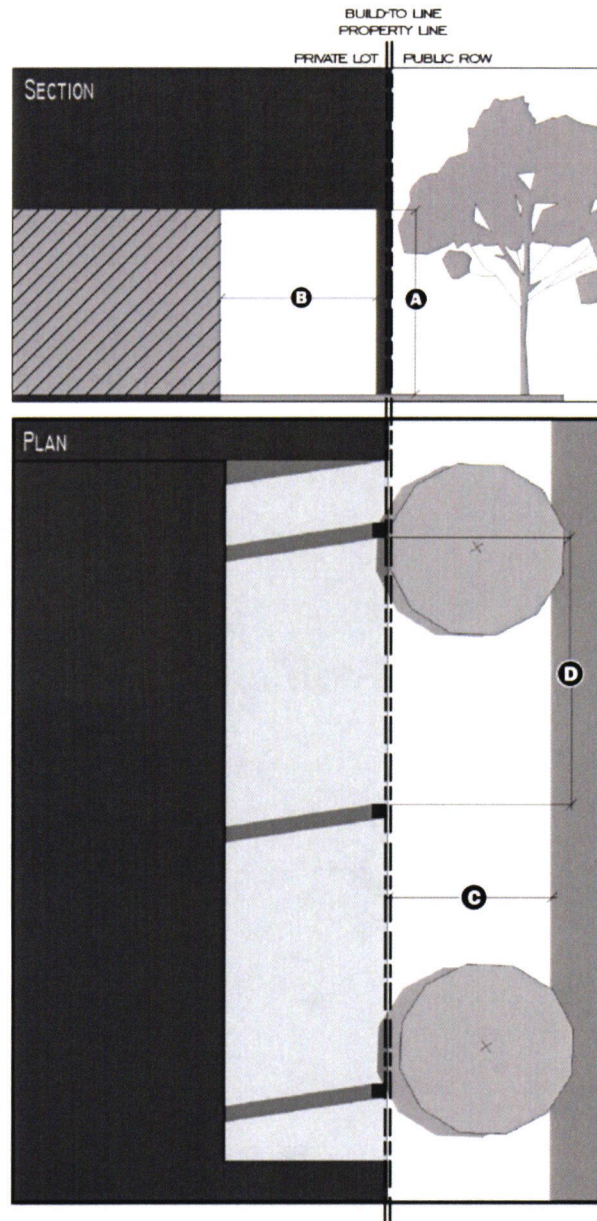
Source: SERA Architects, 2008

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Article 5 – Form Based Provisions

I. Discontinuous Arcade

1. A Discontinuous Arcade frontage is nearly identical in character to the Arcade frontage except that the collonade is set back behind the public right-of-way. This frontage should not be used for long stretches of the facade, and should ideally be flanked on either side by building frontages built to the right-of-way line. This frontage is conventional for retail use and may be used along public right-of-ways.



Source: SERA Architects, 2008

RANCHO CORDOVA ZONING CODE

Chapter 5.3 Village Center Zone Standards

Sections in this Chapter

5.3.010	Zone Characteristics.....	5.3-2
5.3.020	Connectivity and Density Requirements.....	5.3-3
5.3.030	Building Profile and Type Requirements	5.3-6

Draft Zoning Code Notes:

How is this Chapter different than the current Zoning Code?

This new Chapter introduces the Village Center Zone to accommodate activity centers within close walking proximity to neighborhoods and to provide local serving commercial opportunities consistent with the General Plan. Special form based zoning provisions are established for connectivity and density, building placement, building profile and type, and parking.

RANCHO CORDOVA ZONING CODE

Article 5 – Form Based Provisions

5.3.010 Zone Characteristics

The purpose of this zone is to provide centers of activity that are within an easy walking distance from neighborhood homes and to provide local-serving commercial opportunities. A network of sidewalks, bicycle trails and transit routes provide easy non-vehicular access to these centers. Buildings within this zone are appropriately scaled to fit in the neighborhood context. Buildings are placed close to the public sidewalk and plazas and small parks are provided to encourage the active use of public spaces and pedestrian activity. Parking is provided on-street, in small lots and/or located behind or to the side of buildings. Transit supportive development is encouraged when located in proximity to a transit station.

