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PALO ALTO ZONING ORDINANCE

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FOREWORD

In addition to the contents of Title 18, Zoning, of the Palo Alto Municipal Code as reprinted herein, the following information is essential to its fullest use:

Setbacks are regulated both by the setbacks given in the various chapters of this Title and by the Setback Map established by Section 20.08.020 of Title 20 of this Code. Section 18.88.040 provides that the most restrictive setback requirement shall prevail.

Each of the separate chapters of Title 18 gives the particular requirements of that zone; however, by reference, the provisions of Chapter 18.88, General Provisions and Exceptions, which are applicable to the particular zone are also included. Also in most zones the "permitted uses" are extended by reference to the uses permitted in the previous zone.

ENFORCEMENT

Enforcement of the zoning regulations of the Palo Alto Municipal Code is the duty of the Building Official (see Section 16.04.060).

For your information the latest information on zoning is available in the Division of Building Inspection.

Amendments to the Palo Alto Municipal Code are made by ordinance of the Council of the City of Palo Alto.

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Title 18

ZONING*

Chapters:

- 18.01 Adoption, Purposes, and Enforcement
- 18.04 Definitions
- 18.08 Designation and Establishment of Districts
- 18.10 RE Residential Estate District Regulations
- 18.12 R-1 Single-family Residence District Regulations
- 18.15 Special Residential Building Site Combining District Regulations
- 18.17 R-2 Two-family Residence District Regulations
- 18.21 RM-1 Restricted Density Multiple-family Residence District
- 18.23 RM-2 Low Density Multiple-family Residence District Regulations
- 18.25 RM-3 Moderate Density Multiple-family Residence District
- 18.27 RM-4 Medium Density Multiple-family Residence District Regulations
- 18.29 RM-5 High Density Multiple-family Residence District Regulations
- 18.32 PF Public Facilities District Regulations
- 18.37 OR Office Research District Regulations
- 18.41 CN Neighborhood Commercial District Regulations
- 18.43 CC Community Commercial District Regulations
- 18.45 CS Service Commercial District Regulations
- 18.47 Pedestrian Shopping Combining District (P) Regulations
- 18.55 GM General Manufacturing District Regulations
- 18.60 LM Limited Industrial/Research Park District Regulations
- 18.63 Limited Industrial Site Combining District (1, 5) Regulations
- 18.68 PC Planned Community District Regulations
- 18.70 Landscape Combining District (L) Regulations
- 18.71 OS Open Space District Regulations
- 18.72 AC Agricultural Conservation District Regulations
- 18.74 F Floodplain District Regulations
- 18.79 Civic Center Combining District (C) Regulations
- 18.82 Site and Design Review Combining District Regulations (D)
- 18.83 Off-street Parking and Loading Regulations
- 18.88 Special Provisions and Exceptions
- 18.90 Variances and Conditional Use Permits
- 18.92 Appeals

* For state law providing for the adoption and administration of zoning laws, ordinances, rules and regulations by cities - See Gov. C.A. §§ 65800 - 65907.

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- 18.93 Appeals from Determinations of the Director of Planning and Community Environment**
- 18.94 Nonconforming Uses and Nonconforming Facilities**
- 18.95 Nonconforming Use Amortization Combining District (N)**
- 18.95 Amendments to Zoning Map and Zoning Regulations**
- 18.99 Administrative Approval of Minor Changes in Projects**

ADOPTION, PURPOSES, AND ENFORCEMENT**Sections:**

- 18.01.010 Adoption of zoning map and zoning regulations.
- 18.01.020 Purposes.
- 18.01.030 Compliance with regulations.
- 18.01.040 Regulations minimal.
- 18.01.050 Conflict with other regulations.
- 18.01.060 Noncompliance a public nuisance.
- 18.01.070 Remedies cumulative.
- 18.01.080 Penalty for violations.

18.01.010 Adoption of zoning map and zoning regulations. This title establishes comprehensive zoning regulations for the city, which regulations shall consist of the following:

(a) A map, or set of maps, known as the zoning map, establishing and delineating various classes of districts within the incorporated territory of the city; and

(b) Regulations, known as the zoning regulations, governing the use of land and the placement of buildings and improvements within the various classes of districts.

The zoning map and zoning regulations shall govern the use of land, including the construction, alteration, movement, replacement, or maintenance of buildings; the conduct of residential, commercial, industrial, and public service activities; the height, bulk, and placement of buildings and uses on each site; the provision of open space, amenities, off-street parking and loading; the relationships between buildings and uses on adjoining sites or within adjoining classes of districts; and such further aspects of land use and development as are appropriate to attain the purposes of this title. (Ord. 3048 (part), 1978).

18.01.020 Purposes. The purposes of this title shall be to promote and protect the public health, safety, peace, morals, comfort, convenience, and general welfare, including the following more particularly specified purposes:

(a) To further, promote, and accomplish the objectives, policies, and programs of the Palo Alto comprehensive plan;

(b) To lessen congestion and assure convenience of access; to secure safety from fire, flood, and other dangers; to provide for adequate public health, sanitation, and general welfare; to provide for adequate light, air, sunlight, and environmental amenities; to promote and encourage conservation of scarce resources; to prevent overcrowding of land and undue concentration of population; to facilitate the creation of a convenient, attractive, and harmonious community; to attain a desirable balance of residential and employment opportunities; and to expedite the provision of adequate and essential public services to the community. (Ord. 3048 (part), 1978).

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18.01.030 Compliance with regulations. No land shall be used, and no facility, structure, or building shall be erected, constructed, enlarged, altered, moved, or used in any district, as shown upon the zoning map, except in accord with the regulations established by this title. (Ord. 3048 (part), 1978).

18.01.040 Regulations minimal. In interpreting and applying the provisions of this title, unless otherwise stated, the provisions shall be held to be the minimum requirements for the promotion of the public safety, health, and the general welfare. (Ord. 3048 (part), 1978).

18.01.050 Conflict with other regulations. Where conflict occurs between the regulations established by this title and the provisions of any other law, title, ordinance, code or other regulation effective within the city, including but not limited to Title 16, Building Regulations, and Chapter 20.08, Setback Map, the more restrictive of any such provisions shall apply.

It is not intended that this title shall interfere with or abrogate or annul any easement, covenant, or other agreement now in effect; provided, however, that where this title imposes a greater restriction than imposed or required by any other law, title, ordinance, code, or other regulation, or by any easement, covenant, or agreement, the provisions of this title shall apply. (Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

18.01.060 Noncompliance a public nuisance. Any building constructed, altered, moved, replaced, or otherwise maintained, or any use of property in a manner contrary to the provisions of this title, is unlawful and a public nuisance, and the city attorney shall commence such action or actions, proceeding or proceedings as may be deemed appropriate by the city attorney for the abatement, removal, and enjoinder thereof in the manner provided by law, and shall take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate and remove such building or use and restrain and enjoin any person, firm, or corporation from constructing, altering, moving, replacing, or otherwise maintaining any building, or using any property in a manner contrary to the provisions of this title. (Ord. 3048 (part), 1978).

18.01.070 Remedies cumulative. All remedies provided for in this title shall be cumulative and not exclusive. (Ord. 3048 (part), 1978).

18.01.080 Penalty for violations. Any person, firm, or corporation violating any provision of this title is guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than five hundred dollars, or by imprisonment in the Santa Clara County jail for a term not exceeding six months, or by both such fine and imprisonment. Such person, firm, or corporation is guilty of a separate offense for each and every day during any portion of which such violation of this title is committed, continued, or permitted by such person, firm, or corporation and shall be punishable as provided in this section. (Ord. 3048 (part), 1978).

DEFINITIONS

Sections:

- 18.04.010 Purpose and applicability.
- 18.04.020 General rules for construction of language.
- 18.04.030 Definitions.

18.04.010 Purpose and applicability. The purpose of this chapter is to promote consistency and precision in the interpretation of the zoning regulations. The meaning and construction of words and phrases defined in this chapter shall apply throughout the zoning regulations, except where the context of such words or phrases clearly indicates a different meaning or construction. (Ord. 3048 (part), 1978).

18.04.020 General rules for construction of language. The following general rules of construction shall apply to the text of the zoning regulations:

- (a) The particular shall control the general.
- (b) In case of any difference of meaning or implication between the text of any provision and any caption or illustration, the text shall control.
- (c) The word "shall" is always mandatory and not discretionary. The word "may" is discretionary.
- (d) References in the masculine and feminine genders are interchangeable.
- (e) Words used in the present tense include the future, and words used in the singular include the plural, and the plural the singular, unless the context clearly indicates the contrary.
- (f) The words "activities" and "facilities" include any part thereof.
- (g) Unless the context clearly indicates to the contrary, the following conjunctions shall be interpreted as follows:
 - (1) "And" indicates that all connected items or provisions shall apply.
 - (2) "Or" indicates that the connected items or provisions may apply singly or in any combination.
 - (3) "Either . . . or" indicates that the connected items or provisions shall apply singly but not in combination.
- (h) "District" means a general district or a combining district established by this title, unless otherwise indicated by specific reference to another kind of district.
- (i) All public officials, bodies, and agencies to which reference is made are those of the city unless otherwise indicated.
- (j) "City" means the city of Palo Alto. (Ord. 3048 (part), 1978).

18.04.030 Definitions. Throughout this title the following words and phrases shall have the meanings ascribed in this section.

- (1) "Abandon" means to cease or discontinue a use or activity without

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intent to resume, but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, or during normal periods of vacation or seasonal closure.

(2) "Abutting" means having property or district lines in common.

(3) "Accessory building" means a building which is incidental to and customarily associated with a specific principal use or facility, and which meets the applicable conditions set forth in Chapter 18.88.

(4) "Accessory dwelling" means a dwelling unit accessory to a principal use on a site and intended for occupancy by persons residing therein by reason of employment of one or more occupants on the same site.

(5) "Addition" means any construction which increases the size of a building or facility in terms of site coverage, height, length, width, or gross floor area.

(6) "Administrative office services" means offices and service facilities performing headquarters, regional, or other level management and administrative services for firms and institutions.

(7) "Alley" means a public or private vehicular way less than 12.2 meters (forty feet) in width affording a secondary means of vehicular access to abutting property.

(8) "Alteration" means any construction or physical change in the internal arrangement of rooms or the supporting members of a building or structure, or change in relative position of buildings or structures on a site, or substantial change in appearance of any building or structure.

(A) "Incidental alteration" means any alteration to interior partitions or interior supporting members of a structure which does not increase the structural strength of the structure; any alteration to electrical, plumbing, heating, air conditioning, ventilating, or other utility services, fixtures, or appliances; any addition, closing, or change in size of doors or windows in the exterior walls; or any replacement of a building facade which does not increase the structural strength of the structure.

(B) "Structural alteration" means any alteration not deemed an incidental alteration.

(9) "Animal care" means a use providing grooming, housing, medical care, or other services to animals, including veterinary services, animal hospitals, overnight or short-term boarding ancillary to veterinary care, indoor or outdoor kennels, and similar services.

(10) "Automobile service station" means a use providing gasoline, oil, tires, small parts and accessories, and servicing incidental thereto, for automobiles, light trucks, and similar motor vehicles.

(11) "Automotive services" means a use engaged in sale, rental, service, or major repair of new or used automobiles, trucks, trailers, boats, motorcycles, mopeds, recreational vehicles, or other similar vehicles, including tire recapping, painting, body and fender repair, and engine, transmission, air conditioning, and glass repair and replacement, and similar services.

(12) "Basement" means that portion of a building between floor and ceiling, which is partly below and partly above grade, but so located that the vertical distance from grade to the floor below is less than the vertical distance from grade to ceiling.

(13) "Bicycle parking space" means an area specifically reserved and intended for parking of a bicycle, accessible to the user independently of any other bicycle parking space, and including such additional features or conveniences as specified by this title.

(14) "Block" means any lot or group of contiguous lots bounded on all sides by streets, railroad rights-of-way, or waterways, and not traversed by any street, railroad right-of-way, or waterway.

*(15) Breezeway" means a building or specific portion thereof, not over 3.7 meters (twelve feet) in height at the ridge line, which connects two otherwise separate buildings, and which is not more than fifty percent enclosed at the perimeter, including the wall surfaces of the buildings so connected.

(16) "Building" means any structure used or intended for supporting or sheltering any use or occupancy.

(17) "Business or trade school" means a use, except a college or university, providing education or training in business, commerce, language, or other similar activity or pursuit, and not otherwise defined as a home occupation or private educational facility.

(18) "Canopy" means any roof-like structure, either attached to another structure or free standing, or any extension of a roof line, constructed for the purpose of protection from the elements in connection with outdoor living.

(19) "Cellar" means that portion of a building between floor and ceiling which is wholly or partly below grade and so located that the vertical distance from grade to the floor below is equal to or greater than the vertical distance from grade to ceiling.

(20) "Change of use" means the replacement of an existing use by a new use, or a change in the nature of an existing use, but not including a change of ownership, tenancy, or management where the previous nature of the use, line of business, or other function is substantially unchanged. (See also Section 18.04.030(100) through (100)(f).)

(21) "Church" means a use providing facilities for regular organized religious worship and religious education incidental thereto, but excluding a private educational facility. A property tax exemption obtained pursuant to Section 3(f) of Article XIII of the Constitution of the state of California and Section 206 of the Revenue and Taxation Code of the state of California, or successor legislation, constitutes prima facie evidence that such use is a church as defined in this section.

(22) "College" or "university" means an educational institution of higher learning which offers a course of studies designed to culminate in the

*See supplemental illustrations at the end of this chapter.

issuance of a degree as defined by Section 29002 of the Education Code of the state of California, or successor legislation.

(23) "Combining district" means a district established by this title, which may be applied to a lot or portion thereof only in combination with a general district. More than one combining district may apply to the same lot or portion thereof.

(24) "Commercial parking" means a use providing parking and storage of motor vehicles on a fee or for-profit basis, as a principal use and not accessory to a permitted or conditional use.

(25) "Commercial recreation" means a use providing recreation, amusement, or entertainment services, including theaters, bowling lanes, billiard parlors, skating arenas, and similar services, operated on a private or for-profit basis, but excluding uses defined as outdoor recreation services.

(26) "Community center" means a place, structure, area, or other facility used for and providing religious, fraternal, social and/or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community.

(27) "Convalescent facility" means a use other than a residential care home providing in-patient services for persons requiring regular medical attention, but not providing surgical or emergency medical services.

(28) "Corporation yard" is defined in subsection (36).

(29) "Day care center" means a day care center for the elderly, or a facility licensed by the state for daytime care of more than ten persons. This term includes nursery schools, preschools, and similar facilities.

(30) "Day care home" means use of a dwelling unit or portion thereof licensed by the state for daytime care of up to six persons, including children through age sixteen within the family occupying such dwelling unit. This term includes nursery schools, preschools, and similar facilities.

(30a) "Family day care home" means use of a dwelling unit or portion thereof licensed by the state for daytime care of up to ten persons, including children through age sixteen within the family occupying such dwelling unit. This term includes nursery schools, preschools, and similar facilities. A family day care home for the elderly need not be state licensed.

*(31) "Daylight plane" means an inclined plane, beginning at grade or at a stated height above grade at a property line, and extending into the site at a stated upward angle to the horizontal, which may limit the height of horizontal extent of structures at any specific point on the site where the daylight plane is more restrictive than the height limit or the minimum yard applicable at such point on the site.

(32) "Drive-in service" means a feature or characteristic of a use involving sales of products or provision of services to occupants in vehicles, including drive-in or drive-up windows and drive-through services such as mechanical automobile washing.

(33) "Dwelling unit" means a room or group of rooms including living,

*See supplemental illustrations at the end of this chapter.

sleeping, eating, cooking, and sanitation facilities, constituting a separate and independent housekeeping unit, occupied or intended for occupancy by one family on a nontransient basis and having not more than one kitchen.

(34) "Eating and drinking service" means a use providing preparation and retail sale of food and beverages, including restaurants, fountains, cafes, coffee shops, sandwich shops, ice cream parlors, taverns, cocktail lounges, and similar uses. Related definitions are contained in subsections (32) and (96).

*(35) "Enclosed" means a covered space fully surrounded by walls, including windows, doors, and similar openings or architectural features, or an open space of less than 9.3 square meters (one hundred square feet) fully surrounded by a building or walls exceeding 2.4 meters (eight feet) in height.

(36) "Equipment yard" means a use providing for maintenance, servicing, or storage of motor vehicles, equipment, or supplies; or for the dispatching of service vehicles; or distribution of supplies or construction materials required in connection with a business activity, public utility service, transportation service, or similar activity. "Equipment yard" includes a construction materials yard, corporation yard, vehicular service center, or similar use.

(37) "Facility" means a structure, building or other physical contrivance or object.

(A) "Accessory facility" means a facility which is incidental to, and customarily associated with, a specified principal facility, and which meets the applicable conditions set forth in Chapter 18.88.

(B) "Noncomplying facility" means a facility which is in violation of any of the site development regulations or other regulations established by this title, but was lawfully existing on July 20, 1978, or any amendments to this title, or the application of any district to the property involved by reason of which adoption or application the facility became noncomplying. (For the definition for "nonconforming use" see subsection (100)(B).)

(C) "Principal facility" means a main building or other facility which is designed and constructed for or occupied by a principal use.

(38) "Family" means an individual, or two or more persons all of whom are related to each other by blood, marriage, or adoption, plus not more than three additional persons unrelated to the foregoing (including, but not limited to, any combination of renters, foster children, household employees or other residents) living together in a dwelling unit as a single housekeeping unit. The term "family" does not include a fraternity, sorority, club, or other group of persons occupying a hotel, lodginghouse, or institution of any kind.

(39) "Financial service" means a use providing financial services to individuals, firms, or other entities. The term "financial service" includes banks, savings and loan institutions, loan and lending activities, and similar services.

*See supplemental illustrations at the end of this chapter.

(40) "Floor area ratio" means the maximum ratio of gross floor area on a site to the total site area.

(41) "Full cash value" has the meaning assigned to it in the Revenue and Taxation Code for property taxation purposes.

(42) "General business office" means a use principally providing services to individuals, firms, or other entities, including but not limited to real estate, insurance, property management, title companies, credit unions, investment, personnel, travel, and similar services, and including business offices of public utilities or other activities when the service rendered is that customarily associated with administrative office services.

(43) "General business service" means a use engaged in sales, servicing, installation, and repair services, or the performance of activities and services of the general nature described in this section, including printing, blueprinting and publishing, commercial bakeries, creameries or catering, cabinetry and furniture repair, bulk cleaning and laundry services, lumber, plumbing, electrical, sheet metal, and other construction and building materials, and automobile parts and supplies.

(44) "General district" means a district created by this title establishing basic regulations governing land use and site development. Not more than one general district designation shall apply to the same portion of a lot.

(45) "Grade" means the lowest point of adjacent ground elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and the property line, or when the property line is more than 1.5 meters (five feet) from the building, between the building and a line 1.5 meters (five feet) from the building.

(46) "Gross floor area" means the total enclosed area of all floors of a building, measured to the outside surfaces of exterior walls, and including halls, stairways, elevator shafts, service and mechanical equipment rooms, light wells or courts defined as enclosed, and basement, cellar or attic areas deemed usable by the building official or habitable by the Uniform Building Code.

(47) "Guest cottage" means an accessory building containing a lodging unit without kitchen facilities, and used to house occasional visitors or nonpaying guests of the occupants of a dwelling unit on the same site.

(48) "Height" means the vertical distance above grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitched or hipped roof. The measurement may be taken from the highest adjoining sidewalk or ground surface within a 1.5 meter (five foot) horizontal distance of the exterior wall of the building, when such sidewalk or ground surface is not more than 3.0 meters (ten feet) above grade. The height of a stepped or terraced building is the maximum height of any segment of the building.

(49) "Home occupation" means an accessory activity conducted in a

*See supplemental illustrations at the end of this chapter.

dwelling unit solely by the occupants thereof, in a manner incidental to residential occupancy, in accord with the provisions of this title. (For further provisions, see regulations for home occupations in Section 18.88.130.)

(50) "Hospital" means a facility providing medical, psychiatric, or surgical services for sick or injured persons primarily on an in-patient basis, and including ancillary facilities for out-patient and emergency treatment, diagnostic services, training, research, administration, and services to patients, employees, or visitors.

(51) "Hotel" means a facility containing rooms or groups of rooms, generally without individual kitchen facilities, used or intended to be used for use by temporary overnight occupants, whether on a transient or residential occupancy basis, and whether or not eating facilities are available on the premises. "Hotel" includes a motel, motor hotel, tourist court, or similar use, but does not include mobile home parks or similar use.

(52) "Impervious area" means the portion of land on a lot that is covered by structures, paved surfaces, uncovered porches or similar cover and is incapable of being penetrated by water under normal circumstances.

(53) "Kitchen" means a room designed, intended or used for the preparation of food.

(54) "Landscaping" means an area devoted to or developed and maintained with native or exotic plantings, lawn, ground cover, gardens, trees, shrubs, and other plant materials, decorative outdoor landscape elements, pools, fountains, water features, paved or decorated surfaces of rock, stone, brick, block, or similar material (excluding driveways, parking, loading, or storage areas), and sculptural elements.

*(A) "Interior landscaping," as applied to parking and loading facilities or to similar paved areas, means a landscaped area or areas within the shortest circumferential line defining the perimeter or exterior boundary of the parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility.

*(B) "Perimeter landscaping" as applied to parking and loading facilities or to similar paved areas, means a landscaped area adjoining and outside the shortest circumferential line defining the exterior boundary of a parking or loading area, or similar paved area, excluding driveways or walkways providing access to the facility.

(55) "Liquor store" means a use requiring a state of California "off-sale general license" (sale for off-site consumption of wine, beer, and/or hard liquor) and having fifty percent or more of total dollar sales accounted for by beverages covered under the off-sale general license.

(56) "Loading space" means an area used for loading or unloading of goods from a vehicle in connection with the use of the site on which such space is located.

(57) "Lodging" means the furnishing of rooms or groups of rooms within a dwelling unit or an accessory building to persons other than

*See supplemental illustrations at the end of this chapter.

members of the family residing in said dwelling unit, or in the case of an accessory building, a dwelling unit on the same site, for overnight occupancy on a residential occupancy basis, whether or not meals are provided to such persons. Lodging shall be subject to the residential density requirements of the district in which the use is located.

(58) "Lodging unit" means a room or group of rooms not including a kitchen, used or intended for use by overnight occupants as a single unit, whether located in a hotel or a dwelling unit providing lodging. Where designed or used for occupancy by more than two persons, each two-person capacity shall be deemed a separate lodging unit. For the purpose of determining residential density, each two lodging units shall be considered the equivalent of one dwelling unit.

(59) "Lot" or "site" means a parcel of land consisting of a single lot of record, used or intended for use under the regulations of this title as one site for a use or a group of uses.

*(A) "Corner lot" means a lot abutting two or more streets having an angle of intersection of one hundred thirty-five degrees or less. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the intersections of the side lot lines with the street lines to the midpoint of the street frontage meet at an interior angle of one hundred thirty-five degrees or less.

*(B) "Flag lot" means a lot having access to a street by means of a private driveway or parcel of land not otherwise meeting the requirements of this title for lot width, or a lot defined as a "rear lot" by Title 21.

*(C) "Interior lot" means a lot abutting only one street.

*(D) "Through lot" means a lot other than a corner lot abutting more than one street.

(60) "Lot area" means the area of a lot measured horizontally between bounding lot lines, but excluding any portion of a flag lot providing access to a street and lying between a front lot line and the street, and excluding any portion of a lot within the lines of any natural watercourse, river, stream, creek, waterway, channel, or floor control or drainage easement.

(61) "Lot coverage" encompasses the following definitions:

(A) "Single-family residential use" means the total land area within a site that is covered by buildings, including all projections except the exterior or outermost 1.2 meters (four feet) of any eave or roof overhang, but excluding ground level paving, landscaping features, and open recreational facilities.

(B) "All other uses except single-family residential" means the total land area within a site that is covered by buildings, excluding all projections, ground level paving, landscaping features, and open recreational facilities.

*(62) "Lot depth" means the horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line, or to the most distant point on any other lot line where there is no rear lot line.

*See supplemental illustrations at the end of this chapter.

(63) "Lot line" means any boundary of a lot.

*(A) "Front lot line" means on an interior lot, the lot line abutting a street, or, on a corner lot, the shorter lot line abutting a street, or, on a through lot, the lot line abutting the street providing the primary access to the lot, or, on a flag lot, the interior lot line most parallel to and nearest the street from which access is obtained.

*(B) "Interior lot line" means any lot line not abutting a street.

*(C) "Rear lot line" means the lot line not intersecting a front lot line which is most distant from and most closely parallel to the front lot line. A lot bounded by only three lot lines will not have a rear lot line.

*(D) "Side lot line" means any lot line which is not a front or rear lot line.

*(E) "Street lot line" means any lot line abutting a street.

(64) "Lot of record" means a lot which is part of a subdivision recorded in the office of the county recorder, or a lot or parcel described by metes and bounds which has been so recorded.

*(65) "Lot width" means the horizontal distance between side lot lines, measured at the required front setback line.

(66) "Manufacturing" means a use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution of such products, but excluding basic industrial processing of extracted or raw materials, processes utilizing inflammable or explosive materials (i.e., materials which ignite easily under normal manufacturing conditions), and processes which create hazardous or commonly recognized offensive conditions.

(67) "Medical office" means a use providing consultation, diagnosis, therapeutic, preventative, or corrective personal treatment services by doctors, dentists, medical and dental laboratories, and similar practitioners of medical and healing arts for humans licensed for such practice by the state of California.

(68) "Mobile home" means a vehicle or other structure fabricated off-site and transportable on permanently attached or detachable wheels, or on a truck or other conveyance, intended for use as a dwelling unit, and containing a complete kitchen, sanitary facilities, and utilities for connections to on-site service connections. "Mobile home" does not include modular dwellings intended for assembly on-site and not designed for subsequent or repeated relocation.

(69) "Mobile home park" means a residential facility arranged or equipped for the accommodation of two or more mobile homes, with spaces for such mobile homes available for rent, lease, or purchase, and providing utility services and other facilities either separately or in common to mobile home spaces therein.

*See supplemental illustrations at the end of this chapter.

(70) "Motel" is defined in subsection (51).

(71) "Multiple-family use" means the use of a site for three or more dwelling units, which may be in the same building or in separate buildings on the same site.

(72) "Neighborhood recreational center" means a privately owned or operated use providing, primarily for residents of the surrounding area, facilities for recreational or cultural activities, including lessons and instructions incidental thereto.

(73) "Net floor area" means the net enclosed floor area used or capable of use for any activity, excluding walls, stairways, elevator shafts, service and mechanical equipment rooms, corridors or halls providing common access to more than one use, and unenclosed porches or balconies.

(74) "Open" means a space on the ground or on the roof of a structure, uncovered and unenclosed.

(75) "Opposite," as used with respect to relative location of two sites, means property which is separated less than 30.5 meters (one hundred feet) by a street, alley, creek, drainageway, or other separately owned right-of-way, and which would be considered abutting based on projection of side lot lines to the centerline of such separating right-of-way.

(76) "Outdoor recreation service" means a privately owned or operated use providing facilities for outdoor recreation activities, including golf, tennis, swimming, riding, or other outdoor sport or recreation, operated predominantly in the open, except for accessory or incidental enclosed services or facilities.

(77) "Parking facility" means an area on a lot or within a building, or both, including one or more parking spaces, together with driveways, aisles, turning and maneuvering areas, clearances, and similar features, and meeting the requirements established by this title. "Parking facility" includes parking lots, garages, and parking structures.

(78) "Parking space" means an area on a lot or within a building, used or intended for use for parking of a motor vehicle, having permanent means of access to and from a public street or alley independently of any other parking space, and located in a parking facility meeting the requirements established by this title. "Parking space" is equivalent to the term "parking stall" and does not include driveways, aisles, or other features comprising a parking facility as defined in this chapter.

(79) "Patio cover" is defined in subsection (18), Canopy.

(80) "Personal service" means a use providing services of a personal convenience nature, cleaning, repair, or sales incidental thereto, and including art, dance, or music studios, beauty shops and barbershops, shoe repair, self-service laundry and cleaning services, laundry and cleaning pick-up stations (where bulk cleaning and servicing is done elsewhere), repair and fitting of clothes and personal accessories, copying, and similar services.

(81) "Private educational facility" means a privately owned school, including schools owned and operated by religious organizations, offering instruction in the several branches of learning and study required to be

taught in the public schools by the Education Code of the state of California.

(82) "Professional office" means a use providing professional or consulting services in the fields of law, architecture, design, engineering, accounting, and similar professions.

(83) "Queue line" means an area for temporary parking and lining of motor vehicles while awaiting a service or other activity.

(84) "Recreational vehicle" means a vehicle towed or self-propelled on its own chassis or attached to the chassis of another vehicle and designed or used for temporary dwelling, recreational or sporting purposes. The term recreational vehicle includes, but is not limited to, travel trailers, pickup campers, camping trailers, motor coach homes, converted trucks and buses and boats and boat trailers.

(85) "Religious institution" means a seminary, retreat, monastery, conference center, or similar use for the conduct of religious activities, including accessory housing incidental thereto, but excluding a private educational facility. Any such use for which a property tax exemption has been obtained pursuant to Section 3(f) of Article XIII of the Constitution of the state of California and Section 206 of the Revenue and Taxation Code of the state of California, or successor legislation, or which is used in connection with any church which has received such an exemption, shall be prima facie presumed to be a religious institution.

(86) "Research and development" means a use engaged in study, testing, design, analysis, and experimental development of products, processes, or services, including incidental manufacturing of products or provisions of services to others.

(87) "Residential care home" means use of a dwelling unit or portion thereof licensed by the state of California or county of Santa Clara, for care of up to six ambulatory persons, including overnight occupancy or care for extended time periods, and including all uses defined in Sections 5115 and 5116 of the California Welfare and Institutions Code, or successor legislation.