This zone is most appropriate for:

- Neighborhood serving commercial (grocery stores, drug stores, dry cleaners, coffee shops, etc.)
- Community centers
- Public/Quasi public uses that incorporate community gathering places
- Public/Quasi public uses without gathering places (as secondary uses)
- Office uses (as secondary uses)
- Medium density residential (as secondary uses, 6.1 to 18.0 units per acre)

Figure 5.3.010-1
Regulating Plan: Village Center Zones
 shown on prototypical district map

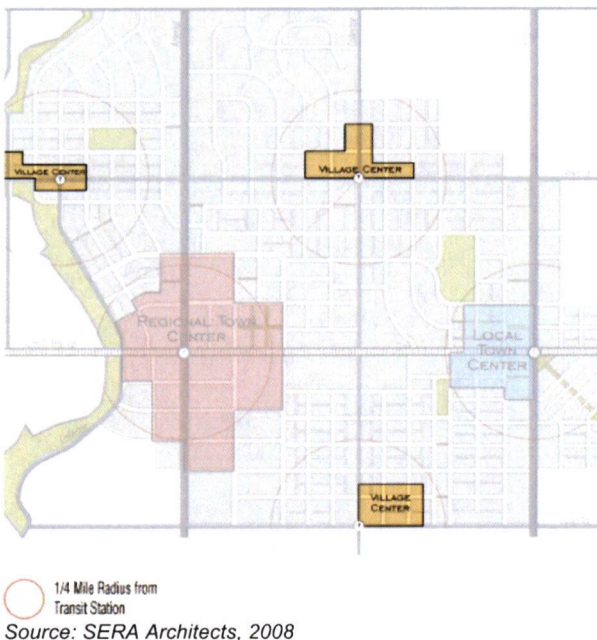
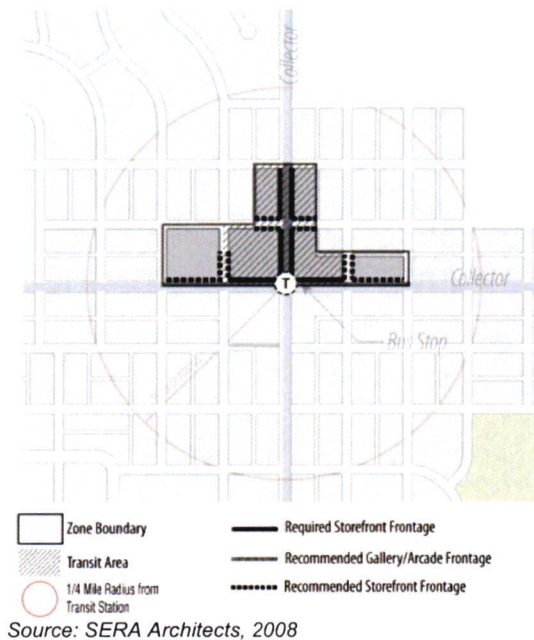


Figure 5.3.010-2
Regulating Plan: Village Center Zone
 Transit Areas and Frontages shown on
 prototypical map



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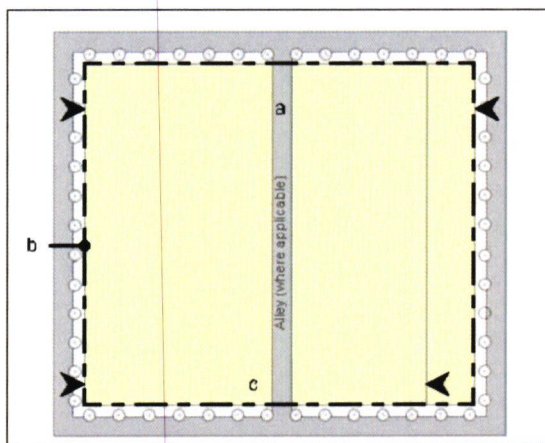
Article 5 – Form Based Provisions

5.3.020 Connectivity and Density Requirements

Table 5.3.020-1

		Transit Area
Connectivity		
Max block length	400 ft	400 ft
Max block perimeter	1,500 ft	1,500 ft
Max pedestrian block length	350 ft	350 ft
Residential density		
Min density	6.1 du/acre	6.1 du/acre
Max density	18 du/acre	18 du/acre

Figure 5.3.020-1: Connectivity Diagram



- a. Maximum block length
- b. Maximum block perimeter
- c. Maximum pedestrian block length