(88) "Retail service" means a use engaged in providing retail sale, rental, service, processing, or repair of items primarily intended for consumer or household use, including but not limited to the following: groceries, meat, vegetables, dairy products, baked goods, candy, and other food products; liquor and bottled goods; household cleaning and maintenance products; drugs, cards, and stationery, notions, books, tobacco products, cosmetics, and specialty items; flowers, plants, hobby materials, toys, household pets and supplies, and handcrafted items; apparel, jewelry, fabrics, and like items; cameras, photography services, household electronic equipment, records, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, carpeting and floor covering, interior decorating services, office supplies, musical instruments, hardware and homeware, and garden supplies; bicycles; and automotive parts and accessories (excluding service and installation).

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(A) "Extensive retail service," as used with respect to parking requirements, means a retail sales use having more than seventy-five percent of the gross floor area used for display, sales, and related storage of bulky commodities, including household furniture and appliances, lumber and building materials, carpeting and floor covering, air conditioning and heating equipment, and similar goods, which uses have demonstrably low parking demand generation per square foot of gross floor area.

(B) "Intensive retail service," as used with respect to parking requirements, means any retail service use not defined as extensive retail service.

(89) "Screened" means shielded, concealed, and effectively hidden from view at an elevation up to 2.4 meters (eight feet) above ground level on adjoining sites, or from adjoining streets, within 3.0 meters (ten feet) of the lot line, by a fence, wall, hedge, berm, or similar structure, architectural or landscape feature, or combination thereof.

(90) "Setback line" means a line within a lot parallel to a corresponding lot line, which is the boundary of any specified front, side, or rear yard, or a line otherwise established to govern the location of buildings, structures, or uses with respect to lot lines, street lines, or other physical features. Where no minimum front, side, or rear yards are specified, the setback line shall be coterminous with the corresponding lot line.

(91) "Shopping center" means a group of commercial establishments, planned, developed, owned, or managed as a unit, with off-street parking provided on the site, and having a total gross floor area of not less than 92,903 square meters (one million square feet) and a total site area of not less than 20.3 hectares (fifty acres).

(92) "Single-family use" means the use of a site for only one dwelling unit.

(93) "Site" is defined in subsection (59).

(94) "Structure" means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. (For further provisions, see the definition for "facility," subsection (37).)

(95) "Studio dwelling unit, efficiency dwelling unit" means a dwelling unit consisting of a single habitable room for living and sleeping purposes, plus ancillary kitchen and bath facilities.

(96) "Take-out service" means a feature or characteristic of eating and drinking services which encourages or allows, on a regular basis, consumption of food and beverages outside of a building, such as in outdoor seating areas where regular table service is not provided, in vehicles parked on the premises, or off the site.

(97) "Transportation terminal" means a depot, terminal, or transfer facility for passenger transportation services.

(98) "Two-family use" means the use of a site for two dwelling units, which may be within the same building or separate buildings.

(99) "Usable open space" means outdoor or unenclosed area on the

ground, or on a roof, balcony, deck, porch, or terrace, designed and accessible for outdoor living, recreation, pedestrian access, or landscaping, but excluding parking facilities, driveways, utility or service areas, or any required front or street side yard, and excluding any space with a dimension of less than 2.1 meters (seven feet) in any direction or an area of less than 7.4 square meters (eighty square feet).

(100) "Use" means the conduct of an activity, or the performance of a function or operation, on a site or in a building or facility.

(A) "Accessory use" means a use which is incidental to, and customarily associated with a specified principal use, and which meets the applicable conditions set forth in Chapter 18.88.

(B) "Nonconforming use" means a use which is not a permitted use or conditional use authorized within the district in which it is located, but which was lawfully existing on July 20, 1978, or the date of any amendments hereto, or the application of any district to the property involved, by reason of which adoption or application the use became nonconforming. (For further provisions, see the definition of "noncomplying facility" in subsection (37).)

(C) "Principal use" means a use which fulfills a primary function of a household, establishment, institution, or other entity.

(D) "Permitted use" means a use listed by the regulations of any particular district as a permitted use within that district, and permitted therein as a matter of right when conducted in accord with the regulations established by this title.

(E) "Conditional use" means a use, listed by the regulations of any particular district as a conditional use within that district and allowable therein, solely on a discretionary and conditional basis, subject to issuance of a conditional use permit, and to all other regulations established by this title.

(F) "Change of use" is defined in subsection (20).

(101) "Warehousing" and "distribution" means a use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, but excluding bulk storage of materials which are inflammable or explosive or which create hazardous or commonly recognized offensive conditions.

*(102) "Watercourse bank" means the side of a watercourse the top of which shall be the topographic line roughly parallel to stream centerline where the side slopes intersect the plane of the ground traversed by the watercourse. Where banks do not distinguishably end, the surrounding country being an extension of the banks, the top of such banks shall be defined as determined by the building official.

(103) "Yard" means an area within a lot, adjoining a lot line, and measured horizontally, and perpendicular to the lot line for a specified distance, open and unobstructed except for activities and facilities allowed therein by this title.

*See supplemental illustrations at the end of this chapter.

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*(A) "Front yard" means a yard measured into a lot from the front lot line, extending the full width of the lot between side lot lines intersecting the front lot line.

*(B) "Interior yard" means a yard adjoining an interior lot line.

*(C) "Rear yard" means a yard measured into a lot from the rear lot line, extending between the side yards; provided, that for lots having no defined rear lot line, the rear yard shall be measured into the lot from the rearmost point of the lot depth to a line parallel to the front lot line.

*(D) "Side yard" means a yard measured into a lot from a side lot line, extending between the front yard and rear lot line.

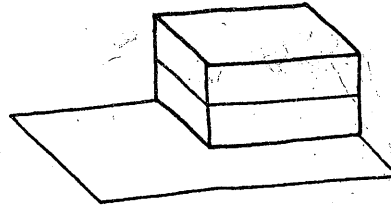
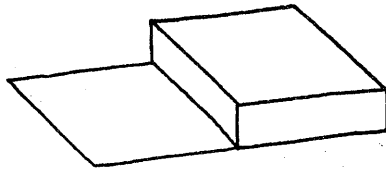
*(E) "Street yard" means a yard adjoining a street lot line. (Ord. 3108 §§ 3, 13, 14, 16, 1979; Ord. 3103 § 1, 1979; Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

*See supplemental illustrations at the end of this chapter.

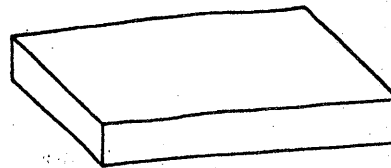
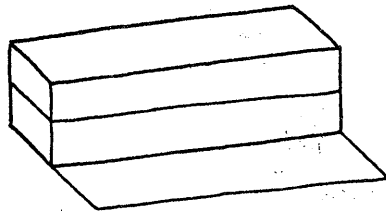
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FLOOR AREA RATIO EXAMPLES

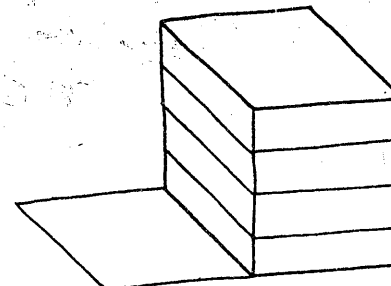
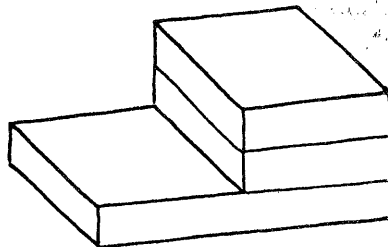
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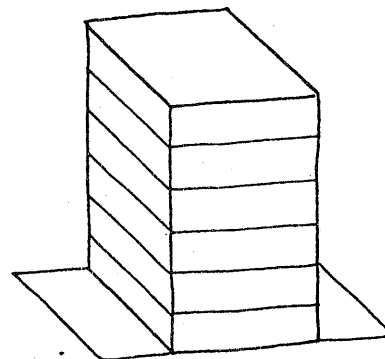
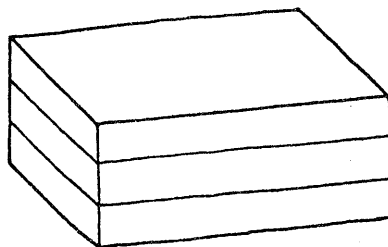
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2.0 to 1



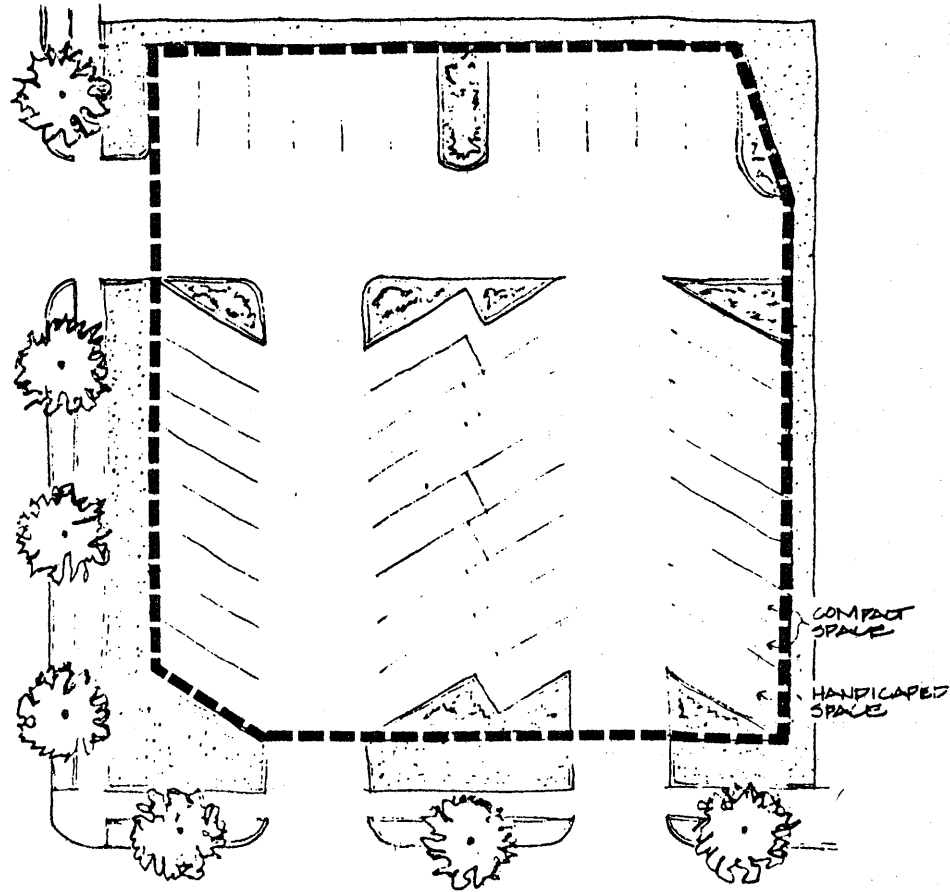
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




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INTERIOR LANDSCAPING
PERIMETER LANDSCAPING



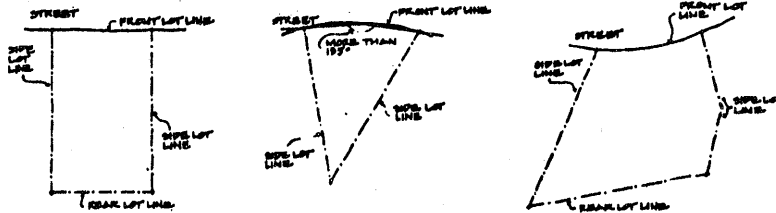
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-  INTERIOR LANDSCAPING
-  PERIMETER OF PARKING FACILITY

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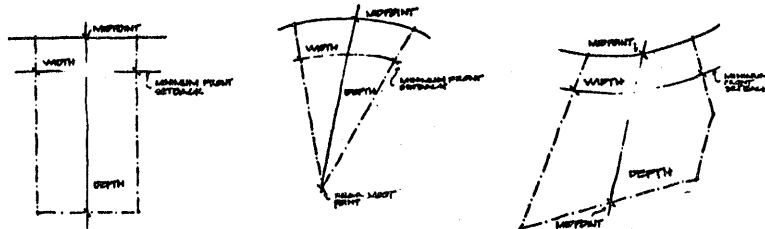
LOT AND YARD ILLUSTRATIONS
INTERIOR LOTS

INTERIOR LOT

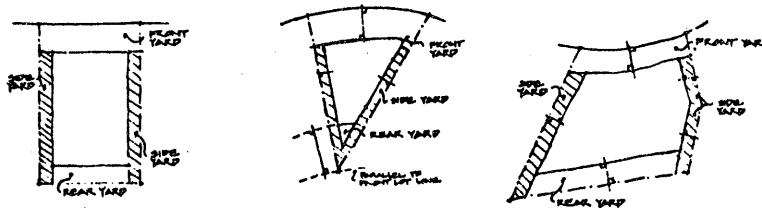
Lot Lines



Lot Width
and Depth



Required
Yards



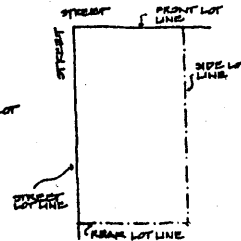
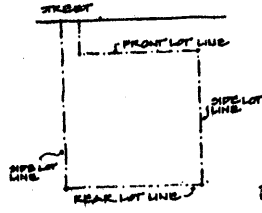
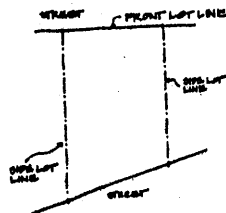
LOT AND YARD ILLUSTRATIONS
THROUGH, FLAG, AND CORNER LOTS

THROUGH LOT

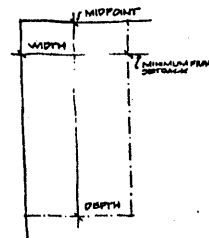
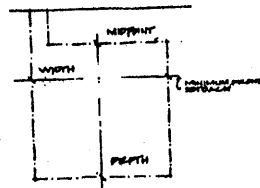
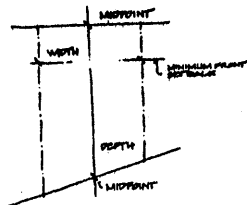
FLAG LOT

CORNER LOT

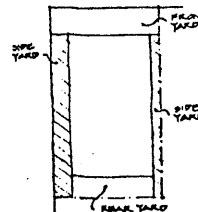
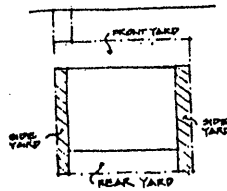
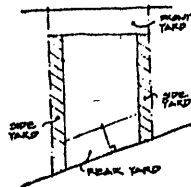
Lot Lines



Lot Width and Depth

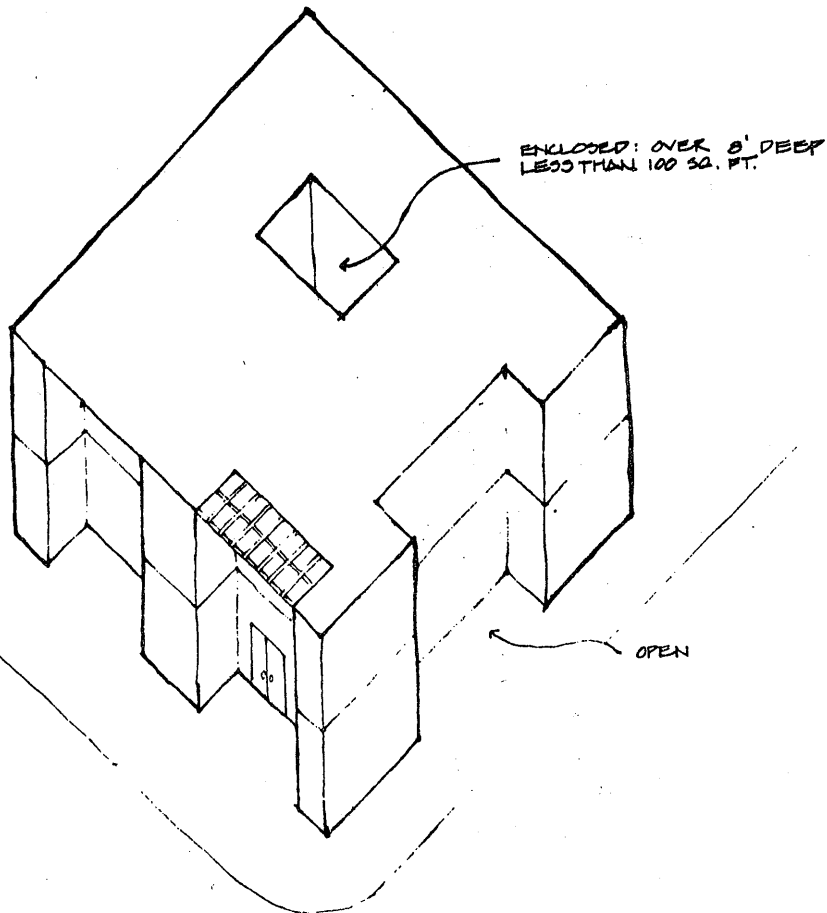


Required Yards



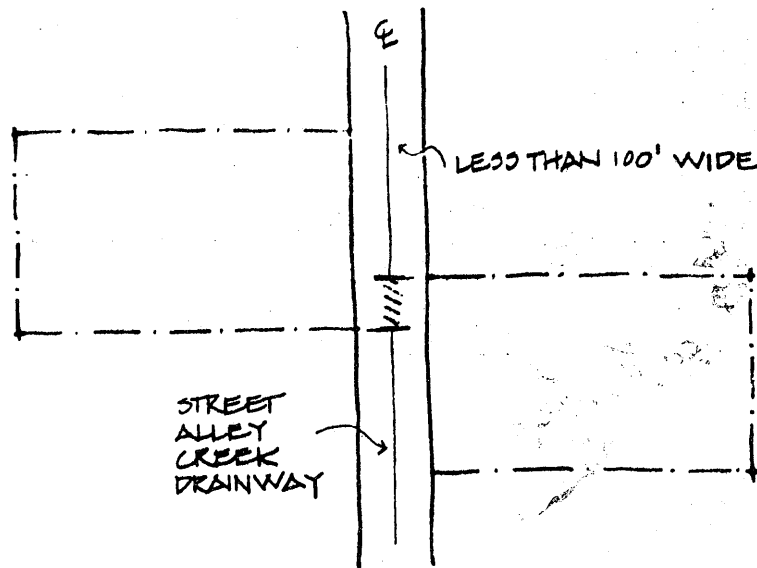
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OPEN AND ENCLOSED ILLUSTRATIONS

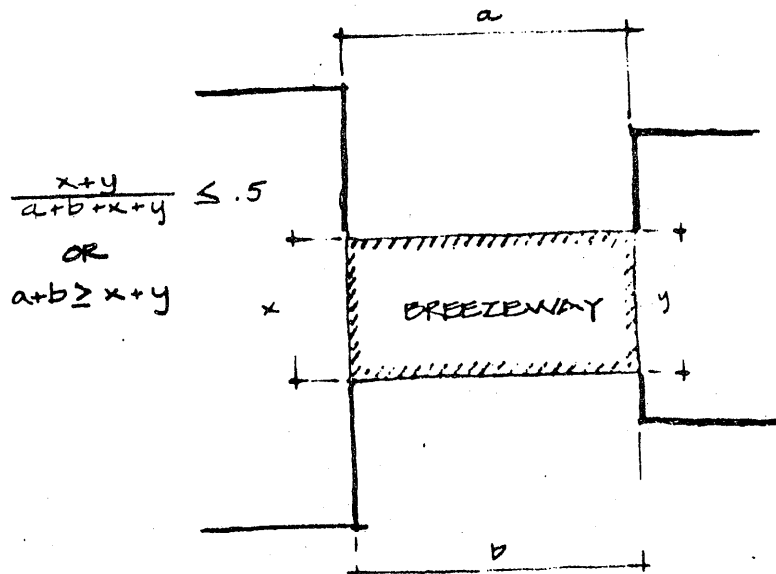


OPPOSITE

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BREEZEWAY



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HEIGHT AND GRADE ILLUSTRATIONS

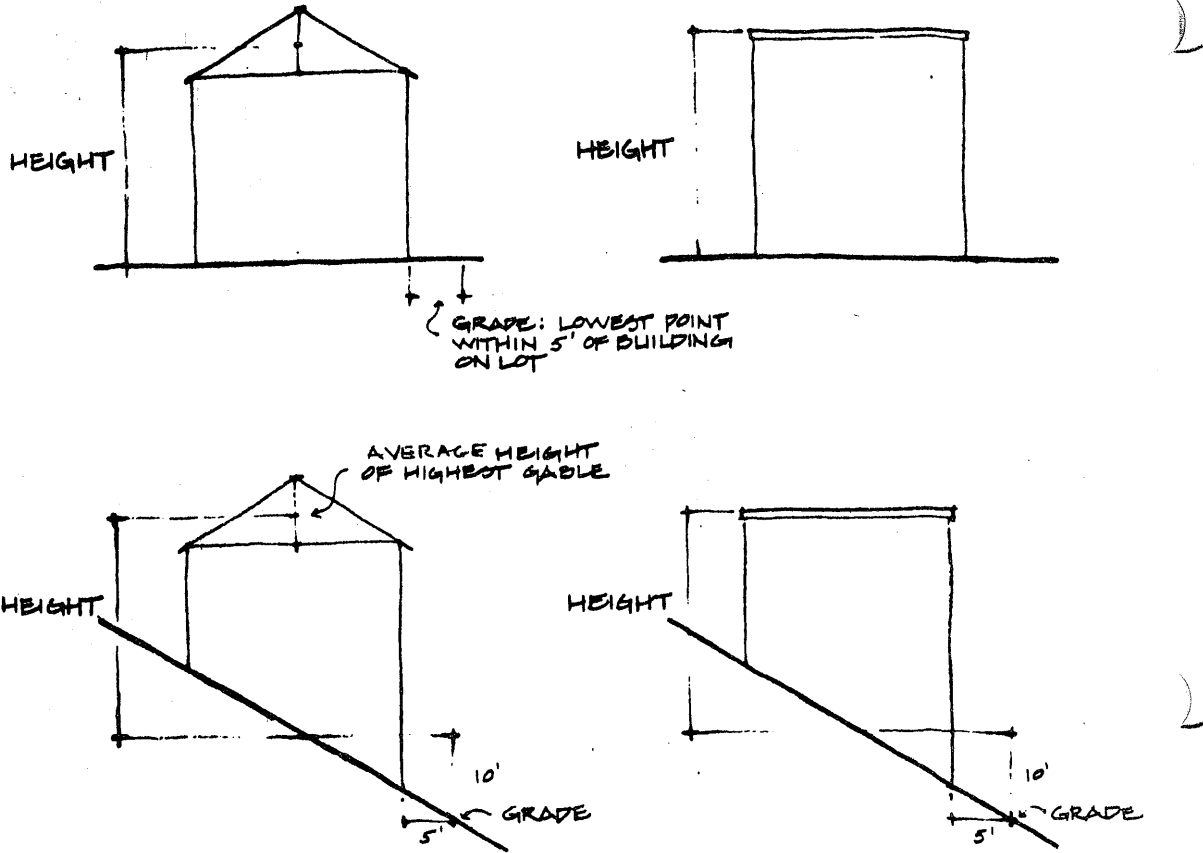
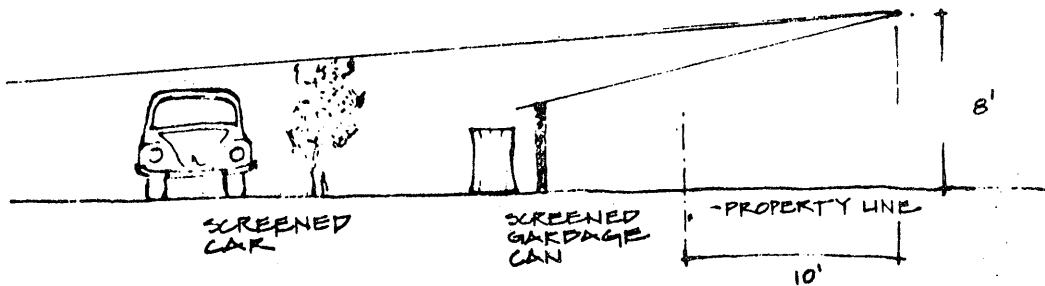
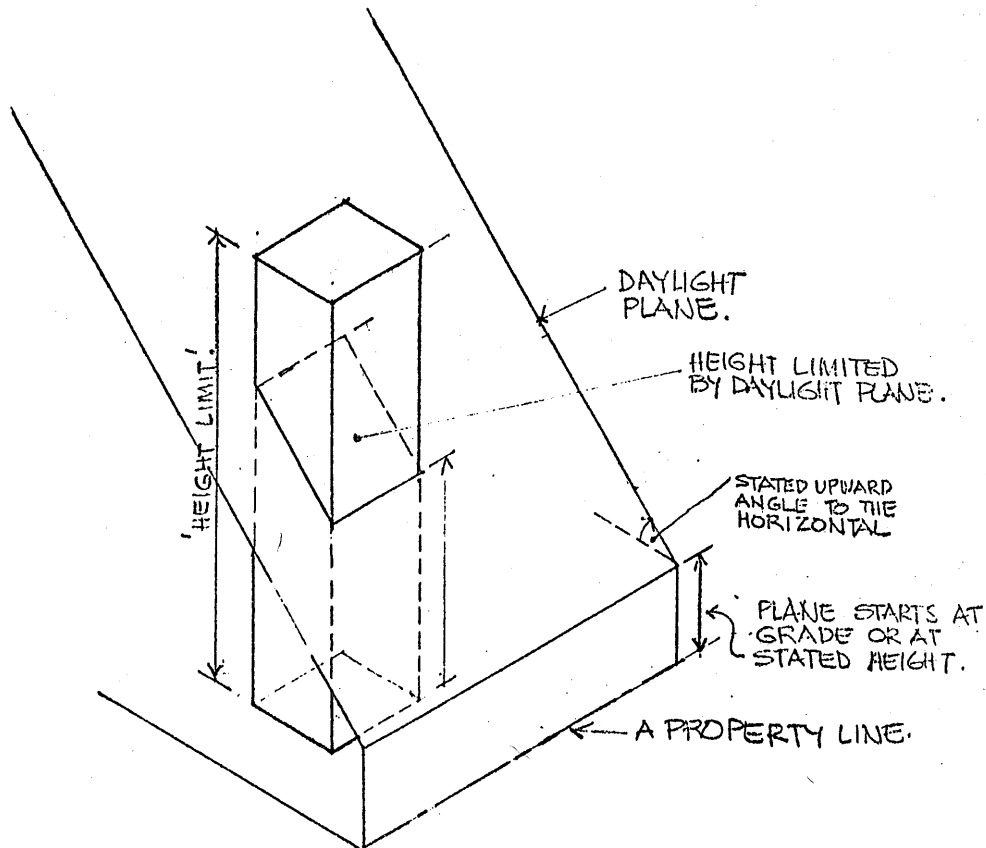


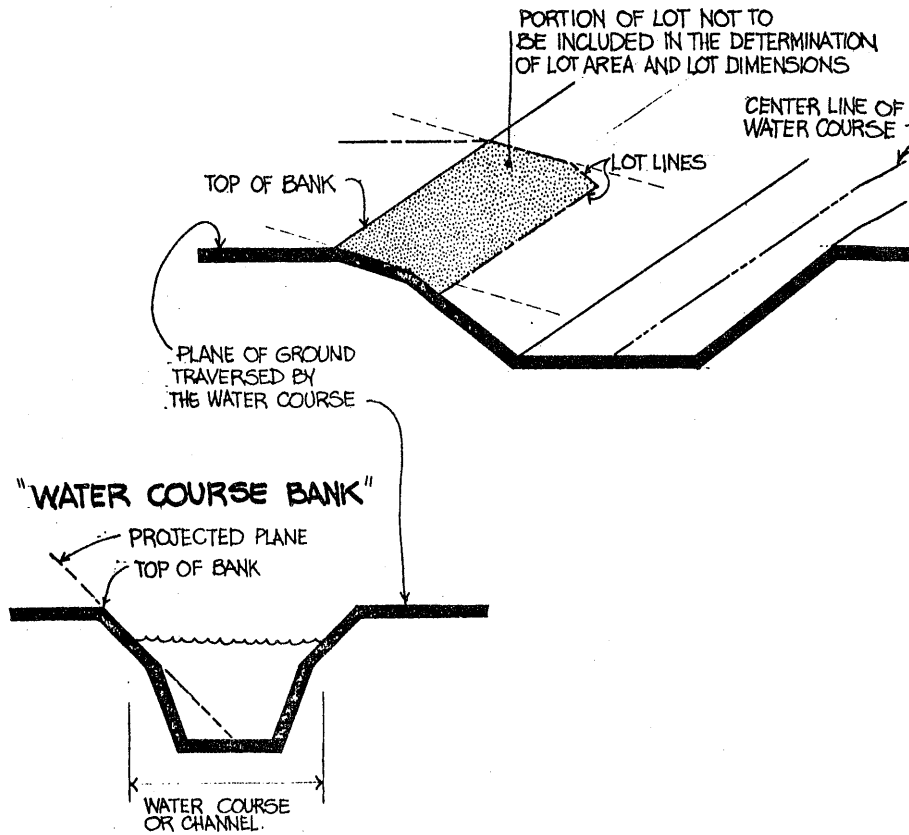
ILLUSTRATION OF SCREENED





'DAYLIGHT PLANE' ILLUSTRATED ALONG (FROM) ONE LOT LINE. SUCH A PLANE WOULD RISE INWARD FROM EACH LOT LINE.

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DESIGNATION AND ESTABLISHMENT OF DISTRICTS

Sections:

- 18.08.010 Designation of general districts.
- 18.08.020 Designation of combining districts.
- 18.08.030 References to districts.
- 18.08.040 Zoning map and district boundaries.
- 18.08.050 Areas not shown on zoning map.
- 18.08.060 Use and interpretation of zoning map.
- 18.08.070 Application of regulations to sites divided by zone boundaries.

18.08.010 Designation of general districts. The several classes of general districts into which the city is divided are designated as follows:

Zoning Map Designation and District Name	Chapter Number
RE Residential estate district	18.10
R-1 Single-family residence district	18.12
R-2 Two-family residence district	18.17
RM-1 Restricted density multiple-family residence district	18.21
RM-2 Low density multiple-family residence district	18.23
RM-3 Moderate density multiple-family residence district	18.25
RM-4 Medium density multiple-family residence district	18.27
RM-5 High density multiple-family residence district	18.29
PF Public facilities district	18.32
OR Office research district	18.37
CN Neighborhood commercial district	18.41
CC Community commercial district	18.43
CS Service commercial district	18.45
GM General manufacturing district	18.55
LM Limited industrial/research park district	18.60
PC Planned community district	18.68
OS Open space district	18.71
AC Agriculture conservation district	18.72
F Floodplain district	18.74
(Ord. 3048 (part), 1978).	

18.08.020 Designation of combining district. In addition to the classes of general districts set forth in Section 18.08.010, the following combining districts are established and designated:

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Zoning Map Designation and District Name (1858, 929, 743, 650)

Chapter Number

Special residential building site combining district	18.15
(P) Pedestrian shopping combining district	18.47
(1, 5) Limited industrial site combining district	18.63
(L) Landscape combining district	18.70
(C) Civic center combining district	18.79
(D) Site and design review combining district	18.82
(N) Nonconforming use amortization combining district	18.95
(Ord. 3048 (part), 1978).	

18.08.030 **References to districts.** Reference within this title to residential districts generally and as a grouping, includes all districts identified in this section. Where references are made to more restrictive or less restrictive residential districts, such references shall apply sequentially between the most restrictive and the least restrictive.

Residential District	Restrictive Reference
RE	Most Restrictive
R-1 (1858)	
R-1 (929)	
R-1 (743)	
R-1 (650)	
R-1	
R-2	
RM-1	
RM-2	
RM-3	
RM-4	
RM-5	Least Restrictive

(Ord. 3048 (part), 1978).

18.08.040 **Zoning map and district boundaries.** (a) The boundaries of districts established by this title shall be shown upon the zoning map. The zoning map, and all amendments, changes, and extensions thereof, and all legends, symbols, notations, references, and other matters shown thereon, shall be a part of this title.

(b) The zoning map, as currently effective, and a record of all amendments, changes, and extensions thereof, shall be maintained as public record in the office of the building official.

(c) The boundaries of each district as shown upon the zoning map, or amendments thereto, are adopted by the ordinance codified in this title, and the specific regulations established in this title for each general district and combining district, and all other regulations applicable therein as set forth in

this title are established and declared to be in effect upon all lands included within the boundaries of each and every district as shown upon the zoning map. (Ord. 3048 (part), 1978).

18.08.050 Areas not shown on zoning map. All lands now or hereafter included within the incorporated territory of the city, which lands are not included within a general district shown on the zoning map of the city or are not shown as prezoned to a general district in accord with applicable provisions of this title, shall constitute R-1 single-family residence districts. (Ord. 3048 (part), 1978).

18.08.060 Use and interpretation of zoning map. The following rules shall apply in the determination of the boundaries of any district shown on the zoning map.

(a) Where boundaries are indicated as approximately following street and alley lines, or other identifiable boundary lines, such lines shall be construed to be the district boundary. Where such boundaries are indicated as within street and alley lines, or within identifiable rights-of-way or creeks, the centerline thereof shall be construed to be the district boundary.

(b) In unsubdivided property, and where a district boundary divides a lot, the location of the district boundary, unless the same is indicated by dimensions, shall be determined by use of the scale appearing on the zoning map.

(c) A symbol, or symbols, indicating the classification of property on the zoning map shall in each instance apply to the whole of the area within the district boundaries.

(d) Where a public street, alley, or right-of-way is officially vacated or abandoned, the regulations applicable to abutting property shall apply equally to each half of such vacated or abandoned street, alley, or right-of-way.

(e) Should any uncertainty remain as to the location or meaning of a boundary or other feature indicated upon the zoning map, said location or meaning shall be determined by the building official. (Ord. 3048 (part), 1978).

18.08.070 Application of regulations to sites divided by zone boundaries. Wherever it is found, pursuant to Section 18.08.060, that a lot or site is divided by the boundary between districts, the provisions of the zoning regulations applicable within each district shall apply to each portion of the site situated in a separate district. (Ord. 3048 (part), 1978).

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**RE RESIDENTIAL ESTATE
DISTRICT REGULATIONS****Sections:**

- 18.10.010 Specific purposes.
- 18.10.020 Applicability of regulations.
- 18.10.030 Permitted uses.
- 18.10.040 Conditional uses.
- 18.10.050 Site development regulations.
- 18.10.060 Parking and loading.
- 18.10.070 Special requirements.

18.10.010 Specific purposes. The RE residential estate district is intended to create and maintain single-family living areas characterized by compatibility with the natural terrain and native vegetative environment. The RE district provides locations for activities most suitably located in areas of very low density or rural qualities. (Ord. 3048 (part), 1978).

18.10.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all RE residential estate districts. (Ord. 3048 (part), 1978).

18.10.030 Permitted uses. The following uses shall be permitted in the RE residential estate district:

(a) Accessory dwellings and guest cottages, when accessory to permitted residential use;

(b) Accessory facilities and uses customarily incidental to permitted uses;

(c) Agriculture, including crop farming, tree farming, viticulture, poultry farming, and keeping and raising of livestock, subject to the following limitations:

(1) At least two thousand square meters (21,528 square feet) of site area shall be required for each horse, mule, donkey, cow, steer, or similar livestock.

(2) At least two thousand square meters (21,528 square feet) of site area shall be required for each three goats, hogs, sheep, or similar livestock.

(3) Keeping and raising of livestock, poultry, or other animals may be conducted accessory to residential use, and raising of animals for commercial purposes is prohibited.

(d) Home occupations, when accessory to permitted residential use;

(e) Horticulture and gardening;

(f) Sale of agricultural products produced on the premises; provided, that no permanent commercial structure for the sale or processing of agricultural products is permitted;

(g) Single-family use. (Ord. 3048 (part), 1978).

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18.10.040 Conditional uses. The following uses may be conditionally allowed in the RE residential estate district, subject to issuance of a conditional use permit in accord with Chapter 18.90:

- (a) Cemeteries;
- (b) Churches and religious institutions;
- (c) Commercial plant nurseries;
- (d) Community centers;
- (e) Convalescent facilities;
- (f) Day care centers, day care homes, family day care homes, and residential care homes;
- (g) Outdoor recreation services;
- (h) Private educational facilities;
- (i) Temporary uses, subject to regulations established by Chapter 18.90;
- (j) Utility facilities essential to provision of utility services to the neighborhood, but excluding business offices, construction or storage yards, maintenance facilities, or corporation yards. (Ord. 3048 (part), 1978).

18.10.050 Site development regulations. The following site development regulations shall apply in the RE residential estate district:

- (a) Site Area. The minimum site area shall be 4,074 square meters (one acre).
- (b) Site Width. The minimum site width shall be 30.5 meters (one hundred feet).
- (c) Site Depth. The minimum site depth shall be 30.5 meters (one hundred feet).
- (d) Front Yard. The minimum front yard shall be 9.1 meters (thirty feet).
- (e) Rear Yard. The minimum rear yard shall be 9.1 meters (thirty feet).
- (f) Side Yards. The following side yard regulations shall apply:
 - (1) The minimum interior side yard shall be 4.6 meters (fifteen feet).
 - (2) The minimum street side yard shall be 7.3 meters (twenty-four feet).
- (g) Residential Density. Not more than one single-family residence shall be permitted on any site. Additionally, not more than one accessory dwelling or guest cottage shall be permitted on any site.
- (h) Site Coverage. The maximum site coverage shall be twenty-five percent of the site area.
- (i) Height. The maximum height shall be 10.7 meters (thirty-five feet), however, no structure except television and radio antennas and chimneys and flues shall extend above or beyond a daylight plane having a height of 3.0 meters (ten feet) at each site line and an angle of forty-five degrees.
- (j) Accessory Facilities and Uses. Regulations governing accessory facilities and uses, and governing the application of site development regulations in specific instances, are established by Chapter 18.88. (Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

18.10.060 Parking and loading. (a) Off-street parking and loading facilities shall be required for all permitted and conditional uses in accord with Chapter 18.83. All parking and loading facilities on any site, whether required as minimums or optionally provided in addition to minimum requirements, shall comply with the regulations and the design standards established by Chapter 18.83.

(b) Minimum parking requirements for selected uses permitted in the RE residential estate district shall be as follows (see also Chapter 18.83):

Single-family Use. The minimum parking requirement for each single-family dwelling shall be two spaces. A minimum of one space per single-family dwelling shall be covered.

(c) No required parking space shall be located in a required front yard, or in a required street side yard. (Ord. 3048 (part), 1978).

18.10.070 Special requirements. The following special requirements shall apply in the RE residential estate district:

Barns, stables, sheds, chicken houses, and other similar facilities for the shelter and feeding of animals, exclusive of domestic household pets, shall be located a minimum of 12.2 meters (forty feet) from any site line, and shall be located a minimum of 12.2 meters (forty feet) from any dwelling or guest cottage. (Ord. 3048 (part), 1978).

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R-1 SINGLE-FAMILY RESIDENCE DISTRICT REGULATIONS

Sections:

- 18.12.010 Specific purposes.
- 18.12.020 Applicability of regulations.
- 18.12.030 Permitted uses.
- 18.12.040 Conditional uses.
- 18.12.050 Site development regulations.
- 18.12.060 Parking and loading.
- 18.12.070 Special requirements.

18.12.010 Specific purposes. The R-1 single-family residence districts are intended to create, preserve, and enhance areas suitable for detached dwellings with a strong presence of nature and with open space affording maximum privacy and opportunities for outdoor living and children's play. Minimum site area requirements are established to create and preserve variety among neighborhoods and to relate open space to existing and permitted building coverage. (Ord. 3048 (part), 1978).

18.12.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all R-1 single-family residence districts. Additionally, special building site combining district regulations set forth in Chapter 18.15 may apply within portions of the R-1 district. (Ord. 3048 (part), 1978).

18.12.030 Permitted uses. The following uses shall be permitted in the R-1 single-family residence district:

- (a) Accessory facilities and uses customarily incidental to permitted uses;
- (b) Home occupations, when accessory to permitted residential use;
- (c) Horticulture, gardening, and growing of food products for consumption by occupants of the site;
- (d) Single-family use. (Ord. 3048 (part), 1978).

18.12.040 Conditional uses. The following uses may be conditionally allowed in the R-1 single-family residence district, subject to issuance of a conditional use permit in accord with Chapter 18.90:

- (a) Churches and religious institutions;
- (b) Community centers;
- (c) Day care centers, day care homes, family day care homes, and residential care homes;
- (d) Outdoor recreation services;
- (e) Private educational facilities;
- (f) Temporary uses, subject to regulations established by Chapter 18.90;

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(g) Utility facilities essential to provision of utility services to the neighborhood, but excluding business offices, construction or storage yards, maintenance facilities, or corporation yards. (Ord. 3048 (part), 1978).

18.12.050 Site development regulations. The following site development regulations shall apply in the R-1 single-family residence district. Modifications of some regulations may be applicable if the R-1 single-family residence district is combined with the special building site combining district.

(a) Site Area. The minimum site area shall be 557 square meters (six thousand square feet).

(b) Site Width. The minimum site width shall be 18.3 meters (sixty feet).

(c) Site Depth. The minimum site depth shall be 30.5 meters (one hundred feet).

(d) Front Yard. The minimum front yard shall be 6.1 meters (twenty feet).

(e) Rear Yard. The minimum rear yard shall be 6.1 meters (twenty feet).

(f) Side Yards. The following side yard regulations shall apply:

(1) The minimum interior side yard shall be 1.8 meters (six feet).

(2) The minimum street side yard shall be 4.9 meters (sixteen feet).

(g) Residential Density. Not more than one single-family dwelling shall be permitted on any site.

(h) Site coverage is regulated as follows:

(1) The maximum building site coverage shall be thirty-five percent of the site area.

(2) Covered patios and overhangs otherwise in compliance with all applicable laws may cover five percent of the site area in addition to the maximum site coverage of thirty-five percent prescribed in subsection (1).

(i) Height. The maximum height shall be 10.7 meters (thirty-five feet); however, no structure except television and radio antennas and chimneys and flues shall extend above or beyond a daylight plane having a height of 3.0 meters (ten feet) at each site line and an angle of forty-five degrees.

(j) Accessory Facilities and Uses. Regulations governing accessory facilities and uses, and governing the application of site development regulations in specific instances, are established by Chapter 18.88. (Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

18.12.060 Parking and loading. (a) Off-street parking and loading facilities shall be required for all permitted and conditional uses in accord with Chapter 18.83. All parking and loading facilities on any site, whether required as minimums or optionally provided in addition to minimum requirements, shall comply with the regulations and the design standards established by Chapter 18.83.

(b) Minimum parking requirements for selected uses permitted in the R-1 single-family residence district shall be as follows (see also Chapter 18.83):

Single-Family Dwellings. The minimum parking requirement for each single-family dwelling shall be two spaces. A minimum of one space per single-family dwelling shall be covered.

(c) No required parking space shall be located in a required front yard, or in the first 3.0 meters (ten feet) adjoining the street line of a required street side yard. (Ord. 3048 (part), 1978).

18.12.070 Special requirements. The following special requirements shall apply in the R-1 single-family district:

(a) Professional and medical office uses existing on the effective date of this section and which, prior to that date, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, or which uses were, prior to the effective date of this section, located in an R-1 district which was imposed by reason of annexation of the property to the city without benefit of rezoning and which, prior to the date of annexation, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, shall be deemed to be conforming uses. Such uses shall be permitted to remodel, improve, or replace site improvements on the same site, without necessity to comply with site development regulations for continual use and occupancy by the same use; provided, that any such remodeling, improvement or replacement shall not result in increased floor area, number of offices, height, length, or any other increase in size of the improvement. Any such remodeling, improvement, or replacement of any building designed and constructed for residential use shall be subject to the issuance of a conditional use permit in accord with Chapter 18.90.

(b) Two-family uses and multiple-family uses existing on the effective date of this section and which, prior to that date, were lawful conforming permitted uses or conditional uses operating pursuant to a conditional use permit, or which uses were, prior to the effective date of this section, located in an R-1 district which was imposed by reason of annexation of the property to the city without benefit of rezoning and which, prior to the date of annexation, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, shall be deemed to be conforming uses. Such uses shall be permitted to remodel, improve, or replace site improvements on the same site, without necessity to comply with site development regulations for continual use and occupancy by the same use; provided, that any such remodeling, improvement, or replacement shall not result in increased floor area, number of dwelling units, height, length, or any other increase in the size of the improvement. (Ord. 3070 § 1 (part), 1978: Ord. 3064 § 1 (part), 1978: Ord. 3048 (part), 1978).

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**SPECIAL RESIDENTIAL BUILDING SITE
COMBINING DISTRICT REGULATIONS****Sections:**

- 18.15.010 Specific purposes.
- 18.15.020 Applicability of regulations.
- 18.15.030 Combining district classifications.
- 18.15.040 Site development regulations.

18.15.010 Specific purposes. The special residential building site combining district is intended to modify the site development regulations of the R-1 single-family residence district, where applied in combination with the R-1 district, to create and maintain single-family living areas of varying site size and development characteristics. (Ord. 3048 (part), 1978).

18.15.020 Applicability of regulations. The special residential building site combining district may be combined with the R-1 single-family residence district, in accord with Chapter 18.08 and Chapter 18.98. Where so combined, the regulations established by this chapter shall apply in lieu of the comparable provisions established by Chapter 18.12. (Ord. 3048 (part), 1978).

18.15.030 Combining district classifications. The special residential building site combining district shall consist of four classifications, representing differing minimum site area requirements, any of which may be combined with the general R-1 single-family residence district. Each classification shall be identified on the zoning map, when combined with the R-1 district, by a number, within parentheses, representing the minimum required site area in square meters which shall be applicable in the combined districts. (Ord. 3048 (part), 1978).

18.15.040 Site development regulations. Within any R-1 single-family residence district which may be combined with the special residential building site combining district, the site development regulations specified in the following table shall apply in lieu of the regulations otherwise applicable within the R-1 district:

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District	Minimum Site Area	Minimum Interior Side Yard
General District R-1	557 square meters (6,000 square feet)	1.8 meters (6 feet)
Combining District R-1 (1858)	1,858 square meters (20,000 square feet)	2.4 meters (8 feet)
R-1 (929)	929 square meters (10,000 square feet)	2.4 meters (8 feet)
R-1 (743)	743 square meters (8,000 square feet)	2.4 meters (8 feet)
R-1 (650)	650 square meters (7,000 square feet)	2.4 meters (8 feet)

(Ord. 3048 (part), 1978).

Chapter 18.17

R-2 TWO FAMILY RESIDENCE
DISTRICT REGULATIONS

Sections:

- 18.17.010 Specific purposes.
- 18.17.020 Applicability of regulations.
- 18.17.030 Permitted uses.
- 18.17.040 Conditional uses.
- 18.17.050 Site development regulations.
- 18.17.060 Parking and loading.
- 18.17.070 Special requirements.

18.17.010 Specific purposes. The R-2 two-family residence district is intended to allow a second dwelling unit under the same ownership as the initial dwelling unit on appropriate sites in areas designated for single-family use by the Palo Alto comprehensive plan, under regulations that preserve the essential character of single-family use. (Ord. 3048 (part), 1978).

18.17.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, apply to all R-2 two-family residence districts. (Ord. 3048 (part), 1978).

18.17.030 Permitted uses. The following uses shall be permitted in the R-2 two-family residence district:

- (a) Accessory facilities and uses customarily incidental to permitted uses;
- (b) Home occupations, when accessory to permitted residential use;
- (c) Horticulture, gardening, and growing of food products for consumption by occupants of the site;
- (d) Single-family use;
- (e) Two-family use, under one ownership. (Ord. 3048 (part), 1978).

18.17.040 Conditional uses. The following uses may be conditionally allowed in the R-2 two-family residence district, subject to issuance of a conditional use permit in accord with Chapter 18.90:

- (a) Churches and religious institutions;
- (b) Community centers;
- (c) Day care centers, day care homes, family day care homes, and residential care homes;
- (d) Outdoor recreation services;
- (e) Private educational facilities;
- (f) Temporary uses, subject to regulations established by Chapter 18.90;
- (g) Utility facilities essential to provision of utility services to the neighborhood, but excluding business offices, construction or storage yards, maintenance facilities, or corporation yards. (Ord. 3048 (part), 1978).

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18.17.050 Site development regulations. The following site development regulations shall apply in the R-2 two-family residence district:

(a) **Site Area.** The minimum site area shall be five hundred fifty-seven square meters (six thousand square feet).

(b) **Site Width.** The minimum site width shall be 18.3 meters (sixty feet).

(c) **Site Depth.** The minimum site depth shall be 30.5 meters (one hundred feet).

(d) **Front Yard.** The minimum front yard shall be 6.1 meters (twenty feet).

(e) **Rear Yard.** The minimum rear yard shall be 6.1 meters (twenty feet).

(f) **Side Yards.** The following side yard regulations shall apply:

(1) The minimum interior side yard shall be 1.8 meters (six feet).

(2) The minimum street side yard shall be 4.9 meters (sixteen feet).

(g) **Residential Density.** Not more than one single-family dwelling shall be permitted on a site of less than six hundred ninety-seven square meters (seven thousand five hundred square feet). Not more than two dwelling units shall be permitted on a site of six hundred ninety-seven square meters (seven thousand five hundred square feet) or greater.

(h) **Site Coverage.** The following regulations shall apply:

(1) The maximum site coverage shall be thirty-five percent of the site area.

(2) Covered patios and overhangs otherwise in compliance with all applicable laws may cover five percent of the site area in addition to the maximum site coverage of thirty-five percent prescribed in subdivision (1).

(i) **Height.** The maximum height shall be 10.7 meters (thirty-five feet); however, no structure except television and radio antennas and chimneys and flues shall extend above or beyond a daylight plane having a height of 3.0 meters (ten feet) at each lot line and an angle of forty-five degrees.

(j) **Accessory Facilities and Uses.** Regulations governing accessory facilities and uses, and governing the application of site development regulations in specific instances, are established by Chapter 18.88. (Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

18.17.060 Parking and loading. (a) Off-street parking and loading facilities shall be required for all permitted and conditional uses in accord with Chapter 18.83. All parking and loading facilities on any site, whether required as minimums or optionally provided in addition to minimum requirements, shall comply with the regulations and the design standards established by Chapter 18.83.

(b) Minimum parking requirements for selected uses permitted in the R-2 two-family residence district shall be as follows (see also Chapter 18.83):

(1) **Single-Family Use.** The minimum parking requirement for a site with one dwelling unit shall be two spaces. A minimum of one space shall be covered.

(2) Two-Family Use. The minimum parking requirement for a site with two dwelling units shall be 1.5 spaces per dwelling unit. A minimum of one space per unit shall be covered.

(c) Location of Parking Spaces. No required parking space shall be located in a required front yard, or in the first 3.0 meters (ten feet) adjoining the street property line of a required street side yard. (Ord. 3048 (part), 1978).

18.17.070 Special requirements. The following special requirements shall apply in the R-2 two-family residence district:

(a) Professional and medical office uses existing on the effective date of this section and which, prior to that date, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, or which uses were, prior to the effective date of this section, located in an R-2 district which was imposed by reason of annexation of the property to the city without benefit of rezoning and which, prior to the date of annexation, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, shall be deemed to be conforming uses. Such uses shall be permitted to remodel, improve, or replace site improvements on the same site, without necessity to comply with site development regulations for continual use and occupancy by the same use; provided, that any such remodeling, improvement or replacement shall not result in increased floor area, number of offices, height, length, or any other increase in size of the improvement. Any such remodeling, improvement, or replacement of any building designed and constructed for residential use shall be subject to the issuance of a conditional use permit in accord with Chapter 18.90.

(b) Two-family uses and multiple-family uses existing on the effective date of this section and which, prior to that date, were lawful conforming permitted uses or conditional uses operating pursuant to a conditional use permit, or which uses were, prior to the effective date of this section, located in an R-2 district which was imposed by reason of annexation of the property to the city without benefit of rezoning and which, prior to the date of annexation, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, shall be deemed to be conforming uses. Such uses shall be permitted to remodel, improve, or replace site improvements on the same site, without necessity to comply with site development regulations for continual use and occupancy by the same use; provided, that any such remodeling, improvement, or replacement shall not result in increased floor area, number of dwelling units, height, length, or any other increase in the size of the improvement. (Ord. 3070 § 1 (part), 1978: Ord. 3064 § 1 (part), 1978: Ord. 3048 (part), 1978).

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**RM-1 RESTRICTED DENSITY
MULTIPLE-FAMILY RESIDENCE DISTRICT**

Sections:

- 18.21.010 Specific purposes.
- 18.21.020 Applicability of regulations.
- 18.21.030 Permitted uses.
- 18.21.040 Conditional uses.
- 18.21.050 Site development regulations.
- 18.21.060 Parking and loading.
- 18.21.070 Special requirements.

18.21.010 Specific purposes. The RM-1 restricted density multiple-family residence district is intended to be compatible with single-family neighborhoods, minimize incentives to replace existing single-family dwellings, and increase the variety of housing opportunities, particularly for families with children. Density is expected to range from fifteen to thirty dwelling units per hectare (six to twelve dwelling units per acre). (Ord. 3048 (part), 1978).

18.21.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all RM-1 restricted density multiple-family residence districts. (Ord. 3048 (part), 1978).

18.21.030 Permitted uses. The following uses shall be permitted in the RM-1 restricted density multiple-family residence district:

- (a) Accessory facilities and uses customarily incidental to permitted uses;
- (b) Home occupations, when accessory to permitted residential uses;
- (c) Horticulture, gardening, and growing of food products for consumption by occupants of the site;
- (d) Lodging;
- (e) Multiple-family use;
- (f) Single-family use;
- (g) Two-family use. (Ord. 3048 (part), 1978).

18.21.040 Conditional uses. The following uses may be conditionally allowed in the RM-1 restricted density multiple-family residence district, subject to issuance of a conditional use permit in accord with Chapter 18.90:

- (a) Churches and religious institutions;
- (b) Community centers;
- (c) Day care centers, day care homes, family day care homes, and residential care homes;
- (d) Outdoor recreation services;
- (e) Private educational facilities;

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(f) Temporary uses, subject to regulations established by Chapter 18.90;

(g) Utility facilities essential to provision of utility services to the neighborhood, but excluding business offices, construction or storage yards, maintenance facilities, or corporation yards. (Ord. 3048 (part), 1978).

18.21.050 Site development regulations. The following site development regulations shall apply in the RM-1 restricted density multiple-family residence district:

(a) Site Area. The minimum site area shall be five hundred fifty-seven square meters (six thousand square feet).

(b) Site Width. The minimum site width shall be 18.3 meters (sixty feet).

(c) Site Depth. The minimum site depth shall be 30.5 meters (one hundred feet).

(d) Front Yard. The minimum front yard shall be 6.1 meters (twenty feet).

(e) Rear Yard. The minimum rear yard shall be 6.1 meters (twenty feet).

(f) Side Yards. The following side yard regulations shall apply:

(1) The minimum interior side yard shall be 1.8 meters (six feet).

(2) The minimum street side yard shall be 4.9 meters (sixteen feet).

(g) Residential Density. Four hundred eighteen square meters (four thousand five hundred square feet) of site area shall be required for the first dwelling unit, and three hundred twenty-five square meters (three thousand five hundred square feet) of site area shall be required for each additional dwelling unit.

(h) Site Coverage. The following regulations shall apply:

(1) The maximum site coverage shall be thirty-five percent of the site area.

(2) Covered patios and overhangs otherwise in compliance with all applicable laws may cover five percent of the site area in addition to the maximum site coverage of thirty-five percent prescribed in subdivision (1).

(i) Height. The maximum height shall be 10.7 meters (thirty-five feet); however, no structure except television and radio antennas shall extend above or beyond a daylight plane having a height of 3.0 meters (ten feet) at each site line and an angle of forty-five degrees.

(j) Usable Open Space. Not less than 41.8 square meters (four hundred fifty square feet) of usable open space per each dwelling unit shall be provided on the site.

(k) Accessory Facilities and Uses. Regulations governing accessory facilities and uses, and governing the application of site and development regulations in specific instances, are established by Chapter 18.88. (Ord. 3048 (part), 1978).

18.21.060 Parking and loading. (a) Off-street parking and loading facilities shall be required for all permitted and conditional uses in accord

with Chapter 18.83. All parking and loading facilities on any site, whether required as minimums or optionally provided in addition to minimum requirements shall comply with the regulations and the design standards established by Chapter 18.83.

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(b) Minimum parking requirements for selected uses permitted in the RM-1 restricted density multiple-family residence district shall be as follows (see also Chapter 18.83):

(1) Single-family Use. The minimum parking requirement for a site with one dwelling unit shall be two spaces. A minimum of one space shall be covered.

(2) Two-family Use. The minimum parking requirement for a site with two dwelling units shall be 1.5 spaces per dwelling unit. A minimum of one space per unit shall be covered.

(3) Multiple-family Use: The minimum parking requirement for a site with three or more dwelling units shall be 1.25 spaces per studio unit, 1.5 spaces per one bedroom dwelling unit, and two spaces for any dwelling unit of two bedrooms or greater size. A minimum of one space per dwelling unit shall be covered.

(c) Location of Parking Spaces. No required parking space shall be located in a required front yard, or in the first 3.0 meters (ten feet) adjoining the street property line of a required street side yard. (Ord. 3048 (part), 1978).

18.21.070 Special requirements. The following special requirements shall apply in the RM-1 multiple-family residence district:

(a) Professional and medical office uses existing on the effective date of this section and which, prior to that date, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, or which uses were, prior to the effective date of this section, located in an RM-1 residence district which was imposed by reason of annexation of the property to the city without benefit of rezoning and which, prior to the date of annexation, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, shall be deemed to be conforming uses. Such uses shall be permitted to remodel, improve, or replace site improvements on the same site, without necessity to comply with site development regulations for continual use and occupancy by the same use; provided, that any such remodeling, improvement or replacement shall not result in increased floor area, number of offices, height, length, or any other increase in size of the improvement. Any such remodeling, improvement, or replacement of any building designed and constructed for residential use shall be subject to the issuance of a conditional use permit in accord with Chapter 18.90.

(b) Two-family uses and multiple-family uses existing on the effective date of this section and which, prior to that date, were lawful conforming permitted uses or conditional uses operating pursuant to a conditional use permit, or which uses were, prior to the effective date of this section, located

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in an RM-1 district which was imposed by reason of annexation of the property to the city without benefit of rezoning and which, prior to the date of annexation, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, shall be deemed to be conforming uses. Such uses shall be permitted to remodel, improve, or replace site improvements on the same site, without necessity to comply with site development regulations for continual use and occupancy by the same use; provided, that any such remodeling, improvement, or replacement shall not result in increased floor area, number of dwelling units, height, length, or any other increase in the size of the improvement. (Ord. 3070 § 1 (part), 1978: Ord. 3064 § 1 (part), 1978: Ord. 3048 (part), 1978).

**RM-2 LOW DENSITY MULTIPLE-FAMILY
RESIDENCE DISTRICT REGULATIONS****Sections:**

- 18.23.010 Specific purposes.
- 18.23.020 Applicability of regulations.
- 18.23.030 Permitted uses.
- 18.23.040 Conditional uses.
- 18.23.050 Site development regulations.
- 18.23.060 Parking and loading.
- 18.23.070 Special requirements.

18.23.010 Specific purposes. The RM-2 low density multiple-family residence district is intended to create, preserve and enhance areas for a mixture of single and multiple-family housing that are compatible with lower densities nearby, including single-family use, but also can serve as a transition to higher density multiple-family districts or nonresidential activities. Density is expected to range from twenty-five to forty-nine dwelling units per hectare (ten to twenty dwelling units per acre). (Ord. 3048 (part), 1978).

18.23.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all RM-2 low density multiple-family residence districts. (Ord. 3048 (part), 1978).