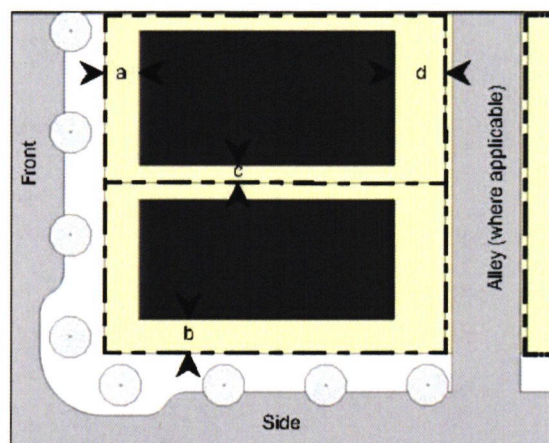
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Article 5 – Form Based Provisions

Table 5.3.020-2

		Transit Area
Primary building setback (build-to line)		
Front yard	10 ft min 20 ft max	0 ft min 10 ft max
Side yard	5 ft min	0 ft min
Side street	10 ft min 10 ft max	0 ft min
Rear yard and alley	5 ft min	0 ft min
Courtyard	20 ft max	20 ft max
Accessory building placement		
Front yard	10 ft min 20 ft max	0 ft min 10 ft max
Side yard	5 ft min	0 ft min
Side street	10 ft min 10 ft max	0 ft min
Rear yard and alley	5 ft min	0 ft min
Courtyard	20 ft max	20 ft max
Minimum building frontage	50%	60%
Lot coverage	50% max	50% min

Figure 5.3.020-2: Primary building setback diagram

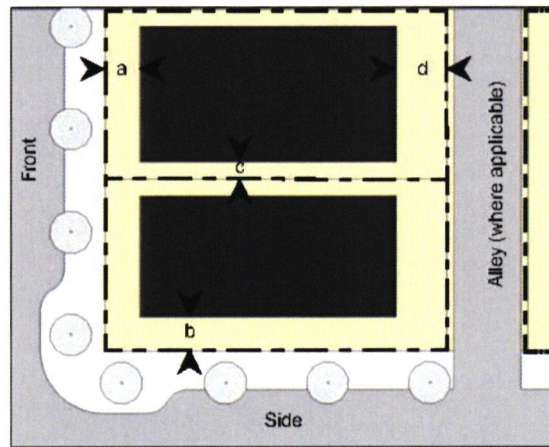


- a. Front yard setback
- b. Side street setback
- c. Side yard setback
- d. Rear yard and alley setback
- e. Maximum courtyard setback

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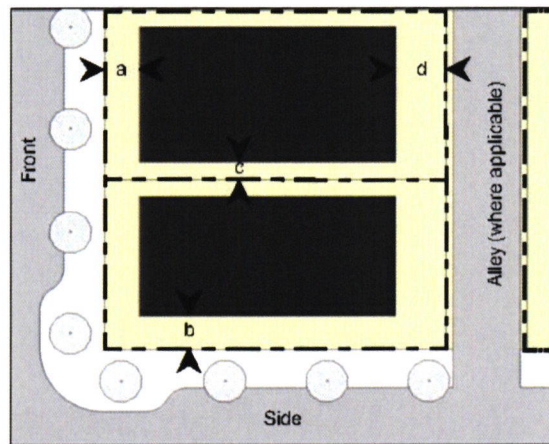
Article 5 – Form Based Provisions

Figure 5.3.020-3: Accessory building setback diagram



- a. Front yard setback
- b. Side street setback
- c. Side yard setback
- d. Rear yard and alley setback

Figure 5.3.020-4: Minimum building frontage diagram



- a. Minimum building frontage

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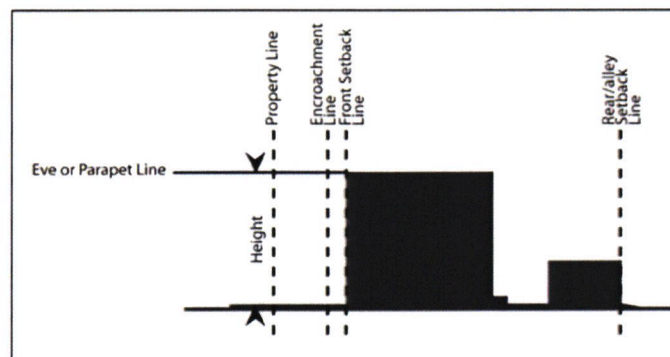
Article 5 – Form Based Provisions

5.3.030 Building Profile and Type Requirements

Table 5.3.030-1

		Transit Area
Building height		
Minimum height	None	20 ft
Maximum height	45 ft	60 ft
Encroachments	See “Streetscapes”	See “Streetscapes”
Frontage Types	Common Yard Porch Door Yard/Terrace Light Court Stoop Storefront	Door Yard/Terrace Light Court Stoop Storefront
Canopies	See “Frontages” for dimensions	See “Frontages” for dimensions
Awnings	See “Frontages” for dimensions	See “Frontages” for dimensions
Building prototypes	List prototypes allowed	List prototypes allowed
Architectural Styles	List styles allowed	List styles allowed

Figure 5.3.030-1: Building height diagram



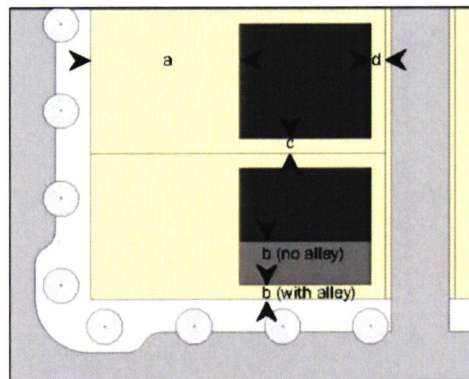
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Article 5 – Form Based Provisions

Table 5.3.030-2

		Transit Area
Parking Placement		
Front yard setback	Rear 50% of lot	Rear 50% of lot
Side yard setback	0 ft min	0 ft min
Side street setback	10 ft min (with alley)	5 ft min
	15 ft min (no alley)	
Rear yard and alley setback	5 ft min	5 ft min
Access		
Max driveway width	20 ft	20 ft
Required Spaces		
Commercial uses		
Residential uses		

Figure 5.3.030-2: Parking placement



- a. Front yard setback
- b. Side street setback
- c. Side yard setback
- d. Rear yard and alley setback

RANCHO CORDOVA ZONING CODE

Chapter 5.4 Local Town Center Zone Standards

Sections in this Chapter

5.4.010	Zone Characteristics.....	5.4-2
5.4.020	Connectivity and Density Requirements.....	5.4-3
5.4.030	Building Placement Requirements	5.4-4
5.4.040	Building Profile and Type Requirements	5.4-6
5.4.050	Special Parking Provisions	5.4-7

Draft Zoning Code Notes:

- The Code introduces the Town Center Zone to accommodate activity that serve the major retail and entertainment needs for a collection of neighborhoods that form districts as defined by the City's community building blocks concept of the General Plan.

RANCHO CORDOVA ZONING CODE

Article 5 – Form Based Provisions

5.4.010 Zone Characteristics

The purpose of this zone is to provide vibrant activity centers that serve the major retail and entertainment needs for a collection of neighborhoods that form districts as defined by the City's community building block concept of the General Plan. Nightlife is an important component of this district. An extensive network of sidewalks, bicycle trails and transit routes will connect these centers to the neighborhoods. The local town centers created within this zone will provide pedestrian-oriented gathering places. When located near transit stations (light rail or BRT) the intensity of development will increase and character of development will shift to a greater mix of uses to support transit service.

This zone is most appropriate for:

- District level commercial (retail services, restaurants, etc)
- Moderate sized entertainment venues
- Uses that facilitate positive evening and nighttime activity
- Office uses (as secondary uses)
- Medium density residential (as secondary uses. 6.1 to 18.0 units per acre)
- High density residential (as secondary uses, 20 to 40 units per acre)
- Transit oriented development when adjacent to fixed station locations

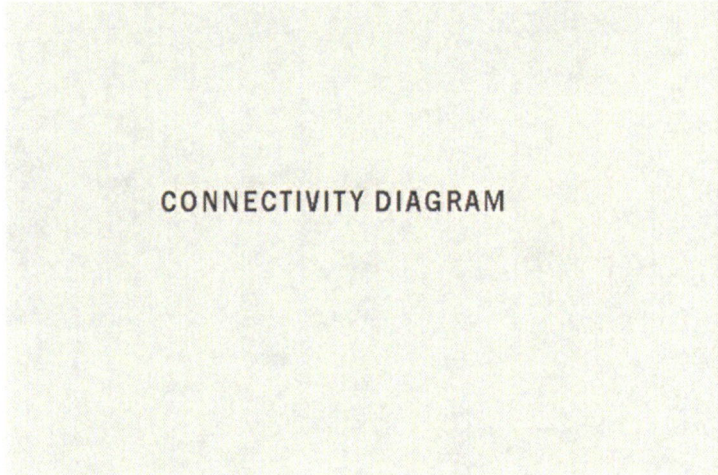
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Article 5 – Form Based Provisions