18.23.030 Permitted uses. The following uses shall be permitted in the RM-2 low density multiple-family residence district:

- (a) Accessory facilities and uses customarily incidental to permitted uses;
- (b) Home occupations, when accessory to permitted residential use;
- (c) Horticulture, gardening, and growing of food products for consumption by occupants of the site;
- (d) Lodging;
- (e) Multiple-family use;
- (f) Single-family use;
- (g) Two-family use. (Ord. 3048 (part), 1978).

18.23.040 Conditional uses. The following uses may be conditionally allowed in the RM-2 low density multiple-family residence district, subject to issuance of a conditional use permit in accord with Chapter 18.90:

- (a) Churches and religious institutions;
- (b) Community centers;
- (c) Day care centers, day care homes, family day care homes, and residential care homes;
- (d) Outdoor recreation services;
- (e) Private educational facilities;

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(f) Temporary uses, subject to regulations established by Chapter 18.90;

(g) Utility facilities essential to provision of utility services to the neighborhood, but excluding business offices, construction or storage yards, maintenance facilities, or corporation yards. (Ord. 3048 (part), 1978).

18.23.050 Site development regulations. The following site development regulations shall apply in the RM-2 low density multiple-family residence district:

(a) Site Area. The minimum site area shall be five hundred fifty-seven square meters (six thousand square feet).

(b) Site Width. The minimum site width shall be 18.3 meters (sixty feet).

(c) Site Depth. The minimum site depth shall be 30.5 meters (one hundred feet).

(d) Front Yard. The minimum front yard shall be 6.1 meters (twenty feet).

(e) Rear Yard. The minimum rear yard shall be 6.1 meters (twenty feet).

(f) Side Yards. The following side yard regulations shall apply:

(1) The minimum interior side yard shall be 1.8 meters (six feet).

(2) The minimum street side yard shall be 4.9 meters (sixteen feet).

(g) Residential Density. Three hundred seventy-two square meters (four thousand square feet) of site area shall be required for the first dwelling unit, and one hundred eighty-six square meters (two thousand square feet) of site area shall be required for each additional dwelling unit.

(h) Site Coverage. The following site regulations shall apply:

(1) The maximum site coverage shall be thirty-five percent of the site area.

(2) Covered patios and overhangs otherwise in compliance with all applicable laws may cover five percent of the site area in addition to the maximum site coverage of thirty-five percent prescribed in subdivision (1).

(i) Height. The maximum height shall be 10.7 meters (thirty-five feet). However, no structure, except television and radio antennas shall extend above or beyond a daylight plane having a height of 3.0 meters (ten feet) at each site line and an angle of forty-five degrees.

(j) Usable Open Space. Not less than 41.8 square meters (four hundred fifty square feet) of usable open space per each dwelling unit shall be provided on the site.

(k) Accessory Facilities and Uses. Regulations governing accessory facilities and uses, and governing the application of site development regulations in specific instances are established by Chapter 18.88. (Ord. 3108 § 8, 1979; Ord. 3048 (part), 1978).

18.23.060 Parking and loading. (a) Off-street parking and loading facilities shall be required for all permitted and conditional uses in accord with Chapter 18.83. All parking and loading facilities on any site, whether

required as minimums or optionally provided in addition to minimum requirements, shall comply with the regulations and design standards established by Chapter 18.83.

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(b) Minimum parking requirements for selected uses permitted in the RM-2 low density multiple-family residence district shall be as follows (see also Chapter 18.83):

(1) Single-family Use. The minimum parking requirement for a site with one dwelling unit shall be two spaces. A minimum of one space shall be covered.

(2) Two Family Use. The minimum parking requirement for a site with two dwelling units shall be 1.5 spaces per dwelling unit. A minimum of one space per unit shall be covered.

(3) Multiple-family Use. The minimum parking requirement for a site with three or more dwelling units shall be 1.25 spaces per studio unit, 1.5 spaces per one bedroom dwelling unit, and two spaces for any dwelling unit of two bedrooms or greater size. A minimum of one space per dwelling unit shall be covered.

(c) Location of Parking Spaces. No required parking space shall be located in a required front yard, or in the first 3.0 meters (ten feet) adjoining the street property line of a required street side yard. (Ord. 3048 (part), 1978).

18.23.070 Special requirements. The following special requirements shall apply in the RM-2 low density multiple-family residence district:

(a) Professional and medical office uses existing on the effective date of this section and which, prior to that date, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, or which uses were, prior to the effective date of this section, located in an RM-2 district which was imposed by reason of annexation of the property to the city without benefit of rezoning and which, prior to the date of annexation, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, shall be deemed to be conforming uses. Such uses shall be permitted to remodel, improve, or replace site improvements on the same site, without necessity to comply with site development regulations for continual use and occupancy by the same use; provided, that any such remodeling, improvement or replacement shall not result in increased floor area, number of offices, height, length, or any other increase in size of the improvement. Any such remodeling, improvement, or replacement of any building designed and constructed for residential use shall be subject to the issuance of a conditional use permit in accord with Chapter 18.90.

(b) Two-family uses and multiple-family uses existing on the effective date of this section and which, prior to that date, were lawful conforming permitted uses or conditional uses operating pursuant to a conditional use permit, or which uses were, prior to the effective date of this section, located in an RM-2 district which was imposed by reason of annexation of the

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property to the city without benefit of rezoning and which, prior to the date of annexation, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, shall be deemed to be conforming uses. Such uses shall be permitted to remodel, improve, or replace site improvements on the same site, without necessity to comply with site development regulations for continual use and occupancy by the same use; provided, that any such remodeling, improvement, or replacement shall not result in increased floor area, number of dwelling units, height, length, or any other increase in the size of the improvement. (Ord. 3070 § 1 (part), 1978; Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

**RM-3 MODERATE DENSITY
MULTIPLE-FAMILY RESIDENCE DISTRICT**

Sections:

- 18.25.010 Specific purposes.
- 18.25.020 Applicability of regulations.
- 18.25.030 Permitted uses.
- 18.25.040 Conditional uses.
- 18.25.050 Site development regulations.
- 18.25.060 Parking and loading.
- 18.25.070 Special requirements.

18.25.010 Specific purposes. The RM-3 moderate density multiple-family residence district is intended to create, preserve, and enhance areas for multiple-family housing with site development standards and visual characteristics that are intermediate between single-family and higher density multiple-family areas. Moderate density, ranging from thirty-seven to seventy-four dwelling units per hectare (fifteen to thirty dwelling units per acre), will retain opportunities for family apartments and outdoor recreational areas. (Ord. 3048 (part), 1978).

18.25.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all RM-3 moderate density multiple-family residence districts. (Ord. 3048 (part), 1978).

18.25.030 Permitted uses. The following uses shall be permitted in the RM-3 moderate density multiple-family residence district:

- (a) Accessory facilities and uses customarily incidental to permitted uses;
- (b) Home occupations, when accessory to permitted residential use;
- (c) Horticulture, gardening, and growing of food products for consumption by occupants of the site;
- (d) Lodging;
- (e) Multiple-family use;
- (f) Single-family use;
- (g) Two-family use. (Ord. 3048 (part), 1978).

18.25.040 Conditional uses. The following uses may be conditionally allowed in the RM-3 moderate density multiple-family residence district, subject to issuance of a conditional use permit in accord with Chapter 18.90:

- (a) Churches and religious institutions;
- (b) Community centers;
- (c) Day care centers, day care homes, family day care homes, and residential care homes;
- (d) Neighborhood recreational centers;

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- (e) Private educational facilities;
- (f) Temporary uses, subject to regulations established by Chapter 18.90;
- (g) Utility facilities essential to provision of utility services to the neighborhood, but excluding business offices, construction or storage yards, maintenance facilities, or corporation yards. (Ord. 3048 (part), 1978).

18.25.050 Site development regulations. The following site development regulations shall apply in the RM-3 moderate density multiple-family residence district:

- (a) Site Area. The minimum site area shall be five hundred fifty-seven square meters (six thousand square feet).
- (b) Site Width. The minimum site width shall be 18.3 meters (sixty feet).
- (c) Site Depth. The minimum site depth shall be 30.5 meters (one hundred feet).
- (d) Front Yard. The minimum front yard shall be 6.1 meters (twenty feet).
- (e) Rear Yard. The minimum rear yard shall be 6.1 meters (twenty feet).
- (f) Side Yards. The following side yard regulations shall apply:
 - (1) The minimum interior side yard shall be 1.8 meters (six feet).
 - (2) The minimum street side yard shall be 4.9 meters (sixteen feet).
- (g) Residential Density. Three hundred twenty-five square meters (three thousand five hundred square feet) of site area shall be required for the first dwelling unit, and one hundred thirty-nine square meters (one thousand five hundred square feet) of site area shall be required for each additional dwelling unit.
- (h) Site Coverage. The maximum site coverage shall be forty percent of the site area.
- (i) Height. The maximum height shall be 10.7 meters (thirty-five feet), however, no structure except television and radio antennas shall extend above or beyond a daylight plane having a height of 4.6 meters (fifteen feet) at each site line and an angle of forty-five degrees.
- (j) Usable Open Space. Not less than 41.8 square meters (four hundred fifty square feet) of usable open space per each dwelling unit shall be provided on the site.
- (k) Accessory Facilities and Uses. Regulations governing accessory facilities and uses and governing the application of site development regulations in specific instances, are established by Chapter 18.88. (Ord. 3048 (part), 1978).

18.25.060 Parking and loading. (a) Off-street parking and loading facilities shall be required for all permitted and conditional uses in accord with Chapter 18.83. All parking and loading facilities on any site, whether required as minimums or optionally provided in addition to minimum requirements, shall comply with the regulations and design standards established by Chapter 18.83.

(b) Minimum parking requirements for selected uses permitted in the RM-3 moderate density multiple-family residence district shall be as follows (see also Chapter 18.83):

(1) Single-family Use. The minimum parking requirement for a site with one dwelling unit shall be two spaces. A minimum of one space shall be covered.

(2) Two-family use. The minimum parking requirement for a site with two dwelling units shall be 1.5 spaces per dwelling unit. A minimum of one space per unit shall be covered.

(3) Multiple-family Use. The minimum parking requirement for a site with three or more dwelling units shall be 1.25 spaces per studio unit, 1.5 spaces per one bedroom dwelling unit, and two spaces for any dwelling unit of two bedrooms or greater size. A minimum of one space per dwelling unit shall be covered.

(4) Lodging. The minimum requirement shall be one space for each lodging unit, in addition to any applicable requirement based on single-family use, two-family use or multiple-family use on the same site.

(c) Location of Parking Spaces. No required parking space shall be located in a required front yard or in the first 3.0 meters (ten feet) adjoining the street property line of a required street side yard. (Or.. 3048 (part), 1978).

18.25.070 Special requirements. The following special requirements shall apply in the RM-3 moderate density multiple-family residence district:

(a) Professional and medical office uses existing on the effective date of this section and which, prior to that date, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, or which uses were, prior to the effective date of this section, located in an RM-3 district which was imposed by reason of annexation of the property to the city without benefit of rezoning and which, prior to the date of annexation, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, shall be deemed to be conforming uses. Such uses shall be permitted to remodel, improve, or replace site improvements on the same site, without necessity to comply with site development regulations for continual use and occupancy by the same use; provided, that any such remodeling, improvement or replacement shall not result in increased floor area, number of offices, height, length, or any other increase in size of the improvement. Any such remodeling, improvement, or replacement of any building designed and constructed for residential use shall be subject to the issuance of a conditional use permit in accord with Chapter 18.90.

(b) Two-family uses and multiple-family uses existing on the effective date of this section and which, prior to that date, were lawful conforming permitted uses or conditional uses operating pursuant to a conditional use permit, or which uses were, prior to the effective date of this section, located in an RM-3 district which was imposed by reason of annexation of the

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property to the city without benefit of rezoning and which, prior to the date of annexation, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, shall be deemed to be conforming uses. Such uses shall be permitted to remodel, improve, or replace site improvements on the same site, without necessity to comply with site development regulations for continual use and occupancy by the same use; provided, that any such remodeling, improvement, or replacement shall not result in increased floor area, number of dwelling units, height, length, or any other increase in the size of the improvement. (Ord. 3070 § 1 (part), 1978: Ord. 3064 § 1 (part), 1978: Ord. 3048 (part), 1978).

**RM-4 MEDIUM DENSITY MULTIPLE-FAMILY
RESIDENCE DISTRICT REGULATIONS****Sections:**

- 18.27.010 Specific purposes.
- 18.27.020 Applicability of regulations.
- 18.27.030 Permitted uses.
- 18.27.040 Conditional uses.
- 18.27.050 Site development regulations.
- 18.27.060 Parking and loading.
- 18.27.070 Special requirements.

18.27.010 Specific purposes. The RM-4 medium density multiple-family residence district is intended to create, preserve, and enhance neighborhoods for apartment living normally at locations close to transportation facilities, employment centers, and other services. Regulations are included to mitigate impacts on lower density residential districts nearby. Density is expected to range from forty-nine to eighty-six dwelling units per hectare (twenty to thirty-five dwelling units per acre). (Ord. 3048 (part), 1978).

18.27.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all RM-4 medium density multiple-family residence districts. (Ord. 3048 (part), 1978).

18.27.030 Permitted uses. The following uses shall be permitted in the RM-4 medium density multiple-family residence district:

- (a) Accessory facilities and uses customarily incidental to permitted uses;
- (b) Day care centers, day care homes, family day care homes, and residential care homes;
- (c) Home occupations, when accessory to permitted residential use;
- (d) Horticulture, gardening, and growing of food products for consumption by occupants of the site;
- (e) Lodging;
- (f) Multiple-family use;
- (g) Single-family use;
- (h) Two-family use. (Ord. 3048 (part), 1978).

18.27.040 Conditional uses. The following uses may be conditionally allowed in the RM-4 medium density multiple-family residence district, subject to issuance of a conditional use permit in accord with Chapter 18.90:

- (a) Churches and religious institutions;
- (b) Community centers;
- (c) Convalescent facilities;
- (d) Mortuaries;

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- (e) Neighborhood recreational centers;
- (f) Private clubs, lodges, or fraternal organizations, excluding any such facility operated as a business for profit;
- (g) Private educational facilities;
- (h) Temporary uses, subject to regulations established by Chapter 18.90;

(i) Utility facilities essential to provision of utility services to the neighborhood, but excluding business offices, construction or storage yards, maintenance facilities, or corporation yards;

(j) Within a single residential development containing not less than two hundred dwelling units, personal services and retail services solely of a convenience nature to residents of the development may be allowed, subject to the following limitations and to such additional conditions as may be established by a conditional use permit:

(1) Total gross floor area of all such uses shall not exceed two hundred thirty-two square meters (two thousand five hundred square feet) or one-half of one percent of the gross residential floor area within the development, whichever is smaller.

(2) Permitted signs shall be restricted to wall signs not visible outside the development, and shall include only the name and type of business. No other promotional activity or advertising to the public is permitted.

(3) Such uses shall be screened from view from adjacent property.

(4) Off-street parking facilities, in addition to facilities required for residential uses, shall be provided as may be specified by the conditional use permit, but shall not be less than one parking space for each employee working or expected to be working at the same time. (Ord. 3048 (part), 1978).

18.27.050 Site development regulations. The following site development regulations shall apply in the RM-4 medium density multiple-family residence district:

(a) Site Area. The minimum site area shall be five hundred fifty-seven square meters (six thousand square feet).

(b) Site Width. The minimum site width shall be 18.3 meters (sixty feet).

(c) Site Depth. The minimum site depth shall be 30.5 meters (one hundred feet).

(d) Front Yard. The minimum front yard shall be 4.9 meters (sixteen feet).

(e) Rear Yard. The minimum rear yard shall be 6.1 meters (twenty feet).

(f) Side Yards. The following side yard regulations shall apply:

(1) The minimum interior side yard shall be 1.8 meters (six feet).

(2) The minimum street side yard shall be 4.9 meters (sixteen feet).

(g) Residential Density. Two hundred seventy-nine square meters (three thousand square feet) of site area shall be required for the first dwelling unit, and one hundred eleven square meters (one thousand two

hundred square feet) of site area shall be required for each additional dwelling unit.

(h) Site Coverage. The maximum site coverage shall be forty-five percent of the site area; provided, that when any portion of a site is within 45.7 meters (one hundred fifty feet) of property in any more restrictive residential district, the maximum coverage for the entire site shall be the average of:

(1) Forty percent applied to the area of the site within 45.7 meters (one hundred fifty feet) of the more restrictive residential district; and

(2) Forty-five percent applied to the remainder of the site area.

(i) Height. The maximum height shall be 15.2 meters (fifty feet); provided, that on any portion of a site which is within 45.7 meters (one hundred fifty feet) of any more restrictive residential district, the maximum height on that specific portion of the site shall be 10.7 meters (thirty-five feet), however, no structure except television and radio antennas shall extend above or beyond a daylight plane having a height of 6.1 meters (twenty feet) at each site line and an angle of forty-five degrees.

(j) Usable Open Space. Not less than 27.9 square meters (three hundred square feet) of usable open space per each dwelling unit shall be provided on the site.

(k) Accessory Facilities and Uses. Regulations governing accessory facilities and uses, and governing the application of site development regulations in specific instances, are established by Chapter 18.88. (Ord. 3048 (part), 1978).

18.27.060 Parking and loading. (a) Off-street parking and loading facilities shall be required for all permitted and conditional uses in accord with Chapter 18.83. All parking and loading facilities on any site, whether required as minimums or optionally provided in addition to minimum requirements, shall comply with the regulations and design standards established by Chapter 18.83.

(b) Minimum parking requirements for selected uses permitted in the RM-4 medium density multiple-family residence district shall be as follows (see also Chapter 18.83):

(1) Single-Family Use. The minimum parking requirement for a site with one dwelling unit shall be two spaces. A minimum of one space shall be covered.

(2) Two-Family Use. The minimum parking requirement for a site with two dwelling units shall be 1.5 spaces per dwelling unit. A minimum of one space per unit shall be covered.

(3) Multiple-Family Use. The minimum parking requirement for a site with three or more dwelling units shall be 1.25 spaces per studio unit, 1.5 spaces per one-bedroom dwelling unit, and two spaces for any dwelling unit of two bedrooms or greater size. A minimum of one space per dwelling unit shall be covered.

(4) Lodging. The minimum requirement shall be one space for each

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lodging unit, in addition to any applicable requirement based on single-family use, two-family use, or multiple-family use on the same site.

(c) Location of Parking Spaces. No required parking space shall be located in a required front yard, or in a required street side yard. (Ord. 3048 (part), 1978).

18.27.070 Special requirements. The following special requirements shall apply in the RM-4 medium density multiple-family residence district:

(a) Professional and medical office uses existing on the effective date of this section and which, prior to that date, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, or which uses were, prior to the effective date of this section, located in an RM-4 district which was imposed by reason of annexation of the property to the city without benefit of rezoning and which, prior to the date of annexation, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, shall be deemed to be conforming uses. Such uses shall be permitted to remodel, improve, or replace site improvements on the same site, without necessity to comply with site development regulations for continual use and occupancy by the same use; provided, that any such remodeling, improvement or replacement shall not result in increased floor area, number of offices, height, length, or any other increase in size of the improvement. Any such remodeling, improvement, or replacement of any building designed and constructed for residential use shall be subject to the issuance of a conditional use permit in accord with Chapter 18.90.

(b) Two-family uses and multiple-family uses existing on the effective date of this section and which, prior to that date, were lawful conforming permitted uses or conditional uses operating pursuant to a conditional use permit, or which uses were, prior to the effective date of this section, located in an RM-4 district which was imposed by reason of annexation of the property to the city without benefit of rezoning and which, prior to the date of annexation, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, shall be deemed to be conforming uses. Such uses shall be permitted to remodel, improve, or replace site improvements on the same site, without necessity to comply with site development regulations for continual use and occupancy by the same use; provided, that any such remodeling, improvement, or replacement shall not result in increased floor area, number of dwelling units, height, length, or any other increase in the size of the improvement. (Ord. 3070 § 1 (part), 1978; Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

**RM-5 HIGH DENSITY MULTIPLE-FAMILY
RESIDENCE DISTRICT REGULATIONS****Sections:**

- 18.29.010 Specific purposes.
- 18.29.020 Applicability of regulations.
- 18.29.030 Permitted uses.
- 18.29.040 Conditional uses.
- 18.29.050 Site development regulations.
- 18.29.060 Parking and loading.
- 18.29.070 Special requirements.

18.29.010 Specific purposes. The RM-5 high density multiple-family residence district is intended to create, preserve, and enhance locations for apartment living at the highest density deemed appropriate for Palo Alto. Suitable locations normally will be close to transportation facilities, employment centers, and other services. Regulations are included to mitigate impacts on lower density residential districts nearby. Density is expected to range from eighty-six to one hundred eleven dwelling units per hectare (thirty-five to forty-five dwelling units per acre). (Ord. 3048 (part), 1978).

18.29.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all RM-5 high density multiple-family residence districts. (Ord. 3048 (part), 1978).

18.29.030 Permitted uses. The following uses shall be permitted in the RM-5 high density multiple-family residence district:

- (a) Accessory facilities and uses customarily incidental to permitted uses;
- (b) Day care centers, day care homes, family day care homes, and residential care homes;
- (c) Home occupations, when accessory to residential use;
- (d) Horticulture, gardening, and growing of food products for consumption by occupants of the site;
- (e) Lodging;
- (f) Multiple-family use;
- (g) Single-family use;
- (h) Two-family use. (Ord. 3048 (part), 1978).

18.29.040 Conditional uses. The following uses may be conditionally allowed in the RM-5 high density multiple-family residence district, subject to issuance of a conditional use permit in accord with Chapter 18.90:

- (a) Churches and religious institutions;
- (b) Community centers;
- (c) Convalescent facilities;

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- (d) Mortuaries;
- (e) Neighborhood recreational centers;
- (f) Private clubs, lodges, or fraternal organizations, excluding any such facility operated as a business for profit;
- (g) Private educational facilities;
- (h) Temporary uses, subject to regulations established by Chapter 18.90;

(i) Utility facilities essential to provision of utility services to the neighborhood, but excluding business offices, construction or storage yards, maintenance facilities, or corporation yards;

(j) Within a single residential development containing not less than two hundred dwelling units, personal services and retail services solely of a convenience nature to residents of the development may be allowed, subject to the following limitations and to such additional conditions as may be established by a conditional use permit:

(1) Total gross floor area of all such uses shall not exceed two hundred thirty-two square meters (two thousand five hundred square feet) or one-half of one percent of the gross residential floor area within the development, whichever is smaller.

(2) Permitted signs shall be restricted to wall signs not visible outside the development, and shall include only the name and type of business. No other promotional activity or advertising to the public is permitted.

(3) Such uses shall be screened from view from adjacent property.

(4) Off-street parking facilities, in addition to facilities required for residential uses, shall be provided as may be specified by the conditional use permit, but shall not be less than one parking space for each employee working or expected to be working at the same time. (Ord. 3048 (part), 1978).

18.29.050 Site development regulations. The following site development regulations shall apply in the RM-5 medium density multiple-family residence district:

(a) Site Area. The minimum site area shall be five hundred fifty-seven square meters (six thousand square feet).

(b) Site Width. The minimum site width shall be 18.3 meters (sixty feet).

(c) Site Depth. The minimum site depth shall be 30.5 meters (one hundred feet).

(d) Front Yard. The minimum front yard shall be 4.9 meters (sixteen feet).

(e) Rear Yard. The minimum rear yard shall be 6.1 meters (twenty feet).

(f) Side Yards. The following side yard regulations shall apply:

(1) The minimum interior side yard shall be 1.8 meters (six feet).

(2) The minimum street side yard shall be 4.9 meters (sixteen feet).

(g) Residential Density. Two hundred thirty-two square meters (two thousand five hundred square feet) of site area shall be required for the first

dwelling unit, and 83.6 square meters (nine hundred square feet) of site area shall be required for each additional dwelling unit; provided, that residential density shall not exceed one hundred eleven dwelling units per hectare (forty-five dwelling units per acre) on any site.

(h) Site Coverage. The maximum site coverage shall be forty-five percent of the site area; provided, that when any portion of a site is within 45.7 meters (one hundred fifty feet) of property in any more restrictive residential district, the maximum site coverage for the entire site shall be the average of:

(1) Forty percent applied to the area of the site within 45.7 meters (one hundred fifty feet) of the more restrictive residential district; and

(2) Forty-five percent applied to the remainder of the site area.

(i) Height. The maximum height shall be 15.2 meters (fifty feet); provided, that on any portion of a site which is within 45.7 meters (one hundred fifty feet) of any more restrictive residential district, the maximum height on that specific portion of the site shall be 10.7 meters (35 feet); however, no structure except television and radio antennas shall extend above or beyond a daylight plane having a height of 6.1 meters (twenty feet) at each site line and an angle of forty-five degrees.

(j) Usable Open Space. Not less than 27.9 square meters (three hundred square feet) of usable open space per each dwelling unit shall be provided on the site.

(k) Accessory Facilities and Uses. Regulations governing accessory facilities and uses and governing the application of site development regulations in specific instances are established by Chapter 18.88. (Ord. 3048 (part), 1978).

18.29.060 Parking and loading. (a) Off-street parking and loading facilities shall be required for all permitted and conditional uses in accord with Chapter 18.83. All parking and loading facilities on any site, whether required as minimums or optionally provided in addition to minimum requirements, shall comply with the regulations and design standards established by Chapter 18.83.

(b) Minimum parking requirements for selected uses permitted in the RM-5 high density multiple-family residence district shall be as follows (see also Chapter 18.83):

(1) Single-family Use. The minimum parking requirement for a site with one dwelling unit shall be two spaces. A minimum of one space shall be covered.

(2) Two-family Use. The minimum parking requirement for a site with two dwelling units shall be 1.5 spaces per dwelling unit. A minimum of one space per unit shall be covered.

(3) Multiple-family Use. The minimum parking requirement for a site with three or more dwelling units shall be 1.25 spaces per studio unit, 1.5 spaces per one-bedroom dwelling unit, and two spaces for any dwelling unit of two bedrooms or greater size. A minimum of one space per dwelling unit shall be covered.

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(4) Lodging. The minimum requirement shall be one space for each lodging unit, in addition to any applicable requirement based on single-family use, two-family use or multiple-family use on the same site.

(c) Location of Parking Spaces. No required parking space shall be located in a required front yard, or in a required street side yard. (Ord. 3048 (part), 1978).

18.29.070 Special requirements. The following special requirements shall apply in the RM-5 high density multiple-family residence district:

(a) Professional and medical office uses existing on the effective date of this section and which, prior to that date, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, or which uses were, prior to the effective date of this section, located in an RM-5 district which was imposed by reason of annexation of the property to the city without benefit of rezoning and which, prior to the date of annexation, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, shall be deemed to be conforming uses. Such uses shall be permitted to remodel, improve, or replace site improvements on the same site, without necessity to comply with site development regulations for continual use and occupancy by the same use; provided, that any such remodeling, improvement or replacement shall not result in increased floor area, number of offices, height, length, or any other increase in size of the improvement. Any such remodeling, improvement, or replacement of any building designed and constructed for residential use shall be subject to the issuance of a conditional use permit in accord with Chapter 18.90.

(b) Two-family uses and multiple-family uses existing on the effective date of this section and which, prior to that date, were lawful conforming permitted uses or conditional uses operating pursuant to a conditional use permit, or which uses were, prior to the effective date of this section, located in an RM-5 district which was imposed by reason of annexation of the property to the city without benefit of rezoning and which, prior to the date of annexation, were lawful conforming permitted uses or conditional uses operating subject to a conditional use permit, shall be deemed to be conforming uses. Such uses shall be permitted to remodel, improve, or replace site improvements on the same site, without necessity to comply with site development regulations for continual use and occupancy by the same use; provided, that any such remodeling, improvement, or replacement shall not result in increased floor area, number of dwelling units, height, length, or any other increase in the size of the improvement. (Ord. 3070 § 1 (part), 1978; Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

PF PUBLIC FACILITIES DISTRICT REGULATIONS**Sections:**

- 18.32.010 Specific purposes.
- 18.32.020 Applicability of regulations.
- 18.32.030 Permitted uses.
- 18.32.040 Conditional uses.
- 18.32.050 Site development regulations.
- 18.32.060 Parking and loading.
- 18.32.070 Special requirements.

18.32.010 Specific purposes. The PF public facilities district is designed to accommodate governmental, public utility, educational, and community service or recreational facilities. (Ord. 3048 (part), 1978).

18.32.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all PF public facilities districts. (Ord. 3048 (part), 1978).

18.32.030 Permitted uses. The following uses shall be permitted in the PF public facilities district:

(a) All facilities owned or leased, and operated or used, by the city, the county of Santa Clara, the state of California, the government of the United States, the Palo Alto unified school district, or any other governmental agency;

(b) Public or private colleges and universities and facilities incidental or appurtenant thereto;

(c) Hospitals. (Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

18.32.040 Conditional uses. The following uses may be conditionally allowed in the PF public facilities district, subject to issuance of a conditional use permit in accord with Chapter 18.90:

(a) Facilities of all public utilities, as defined in the Public Utilities Code of the state of California, and corporations or other organizations whose activities are under the jurisdiction of the Federal Communications Commission or the Interstate Commerce Commission;

(b) Any of the following uses, when conducted on property owned by the city, the county of Santa Clara, the state of California, the government of the United States, the Palo Alto unified school district, or any other governmental agency, and leased for said uses:

- (1) Community centers,
- (2) Day care centers,
- (3) Private educational facilities,
- (4) Residential care facilities, when utilizing existing structures on the site. (Ord. 3048 (part), 1978).