5.4.020 Connectivity and Density Requirements

Table 5.4.020-1

		Transit Area
Connectivity		
Max block length	600 ft	400 ft
Max block perimeter	2,000 ft	1,500ft
Residential density		
Min density	6.1 du/acre	20 du/acre
Max density	18 du/acre	40 du/acre



CONNECTIVITY DIAGRAM

RANCHO CORDOVA ZONING CODE

Article 5 – Form Based Provisions

5.4.030 Building Placement Requirements

Table 5.4.030-1

		Transit Area
Primary building setback (build-to line)		
Front yard	0 ft min 10 ft max	0 ft min 10 max
Side yard	0 ft min	0 ft min
Side street setback	0 ft min	0 ft min
Rear yard and alley	0 ft min	0 ft min
Courtyard	20 ft	20 -ft
Accessory building placement		
Front yard	na	na
Side yard	na	na
Rear yard and alley	na	na
Minimum Building frontage	70%	80%
Lot coverage	50% min	60% min

RANCHO CORDOVA ZONING CODE

Article 5 – Form Based Provisions

SETBACKS DIAGRAM

ACCESSORY BLDG DIAGRAM

BLDG FRONTAGE AND LOT COVERAGE

RANCHO CORDOVA ZONING CODE

Article 5 – Form Based Provisions

5.4.040 Building Profile and Type Requirements

Table 5.4.040-1

		Transit Area
Building height		
Minimum height	20 ft min	20 ft min
Maximum height	65 ft min	65 ft min
Encroachments	see "Streetscapes"	see "Streetscapes"
Frontage Types	Door Yard/Terrace Light Court Courtyard Stoop Storefront Gallery Arcade	Door Yard/Terrace Light Court Courtyard Stoop Storefront Gallery Arcade
Canopies	see "Frontages" for dimensions	see "Frontages" for dimensions
Awnings	see "Frontages" for dimensions	see "Frontages" for dimensions
Building prototypes	List prototypes allowed	List prototypes allowed
Architectural Styles	List styles allowed	List styles allowed

BLDG HEIGHT DIAGRAM

RANCHO CORDOVA ZONING CODE

Article 5 – Form Based Provisions

5.4.050 Special Parking Provisions

Table 5.4.050-1

		Transit Area
Parking placement		
Front yard setback	Rear 75% of lot	Rear 75% of lot
Side yard setback	0 ft min	0 ft min
Side street setback	5 ft min	5 ft min
Rear yard and alley setback	5 ft min	5 ft min
Access		
Max driveway width	24 ft	24 ft
Required Spaces		
Com. Uses		
Res. Uses		

PARKING LOCATION DIAGRAM

RANCHO CORDOVA ZONING CODE

Chapter 5.5 Regional Town Center Zone Standards

Sections in this Chapter

5.5.010	Zone Characteristics.....	5.5-2
5.5.020	Connectivity and Density Requirements.....	5.5-3
5.5.030	Building Placement Requirements	5.5-4
5.5.040	Building Profile and Type Requirements	5.5-6
5.5.050	Special Parking Provisions	5.5-7

Draft Zoning Code Notes:

- The Code introduces the Regional Center Zone to provide centers that accommodate regional serving retail, office and residential uses that provide a vibrant mixed use setting that fosters positive day and nighttime activity.

RANCHO CORDOVA ZONING CODE

Article 5 – Form Based Provisions

5.5.010 Zone Characteristics

The purpose of this zone is to provide locations for regional serving retail, office and residential uses that provide a vibrant mixed use setting that fosters positive day and nighttime activity. Development may feature dynamic taller buildings and building complexes (over four stories in height) that are scaled appropriately to create a comfortable pedestrian environment and be compatible with adjacent neighborhoods. Mixed use development can be designed horizontally (e.g. a grocery store next to a residential building) or vertically (e.g. a grocery store as the ground floor use with residential units above). Design characteristics include public plazas and other gathering places, open storefronts with expansive windows, and a rich mix of uses and tenants.