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18.32.050 Site development regulations. The following site development regulations shall apply in the PF public facilities district:

- (a) Site Area. No requirement is established.
- (b) Site Width. No requirement is established.
- (c) Site Depth. No requirement is established.
- (d) Yards. The minimum front, side, and rear yards in the PF public facilities district shall be equal to the respective front, side, and rear yards required in the most restrictive abutting district; provided, that no yard adjoining a street shall be less than 6.1 meters (twenty feet), and that no interior yard shall be less than 3.0 meters (ten feet).
- (e) Floor Area Ratio. The maximum floor area ratio shall be 1.0 to 1.
- (f) Site Coverage. The maximum site coverage shall be thirty percent of the site area.
- (g) Height. The maximum height shall be 15.2 meters (fifty feet).
- (h) Accessory Facilities and Uses. Regulations governing accessory facilities and uses, and governing the application of site development regulations in specific instances are established by Chapter 18.88. (Ord. 3048 (part), 1978).

18.32.060 Parking and loading. (a) Off-street parking and loading facilities shall be required for all permitted and conditional uses in accord with Chapter 18.83. All parking and loading facilities on any site, whether required as minimums or optionally provided in addition to minimum requirements, shall comply with the regulations and design standards established by Chapter 18.83.

(b) Location of Parking and Loading Spaces. No required parking or loading space shall be located in the first 3.0 meters (ten feet) adjoining the street property line of any required yard. (Ord. 3048 (part), 1978).

18.32.070 Special requirements. The following special requirements shall apply in the PF public facilities district:

(a) Sites abutting or having any portion located within 45.7 meters (one hundred fifty feet) of any residential district, or any residential PC district, shall be subject to the following additional height and yard requirements:

(1) The maximum height shall be established by a daylight plane beginning at a height of 3.0 meters (ten feet) at the residential or applicable PC district site line and increasing at a slope of one meter for each two meters of distance from the site line until intersecting the height limit otherwise established for the PF district.

(2) The maximum height within 45.7 meters (one hundred fifty feet) of any site in any residential or applicable PC district shall be 10.7 meters (thirty-five feet).

(3) On any portion of a site in the PF district which abuts a site in any residential or applicable PC district, a minimum interior yard of 3.0 meters (ten feet) shall be required, and a solid wall or fence of between 1.5 and 2.4

meters (five and eight feet) in height shall be constructed and maintained along the common site line. The minimum interior yard shall be planted and maintained as a landscaped screen.

(4) On any portion of a site in the PF district which is opposite from a site in any residential or applicable PC district and separated therefrom by a street, alley, creek, drainage facility, or other open area, a minimum yard of 3.0 meters (ten feet) shall be required. The minimum yard shall be planted and maintained as a landscaped screen, excluding areas required for access to the site. (Ord. 3048 (part), 1978).

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OR OFFICE RESEARCH DISTRICT REGULATIONS**Sections:**

- 18.37.010 Specific purposes.
- 18.37.020 Applicability of regulations.
- 18.37.030 Permitted uses.
- 18.37.040 Conditional uses.
- 18.37.050 Site development regulations.
- 18.37.060 Parking and loading.
- 18.37.070 Special requirements.

18.37.010 Specific purposes. The OR office research district is intended to create and maintain areas for conduct of office, research, and educational activities not requiring sales or display areas generally associated with retail use in developments characterized by low building intensity, large site size, and landscaped grounds. (Ord. 3048 (part), 1978).

18.37.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all OR office research districts. (Ord. 3048 (part), 1978).

18.37.030 Permitted uses. The following uses shall be permitted in the OR office research district:

- (a) Accessory facilities and uses customarily incidental to permitted uses;
 - (b) Colleges and universities;
 - (c) Family day care homes and day care centers;
 - (d) Home occupations, when accessory to permitted residential uses;
 - (e) Lodging;
 - (f) Medical, professional, and general business offices;
 - (g) Single-family, two-family, and multiple-family residential uses.
- (Ord. 3048 (part), 1978).

18.37.040 Conditional uses. The following uses may be conditionally allowed in the OR office research district, subject to issuance of a conditional use permit in accord with Chapter 18.90:

- (a) Ambulance services;
- (b) Commercial parking;
- (c) Convalescent facilities;
- (d) Eating and drinking services, when operated accessory to permitted uses, or primarily for the convenience of uses on the site, and not occupying more than twenty percent of the floor area in the buildings on the site;
- (e) Financial services;
- (f) Hotels, providing not more than ten percent of rooms with kitchens;

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- (g) Neighborhood recreational centers;
- (h) Private clubs, lodges, or fraternal organizations, excluding any such facility operated as a business for profit;
- (i) Private educational facilities;
- (j) Research and development;
- (k) Utility facilities essential to provision of utility services, but excluding construction or storage yards, maintenance facilities, or corporation yards. (Ord. 3108 § 2 (part), 1979; Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

18.37.050 Site development regulations. The following site development regulations shall apply in the OR office research district:

- (a) **Site Area.** The minimum site area shall be two thousand three hundred twenty-three square meters (twenty-five thousand square feet).
- (b) **Site Width.** The minimum site width shall be 45.7 meters (one hundred fifty feet).
- (c) **Site Depth.** The minimum site depth shall be 45.7 meters (one hundred fifty feet).
- (d) **Front Yard.** The minimum front yard shall be 15.2 meters (fifty feet).
- (e) **Rear Yard.** The minimum rear yard shall be 3.0 meters (ten feet).
- (f) **Side Yards.** The following side yard regulations shall apply:
 - (1) The minimum interior side yard shall be 3.0 meters (ten feet).
 - (2) The minimum street side yard shall be 6.1 meters (twenty feet).
- (g) **Floor Area Ratio.** The maximum floor area ratio shall be 0.75 to 1.
- (h) **Site Coverage.** The maximum building site coverage shall be thirty percent of the site area.
- (i) **Height.** The maximum height shall be 15.2 meters. (fifty feet).
- (j) **Landscaping.** The minimum landscaped area, excluding minimum required landscaping of parking lot interiors, shall be ten percent of the site area.
- (k) **Accessory Facilities and Uses.** Regulations governing accessory facilities and uses, and governing the application of site development regulations in specific instances, are established in Chapter 18.88. (Ord. 3048 (part), 1978).

18.37.060 Parking and loading. (a) Off-street parking and loading facilities shall be required for all permitted and conditional uses in the OR office research district, in accord with Chapter 18.83. All parking and loading facilities on any site, whether required as minimums or optionally provided in addition to minimum requirements, shall comply with the regulations and design standards established by Chapter 18.83.

(b) Minimum parking requirements for selected uses permitted in the OR office research district shall be as follows (see also Chapter 18.83):

- (1) **Multiple-family Use.** The minimum parking requirement shall be 1.25 spaces per studio unit, 1.5 spaces per one-bedroom unit, and two spaces

for any unit of two bedrooms or greater size. A minimum of one space per dwelling unit shall be covered.

(2) Lodging. The minimum requirement shall be one space for each two lodging units, in addition to any applicable requirement based on residential use on the same site.

(3) Medical, Professional, and General Business Offices. The minimum parking requirement shall be one space for each 23.2 square meters (two hundred fifty square feet) of gross floor area.

(c) Location of Parking and Loading Spaces. No required parking or loading space shall be located in the first 3.0 meters (ten feet) adjoining the street property line of any required yard. (Ord. 3048 (part), 1978).

18.37.070 Special requirements. The following special requirements shall apply in the OR office research district:

(a) Permitted residential uses shall be governed by the following additional regulations:

(1) Residential Density. For exclusive residential use on any site, the minimum site area per dwelling unit shall be two hundred seventy-nine square meters (three thousand square feet) for the first dwelling unit and one hundred eleven square meters (one thousand two hundred square feet) for each additional dwelling unit. For mixed residential and nonresidential use on any site, the minimum site area per dwelling unit shall be one hundred sixteen square meters (one thousand two hundred forty-five square feet). In computing residential densities for mixed residential and nonresidential uses, there shall be no deduction for that portion of site area in nonresidential use.

(2) Usable Open Space. For exclusive residential use on any site, not less than 27.9 square meters (three hundred square feet) of usable open space per each dwelling unit shall be provided on the site. For mixed residential and nonresidential use on any site, no requirement is established.

(b) Sites abutting or having any portion located within 45.7 meters (one hundred fifty feet) of any RE, R-1, R-2, RM or any PC district permitting single-family development or multiple-family development, shall be subject to the following additional height and yard requirements:

(1) The maximum height shall be established by daylight planes, measured from each lot line, identical to the daylight plane requirements of the most restrictive RE, R-1, R-2, RM or applicable residential PC districts abutting each such lot line. Such daylight planes shall begin at the OR district lot line and increase at the required slope from the lot line until intersecting the height limit otherwise established for the OR district.

(2) The maximum height within 45.7 meters (one hundred fifty feet) of any RE, R-1, R-2, RM, or any applicable PC district shall be 10.7 meters (thirty-five feet).

(3) On any portion of a site in the OR district which abuts a site in any RE, R-1, R-2, RM, or applicable PC district, a minimum interior yard of 3.0 meters (ten feet) shall be required, and a solid wall or fence of between 1.5 and 2.4 meters (five and eight feet) in height shall be constructed and

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maintained along the common site line. The minimum interior yard shall be planted and maintained as a landscaped screen.

(4) On any portion of a site in the OR district which is opposite from a site in any RE, R-1, R-2, RM, or any applicable PC district and separated therefrom by a street, alley, creek, drainage facility, or other open area, a minimum yard of 3.0 meters (ten feet) shall be required. The minimum yard shall be planted and maintained as a landscaped screen, excluding areas required for access to the site. (Ord. 3108 §§ 1 (part), 9 (part), 1979; Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

**CN NEIGHBORHOOD COMMERCIAL DISTRICT
REGULATIONS****Sections:**

- 18.41.010 Specific purposes.
- 18.41.020 Applicability of regulations.
- 18.41.030 Permitted uses.
- 18.41.040 Conditional uses.
- 18.41.050 Site development regulations.
- 18.41.060 Parking and loading.
- 18.41.070 Special requirements.

18.41.010 Specific purposes. The CN neighborhood commercial district is intended to create and maintain neighborhood shopping areas primarily accommodating offices, personal service, and retail sales uses of moderate size serving the immediate neighborhood, under regulations that will assure maximum compatibility with surrounding residential areas. (Ord. 3048 (part), 1978).

18.41.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all CN neighborhood commercial districts. (Ord. 3048 (part), 1978).

18.41.030 Permitted uses. The following uses shall be permitted in the CN neighborhood commercial district:

- (a) Accessory facilities and uses customarily incidental to permitted uses;
- (b) Animal care, but excluding boarding and kennels;
- (c) Day care centers, day care homes, family day care homes, and residential care homes;
- (d) Eating and drinking services, except drive-in and take-out services;
- (e) Home occupations, when accessory to permitted residential uses;
- (f) Lodging;
- (g) Medical, professional, and general business offices;
- (h) Personal services;
- (i) Retail services, excluding liquor stores;
- (j) Single-family uses, two-family uses, and multiple-family uses. (Ord. 3103 § 2, 1979; Ord. 3048 (part), 1978).

18.41.040 Conditional uses. The following uses may be conditionally allowed in the CN neighborhood commercial district, subject to issuance of a conditional use permit in accord with Chapter 18.90:

- (a) Ambulance services;

(b) Automobile service stations, subject to site and design review in accord with the provisions of Chapter 18.82;

(c) Churches and religious institutions;

(d) Convalescent facilities;

(e) Drive-in services or take-out services, associated with permitted uses, so long as drive-up facilities, excluding carwashes, provide full access to pedestrians and bicyclists. A maximum of two such services shall be permitted with 304.8 meters (one thousand feet) and each use shall not be less than 45.7 meters (one hundred fifty feet) from one another;

(f) Financial services;

(g) Mortuaries;

(h) Private clubs, lodges, or fraternal organizations;

(i) Private educational facilities;

(j) Utility facilities essential to provision of utility services to the neighborhood, but excluding construction or storage yards, maintenance facilities, or corporation yards;

(k) Liquor stores. (Ord. 3103 § 3, 1979; Ord. 3048 (part), 1978).

18.41.050 Site development regulations. The following site development regulations shall apply in the CN neighborhood commercial district:

(a) Site Area. No requirement is established.

(b) Site Width. No requirement established.

(c) Site Depth. No requirement is established.

(d) Front Yard. The minimum front yard shall be 3.8 meters (ten feet).

The minimum front yard shall be planted and maintained as a landscaped screen excluding areas required for access to the site.

(e) Rear yard. No requirement is established.

(f) Side Yards. The following side yard regulations shall apply:

(1) Interior Side Yard. No requirement is established.

(2) The minimum street side yard shall be 6.1 meters (twenty feet).

(g) Floor Area Ratio. The maximum floor area ratio shall be 1.0 to 1.

(h) Site Coverage. The maximum site coverage shall be fifty percent of the site area.

(i) Height. The maximum height shall be 7.6 meters (twenty-five feet).

Where the principal facility has one or more floors in residential use, the maximum height shall be 10.7 meters (thirty-five feet).

(j) Accessory Facilities and Uses. Regulations governing accessory facilities and uses, and governing the application of site development regulations in specific instances are established by Chapter 18.88.

(k) Size of Establishment. Permitted office or commercial uses shall not exceed the floor area per individual use or business establishment shown in the following table. Such uses may be allowed to exceed the maximum establishment size, subject to issuance of a conditional use permit in accord with Chapter 18.90. The maximum establishment size for any conditional use shall be established by the zoning administrator and specified in the conditional use permit for such use.

Use	Maximum Gross Floor Area
Medical, professional and general business office	232 square meters (2,500 square feet)
Any combination of office establishments in a single suite of offices served by common entries, utilities, reception areas, or other services	465 square meters (5,000 square feet)
Personal services	232 square meters (2,500 square feet)
Retail services, except grocery stores	1,394 square meters (15,000 square feet)
Grocery stores	1,858 square meters (20,000 square feet)
Eating and drinking services	465 square meters (5,000 square feet)

(1) Outdoor Sales and Storage. All permitted office and commercial activities shall be conducted within a building, except for incidental sales and display of plant materials and garden supplies occupying not more than 46.5 square meters (five hundred square feet) of exterior sales and display area. Exterior storage shall be prohibited. (Ord. 3108 § 6, 1979; Ord. 3048 (part), 1978).

18.41.060 Parking and loading. (a) Off-street parking and loading facilities shall be required for all permitted and conditional uses in the CN neighborhood commercial district, in accord with Chapter 18.83. All parking and loading facilities on any site, whether required as minimums or optionally provided in addition to minimum requirements, shall comply with the regulations and design standards established by Chapter 18.83.

(b) Minimum parking requirements for selected uses permitted in the CN district shall be as follows:

(1) Multiple-family Use. The minimum parking requirement shall be 1.25 spaces per studio unit, 1.5 spaces per one bedroom unit, and two spaces for any unit of two bedrooms or greater size. A minimum of one space per dwelling unit shall be covered.

(2) Lodging. The minimum requirement shall be one space for each two lodging units, in addition to any applicable requirement based on residential use on the same site.

(3) Medical, Professional, and General Business Offices. The minimum parking requirement shall be one space for each 23.2 square meters (two hundred fifty square feet) of gross floor area.

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(4) Personal Services. The minimum parking requirement shall be one space for each 13.9 square meters (one hundred fifty square feet) of gross floor area.

(5) Retail Services. The minimum parking requirement shall be one space for each 13.9 square meters (one hundred fifty square feet) of gross floor area.

(6) Eating and Drinking Services. The minimum parking requirement shall be one space for each four seats or four person-capacity.

(c) Location of Parking and Loading Spaces. No parking or loading space, whether required or optional, shall be located in the first 3.0 meters (ten feet) adjoining the street property line of any required yard. (Ord. 3048 (part), 1978).

18.41.070 Special requirements. The following special requirements shall apply in the CN neighborhood commercial district:

(a) Permitted residential uses shall be governed by the following additional regulations:

(1) Residential Density. For exclusive residential use on any site, minimum site area per dwelling unit shall be three hundred twenty-five square meters (three thousand five hundred square feet) for the first dwelling unit and one hundred thirty-nine square meters (one thousand five hundred square feet) for each additional dwelling unit. For mixed residential and nonresidential use on any site, the minimum site area per dwelling unit shall be one hundred thirty-five square meters (one thousand four hundred fifty-two square feet). In computing residential and nonresidential uses, there shall be no deduction for that portion of site area in residential use.

(2) Usable Open Space. For exclusive residential use on any site, not less than 41.8 square meters (four hundred fifty square feet) of usable open space per each dwelling unit shall be provided on the site. For mixed residential and nonresidential use on any site, no usable open space shall be required.

(b) Sites abutting or having any portion located within 45.7 meters (one hundred fifty feet) of any RE, R-1, R-2 or RM district, or any PC district permitting single-family development or multiple-family development shall be subject to the following additional height and yard requirements:

(1) The maximum height shall be established by a daylight plane beginning at a height of 3.0 meters (ten feet) at the RE, R-1, R-2, RM, or applicable PC district site line and increasing at a slope of one meter for each two meters of distance from the site line until intersecting the height limit otherwise established for the CN district.

(2) On any portion of a site in the CN district which abuts a site in any RE, R-1, R-2, RM or applicable PC district, a minimum interior yard of 3.0 meters (ten feet) shall be required, and a solid wall or fence of between 1.5 and 2.4 meters (five and eight feet) in height shall be constructed and maintained along the common site line. The minimum interior yard shall be planted and maintained as a landscaped screen.

(3) On any portion of a site in the CN district which is opposite from a site in any RE, R-1, R-2, or RM or applicable PC district and separated therefrom by a street, alley, creek, drainage facility, or other open area, a minimum yard of 3.0 meters (ten feet) shall be required. The minimum yard shall be planted and maintained as a landscaped screen, excluding areas required for access to the site.

(c) All uses, whether permitted or conditional, shall be conducted in such a manner so as to preclude nuisance, hazard, or commonly recognized offensive conditions or characteristics, including creation or emission of dust, gas, smoke, noise, fumes, odors, vibrations, particulate matter, chemical compounds, electrical disturbance, humidity, heat, cold, glare, or night illuminations. Prior to issuance of a building permit, or occupancy permit, or at any other time, the building inspector may require evidence that adequate controls, measures, or devices have been provided to ensure and protect the public interest, health, comfort, convenience, safety, and general welfare from such nuisance, hazard, or offensive condition. (Ord. 3108 § 1 (part), 1979; Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

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**CC COMMUNITY COMMERCIAL DISTRICT
REGULATIONS****Sections:**

- 18.43.010 Specific purposes.
- 18.43.020 Applicability of regulations.
- 18.43.030 Permitted uses.
- 18.43.040 Conditional uses.
- 18.43.050 Site development regulations.
- 18.43.060 Parking and loading.
- 18.43.070 Special requirements.

18.43.010 Specific purposes. The CC community commercial district is intended to create and maintain major commercial centers accommodating a broad range of office, retail sales, and other commercial activities of community-wide or regional significance. The CC community commercial district is intended to be applied to regional/community commercial centers identified by the Palo Alto comprehensive plan. (Ord. 3048 (part), 1978).

18.43.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all CC community commercial districts. Additionally, pedestrian shopping combining district regulations established by Chapter 18.47 and civic center combining district regulations established by Chapter 18.79 may apply within portions of the CC community commercial district. (Ord. 3048 (part), 1978).

18.43.030 Permitted uses. The following uses shall be permitted in the CC community commercial district:

- (a) Accessory facilities and uses customarily incidental to permitted uses;
- (b) Animal care, but excluding boarding and kennels;
- (c) Business and trade schools;
- (d) Churches and religious institutions;
- (e) Convalescent facilities;
- (f) Day care centers, day care homes, family day care homes, and residential care homes;
- (g) Eating and drinking services, except drive-in and take-out services;
- (h) Financial services, except drive-in services;
- (i) Home occupations, when accessory to permitted residential uses;
- (j) Hotels without kitchen facilities;
- (k) Lodging;
- (l) Medical, professional, and general business offices;
- (m) Mortuaries;
- (n) Personal services;
- (o) Private clubs, lodges, or fraternal organizations;

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- (p) Private educational facilities;
- (q) Retail services and shopping centers;
- (r) Single-family uses, two-family uses, and multiple-family uses. (Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

18.43.040 Conditional uses. The following uses may be conditionally permitted in the CC community commercial district, subject to issuance of a conditional use permit in accord with Chapter 18.90:

- (a) Ambulance services;
- (b) Automobile service stations, subject to site and design review in accord with the provisions of Chapter 18.82;
- (c) Commercial parking;
- (d) Commercial recreation;
- (e) Drive-in services or take-out services associated with permitted uses, so long as drive-up facilities, excluding carwashes, provide full access to pedestrians and bicyclists. A maximum of two such services shall be permitted within 304.8 meters (one thousand feet) and each use shall not be less than 45.7 meters (one hundred fifty feet) from one another;
- (f) General business services;
- (g) Hotels providing not more than ten percent of rooms with kitchen;
- (h) Tire, battery, and automotive service facilities, when operated incidental to a permitted retail service or shopping center having a gross floor area of more than two thousand seven hundred eighty-seven square meters (thirty thousand square feet);
- (i) Transportation terminals;
- (j) Utility facilities essential to provision of utility services, but excluding construction or storage yards, maintenance facilities, or corporation yards. (Ord. 3108 § 2 (part), 1979; Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

18.43.050 Site development regulations. The following site development regulations shall apply in the CC community commercial district. When the CC community commercial district is combined with the pedestrian shopping combining district or with the civic center combining district, more restrictive regulations may apply.

- (a) Site Area. No requirement is established.
- (b) Site Width. No requirement is established.
- (c) Site Depth. No requirement is established.
- (d) Front Yard. No requirement is established.
- (e) Rear Yard. No requirement is established.
- (f) Side Yard. No requirement is established.
- (g) Floor Area Ratio. The maximum floor area ratio shall be 3.0 to 1.
- (h) Site Coverage. No requirement is established.
- (i) Height. The maximum height shall be 15.2 meters (fifty feet).
- (j) Accessory Facilities and Uses. Regulations governing accessory facilities and uses, and governing the application of site development regulations in specific instances, are established by Chapter 18.88.

(k) Outdoor Sales and Storage. Except in shopping centers, all permitted office and commercial activities shall be conducted within a building, except for incidental sales and display of plant materials and garden supplies occupying not more than one hundred eighty-six square meters (two thousand square feet) of exterior sales and display area, and except for outdoor eating areas operated incidental to permitted eating and drinking services. Any permitted outdoor activity in excess of one hundred eighty-six square meters (two thousand square feet) shall be subject to a conditional use permit. Exterior storage shall be prohibited. (Ord. 3048 (part), 1978).

18.43.060 Parking and loading. (a) Off-street parking and loading facilities shall be required for all permitted and conditional uses in the CC community commercial district, in accord with Chapter 18.83. All parking and loading facilities on any site, whether required as minimums or optionally provided in addition to minimum requirements, shall comply with the regulations and design standards established by Chapter 18.83.

(b) Minimum parking requirements for selected use permitted in the CC district shall be as follows:

(1) Medical, Professional, and General Business Offices. The minimum parking requirement shall be one space for each 23.2 square meters (two hundred fifty square feet) of gross floor area.

(2) Financial Services. The minimum parking requirement shall be one space for each 13.9 square meters (one hundred fifty square feet) of gross floor area for a bank or savings and loan office, and one space for each 23.2 square meters (two hundred fifty square feet) of gross floor area for other financial services.

(3) Personal Services. The minimum parking requirement shall be one space for each 13.9 square meters (one hundred fifty square feet) of gross floor area.

(4) Retail Services. The minimum parking requirement shall be one space for each 13.9 square meters (one hundred fifty square feet) of gross floor area (intensive) or each 32.5 square meters (three hundred fifty square feet) of gross floor area (extensive).

(5) Eating and Drinking Services. The minimum parking requirement shall be one space for four seats or four-person capacity.

(c) Location of Parking and Loading Spaces. No requirement is established, except as established by Chapter 18.83 or other applicable provisions of this title. (Ord. 3048 (part), 1978).

18.43.070 Special requirements. The following special requirements shall apply in the CC community commercial district:

(a) Permitted residential uses shall be governed by the following additional regulations:

(1) Residential Density. For exclusive residential use on any site, the minimum site area per dwelling unit shall be two hundred thirty-two square

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meters (two thousand five hundred square feet) for the first dwelling unit and 83.6 square meters (900 square feet) for each additional dwelling unit. For mixed residential and nonresidential use on any site, the minimum site area per dwelling unit shall be ninety square meters (nine hundred sixty-eight square feet). In computing residential densities for mixed residential and nonresidential uses, there shall be no deduction for that portion of site area in nonresidential use.

(2) Usable Open Space. For exclusive residential use of any site, not less than 27.9 square meters (three hundred square feet) of usable open space per each dwelling unit shall be provided on the site. For mixed residential and nonresidential use on any site, no usable open space shall be required.

(b) Sites abutting or having any portion located within 45.7 meters (one hundred fifty feet) of any RE, R-1, R-2, RM or any PC district permitting single-family development or multiple-family development shall be subject to the following additional height and yard requirements:

(1) The maximum height shall be established by daylight planes, measured from each lot line, identical to the daylight plane requirements of the most restrictive RE, R-1, R-2, RM or applicable residential PC districts abutting each such lot line. Such daylight planes shall begin at the CC district lot line and increase at the required slope from the lot line until intersecting the height limit otherwise established for the CC district.

(2) The maximum height within 45.7 meters (one hundred fifty feet) of any RE, R-1, R-2, RM or applicable PC district shall be 10.7 meters (thirty-five feet).

(3) On any portion of a site in the CC district which abuts a site in any RE, R-1, R-2, RM, or applicable PC district, a minimum interior yard of 3.0 meters (ten feet) shall be required, and a solid wall or fence between 1.5 and 2.4 meters (five and eight feet) in height shall be constructed and maintained along the common site line. The minimum interior yard shall be planted and maintained as a landscaped screen.

(4) On any portion of a site in the CC district which is opposite from a site in RE, R-1, R-2, RM, or applicable PC district and separated therefrom by a street, alley, creek, drainage facility, or other open area, a minimum yard of 3.0 meters (ten feet), shall be required. The minimum yard shall be planted and maintained as a landscaped screen, excluding areas required for access to the site.

(c) All uses, whether permitted or conditional, shall be conducted in such a manner so as to preclude any nuisance, hazard, or commonly recognized offensive conditions or characteristics, including creation or emission of dust, gas, smoke, noise, fumes, odors, vibrations, particulate matter, chemical compounds, electrical disturbance, humidity, heat, cold, glare, or night illumination. Prior to issuance of a building permit or occupancy permit, or at any other time, the building inspector may require evidence that adequate controls, measures, or devices have been provided to ensure and protect the public interest, health, comfort, convenience, safety,

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and general welfare from such nuisance, hazard, or offensive condition. (Ord.
3108 §§ 1 (part), 9 (part), 17, 1979; Ord. 3064 § 1 (part), 1978; Ord. 3048
(part), 1978).

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Chapter 18.45

CS SERVICE COMMERCIAL
DISTRICT REGULATIONS

Sections:

- 18.45.010 Specific purposes.
- 18.45.020 Applicability of regulations.
- 18.45.030 Permitted uses.
- 18.45.040 Conditional uses.
- 18.45.050 Site development regulations.
- 18.45.060 Parking and loading.
- 18.45.070 Special requirements.

18.45.010 Specific purposes. The CS service commercial district is intended to create and maintain areas accommodating city-wide and regional services that may be inappropriate in neighborhood or pedestrian-oriented shopping areas, and which generally require automotive access for customer convenience, servicing of vehicles or equipment, loading or unloading, or parking of commercial service vehicles.

The CS district is intended to be applied to service commercial areas identified by the Palo Alto comprehensive plan. (Ord. 3048 (part), 1978).

18.45.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all CS service commercial districts. (Ord. 3048 (part), 1978).

18.45.030 Permitted uses. The following uses shall be permitted in the CS service commercial district:

- (a) Accessory facilities and uses customarily incidental to permitted uses;
- (b) Administrative office services;
- (c) Animal care, but excluding boarding and kennels;
- (d) Business and trade schools;
- (e) Churches and religious institutions;
- (f) Convalescent facilities;
- (g) Day care centers, day care homes, family day care homes, and residential care homes;
- (h) Eating and drinking services, except drive-in and take-out services;
- (i) Financial services, except drive-in services;
- (j) General business services;
- (k) Home occupations, when accessory to permitted residential uses;
- (l) Hotels without kitchen facilities;
- (m) Lodging;
- (n) Medical, professional, and general business offices;
- (o) Mortuaries;
- (p) Personal services;

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- (q) Private clubs, lodges, or fraternal organizations;
- (r) Private educational facilities;
- (s) Retail services;
- (t) Single-family uses, two-family uses, and multiple-family uses. (Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

18.45.040 Conditional uses. The following uses may be conditionally allowed in the CS service commercial district, subject to issuance of a conditional use permit in accord with Chapter 18.90:

- (a) Ambulance services;
- (b) Animal care, including boarding and kennels;
- (c) Automotive services;
- (d) Automobile service stations subject to site and design review in accord with the provisions of Chapter 18.82;
- (e) Commercial parking;
- (f) Commercial recreation;
- (g) Drive-in services or take-out services associated with permitted uses so long as drive-up facilities, excluding carwashes, provide full access to pedestrians and bicyclists. A maximum of two take-out services shall be permitted within 304.8 meters (one thousand feet), and each use shall not be less than 45.7 meters (one hundred fifty feet) from one another;
- (h) Hotels providing not more than ten percent of rooms with kitchens;
- (i) Transportation terminals;
- (j) Utility facilities essential to provision of utility services, but excluding construction or storage yards, maintenance facilities, or corporation yards;
- (k) Warehousing and distribution. (Ord. 3108 § 2 (part), 1979; Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

18.45.050 Site development regulations. The following site development regulations shall apply in the CS service commercial district:

- (a) Site Area. No requirement is established.
- (b) Site Width. No requirement is established.
- (c) Site Depth. No requirement is established.
- (d) Front Yard. No requirement is established.
- (e) Rear Yard. No requirement is established.
- (f) Side Yard. No requirement is established.
- (g) Floor Area Ratio. The maximum floor area ratio shall be 2.0 to 1.
- (h) Site Coverage. No requirement is established.
- (i) Height. The maximum height shall be 15.2 meters (fifty feet).
- (j) Accessory Facilities and Uses. Regulations governing accessory facilities and uses, and governing the application of site development regulations in specific instances are established by Chapter 18.88.
- (k) Outdoor Sales and Storage. Outdoor sales and display of merchandise, and outdoor eating areas operated incidental to permitted

eating and drinking services shall be permitted subject to the following regulations:

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(1) Outdoor sales and display shall not occupy a total site area exceeding the gross building floor area on the site, except as authorized by a conditional use permit.