This zoning is most appropriate for:

- Large regional commercial establishments (retail stores, restaurants, entertainment venues and other city-wide serving retail).
- Moderate to large entertainment venues.
- Office uses (primary or secondary uses)
- Medium density residential (6.1 to 18 units per acre)
- High density residential (20.1 to 20 units per acre)
- High density residential with transit bonus (20.1 to 80 units per acre)
- Transit oriented developments when adjacent to fixed station locations

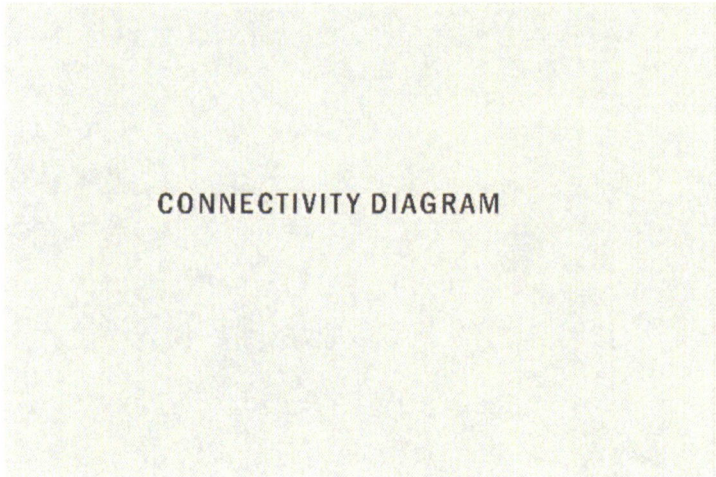
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Article 5 – Form Based Provisions

5.5.020 Connectivity and Density Requirements

Table 5.5.020-1

		Transit Area
Connectivity		
Max block length	660 ft	600 ft
Max block perimeter	2,640 ft	2,000 ft
Residential density		
Min density	6.1 du/acre	20.1 du/acre
Max density	20 du/acre	80 du/acre



CONNECTIVITY DIAGRAM

RANCHO CORDOVA ZONING CODE

Article 5 – Form Based Provisions

5.5.030 Building Placement Requirements

Table 5.5.030-1

		Transit Area
Primary building setback (build-to line)		
Front yard	0 ft min 10 ft max	0 ft min 10 ft max
Side yard	0 ft min	0 ft min
Side street setback	0 ft min	0 ft min
Rear yard and alley	0 ft min	0 ft min
Courtyard	20 ft	20 ft
Accessory building placement		
Front yard	na	na
Side yard	na	na
Rear yard and alley	na	na
Minimum building frontage	70%	70%
Lot coverage	50% min	60% min

RANCHO CORDOVA ZONING CODE

Article 5 – Form Based Provisions

SETBACKS DIAGRAM

ACCESSORY BLDG DIAGRAM

BLDG FRONTAGE AND LOT COVERAGE

RANCHO CORDOVA ZONING CODE

Article 5 – Form Based Provisions

5.5.040 Building Profile and Type Requirements

Table 5.5.040-1

		Transit Area
Building height		
Minimum height	20 ft	20 ft
Maximum height	65 ft	100 ft
Encroachments	See "Streetscapes"	See "Streetscapes"
Frontage Types	Door Yard/Terrace Light Court Stoop Storefront Gallery Arcade	Door Yard/Terrace Light Court Stoop Storefront Gallery Arcade
Canopies	See "Frontages" for dimensions	See "Frontages" for dimensions
Awnings	See "Frontages" for dimensions	See "Frontages" for dimensions
Building prototypes	List prototypes allowed	List prototypes allowed
Architectural Styles	List styles allowed	List styles allowed

BLDG HEIGHT DIAGRAM

RANCHO CORDOVA ZONING CODE

Article 5 – Form Based Provisions

5.5.050 Special Parking Provisions

Table 5.5.050-1

		Transit Area
Parking Placement		
Front yard setback	Rear 75% of lot	Rear 75% of lot
Side yard setback	0 ft min	0 ft min
Side street setback	5 ft min	5 ft min
Rear yard and alley setback	5 ft min	5 ft min
Access		
Max driveway width	24 ft	24 ft
Required Spaces		
Com. uses		
Res. uses		

PARKING LOCATION DIAGRAM