(2) Areas used for outdoor sales and display of motor vehicles, boats, campers, camp trailers, trailers, trailer coaches, house cars, or similar conveyances shall meet the minimum design standards applicable to off-street parking facilities with respect to paving, grading, drainage, access to public streets and alleys, safety and protective features, lighting, landscaping, and screening.

(3) Exterior storage shall be prohibited, unless screened by a solid wall or fence of between 1.5 and 2.4 meters (five and eight feet) in height. (Ord. 3048 (part), 1978).

18.45.060 Parking and loading. (a) Off-street parking and loading facilities shall be required for all permitted and conditional uses in the CS service commercial district, in accord with Chapter 18.83. All parking and loading facilities on any site, whether required as minimums or optionally provided in addition to minimum requirements, shall comply with the regulations and design standards established by Chapter 18.83.

(b) Minimum parking requirements for selected uses permitted in the CS district shall be as follows:

(1) Medical, Professional, and General Business Offices. The minimum parking requirement shall be one space for each 23.2 square meters (two hundred fifty square feet) of gross floor area.

(2) Financial Services. The minimum parking requirement shall be one space for each 13.9 square meters (one hundred fifty square feet) of gross floor area for a bank or savings and loan office, and one space for each 23.2 square meters (two hundred fifty square feet) of gross floor area for other financial services.

(3) Personal Services. The minimum parking requirement shall be one space for each 13.9 square meters (one hundred fifty square feet) of gross floor area.

(4) Retail Services. The minimum parking requirement shall be one space for each 13.9 square meters (one hundred fifty square feet) of gross floor area (intensive) or each 32.5 square meters (three hundred fifty square feet) of gross floor area (extensive).

(5) Eating and Drinking Services. The minimum parking requirement shall be one space for four seats or four-person capacity.

(6) General Business Services. The minimum parking requirement shall be one space for each 32.5 square meters (three hundred fifty square feet) of gross floor area, plus one space for each 46.5 square meters (five hundred square feet) of exterior sales, display, or storage area.

(7) Automotive Services. The minimum parking requirement shall be one space for each 32.5 square meters (three hundred fifty square feet) of

gross floor area, plus one space for each 46.5 square meters (five hundred square feet) of exterior sales, display, or storage area.

(c) Location of Parking and Loading Spaces. No requirement is established except as established by Chapter 18.83 or other applicable provisions of this title. (Ord. 3048 (part), 1978).

18.45.070 Special requirements. The following special requirements shall apply in the CS service commercial district:

(a) Permitted residential uses shall be governed by the following additional regulations:

(1) Residential Density. For exclusive residential use on any site, the minimum site area per dwelling unit shall be two hundred thirty-two square meters (two thousand five hundred square feet) for the first dwelling unit and 83.6 square meters (nine hundred square feet) for each additional dwelling unit. For mixed residential and nonresidential use on any site, the minimum site area per dwelling unit shall be ninety square meters (nine hundred sixty-eight square feet). In computing residential densities for mixed residential and nonresidential uses, there shall be no deduction for that portion of site area in nonresidential use.

(2) Usable Open Space. For exclusive residential use on any site, not less than 27.9 square meters (three hundred square feet) of usable open space per each dwelling unit shall be provided on the site. For mixed residential and nonresidential use on any site, no usable open space shall be required.

(b) Sites abutting or having any portion located within 45.7 meters (one hundred fifty feet) of any RE, R-1, R-2, RM or any PC district permitting single-family development or multifamily development shall be subject to the following additional height and yard requirements.

(1) The maximum height shall be established by a daylight plane beginning at a height of 3.0 meters (ten feet) at the RE, R-1, R-2, RM or applicable PC district site line and increasing at a slope of one meter for each two meters of distance from the site line until intersecting the height limit otherwise established for the CS district.

(2) The maximum height within 45.7 meters (one hundred fifty feet) of any RE, R-1, R-2, RM or applicable PC district shall be 10.7 meters (thirty-five feet).

(3) On any portion of a site in the CS district which abuts a site in any RE, R-1, R-2, RM or applicable PC district, a minimum interior yard of 3.0 meters (ten feet) shall be required, and a solid wall or fence of between 1.5 and 2.4 meters (five and eight feet) in height shall be constructed and maintained along the common site line. The minimum interior yard shall be planted and maintained as a landscaped screen.

(4) On any portion of a site in the CS district which is opposite from a site in any RE, R-1, R-2, RM or applicable PC district and separated therefrom by a street, alley, creek, drainage facility, or other open area, a minimum yard of 3.0 meters (ten feet) shall be required. The minimum yard

shall be planted and maintained as a landscaped screen, excluding areas required for access to the site.

(c) All uses, whether permitted or conditional, shall be conducted in such a manner so as to preclude any nuisance, hazard, or commonly recognized offensive conditions or characteristics, including creation or emission of dust, gas, smoke, noise, fumes, odors, vibrations, particulate matter, chemical compounds, electrical disturbance, humidity, heat, cold, glare, or night illumination. Prior to issuance of a building permit or occupancy permit, or at any other time, the building inspector may require evidence that adequate controls, measures, or devices have been provided to ensure and protect the public interest, health, comfort, convenience, safety, and general welfare from such nuisance, hazard, or offensive condition. (Ord. 3108 §§ 1, 10, 1979; Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

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**PEDESTRIAN SHOPPING COMBINING
DISTRICT (P) REGULATIONS**

Sections:

- 18.47.010 Specific purposes.
- 18.47.020 Applicability of regulations.
- 18.47.030 Zoning map designation.
- 18.47.040 Use limitations and site development regulations.

18.47.010 Specific purposes. The pedestrian shopping combining district is intended to modify the regulations of the CN neighborhood commercial district and the CC community commercial district in locations where it is deemed essential to foster the continuity of retail stores and display windows and to avoid a monotonous pedestrian environment in order to establish and maintain an economically healthy retail district. (Ord. 3098 § 1, 1978; Ord. 3048 (part), 1978).

18.47.020 Applicability of regulations. The pedestrian shopping combining district may be combined with the CN or the CC district, in accord with Chapter 18.08 and Chapter 18.98. Where so combined, the regulations established by this chapter shall apply in lieu of, or in addition to, the provisions established by Chapter 18.41 or Chapter 18.43. (Ord. 3048 (part), 1978).

18.47.030 Zoning map designation. The pedestrian shopping combining district shall apply to any site adjacent to designated pedestrian frontage or pedestrian ways shown on the zoning map. (Ord. 3048 (part), 1978).

18.47.040 Use limitations and site development regulations. (a) Pedestrian Design Features Required. On any site, or portion of a site, adjoining a designated pedestrian sidewalk or pedestrianway, new construction and alterations to existing structures shall be required to provide the following design features intended to create pedestrian or shopper interest, to provide weather protection for pedestrians, and to preclude inappropriate or inharmonious building design and siting:

- (1) Display windows, or retail display areas;
- (2) Pedestrian arcades, recessed entryways, or covered recessed areas designed for pedestrian use with an area not less than the length of the adjoining frontage times 0.5 meters (1.5 feet);
- (3) Landscaping or architectural design features intended to preclude blank walls or building faces.

The specific nature and requirements of pedestrian design features shall be determined by the architectural review board, in accord with design guidelines prepared by that board pursuant to Chapter 16.48.

- (b) Parking and Vehicular Access Restricted. Vehicular access to sites

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adjoining designated pedestrian sidewalks or pedestrianways which requires vehicular movement across such pedestrian sidewalks or pedestrianways shall be prohibited, except where required by law or as may be authorized by a use permit in accord with Chapter 18.90.

(c) Parking and Vehicular Access Restricted. Vehicular access to sites adjoining designated pedestrian sidewalks or pedestrianways which requires vehicular movement across such pedestrian sidewalks or pedestrianways, shall be prohibited, except where required by law or as may be authorized by a use permit issued in accord with Chapter 18.90. (Ord. 3108 § 18, 1979; Ord. 3098 § 2, 1978; Ord. 3048 (part), 1978).

**GM GENERAL MANUFACTURING
DISTRICT REGULATIONS****Sections:**

- 18.55.010 Specific purposes.
- 18.55.020 Applicability of regulations.
- 18.55.030 Permitted uses.
- 18.55.040 Conditional uses.
- 18.55.050 Site development regulations.
- 18.55.060 Parking and loading.
- 18.55.070 Special requirements.

18.55.010 Specific purposes. The GM general manufacturing district is intended to create and maintain areas providing sites for a mixture of commercial, commercial service, and light industrial uses. The GM district is intended to apply primarily to light industrial areas identified by the Palo Alto comprehensive plan. (Ord. 3048 (part), 1978).

18.55.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all GM general manufacturing districts. (Ord. 3048 (part), 1978).

18.55.030 Permitted uses. The following uses shall be permitted in the GM general manufacturing district:

- (a) Accessory facilities and activities customarily associated with or essential to permitted uses, and operated incidental to the principal use;
- (b) Administrative office services;
- (c) Animal care, but excluding boarding and kennels;
- (d) Automotive services;
- (e) Business and trade schools;
- (f) Churches and religious institutions;
- (g) Convalescent facilities;
- (h) Day care centers, day care homes, family day care homes, and residential care homes;
- (i) Eating and drinking services, except drive-in and take-out services;
- (j) Financial services, except drive-in services;
- (k) General business services;
- (l) Home occupations, when accessory to permitted residential uses;
- (m) Lodging;
- (n) Manufacturing;
- (o) Medical, professional and general business offices;
- (p) Mortuaries;
- (q) Personal services;
- (r) Private clubs, lodges, or fraternal organizations;

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- (s) Private educational facilities;
- (t) Retail sales services;
- (u) Service and equipment yard;
- (v) Single-family uses, two-family uses, and multiple-family residential uses;
- (w) Warehousing and distribution. (Ord. 3048 (part), 1978).

18.55.040 Conditional uses. The following uses may be conditionally allowed in the GM general manufacturing district, subject to issuance of a conditional use permit in accord with Chapter 18.90:

- (a) Animal care, including boarding and kennels;
- (b) Automobile service stations, subject to site and design review in accord with the provisions of Chapter 18.82;
- (c) Commercial parking;
- (d) Commercial recreation;
- (e) Drive-in services or take-out services associated with permitted uses;
- (f) Transportation terminals.
- (g) Utility facilities. (Ord. 3048 (part), 1978).

18.55.050 Site development regulations. The following site development regulations shall apply in the GM general manufacturing district:

- (a) Site Area. No requirement is established.
- (b) Site Width. No requirement is established.
- (c) Site Depth. No requirement is established.
- (d) Front Yard. No requirement is established.
- (e) Rear Yard. No requirement is established.
- (f) Side Yard. No requirement is established.
- (g) Floor Area Ratio. The maximum floor area ratio shall be 1.0 to 1.
- (h) Site Coverage. No requirement is established.
- (i) Height. The maximum height shall be 15.2 meters (fifty feet).
- (j) Accessory Facilities and Uses. Regulations governing accessory facilities and uses, and governing the application of site development regulations in specific instances, are established by Chapter 18.88.
- (k) Outdoor Sales and Storage. Outdoor sales and display of merchandise, and outdoor eating areas operated incidental to permitted eating and drinking services shall be permitted subject to the following regulations:

(1) Outdoor sales and display shall not occupy a total site area exceeding the gross building floor area on the site, except as authorized by a conditional use permit.

(2) Areas used for outdoor sales and display of motor vehicles, boats, campers, camp trailers, trailers, trailer coaches, house cars, or similar conveyances shall meet the minimum standards applicable to off-street parking facilities with respect to paving, grading, drainage, access to public streets and alleys, safety and protective features, lighting, landscaping, and screening.

(3) Exterior storage shall be prohibited, unless screened by a solid wall or fence of between 1.5 and 2.4 meters (five and eight feet) in height. (Ord. 3048 (part), 1978).

18.55.060 Parking and loading. (a) Off-street parking and loading facilities shall be required for all permitted and conditional uses in the GM general manufacturing district, in accord with Chapter 18.83. All parking and loading facilities on any site, whether required as minimums or optionally provided in addition to minimum requirements, shall comply with the regulations and design standards established by Chapter 18.83.

(b) Minimum parking requirements for selected uses permitted in the GM general manufacturing district shall be as follows:

(1) Medical, Professional, and General Business Offices. The minimum parking requirement shall be one space for each 23.2 square meters (two hundred fifty square feet) of gross floor area.

(2) Financial Services. The minimum parking requirement shall be one space for each 13.9 square meters (one hundred fifty square feet) of gross floor area for a bank or savings and loan office, and one space for each 23.2 square meters (two hundred fifty square feet) of gross floor area for other financial services.

(3) Personal Services. The minimum parking requirement shall be one space for each 13.9 square meters (one hundred fifty square feet) of gross floor area.

(4) Retail Services. The minimum parking requirement shall be one space for each 13.9 square meters (one hundred fifty square feet) of gross floor area (intensive) or each 32.5 square meters (three hundred fifty square feet) of gross floor area (extensive).

(5) Eating and Drinking Services. The minimum parking requirement shall be one space for four seats or four-person capacity.

(6) General Business Services. The minimum parking requirement shall be one space for each 32.5 square meters (three hundred fifty square feet) of gross floor area, plus one space for each 46.5 square meters (five hundred square feet) of exterior sales, display, or storage area.

(7) Automotive Services. The minimum parking requirement shall be one space for each 32.5 square meters (three hundred fifty square feet) of gross floor area, plus one space for each 46.5 square meters (five hundred square feet) of exterior sales, display, or storage area.

(8) Warehousing and Distribution. The minimum parking requirement shall be one space for each 92.9 square meters (one thousand square feet) of gross floor area.

(9) Manufacturing. The minimum parking requirement shall be one space for each 46.5 square meters (five hundred square feet) of gross floor area.

(c) Location of Parking and Loading Spaces. No requirement, except as established by Chapter 18.83 or other applicable provisions of this title. (Ord. 3048 (part), 1978).

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18.55.070 Special requirements. The following special requirements shall apply in the GM general manufacturing district:

(a) Permitted residential uses shall be governed by the following additional regulations:

(1) Residential Density. For exclusive use on any site, the minimum site area per dwelling unit shall be two hundred seventy-nine square meters (three thousand square feet) for the first dwelling unit and one hundred eleven square meters (one thousand two hundred square feet) for each additional dwelling unit. For mixed residential and nonresidential use on any site, the minimum site area per dwelling unit shall be one hundred sixteen square meters (one thousand two hundred forty-five square feet). In computing residential densities for mixed residential and nonresidential uses, there shall be no deduction for that portion of site area in nonresidential use.

(2) Usable Open Space. For exclusive residential use on any site, not less than 27.9 square meters (three hundred square feet) of usable open space per each dwelling unit shall be provided on the site. For mixed residential and nonresidential use on any site, no usable open space shall be required.

(b) Sites abutting or having any portion located within 45.7 meters (one hundred fifty feet) of any RE, R-1, R-2, RM, or any PC district permitting single-family development or multifamily development, shall be subject to the following additional height and yard requirements:

(1) The maximum height shall be established by a daylight plane beginning at a height of 3.0 meters (ten feet) at the RE, R-1, R-2, RM, or applicable PC district site line and increasing at a slope of one meter for each two meters of distance from the site line until intersecting the height limit otherwise established for the GM district.

(2) The maximum height within 45.7 meters (one hundred fifty feet) of any RE, R-1, R-2, RM, or applicable PC district shall be 10.7 meters (thirty-five feet).

(3) On any portion of a site in the GM district which abuts a site in any RE, R-1, R-2, RM, or applicable PC district, a minimum interior yard of 3.0 meters (ten feet) shall be required, and a solid wall or fence of between 1.5 and 2.4 meters (five and eight feet) in height shall be constructed and maintained along the common site line. The minimum interior yard shall be planted and maintained as a landscaped screen.

(4) On any portion of a site in the GM district which is opposite from a site in any RE, R-1, R-2, RM, or applicable PC district and separated therefrom by a street, alley, creek, drainage facility, or other open area, a minimum of 3.0 meters (ten feet) shall be required. The minimum yard shall be planted and maintained as a landscaped screen, excluding areas required for access to the site.

(c) All uses, whether permitted or conditional, shall be conducted in such a manner so as to preclude any nuisance, hazard, or commonly recognized offensive conditions or characteristics, including creation or emission of dust, gas, smoke, noise, fumes, odors, vibrations, particulate

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matter, chemical compounds, electrical disturbance, humidity, heat, cold, glare, or night illumination. Prior to issuance of a building permit or occupancy permit, or at any other time, the building official may require evidence that adequate controls, measures, or devices have been provided to ensure and protect the public interest, health, comfort, convenience, safety, and general welfare from such nuisance, hazard, or offensive condition. (Ord. 3108 § 1 (part), 1979; Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

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**LM LIMITED INDUSTRIAL/RESEARCH
PARK DISTRICT REGULATIONS****Sections:**

- 18.60.010 Specific purposes.
- 18.60.020 Applicability of regulations.
- 18.60.030 Permitted uses.
- 18.60.040 Conditional uses.
- 18.60.050 Site development regulations.
- 18.60.060 Parking and loading.
- 18.60.070 Special requirements.

18.60.010 Specific purposes. The LM limited industrial/research park district is designed to create and maintain sites for a limited group of professional, administrative, research, and manufacturing uses which may have unusual requirements for space, light, and air, and desire sites in an industrial/research park environment. Combining district provisions are provided to adapt the site use and development regulations to meet the requirements of uses desiring smaller sites, or uses which can accommodate to large sites with uneven terrain. The LM district is primarily intended for application to sites identified for research/office park use by the Palo Alto comprehensive plan. (Ord. 3048 (part), 1978).

18.60.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all LM limited industrial/research park districts. Additionally, industrial site combining district regulations set forth in Section 18.63 may apply within portions of the LM district. (Ord. 3048 (part), 1978).

18.60.030 Permitted uses. The following uses shall be permitted in the LM limited industrial/research park district:

- (a) Accessory facilities and activities customarily associated with or essential to permitted uses, and operated incidental to the principal use;
- (b) Administrative office services;
- (c) Colleges and universities;
- (d) Home occupations, when accessory to permitted residential uses;
- (e) Manufacturing;
- (f) Medical, professional, and general business offices;
- (g) Private educational facilities;
- (h) Research and development;
- (i) Single-family uses, two-family uses, and multiple-family residential uses;
- (j) Warehousing and distribution. (Ord. 3048 (part), 1978).

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18.60.040 Conditional uses. The following uses may be conditionally allowed in the LM limited industrial/research park district, subject to issuance of a conditional use permit in accord with Chapter 18.90:

- (a) Automobile service stations, subject to site and design review in accord with the provisions of Chapter 18.82;
- (b) Eating and drinking services, except drive-in and take-out services;
- (c) Financial services;
- (d) Private clubs, lodges, or fraternal organizations;
- (e) Utility facilities essential to provision of utility services, but excluding construction or storage yards, maintenance facilities, or corporation yards. (Ord. 3048 (part), 1978).

18.60.050 Site development regulations. The following site development regulations shall apply in the LM limited industrial/research park district. When the LM district is combined with the industrial site combining district, the combining district regulations shall govern.

(a) **Site Area.** The minimum site area shall be four thousand seventy-four square meters (one acre).

(b) **Site Width.** The minimum site width shall be 30.5 meters (one hundred feet).

(c) **Site Depth.** The minimum site depth shall be 45.7 meters (one hundred fifty feet).

(d) **Front Yard.** The minimum front yard shall be 6.1 meters (twenty feet).

(e) **Rear Yard.** The minimum rear yard shall be 6.1 meters (twenty feet).

(f) **Side Yards.** The following side yard regulations shall apply:

(1) The minimum interior side yard shall be 6.1 meters (twenty feet).

(2) The minimum street side yard shall be 6.1 meters (twenty feet).

(g) **Floor Area Ratio.** The maximum floor area ratio shall be 0.4 to 1.

(h) **Site Coverage.** The maximum site coverage shall be thirty percent of the site area.

(i) **Height.** The maximum height shall be 10.7 meters (thirty-five feet); provided, that any portion of a structure greater than 7.6 meters (twenty-five feet) in height shall be located a minimum of 12.2 meters (forty feet) from any site in a residential district.

(j) **Accessory Facilities and Uses.** Regulations governing accessory facilities and uses, and governing the application of site development regulations in specific instances, are established by Chapter 18.88.

(k) **Outdoor Activity.** All uses and activities shall be conducted within a building, except the following permitted outdoor activities:

(1) Outdoor activities associated with residential use;

(2) Landscaping;

(3) Parking and loading facilities;

(4) Noncommercial recreational activities and facilities accessory to permitted or conditional uses;

(5) Activities and facilities accessory to conditional uses, when authorized by a conditional use permit. (Ord. 3048 (part), 1978).

18.60.060 Parking and loading. (a) Off-street parking and loading facilities shall be required for all permitted and conditional uses in the LM limited industrial/research park district, in accord with Chapter 18.83. All parking and loading facilities on any site, whether required as minimums or optionally provided in addition to minimum requirements, shall comply with the regulations and design standards established by Chapter 18.83.

(b) Minimum parking requirements for selected uses permitted in the LM limited industrial/research park district shall be as follows:

(1) Medical, Professional, and General Business Offices. The minimum parking requirement shall be one space for each 27.9 square meters (three hundred square feet) of gross floor area.

(2) Administrative Office Services, Research and Development, Warehousing and Distribution, and Manufacturing. The minimum parking requirement shall be one space for each 27.9 square meters (three hundred square feet) of gross floor area.

(c) Location of Parking and Loading Spaces. No requirement, except as established by Chapter 18.83 or other applicable provisions of this title. (Ord. 3048 (part), 1978).

18.60.070 Special requirements. The following special requirements shall apply in the LM limited industrial/research park district:

(a) Permitted residential uses shall be governed by the following additional regulations:

(1) Residential Density. For exclusive residential use on any site, the minimum site area per dwelling unit shall be two hundred seventy-nine meters (three thousand square feet) for the first dwelling unit and one hundred eleven square meters (twelve hundred square feet) for each additional dwelling unit. For mixed residential and nonresidential use on any site, the minimum site area per dwelling unit shall be one hundred sixteen square meters (one thousand two hundred forty-five square feet). In computing residential densities for mixed residential and nonresidential uses, there shall be no deduction for that portion of site area in nonresidential use.

(2) Usable Open Space. For exclusive residential use on any site, not less than 27.9 square meters (three hundred square feet) of usable open space per each dwelling unit shall be provided on the site. For mixed residential and nonresidential use on any site, no usable open space shall be required.

(b) Sites abutting or having any portion located within 45.7 meters (one hundred fifty feet) of any RE, R-1, R-2, RM, or any PC district permitting single-family development or multiple-family development, shall be subject to the following additional height and yard requirements:

(1) On any portion of a site in the LM district which abuts a site in any RE, R-1, R-2, RM, or applicable PC district, a minimum interior yard of a

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minimum of 6.1 meters (twenty feet) and no more than 15.2 meters (fifty feet), as determined pursuant to Chapter 16.48, shall be required, and a solid wall or fence of between 1.5 and 2.4 meters (five and eight feet) in height shall be constructed and maintained along the common site line. The first 6.1 meters (twenty feet) of any such yard abutting said residential district shall be planted and maintained as a landscaped screen.

(2) On any portion of a site in the LM district which is opposite from a site in any RE, R-1, R-2, RM, or applicable PC district and separated therefrom by a street, alley, creek, drainage facility, or other open area, a minimum yard of a minimum of 6.1 meters (twenty feet) nor more than 15.2 meters (fifty feet), as determined pursuant to Chapter 16.48, shall be required. The first 6.1 meters (twenty feet) of any such yard opposite from said residential district shall be planted and maintained as a landscaped screen.

(c) All uses, whether permitted or conditional, shall be conducted in such a manner so as to preclude any nuisance, hazard, or commonly recognized offensive conditions or characteristics, including creation or emission of dust, gas, smoke, noise, fumes, odors, vibrations, particulate matter, chemical compounds, electrical disturbance, humidity, heat, cold, glare, or night illumination. Prior to issuance of a building permit or occupancy permit, or at any other time, the building official may require evidence that adequate controls, measures, or devices have been provided to ensure and protect the public interest, health, comfort, convenience, safety, and general welfare from such nuisance, hazard, or offensive condition. (Ord. 3108 § 1 (part), 1979; Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

**LIMITED INDUSTRIAL SITE COMBINING
DISTRICT (1, 5) REGULATIONS**

Sections:

- 18.63.010 Specific purposes.
- 18.63.020 Applicability of regulations.
- 18.63.030 Combining district classifications.
- 18.63.040 Site development regulations.

18.63.010 Specific purposes. The limited industrial site combining district is intended to modify the site development regulations of the LM limited industrial/research park district, where applied in combination with such district, to provide regulations applicable to sites of differing size and topographic characteristics. (Ord. 3048 (part), 1978).

18.63.020 Applicability of regulations. The limited industrial site combining district may be combined with the LM district, in accord with Chapter 18.08 and Chapter 18.98. Where so combined, the regulations set forth in this chapter shall apply in lieu of the comparable provisions established by the LM district regulations. (Ord. 3048 (part), 1978).

18.63.030 Combining district classifications. The limited industrial site combining district shall consist of two classifications, establishing differing site development regulations, either of which may be combined with the general LM district. Each classification of the limited industrial site combining district shall be identified on the zoning map, when combined with the LM district, by a number within parentheses corresponding to the applicable site development regulations specified in the table in Section 18.63.040. (Ord. 3048 (part), 1978).

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18.63.040 Site development regulations. Within any LM district which may be combined with the limited industrial site combining district, the site development regulations specified in the following table shall apply in lieu of the regulations otherwise applicable within the LM district.

Site Development Regulation	General LM District LM	LM (1) Combining District LM (1)	LM (5) Combining District LM (5)
Zoning map designation			
Minimum site area	4,074 sq. meters (1 acre)	1,858 sq. meters (20,000 sq. ft.)	20,234 sq. meters (5 acres)
Minimum site width	30.5 meters (100 feet)	30.5 meters (100 feet)	76.2 meters (250 feet)
Minimum site depth	45.7 meters (150 feet)	30.5 meters (100 feet)	76.2 meters (250 feet)
Minimum front yard	6.1 meters (20 feet)	6.1 meters (20 feet)	30.5 meters (100 feet)
Minimum rear yard	6.1 meters (20 feet)	6.1 meters (20 feet)	12.2 meters (40 feet)
Minimum interior side yard	6.1 meters (20 feet)	3.0 meters (10 feet)	12.2 meters (40 feet)
Minimum street side yard	6.1 meters (20 feet)	3.0 meters (10 feet)	21.3 meters (70 feet)
Maximum floor area ratio	0.4 to 1	0.5 to 1	0.3 to 1
Maximum site coverage	30 percent	35 percent	15 percent
Maximum height (generally)	10.7 meters (35 feet)	10.7 meters (35 feet)	10.7 meters (35 feet)
Maximum height within specified distance from a residential district	7.6 meters (25 feet) within 12.2 meters (40 feet) of residential	7.6 meters (25 feet) within 6.1 meters (20 feet) of residential	7.6 meters (25 feet) within 24.4 meters (80 feet) of residential

(Ord. 3048 (part), 1978).

Chapter 18.68

PC PLANNED COMMUNITY
DISTRICT REGULATIONS

Sections:

- 18.68.010 Specific purposes.
- 18.68.020 Applicability of regulations.
- 18.68.030 Permitted uses.
- 18.68.040 Conditional uses.
- 18.68.050 Establishment of districts.
- 18.68.060 Required determinations.
- 18.68.065 Application process.
- 18.68.070 Application requirements.
- 18.68.080 Development program statement.
- 18.68.090 Development plan.
- 18.68.100 Development schedule.
- 18.68.110 Action by commission.
- 18.68.120 Action by council.
- 18.68.130 Change in development schedule.
- 18.68.140 Reversion.
- 18.68.150 Special requirements.

18.68.010 Specific purposes. The PC planned community district is intended to accommodate developments for residential, commercial, professional, research, administrative, industrial, or other activities, including combinations of uses appropriately requiring flexibility under controlled conditions not otherwise attainable under other districts. The planned community district is particularly intended for unified, comprehensively planned developments which are of substantial public benefit, and which conform with and enhance the policies and programs of the Palo Alto comprehensive plan. (Ord. 3048 (part), 1978).

18.68.020 Applicability of regulations. The specific regulations of this chapter, and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all planned community districts. Notwithstanding the regulations of Chapters 18.83 to 18.99, inclusive, where specific regulations are adopted pursuant to Sections 18.68.110 and 16.68.120, the specific regulations so adopted shall apply to that planned community district. (Ord. 3108 § 22, 1979; Ord. 3070 § 3, 1978; Ord. 3048 (part), 1978).

18.68.030 Permitted uses. Any use may be permitted in any specific PC district; provided such use shall be specifically listed as a permitted use and shall be located and conducted in accord with the approved development plan and other applicable regulations adopted pursuant to this chapter to govern each specific PC district. (Ord. 3048 (part), 1978).

18.68.040 Conditional uses. Any use may be established as a conditional use in any specific PC district, provided such use shall be specifically listed as a conditional use subject to the provisions of Chapter 18.90, and shall be located and conducted in accord with the approved development plan and other applicable regulations adopted pursuant to this chapter to govern each specific PC district. (Ord. 3048 (part), 1978).

18.68.050 Establishment of districts. Planned community districts may be established, modified, or removed from the zoning map, and the regulations applicable to any specific PC district may be established, modified, or deleted in accord with Chapter 18.98.

All PC districts shall be identified on the zoning map with the letter coding "PC" followed by a specific reference number identifying each separate district. All use regulations, development plans, development schedules, and other regulatory provisions adopted pursuant to this chapter, or pursuant to Chapter 18.98, which apply to any specific PC district, shall be considered to be a part of this title as if fully set forth in this title, and shall be identified by reference to the corresponding designation of each specific PC district on the zoning map. (Ord. 3048 (part), 1978).

18.68.060 Required determinations. The planning commission, prior to recommending approval of any PC district application, and the city council, prior to approving an ordinance designating and regulating any PC district, shall make all of the following required findings with respect to the application, in addition to findings required by Chapter 18.98:

(a) The site is so situated, and the use or uses proposed for the site are of such characteristics that the application of general districts or combining districts will not provide sufficient flexibility to allow the proposed development.

(b) Development of the site under the provisions of the PC planned community district will result in public benefits not otherwise attainable by application of the regulations of general districts or combining districts. In making the findings required by this section, the planning commission and city council, as appropriate, shall specifically cite the public benefits expected to result from use of the planned community district.

(c) The use or uses permitted, and the site development regulations applicable within the district shall be consistent with the Palo Alto comprehensive plan, and shall be compatible with existing and potential uses on adjoining sites or within the general vicinity. (Ord. 3048 (part), 1978).

18.68.065 Application process. (a) The applicant for a PC district shall initially submit to the planning commission a development program statement, development plan, and a development schedule which are described in Sections 18.68.080, 18.68.090, and 18.68.100. The plot plans, landscape development plan, and design plan in the development plan should only be preliminary during this phase of review by the planning commission.

(b) If the planning commission acts favorably in its initial review of the PC application, the development plan, except for single-family uses and accessory uses, shall then be submitted to the architectural review board (ARB) for review pursuant to regulations in Chapter 16.48.

In this phase, a detailed plot plan, landscape development plan, and design plan of the development plan shall be submitted for ARB review.

(c) The development plan as approved by the architectural review board is then returned to the planning commission for final planning commission review and recommendation before being submitted to the city council for final action. (Ord. 3048 (part), 1978).

18.68.070 Application requirements. In addition to the provisions of Chapter 18.98, each application for a PC district shall be accompanied by a development program statement, a development plan, and a development schedule.

The development plan shall, as approved by the city council, become a part of the zoning regulations applicable within the respective PC district. Subsequent changes in the development plan shall be made in accord with Chapters 18.98 and 18.99.

The development schedule shall, as approved by the city council, become a part of the zoning regulations applicable within the respective PC district. Subsequent changes in the development schedule, if included as part of the regulations, shall be made in accord with Chapters 18.98 and 18.99; provided, that specifically authorized changes may be made by the zoning administrator pursuant to Section 18.68.130. (Ord. 3048 (part), 1978).

18.68.080 Development program statement. The purpose of the development program statement shall be to describe the proposed use or uses to be conducted in the district in a manner sufficient to enable preparation and consideration of regulations governing permitted uses, conditional uses, site use and development regulations, off-street parking and loading requirements, and other special regulations which may be appropriate to govern development, use, and maintenance of the site or sites included within the PC district.

The development program statement shall include the following:

(a) A statement by the applicant demonstrating the necessity of the application for the PC district, including information demonstrating the compliance of the proposed development with the required determinations set forth in Section 18.68.060;

(b) A complete listing of all uses proposed, or potentially to be included, within the PC district, incorporating insofar as possible the terminology used in other parts of this title to define, describe, and regulate permitted uses and conditional uses, and the definitions pertinent thereto;

(c) A complete description of the nature of uses proposed, and the conditions or characteristics of occupancy, use, or operation, with particular reference to those conditions or characteristics which may warrant

regulation differing from those regulations which might apply to such uses if located in one or more general districts within the city;

(d) A schedule or statement indicating the number, type, floor area, number of bedrooms, and projected sale or rental price of all housing units proposed in the district;

(e) Such additional information as the zoning administrator may prescribe as necessary, in his judgment, to facilitate review and action on the application by the planning commission, the architectural review board, and the city council. (Ord. 3048 (part), 1978).

18.68.090 Development plan. The development plan submitted with the application for a PC district shall include the following, unless waived by the zoning administrator for cause:

(a) An aerial photograph of the site and adjacent land within two hundred fifty feet of the site, at a scale to be prescribed by the zoning administrator. The zoning administrator may specify that information required by subsections (b) through (i) be superimposed on the aerial photograph, or a duplicate copy thereof;

(b) A map showing any public or private streets, proposed building sites, and any areas proposed to be dedicated or reserved for parks, parkways, paths, playgrounds, school sites, public buildings and other such uses. Compliance with this requirement shall not be construed to relieve the applicant from compliance with the subdivision code in Title 21, or any other applicable ordinances of the city;

(c) A map showing the existing and proposed topography of the proposed district at contour intervals as determined appropriate by zoning administrator;

(d) A land use plan for the proposed district indicating the areas proposed for each use or combination of uses identified by the development program statement;

(e) A plot plan or plans for each building site in the proposed district, or any portion thereof, in such form as required by the zoning administrator. The required plans shall show the location of all proposed buildings and principal site improvements, shall indicate dimensions of buildings, site lines, and improvements, and shall indicate the location of physical or natural site features, including trees, and any changes proposed thereto.

(f) A landscape development plan, showing the boundaries and location of proposed landscaped areas and exterior site improvements, including but not limited to lights, swimming pools, and service and refuse areas.

(g) A circulation plan, indicating the proposed movement of vehicles, goods, and pedestrians within the district, and to and from adjacent public thoroughfares. Any special engineering features and traffic regulation devices needed to insure safety or to facilitate ease of access and circulation, whether on or off the site, shall be shown.

(h) A parking and loading plan, showing the number of spaces and the

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location, internal circulation, and dimensions of all parking and loading areas. The parking and loading plan shall be based upon the requirements of Chapter 18.83, unless requested modifications to meet the needs of the individual project are supported by traffic engineering studies or relevant data, as may be required by the zoning administrator, demonstrating the feasibility and adequacy of the plan.

(i) Preliminary design plans, including such schematic floor plans, schematic exterior elevations and sections, and/or perspective drawings, as may be necessary to indicate the height of proposed buildings and the general appearance of the proposed structures to the end that the entire development will have architectural unity and will be compatible with existing and proposed neighborhood development. Such drawings need not show final architectural detail. Construction drawings and contract plans, subsequently submitted with applications for required permits or other construction approvals pursuant to approved PC district regulations, shall conform substantially to the preliminary design plans, and shall be subject to all applicable review and permit requirements in effect at the time of approval and permit issuance. (Ord. 3108 § 20, 1979; Ord. 3048 (part), 1978).

18.68.100 Development schedule. The development schedule submitted with the application for a PC district shall include the following:

(a) A schedule, indicating to the best of the applicant's knowledge, the approximate date on which construction or development is expected to begin, the duration of time required for completion of the development, and the approximate date or dates of occupancy;

(b) A phasing program, indicating, in the event the proposed development within the district is expected to require more than two years for completion and occupancy, a logical or programmed sequence of phases and incorporating a schedule as described in subsection (a) for each phase of development. (Ord. 3048 (part), 1978).

18.68.110 Action by commission. In addition to the requirements of Chapter 18.98, the planning commission shall review and consider all materials submitted by the applicant pursuant to this chapter, and shall prepare and recommend to the city council, as appropriate, the specific regulations to be applied within the proposed planned community district. The specific regulations may modify those regulations contained in Chapters 18.83 to 18.99, inclusive, as is appropriate to meet the individual district, and shall include the following:

(a) Permitted Uses. A listing of all uses to be permitted generally within the district, or the uses to be permitted in specific locations within the district as shown on the development plan;

(b) Conditional Uses. A listing of all uses to be conditionally allowed within the district, or the uses to be permitted in specific locations within the district as shown on the development plan;

(c) **Site Development Regulations.** Maximum or minimum regulations, as appropriate, governing site dimensions, required yards and distances between buildings, site coverage, building height, residential density, and floor area ratio, open space requirements, accessory facilities and uses, and other aspects of the proposed development within the district. The regulations may be in text, or by reference to the development plan, or both. In no event shall the maximum height exceed 15.2 meters (fifty feet) except as provided in Chapter 18.90;

(d) **Parking and Loading Requirements.** Regulations establishing off-street parking and loading requirements for the district, and governing design, location, screening, landscaping and operation of parking and loading activities. The regulations may be by reference to Chapter 18.83, or in text if the regulations of Chapter 18.83 are modified for the individual district, or both;

(e) **Special Requirements.** Additional regulations, as may be appropriate to assure a harmonious relationship between uses within the district, and a compatible relationship with existing or potential uses within adjoining districts, may be recommended by the commission. Such regulations may include additional height limitations, yard requirements, landscaping and screening, provisions governing outdoor activities, and other requirements;

(f) **Development Plan and Development Schedule.** The development plan submitted pursuant to Section 18.68.090 and the development schedule submitted pursuant to Section 18.68.100, as amended or approved by the planning commission, shall be recommended for inclusion in the regulations applicable to the PC planned community district;

(g) **Definitions.** Definitions applicable specifically to the regulations recommended for the district may be included. (Ord. 3108 § 21, 1979; Ord. 3048 (part), 1978).

18.68.120 Action by council. In the event the city council adopts an ordinance pursuant to Chapter 18.98 establishing a specific PC planned community district, the council shall include the regulations described in Section 18.68.110, either as recommended by the planning commission or as modified by the council. (Ord. 3048 (part), 1978).

18.68.130 Change in development schedule. For good cause shown by the property owner in writing and unless otherwise specified by the specific applicable regulations for the district, prior to the expiration of the original time schedule for the development, the zoning administrator may, without a public hearing, modify the time limits imposed by any adopted development schedule; provided, that such modification shall not extend the schedule by more than one year; and provided, that only one such modification may be made. (Ord. 3048 (part), 1978).

18.68.140 Reversion. Failure to meet the adopted development schedule shall result in the immediate reversion of the PC district to the previously existing district or to a successor district. Upon such reversion, the zoning administrator shall notify the applicant, the last known owner or owners or property within the district, the city council, the planning commission, and the building official. (Ord. 3048 (part), 1978).

18.68.150 Special requirements. Sites abutting or having any portion located within 45.7 meters (one hundred fifty feet) of any RE, R-1, R-2, RM, or any PC district permitting single-family development or multiple-family development shall be subject to the following additional height and yard requirements:

(1) The maximum height shall be established by a daylight plane beginning at a height of 3.0 meters (ten feet) at the RE, R-1, R-2, RM, or applicable PC planned commercial district regulations. PC district site line and increasing at a slope of one meter for each two meters of distance from the site line until intersecting the height limit otherwise established for the PC district.

(2) The maximum height within 45.7 meters (one hundred fifty feet) of any RE, R-1, R-2, RM or applicable PC district shall be 10.7 meters (thirty-five feet).

(3) On any portion of a site in the PC district which abuts a site in any RE, R-1, R-2, R-M, or applicable PC district, a minimum interior yard of 3.0 meters (ten feet) shall be required, and a solid wall or fence between 1.5 and 2.4 meters (five and eight feet) in height shall be constructed and maintained along the common site line. The minimum interior yard shall be planted and maintained as a landscaped screen.

(4) On any portion of a site in the PC district which is opposite from a site in any RE, R-1, R-2, RM, or applicable PC district and separated therefrom by a street, alley, creek, drainage facility, or other open area, a minimum yard of 3.0 meters (ten feet) shall be required. The minimum yard shall be planted and maintained as a landscaped screen, excluding areas required for access to the site. (Ord. 3048 (part), 1978).

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Chapter 18.70

LANDSCAPE COMBINING DISTRICT
(L) REGULATIONS

Sections:

- 18.70.010 Specific purposes.
- 18.70.020 Applicability of regulations.
- 18.70.030 Zoning map designation.
- 18.70.040 Use limitations.

18.70.010 Specific purposes. The landscape combining district is intended to provide regulations to ensure the provision of landscaped open space as a physical and visual separation between residential districts and intensive commercial or industrial uses, and in selected locations where landscaped buffers are desirable. (Ord. 3048 (part), 1978).

18.70.020 Applicability of regulations. The landscape combining district may be combined with any other district established by this title, in accord with the provisions of Chapter 18.08 and Chapter 18.98. Where so combined, the provisions of this chapter shall apply in lieu of the corresponding provisions of the general district with which the landscape combining district is combined. (Ord. 3048 (part), 1978).

18.70.030 Zoning map designation. The landscape combining district shall be applied only adjoining site lines or property lines, where consistent with the purposes of this chapter, and shall be designated on the zoning map by the symbol "L" within parentheses, following the general district designation for the district with which it is combined. The dimension of the landscape combining district, measured at right angles to the property line, shall be indicated on the zoning map. (Ord. 3048 (part), 1978).

18.70.040 Use limitations. (a) Permitted Uses. Within the landscape combining district, permitted uses shall be limited to the following uses only, in lieu of any uses prescribed for the general district:

- (1) Landscaping and screen planting;
- (2) Such fences or walls adjoining the property line as may be required by the provisions of the general district regulations.

(b) Conditional Uses. Within the landscape combining district, conditional uses shall be limited to the following uses only, in lieu of any uses prescribed for the general district:

- (1) Noncommercial recreational activities and facilities, when conducted primarily in open, unenclosed landscaped areas, and when conducted accessory to or in association with uses listed as permitted uses or as conditional uses in the general district;

- (2) Pedestrian, bicycle, and equestrian pathways, walkways and trails, or vehicular access drives, when serving uses listed as permitted or conditional uses in the general district. (Ord. 3048 (part), 1978).

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OS OPEN SPACE DISTRICT REGULATIONS**Sections:**

- 18.71.010 Specific purposes.
- 18.71.020 Definitions.
- 18.71.030 Regulations established.
- 18.71.040 Site and design approval required.
- 18.71.050 Uses permitted.
- 18.71.060 Uses requiring use permits.
- 18.71.070 Lot area.
- 18.71.080 Maximum building coverage.
- 18.71.090 Front yard.
- 18.71.100 Side yards.
- 18.71.110 Rear yards.
- 18.71.120 Automobile.
- 18.71.130 Building height limit.
- 18.71.140 Special regulations.

18.71.010 Specific purposes. The purpose and intent of this district is:

- (a) To protect the public health, safety, and welfare;
- (b) To protect and preserve open space land as a limited and valuable resource;
- (c) To permit the reasonable use of open space land, while at the same time preserving and protecting its inherent open space characteristics to assure its continued availability for the following: as agricultural land, scenic land, recreation land, conservation or natural resource land; for the containment of urban sprawl and the structuring of urban development; and for the retention of land in its natural or near-natural state to protect life and property in the community from the hazards of fire, flood, and seismic activity; and
- (d) To coordinate with and carry out federal, state, regional, county, and city open space plans. (Ord. 3048 (part), 1978).

18.71.020 Definitions. As used in this chapter, unless otherwise apparent from the context, the following definitions shall apply:

- (a) "Conservation of natural resource land" means land which possesses or encompasses conservation or natural resources.
- (b) "Conservation or natural resource," includes, but is not necessarily limited to, streams, watersheds, groundwater recharge, soils, wildlife habitat, as defined in this section, special land forms, and natural vegetation.
- (c) "Open space land" means any parcel or area of land essentially unimproved or in its natural state, and devoted to an open space use as defined in this section, and which is designated in the open space element for an open space use.
- (d) "Open space district" means any area of land or water designated

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"OS" and subject to all of the terms and regulations of this chapter.

(e) "Open Space Use" means the use of land for:

- (1) Public recreation;
- (2) Enjoyment of scenic beauty;
- (3) Conservation or use of natural resources;
- (4) Production of food or fiber;
- (5) Protection of persons and their artifacts (buildings, property, etc.);
- (6) Containment and structuring of urban development.

(f) "Recreation land" means any area of land or water susceptible to recreational uses.

(g) "Scenic land" means any area of land or water which possesses scenic qualities worthy of preservation.

(h) "Wildlife habitat" means any area of land or water valuable or necessary to the preservation or enhancement of wildlife resources. (Ord. 3048 (part), 1978).

18.71.030 Regulations established. The specific regulations set forth in this chapter and the regulations set forth in Chapter 18.88 shall apply in all OS districts. (Ord. 3048 (part), 1978).

18.71.040 Site and design approval required. All uses permitted within this district, including those for which a use permit is required, shall be subject to approval for any development, construction, or improvements as provided in Chapter 18.82. (Ord. 3048 (part), 1978).

18.71.050 Uses permitted. Permitted uses include the following:

(a) Agricultural uses:

- (1) Animal husbandry,
- (2) Crops,
- (3) Dairying,
- (4) Horticulture, including nurseries,
- (5) Livestock farming,
- (6) Tree farming,
- (7) Viticulture and similar uses not inconsistent with the intent and purpose of this chapter, but excluding hog farming;

(b) Botanical conservatories, outdoor nature laboratories, and similar facilities;

(c) Native wildlife sanctuaries;

(d) Single-family dwellings;

(e) Accessory facilities and accessory uses. (Ord. 3048 (part), 1978).

18.71.060 Uses requiring use permits. A use permit shall be first obtained for the following uses as provided in Chapter 18.90 when the applicant can establish adequate justification that the proposed use will be consistent and compatible with the intent and purpose of this chapter, and that the number of employees and resident population approximates that

which would result from a principal permitted use:

- (a) Animal care, including boarding and kennels,
- (b) Cemeteries, not including mausolea, crematoria, or columbaria. All markers of graves shall be flush with grade level and be deemed to be impervious area under this chapter;
- (c) Communication and utility facilities;
- (d) Educational, charitable, research, and philanthropic institutions;
- (e) Guest ranches;
- (f) Recreational uses including riding academies, clubs, stables, country clubs, and golf courses. (Ord. 3048 (part), 1978).

18.71.070 Lot area. Minimum lot area shall be forty thousand four hundred sixty-nine square meters (ten acres). (Ord. 3048 (part), 1978).

18.71.080 Maximum building coverage. The maximum impervious area and building coverage shall be 3.5 percent. (Ord. 3048 (part), 1978).

18.71.090 Front yard. Front yards shall be a minimum of 9.1 meters (thirty feet). (Ord. 3048 (part), 1978).

18.71.100 Side yards. Side yards shall be a minimum of 9.1 meters (thirty feet). (Ord. 3048 (part), 1978).

18.71.110 Rear yards. Rear yards shall be a minimum of 9.1 meters (thirty feet). (Ord. 3048 (part), 1978).

18.71.120 Automobile. Four car spaces shall be required for each dwelling unit, one of which shall be covered parking. Such spaces shall not be located in any required front or side yard. (Ord. 3048 (part), 1978).

18.71.130 Building height limit. Buildings shall not exceed two stories, or 7.6 meters (twenty-five feet). (Ord. 3048 (part), 1978).

18.71.140 Special regulations. (a) Geological Soils Investigation and Report. All applications for site and design approval shall be accompanied by a combined in-depth geologic and soils investigation and report prepared by a registered geologist certified by the state of California as an engineering geologist, and by a licensed civil engineer qualified in soil mechanics. Such report shall be based on surface, subsurface, and laboratory investigations and examinations and shall fully and clearly present:

- (1) All pertinent data, interpretations, and evaluations;
- (2) The significance of the data, interpretations, and evaluations with respect to the actual development or implementation of the intended land uses, and with respect to the effect upon future geological processes both on and off the site;
- (3) Recommendations for any additional investigations that should be

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made. All costs and expenses incurred as a result of the requirements of this section, including the costs and expense of an independent review of the material submitted under this chapter by qualified persons retained by the city, shall be borne by the applicant.

(b) Landscaping. The existing natural vegetation and land formations shall remain in a natural state unless modification is found to be necessary for a specific use allowed in this chapter through the site and design approval procedure. Reduction or elimination of fire hazards will be required where heavy concentrations of flammable vegetation occur. Landscaping as may be necessary and required shall be consistent with the purpose of this chapter.

(c) Tree Removal. Removal of live trees shall be permitted as provided in Title 8.

(d) Access to Remote Areas. Roads, tracks, driveways, trails, or runways for automobiles, trucks, buses, or motorcycles or other wheeled vehicles shall not be developed except upon the securing of site and design approval. No such approval shall be granted except upon finding that the purpose for which the roads, tracks, driveways, trails, or runways are proposed is essential for the establishment or maintenance of a use which is expressly permitted in this chapter and that the design and location of the proposed roads, tracks, driveways, trails, or runways will be compatible with the terrain.

The use of all roads, tracks, driveways, trails, or runways existing at the time of the adoption of this chapter which are nonconforming or have been established without proper approvals shall be terminated and shall be returned to natural terrain unless given approval in accordance with the regulations set forth in this chapter.

(e) Grading. No grading for which a grading permit is required shall be authorized except upon the securing of site and design approval. No such approval shall be granted except upon a finding that the purpose for which the grading is proposed is essential for the establishment or maintenance of a use which is expressly permitted in this chapter and that the design, scope, and location of the grading proposed will be compatible with adjacent areas and will result in the least disturbance of the terrain and natural land features. All grading for which no permits or approvals are required shall be subject to the provisions set forth in this chapter.

(f) Soil Erosion and Land Management. No site and design plan shall be approved unless it includes soil erosion and sediment control measures in accordance with any adopted procedures, technical standards, and specifications of the planning commission. No approval will be granted unless all needed erosion control measures have been completed or substantially provided for in accordance with said standards and specifications. The applicant shall bear the final responsibility for the installation and construction of all required erosion control measures according to the provisions of said standards and specifications.

(h) Subdivision. All divisions of land into four or more parcels shall be designed on the cluster principle and shall be designed to minimize roads; to

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minimize cut, fill, and grading operations; to locate development in less rather than more conspicuous areas; and to achieve the purpose of this chapter.

(i) Substandard Lots. Any parcel of land not meeting the area or dimension requirements of this chapter is a lawful building site if such parcel was a lawful building site on July 5, 1972. All other requirements of this chapter shall apply to any such parcel. (Ord. 3048 (part), 1978).

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**AC AGRICULTURAL CONSERVATION
DISTRICT REGULATIONS****Sections:**

- 18.72.010 Specific purposes.
- 18.72.020 Applicability of regulations.
- 18.72.030 Permitted uses.
- 18.72.040 Conditional uses.
- 18.72.050 Site development regulations.
- 18.72.060 Parking and loading.
- 18.72.070 Special requirements.

18.72.010 Specific purposes. The AC agricultural conservation district is intended to permit agricultural and compatible uses on property intended for preservation and retention essentially in its natural, farmed, or landscaped state. (Ord. 3048 (part), 1978).

18.72.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all AC agricultural conservation districts. (Ord. 3048 (part), 1978).

18.72.030 Permitted uses. The following uses shall be permitted in the AC agricultural conservation district:

- (a) Agricultural use, excepting the conduct and maintenance of hog farms;
- (b) Residential use, and accessory buildings and uses customarily incidental to permitted dwellings; provided, however, that such permitted dwellings shall be for the exclusive use of the owner or owners, or lessee or lessor of land upon which permitted agricultural use is conducted, and the residence of other members of the same family and bona fide employees of the aforementioned;
- (c) Sale of agricultural products produced on the premises; provided, that no permanent commercial structure for the sale or processing of agricultural products shall be permitted. (Ord. 3048 (part), 1978).

18.72.040 Conditional uses. The following uses may be conditionally allowed in the AC agricultural conservation district, subject to issuance of a conditional use permit in accord with Chapter 18.90:

- (a) Animal care, including boarding and kennels;
- (b) Outdoor recreation services;
- (c) Utility facilities essential to provision of utility services to the neighborhood, but excluding business offices, construction or storage yards, maintenance facilities, or corporation yards;
- (d) Cemeteries. (Ord. 3108 § 11, 1979; Ord. 3048 (part), 1978).

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18.72.050 Site development regulations. The following site development regulations shall apply in the AC agricultural conservation district:

(a) **Site Area.** The minimum site area shall be twenty thousand two hundred thirty-four square meters (five acres).

(b) **Site Width.** The minimum site width shall be 76.2 meters (two hundred fifty feet).

(c) **Site Depth.** The minimum site depth shall be 76.2 meters (two hundred fifty feet).

(d) **Front Yard.** The minimum front yard shall be 9.2 meters (thirty feet).

(e) **Rear Yard.** The minimum rear yard shall be 9.2 meters (thirty feet).

(f) **Side Yards.** The following side yard regulations shall apply:

(1) The minimum interior side yard shall be 4.6 meters (fifteen feet).

(2) The minimum street side yard shall be 7.3 meters (twenty-four feet).

(g) **Residential Density.** Not more than one dwelling unit per four thousand seventy-four square meters (one acre) shall be permitted on any site, including all dwelling units as permitted by Section 18.72.030.

(h) **Site Coverage.**

(1) The maximum site coverage shall be ten percent of the site area.

(2) Impervious ground surfaces may cover ten percent of the site area, in addition to the allowable coverage by buildings established by subdivision (1).

(i) **Height.** The maximum height shall be 10.7 meters (thirty-five feet).

(j) **Accessory Facilities and Uses.** Regulations governing accessory facilities and uses and governing the application of site development regulations in specific instances are established by Chapter 18.88. (Ord. 3048 (part), 1978).

18.72.060 Parking and loading. (a) Off-street parking and loading facilities shall be required for all permitted and conditional uses in accord with Chapter 18.83. All parking and loading facilities on any site, whether required as minimums or optionally provided in addition to minimum requirements, shall comply with the regulations and the design standards established by Chapter 18.83.

(b) **Minimum parking requirements for selected uses permitted in the AC agricultural conservation district shall be as follows:** (see also Chapter 18.83):

(1) **Residential Use.** The minimum parking requirements for each dwelling unit shall be two spaces. A minimum of one space per dwelling shall be covered.

(c) **Location of Parking Spaces.** No required parking space shall be located in a required front yard, or in a required street side yard. (Ord. 3048 (part), 1978).

18.72.070 Special requirements. The following special requirements shall apply in the AC agricultural conservation district:

(a) Barns, stables, sheds, chicken houses, and other similar facilities for the shelter and feeding of animals, exclusive of domestic household pets, shall be located a minimum of 12.2 meters (forty feet) from any site line, and shall be located a minimum of 12.2 meters (forty feet) from any dwelling.

(b) Site and Design Review Applicable. The provisions of Chapter 18.82 shall apply to all sites in the AC district. (Ord. 3048 (part), 1978).

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Chapter 18.74

F FLOODPLAIN DISTRICT REGULATIONS

Sections:

- 18.74.010 Specific purposes.
- 18.74.020 Applicability of regulations.
- 18.74.030 Permitted uses.
- 18.74.040 Conditional uses.
- 18.74.050 Site development regulations.

18.74.010 Specific purposes. The F Floodplain district is intended to protect persons and property from the hazards of development in inundated areas or in areas subject to inundation, to protect the community from costs which may be incurred when unsuitable or premature development occurs in such areas, and to allow uses which may be appropriate to such areas. (Ord. 3048 (part), 1978).

18.74.020 Applicability of regulations. The specific regulations of this chapter and the additional regulations and procedures established by Chapters 18.83 to 18.99, inclusive, shall apply to all F floodplain districts. (Ord. 3048 (part), 1978).

18.74.030 Permitted uses. The following uses shall be permitted in the F floodplain district:

- (a) All agricultural uses, except the conduct and maintenance of hog farms;
- (b) Extraction of chemicals from seawater, by solar and natural evaporation. (Ord. 3048 (part), 1978).

18.74.040 Conditional uses. The following uses may be conditionally allowed in the F floodplain district:

- (a) Dredging of oyster shells and other deposits;
- (b) Any permanent structures shall be subject to issuance of a conditional use permit in accord with Chapter 18.90. (Ord. 3048 (part), 1978).

18.74.050 Site development regulations. The following site development regulations shall apply in the F floodplain district:

- (a) Site Area. The minimum site area shall be forty thousand four hundred sixty-nine square meters (ten acres).
- (b) Site Width. The minimum site width shall be 91.4 meters (three hundred feet).
- (c) Site Depth. The minimum site depth shall be 91.4 meters (three hundred feet).
- (d) Front Yard. The minimum front yard shall be 15.2 meters (fifty feet).
- (e) Rear Yard. The minimum rear yard shall be 12.2 meters (forty feet).

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(f) Side Yard. The minimum side yard shall be 9.1 meters (thirty feet).

(g) Height. The maximum height shall be 4.6 meters (fifteen feet).

(h) Accessory Facilities and Uses. Regulations governing accessory facilities and uses and governing the application of site development regulations in specific instances are established by Chapter 18.88. (Ord. 3048 (part), 1978).

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Chapter 18.79

CIVIC CENTER COMBINING
DISTRICT (C) REGULATIONS

Sections:

- 18.79.010 Specific purposes.
- 18.79.020 Applicability of regulations.
- 18.79.030 Zoning map designation.
- 18.79.040 Use limitations and site development regulations.

18.79.010 Specific purposes. The civic center combining district is intended to modify the use regulations and the site development regulations within any district with which it is combined, to require structures proximate to the Palo Alto civic center (city hall-library) complex to conform to height, setback, and use standards appropriate to the civic center scale and design. (Ord. 3048 (part), 1978).

18.79.020 Applicability of regulations. The civic center combining district may be combined with any other district adjoining or proximate to the Palo Alto civic center, in accord with Chapter 18.08 and Chapter 18.98. Where so combined, the regulations set forth in this chapter shall apply in lieu of or in addition to the corresponding provisions of the district with which the civic center combining district is so combined. (Ord. 3048 (part), 1978).

18.79.030 Zoning map designation. Where so combined with any general district, the civic center combining district shall be designated on the zoning map by the symbol "C" within parentheses, following the general district designation for the district with which it is combined. (Ord. 3048 (part), 1978).

18.79.040 Use limitations and site development regulations. (a) Use Limitations. On sites within the civic center combining district, open or enclosed off-street parking or loading areas or facilities with parking visible from the civic center site or any building thereon, shall be prohibited.

(b) Maximum and Minimum Height. Any building or structure hereafter constructed on any site in the civic center combining district shall have a minimum height of at least 7.6 meters (twenty-five feet) and shall not exceed a maximum height of 15.2 meters (fifty feet).

(c) Building Setback Requirements. On any street frontage in the civic center combining district, the minimum setback shall be the greater of the following:

- (1) A minimum of 1.8 meters (six feet);
- (2) That distance provided by the regulations for the district with which the civic center combining district is combined;
- (3) That distance required by Title 20. (Ord. 3048 (part), 1978).

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Chapter 18.82

**SITE AND DESIGN REVIEW COMBINING
DISTRICT REGULATIONS (D)****Sections:**

- 18.82.010 Specific purposes.
- 18.82.020 Applicability of regulations.
- 18.82.030 Zoning map designation.
- 18.82.040 Design approval required.
- 18.82.050 Application.
- 18.82.055 Application process.
- 18.82.060 Action by commission.
- 18.82.070 Action by council.
- 18.82.080 Term—Expiration.

18.82.010 Specific purposes. The site and design review combining district is intended to provide a process for review and approval of development in environmentally and ecologically sensitive areas, in order to assure that use and development will be harmonious with other uses in the general vicinity, will be compatible with environmental and ecological objectives, and will be in accord with the Palo Alto comprehensive plan. (Ord. 3048 (part), 1978).

18.82.020 Applicability of regulations. The site and design review combining district may be combined with any other district established by this title, in accord with the provisions of Chapter 18.08 and Chapter 18.98. Where so combined, the site and design review process established by this chapter shall apply to all sites. In addition, the provisions of this chapter shall apply to all sites in the OS open space district, and shall apply to all sites in the AC agricultural conservation district. (Ord. 3048 (part), 1978).

18.82.030 Zoning map designation. Where combined with any general district other than OS or AC, the site and design review district shall be designated on the zoning map by the symbol "D" within parentheses, following the general district designation for the district with which it is combined. (Ord. 3048 (part), 1978).

18.82.040 Design approval required. Site and design approval shall be secured prior to issuance of any permit or other approval for the construction of any building or the establishment of any use on any site within the site and design review combining district, or on any site which is made subject to the provisions of this chapter by an express requirement of any other provision of this code. (Ord. 3048 (part), 1978).

18.82.050 Application. Application for site and design review shall be made to the zoning administrator and shall be accompanied by the application fee prescribed in the municipal fee schedule. The application shall include the following:

- (a) A site plan showing the location of all proposed buildings, structures, planted or landscaped areas, paved areas, and other improvements, and indicating the proposed uses or activities within the site;
- (b) Drawings or sketches showing the elevations of all proposed buildings, sufficiently dimensioned to indicate the general scale, height, and bulk of such buildings. (Ord. 3048 (part), 1978).

18.82.055 Application process. (a) The applicant seeking site and design approval shall initially submit to the planning commission a site plan and elevations as described in Section 18.82.050. The plans and elevations may be preliminary in nature but must show all pertinent information requested by the zoning administrator.

(b) If the planning commission recommends approval, a detailed site plan and elevations consistent with the planning commission recommendation shall be forwarded directly to the city council.

(c) If the planning commission recommends approval, a detailed site plan and elevations consistent with the planning commission recommendation shall be forwarded to the architectural review board for review pursuant to regulations in Chapter 16.48.

(d) The plans and elevations, as approved by the planning commission and the architectural review board, are submitted with recommendations to council for final action. (Ord. 3108 § 15, 1979).

18.82.060 Action by commission. Unless the application for design approval is diverted for administrative approval pursuant to Chapter 18.99, the planning commission shall review the site plan and drawings, and shall recommend approval or shall recommend such changes as it may deem necessary to accomplish the following objectives:

(a) To ensure construction and operation of the use in a manner that will be orderly, harmonious, and compatible with existing or potential uses of adjoining or nearby sites.

(b) To ensure the desirability of investment, or the conduct of business, research, or educational activities, or other authorized occupations, in the same or adjacent areas.

(c) To ensure that sound principles of environmental design and ecological balance shall be observed.

(d) To ensure that the use will be in accord with the Palo Alto comprehensive plan. (Ord. 3048 (part), 1978).

18.82.070 Action by council. To the extent that site and design review is contemplated under this chapter, and upon receipt of the recommendation of the planning commission, the council may approve, modify, or disapprove

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the proposed plans submitted pursuant to this chapter. No building permit or other permit or approval for building construction or use of the site shall be issued or granted until the plans have been approved by the city council, or by the director of planning and community environment as provided in Chapter 18.99. (Ord. 3048 (part), 1978).

18.82.080 Term – Expiration. In the event actual construction of the project is not commenced within two years of the effective date of approval thereof, said approval shall expire and be of no further force or effect. (Ord. 3048 (part), 1978).

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**OFF-STREET PARKING AND LOADING
REGULATIONS****Sections:**

- 18.83.010 Specific purposes.
- 18.83.020 Applicability of regulations.
- 18.83.030 Parking assessment districts.
- 18.83.040 Basic regulations—Vehicle parking.
- 18.83.050 Basic regulations—Bicycle facilities.
- 18.83.060 Schedule of off-street parking and bicycle facility requirements.
- 18.83.070 Additional requirements.
- 18.83.080 Adjustments to requirements of schedule.
- 18.83.090 Basic regulations—Off-street loading.
- 18.83.100 Schedule of off-street loading requirements.
- 18.83.110 Design standards.

18.83.010 Specific purposes. Off-street parking and loading facilities are required for new uses and enlargements of existing uses, proportional to the need created by each use, in order to alleviate traffic congestion. Development regulations and design standards are intended to ensure the usefulness of parking and loading facilities, protect the public safety, and, where appropriate, to mitigate potential adverse impacts on adjacent land uses. (Ord. 3048 (part), 1978).

18.83.020 Applicability of regulations. The regulations of this chapter shall be applicable in each district established by this title. (Ord. 3048 (part), 1978).

18.83.030 Parking assessment districts. In any parking assessment district established by the city for the purpose of providing off-street parking facilities, all or a portion of the off-street parking requirement for a use may be satisfied by payment of assessments or fees levied by such district on the basis of parking spaces required but not provided. (Ord. 3048 (part), 1978).

18.83.040 Basic regulations — Vehicle parking. (a) Off-street parking facilities shall be provided for any new building constructed and for any new use established, for any addition or enlargement of an existing building or use, and for any change in the occupancy of any building or the manner in which any use is conducted that would result in additional parking spaces being required, subject to the provisions of this chapter.

(b) No use of land lawfully existing on the effective date of this section is nonconforming solely because of the lack of off-street parking facilities prescribed in this chapter; provided, that facilities being used for off-street

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parking on July 20, 1978, shall not be reduced in capacity to less than the number of spaces prescribed in this chapter or altered in design or function to less than the minimum standards prescribed in this chapter.

(c) For additions or enlargements of any existing building or use, or any change of occupancy or manner of operation that would increase the number of parking spaces required, the additional parking shall be required only for such addition, enlargement, or change and not for the entire building or use.

(d) Parking spaces required by this chapter for any building or use shall not be considered to meet the requirement for any other building or use, except where a joint facility serving more than one building or use contains the total number of spaces required for each building or use separately, or where adjusted parking requirements for joint use parking facilities are specifically authorized pursuant to Section 18.83.080.

(e) Parking facilities required by this chapter, or provided optionally in addition to the minimum requirements prescribed by this chapter, shall conform to the design standards set forth in Section 18.83.110.

(f) All off-street parking facilities required by this chapter shall be maintained for the duration of the use requiring such areas. Such facilities shall be used exclusively for the temporary parking of passenger automobiles, motor vehicles, or light trucks not exceeding nine hundred seven kilograms (one ton) in capacity, and shall not be used for the sale, display, or storage of merchandise, or for the storage or repair of vehicles or equipment.

(g) All off-street parking facilities required by this chapter shall be located on the same site as the use for which such facilities are required, except as authorized pursuant to Section 18.83.080.

(h) No use shall be required to provide more spaces than prescribed by this chapter, or prescribed by the director of planning and community environment in accord with this chapter or prescribed by any conditional use permit, variance, or planned community district. Where additional spaces are provided, such spaces may be considered as meeting the requirement for another use, subject to Section 18.83.080. (Ord. 3048 (part), 1978).

18.83.050 Basic regulations – Bicycle facilities. (a) Bicycle facilities shall be provided for any new building constructed and for any new use established, for any addition or enlargement of an existing building or use, and for any change in the occupancy of any building or the manner in which any use is conducted that would result in additional parking facilities being required, subject to the provisions of this chapter.

(b) No existing use or structure is nonconforming solely because of the lack of bicycle facilities prescribed in this chapter; provided, that bicycle facilities existing on July 20, 1978, shall not be reduced in capacity, design, or function to less than the minimum standards prescribed in this chapter.

(c) For additions or enlargements of any existing building or use, or

any change of occupancy or manner of operation that would increase the bicycle facilities required, the additional facilities shall be required only for such addition, enlargement, or change, and not for the entire building or use.

(d) Bicycle facilities required by this chapter for any building or use shall not be considered to meet the requirement for any other building or use, except as authorized by the director of planning and community environment.

(e) Bicycle facilities required by this chapter, or provided optionally in addition to the minimum requirements prescribed by this chapter, shall conform to the design standards set forth in Section 18.83.110.

(f) Bicycle facilities required by this chapter shall be maintained for the duration of the use requiring such facilities, and shall not be used for other purposes.

(g) All bicycle facilities required by this chapter shall be located on the same site as the use for which such facilities are required, except as authorized pursuant to Section 18.83.080.

(h) No use shall be required to provide facilities for more bicycles than prescribed by this chapter, or prescribed by the director of planning and community environment in accord with this chapter, or prescribed by any conditional use permit, variance, or planned community district. Where additional facilities are provided, they may be considered as meeting the requirement for another use, subject to Section 18.83.080. (Ord. 3048 (part), 1978).

18.83.060 Schedule of off-street parking and bicycle facility requirements. (a) The schedule of off-street parking and bicycle facility requirements established by subsection (b) shall be applied as follows:

(1) Where the application of the schedule results in a fractional requirement, a fraction of 0.5 or greater shall be resolved to the higher whole number.

(2) For purposes of this chapter, gross floor area shall not include enclosed or covered areas used for off-street parking or loading, or bicycle facilities.

(3) Where uses or activities subject to differing requirements are located in the same structure or on the same site, or are intended to be served by a common facility in accord with Section 18.83.080, the total requirement shall be the sum of the requirements for each use or activity computed separately, except as provided by Section 18.83.080.

(4) Where requirements are established on the basis of seats or person capacity, the building regulations provisions applicable at the time of determination shall be used to define capacity.

(5) Where residential use is conducted together with or accessory to other permitted uses, applicable residential requirements shall apply in addition to other nonresidential requirements, except as provided by Section 18.83.080.

(b) In each district, off-street parking facilities and bicycle facilities for

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each use shall be provided in accord with the following schedule. The requirement for any use not specifically listed shall be determined by the director of planning and community environment on the basis of the requirement for similar uses, and on the basis of evidence of actual demand created by similar uses in Palo Alto and elsewhere, and such other traffic engineering or planning data as may be available and appropriate to the establishment of a minimum requirement.

Use	Minimum Off-Street Parking Requirement	Minimum Bicycle Parking Requirement Spaces Class*
Accessory employee housing or guest cottage	1 space per unit	none
Administrative office services:		
(a) In the LM district	1 space for each 27.9 sq. m. (300 sq. ft.) of gross floor area	10% of auto parking 1
(b) In all other districts	1 space for each 23.2 sq. m. (250 sq. ft.) of gross floor area	10% of auto parking 1
Animal care facilities	1 space for each 32.5 sq. m. (350 sq. ft.) of gross floor area	10% of auto parking or 1 space—whichever is greater 1
Automobile service station	1 space for each 32.5 sq. m. (350 sq. ft.) of gross enclosed floor area, plus queue capacity equivalent to the service capacity of gasoline pumps	none
Automotive services:		
(a) Enclosed	1 space for each 32.5 sq. m. (350 sq. ft.) of gross floor area	none
(b) Open lot	1 space for each 46.5 sq. m. (500 sq. ft.) of exterior sales, display, or storage site area	none

*See Section 18.83.110(c).

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Use	Minimum Off-Street Parking Requirement	Minimum Bicycle Parking Requirement Spaces	Class*
Business and trade schools	1 space for each 4-person capacity, or 1 space for each 23.2 sq. m. (250 sq. ft.) of gross floor area, whichever is greater	10% of auto parking	2—covered
Churches and religious institutions	1 space for each 4 seats or 4- person capacity, based on maximum use of all facilities at the same time	10% of auto parking	2
Commercial recreation	1 space for each 4 seats or 4- person capacity	30% of auto parking	1
Community facilities, including swim club, tennis club, golf course, community centers, neighborhood centers, and similar activities	1 space for each 4-person capacity based on maximum use of all facilities	30% of auto parking	1
Convalescent facilities	1 space for each 2.5 patient beds	10% of auto parking	2—covered
Day care centers, day care homes, family day care homes, and residential care homes	To be established by use permit conditions	To be established by use permit	
Drive-up windows providing services to occupants in vehicles	Queue line for 5 cars, not blocking any parking spaces, in addition to other applicable requirements	none	

*See Section 18.83.110(c).

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Use	Minimum Off-Street Parking Requirement	Minimum Bicycle Parking Requirement	
		Spaces	Class*
Eating and drinking services: (a) With drive-in or take out facilities (b) All others	3 spaces for each 9.3 sq. m. (100 sq. ft.) of gross floor area	1 space per 9.3 sq. m. (100 sq. ft.)	50%—1
	1 space for each 4 seats or 4-person capacity	10% of auto parking	50%—3—covered 50%—1 50%—2—covered
Financial services: (a) Bank, savings & loan office (b) Others	1 space for each 13.9 sq. m. (150 sq. ft.) of gross floor area	10% of auto parking	2—covered
	1 space for each 23.2 sq. m. (250 sq. ft.) of gross floor area		
General business services: (a) Enclosed (b) Open lot	1 space for each 32.5 sq. m. (350 sq. ft.) of gross floor area	10% of auto parking	1
	1 space for each 46.5 sq. m. (500 sq. ft.) of sales, display, or storage site area	10% of auto parking	3
Hospitals	1 space for each 1.5 patient beds	10% of auto parking	1
Hotel	1 space per guestroom; plus the applicable requirements for eating and drinking, banquet, assembly, commercial or other as required for such use, less 75 percent of the spaces required for guestrooms	10% of auto parking	2—covered

*See Section 18.83.110(c).

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Use	Minimum Off-Street Parking Requirement	Minimum Bicycle Parking Requirement Spaces Class *
Lodging	1 space for each lodging unit, in addition to other residential use requirements	1 space per lodging unit
Manufacturing:		
(a) In the LM district	1 space for each 27.9 sq. m. (300 sq. ft.) of gross floor area	10% of auto parking
(b) In all other districts	1 space for each 46.5 sq. m. (500 sq. ft.) of gross floor area	10% of auto parking
Medical, professional, and general business offices:		
(a) In the LM district	1 space for each 27.9 sq. m. (300 sq. ft.) of gross floor area	10% of auto parking
(b) In all other districts	1 space for each 23.2 sq. m. (250 sq. ft.) of gross floor area	10% of auto parking
Mortuaries	1 space for each 4 seats or 4-person capacity, plus funeral procession queue capacity of 5 cars	none
Multiple-family residential use	1.25 spaces per studio unit, 1.5 spaces per 1-bedroom unit, and 2 spaces per 2-bedroom or larger unit; of which at least one space per unit must be covered	1 space per unit

*See Section 18.83.110(c).

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Minimum Off-Street Parking Requirement

Class*

Minimum Bicycle Parking Requirement

Spaces

10% of auto parking

2-covered

Minimum Off-Street
Parking Requirement

1 space for each 13.9 sq. m.

(150 sq. ft.) of gross floor area

1 space for each 4 seats or 4-person
capacity based on maximum use of
all space at one time

10% of auto parking

2

Private clubs, lodges, and
fraternal organizations

Research and development:

(a) In the LM district

10% of auto parking

1

(b) In all other districts

10% of auto parking

1

Retail:

(a) Intensive

1 space for each 13.9 sq. m.

(150 sq. ft.) of gross floor area

10% of auto parking

2-covered

(b) Extensive

1 space for each 32.5 sq. m.

(350 sq. ft.) of gross floor area

10% of auto parking

2-covered

(c) Open lot

1 space for each 46.5 sq. m.
(500 sq. ft.) of sales, display, or
storage site area

10% of auto parking

3

Schools and educational

facilities:

(a) Grades K-8

2 spaces per teaching station

1 space per every 3
students

3-enclosed

(b) Grades 9-12

4 spaces per teaching station

1 space per every 2
students

3-enclosed

*See Section 18.83.110(c).

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Minimum Bicycle Parking Requirement
Space
Class*
1

Minimum Off-Street
Parking Requirement

1 space for each 25.6 sq. m.
(275 sq. ft.) of gross floor area

Use
Shopping center

Single-family residential
use:

(a) In the O-S district

(b) In all other districts

4 spaces per unit, of which one
space must be covered

2 spaces per unit, of which one
space must be covered

none

Two-family residential
use:

1.5 spaces per unit, of which one
space per unit must be covered

none

Warehousing and distribution:

(a) In the LM district

(b) In all other districts

1 space for each 27.9 sq. m.

(300 sq. ft.) of gross floor area

1 space for each 92.9 sq. m.

(1,000 sq. ft.) of gross floor area

none

none

Any use not specified

To be determined by the director
of planning and community
environment

To be determined by the
director of planning and
community environment

*See Section 18.83.110(c)

(Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

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18.83.070 Additional requirements. (a) Small Car Parking. A proportion of the total spaces in each parking facility shall be designed and marked for small car use according to the following table:

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Total Spaces Required	Required Proportion for Small Cars	
	Minimum	Maximum
0-4	0	0
5-49	4%	10%
50-74	8%	15%
75-99	12%	20%
100-149	16%	30%
150 or greater	20%	40%

(b) Handicapped Parking. Parking spaces specifically designed, located, and reserved for vehicles licensed by the state for use by the handicapped shall be provided in each parking facility of twenty-five or more spaces according to the following table:

Total Spaces Required	Minimum Number of Handicapped Spaces Required
1-24	0
25-99	1
100-199	2
200-299	3
300 or greater	4

(c) Substitution of Bicycle Facilities for Required Vehicle Facilities. Eight class 1 bicycle parking facility spaces in addition to minimum bicycle requirements may be substituted for one required vehicle parking space, up to a maximum of five percent of the vehicle spaces required. (Ord. 3048 (part), 1978).

18.83.080 Adjustments to requirements of schedule. Automobile and bicycle parking requirements prescribed by Section 18.83.060 may be adjusted by the director of planning and community environment, in the following instances and in accord with the prescribed limitations, when in his opinion such adjustment will be in accord with the purposes of this chapter and will not create undue impact on existing or potential uses adjoining the site or in the general vicinity.

(a) Joint Use Parking Facilities. For any site with multiple uses, or for adjoining sites, where the application of this chapter requires a total of thirty or more spaces, the total number of spaces initially required by application of the schedule may be reduced by not more than twenty percent where in the judgment of the director of planning and community environment the joint facility will serve all existing, proposed, and potential uses as effectively and conveniently as would separate parking facilities for each use or site.

Notice of any adjustment made pursuant to this subsection shall be given in accord with the provisions of Chapter 18.93. Any aggrieved or

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affected person may appeal an adjustment made pursuant to this subsection in accord with the provisions of Chapter 18.93. Unless such an appeal is filed within the time specified therefor, the decision of the director of planning and community environment shall become final upon the expiration of said time period.

(b) Housing for the Elderly. The total number of spaces required may be reduced by not more than fifty percent, when in the judgment of the director of planning and community environment such reduction will be commensurate with the reduced parking demand created by the housing facility, including visitors and accessory facilities.

Notice of any adjustment made pursuant to this subsection shall be given in accord with the provisions of Chapter 18.93. Any aggrieved or affected person may appeal an adjustment made pursuant to this subsection in accord with the provisions of Chapter 18.93. Unless such an appeal is filed within the time specified therefor, the decision of the director of planning and community environment shall become final upon the expiration of said time period.

(c) Deferral of Meeting Full Requirement. Where the expected need for off-street parking for a particular use is uncertain, due to unknown or unusual operating characteristics of the use and unavailability of comparable data to establish need, the building official, upon recommendation of the architectural review board, may authorize that construction and provision of not more than fifty percent of the required spaces be deferred, and may set such conditions as necessary to guarantee provision of such deferred spaces whenever the building official determines the need to exist. Land area required for provision of deferred parking spaces shall be maintained in reserve and shall be landscaped pursuant to a plan approved by the architectural review board demonstrating that ultimate provision of the deferred spaces will meet all requirements of this chapter.

(d) Transportation and Parking Alternatives. Upon demonstration to the director of planning and community environment that effective alternatives to automobile access are in effect, the director of planning and community environment may defer by not more than twenty percent the parking requirement otherwise prescribed for any use, or combination of uses on the same or adjoining sites, to an extent commensurate with the permanence, effectiveness, and the demonstrated reduction in off-street parking demand effectuated by such alternative programs.

Land area required for provision of deferred parking spaces shall be maintained in reserve and shall be landscaped pursuant to a plan approved by the architectural review board demonstrating that ultimate provision of the deferred spaces will meet all requirements of this chapter.

The director of planning and community environment shall set such conditions as necessary to guarantee provision of such deferred spaces whenever the building official determines the need to exist.

Alternative programs which may be considered by the director of planning and community environment under this provision include, but are not limited to, the following:

(1) Immediate proximity to public transportation facilities serving a significant proportion of residents, employees, and/or customers;

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(2) Operation of effective private or company car pool, van pool, bus, or similar transportation programs;

(3) Evidence that a proportion of residents, employees, and/or customers utilize, on a regular basis, bicycle transportation alternatives commensurate with reduced parking requirements.

(e) The director of planning and community environment may authorize all or a portion of the required parking for a use to be located on a site not more than 152.4 meters (five hundred feet) from the site of the use for which such parking is required, where in his judgment such authorization will be in accord with the purposes of this chapter. The director of planning and community environment shall require such covenants and guarantees as deemed necessary to ensure use and maintenance of such parking facilities. (Ord. 3048 (part), 1978).

18.83.090 Basic regulations – Off-street loading. (a) Off-street loading facilities shall be provided for any new building constructed and for any new use established, for any addition or enlargement of an existing building or use, and for any change in the occupancy of any building or the manner in which any use is conducted that would result in additional loading space being required, subject to the provisions of this chapter.

(b) No existing use of land or structure is nonconforming solely because of the lack of off-street loading facilities prescribed in this chapter, provided, that facilities being used for off-street loading on July 20, 1978, shall not be reduced in capacity to less than the number of spaces prescribed in this chapter or altered in design or function to less than the minimum standards prescribed in this chapter.

(c) For additions or enlargements of any existing building or use, or any change of occupancy or manner of operation that would increase the area or number of loading spaces required, the additional loading space shall be required only for such addition, enlargement, or change.

(d) Loading space required by this chapter for any building or use shall not be considered to meet the requirement for any other building or use, except as permitted by this chapter.

(e) Loading space required by this chapter shall conform to the design standards set forth in Section 18.83.110.

(f) All loading facilities required by this chapter shall be maintained for the duration of the use or building requiring such facility, and shall be used exclusively for the purpose of loading and unloading of goods, materials and supplies, and shall not be used for sale, display, or storage of merchandise, or for the storage or repair of vehicles or equipment. (Ord. 3048 (part), 1978).

18.83.100 Schedule of off-street loading requirements. (a) The schedule of off-street loading requirements established by subsection (b) shall be applied as follows:

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(1) Where the application of the schedule results in a fractional requirement, a fraction of 0.5 or greater shall be resolved to the next higher whole number.

(2) For the purposes of this chapter, gross floor area shall not include enclosed or covered areas used for off-street parking or loading spaces.

(3) Where mixed uses or multiple-occupancies are located in the same building, or are situated on the same site in such a manner that all uses can be equally and conveniently served by a common loading space, the schedule may be applied to the entire building or to the combination of buildings or uses so situated, in lieu of application of the schedule to each individual use or occupancy.

(b) In each district, off-street loading space for each use shall be provided in accord with the following schedule. The requirement for any use not specifically listed shall be determined by the director of planning and community environment on the basis of the requirement for similar uses, and on the basis of evidence of actual demand created by similar uses in Palo Alto and elsewhere, and such other traffic engineering or planning data as may be available.

Use	Minimum Off-street Loading Requirement Gross Floor Area	Spaces Required
Single-family residential use	No requirement established	
Two-family residential use	No requirement established	
Multiple-family residential use	No requirement established	
Lodging	0-928 sq. m. (0-9,999 sq. ft.)	0
Dormitory, fraternity/sorority, or group housing where meals are provided in common dining facilities	929-9,289 sq. m. (10,000- 99,999 sq. ft.)	1
Housing for the elderly or other community facility, where meals are provided in common dining facilities	9,290 sq. m. (100,000 sq. ft.) and greater	2
Medical offices	0-928 sq. m. (0-9,999 sq. ft.)	0
Professional offices		
General business offices	929-9,289 sq. m. (10,000- 99,999 sq. ft.)	1
Financial services		
Personal services		
Administrative office services	9,290-18,580 sq. m. (100,000 -199,999 sq. ft.)	2
Research and development		

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Use	Minimum Off-street Loading Requirement Gross Floor Area	Spaces Required
Hospitals Convalescent facilities Hotel	18,581 sq. m. (2000,000 sq. -199,999 sq. ft.)	3
	0-464 sq. m. (0-4,999 sq. ft.)	
Retail services	465-2,786 sq. m. (5,000- 29,999 sq. ft.)	1
Eating and drinking services	2,787-6,502 sq. m. (30,000 -69,999 sq. ft.)	2
Warehousing and distribution Manufacturing	6,503-11,148 sq. m. (70,000 -120,000 sq. ft.)	3
	For each additional 4,656 sq. m. (50,000 sq. ft.) over 11,148 sq. m. (120,000 sq. ft.)	1 additional space
Automotive Uses	0-2,786 sq. m. (0-29,999 sq. ft.)	1
	2,787-6,502 sq. m. (30,000 -69,999 sq. ft.)	2
	6,503-11,148 sq. m. (70,000 -120,000 sq. ft.)	3
	For additional 4,645 sq. m. (50,000 sq. ft.) over 11,148 sq. m. (120,000 sq. ft.)	1 additional space
All uses not specifically listed	To be determined by director of planning and community environment	

(Ord. 3048 (part), 1978).

18.83.110 **Design standards.** (a) Design standards are established by this section to set basic dimensions and guidelines for parking, bicycle, and

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loading facilities. Such standards shall be used by the building official, the director of planning and community environment, the zoning administrator, the planning commission, the architectural review board, and any other authorities, departments, boards, or commissions responsible for application and administration of parking and loading regulations established by this chapter.

(b) **Parking and Loading Space Dimensions.** The following basic dimensions shall be observed for parking and loading spaces with parking angles of ninety degrees. (For all other parking space standards, refer to parking dimension table that follows Section 18.83.110(e).)

(1) Each standard size off-street parking space shall consist of a rectangular area not less than 2.6 meters (8.5 feet) wide by 5.5 meters (eighteen feet) long. Each small car off-street parking space shall be not less than 2.3 meters (7.5 feet) wide by 4.9 meters (sixteen feet) long. All parking spaces should have a vertical clearance of not less than 2.3 meters (7.5 feet).

(2) Each parking space for the handicapped shall consist of a rectangular area not less than 3.7 meters (twelve feet) wide by 5.5 meters (eighteen feet) long, with a vertical clearance of 2.3 meters (7.5 feet), shall be located in an area not exceeding a two percent slope, and shall be located near or convenient to a level or ramped entrance, not exceeding a five percent slope, to the facility served by the parking space. Parking spaces for the handicapped shall be signed and restricted for use by the handicapped only.

(3) Each off-street loading space shall consist of a rectangular area not less than 3.7 meters (twelve feet) wide, 13.7 meters (forty-five feet) long, with a vertical clearance of not less than 4.3 meters (fifteen feet).

(4) Each parking and loading space shall have adequate drives, aisles, and turning and maneuvering areas for access and usability, and shall at all times have access to a public street or alley.

(c) **Bicycle Facilities.** The following basic standards shall be observed:

(1) Bicycle parking facilities shall include provision for storage and locking of bicycles, either in lockers or in secure racks or equivalent installation in which the bicycle frame and wheels may be locked by the user.

(2) The minimum class of facility required by Section 18.83.060 is shown in the following table. A higher class of facility may be substituted where a class 2 or class 3 facility is required.

Class	Purpose and Description
1	For long-term parking (one-half hour or more): Lockers or check-in for high security and/or total protection from the weather
2	For short-term parking (less than one-half hour): Ability for user to lock both wheels and frame, with user providing the lock
3	For short-term parking: A stationary object, such as a bicycle rack to which the user can secure both wheels and the frame with a user-provided 1.8 meter (six foot) cable (or chain) and lock

(3) Paving is not required, but the outside ground surface shall be paved or planted in a way which avoids mud or dust.

(4) Bicycle spaces shall be racks or lockers anchored so that they cannot be easily removed. Racks shall be so designed that both wheels and frame of a bicycle can be locked securely to it with a heavy chain, cable, or padlock. Lockers shall be so designed that an unauthorized person cannot remove a bicycle from them.

(5) Fixed objects which are intended to serve as bicycle racks but not obviously intended for such purposes shall be clearly labeled as available for bicycles.

(6) If a room or common locker not divided into individual lockers or rack spaces is used, one bicycle space shall consist of a rectangular area not less than 0.6 meter (two feet) wide by 1.8 meters (six feet) long. There should be a minimum aisle width of 1.5 meters (five feet).

(7) Location Criteria. Care should be taken to locate the bicycle facility at least as convenient as the most convenient car parking, and as close to the desired entrances as possible without interfering with pedestrian traffic. Bicycle and auto parking areas should be separated by some form of barrier to eliminate the possibility of a bike being hit by a car.

(8) User Safety and Convenience Criteria. The director of planning and community environment shall have the authority to review bicycle racks for design with respect to safety and convenience.

(9) Construction and Appearance Criteria. Lockers should be harmonious with their environment both in color and design. Signs should clearly designate the area as a bicycle parking facility. Parking device designs should be incorporated wherever possible into street furniture. There should be sufficient space between devices so that the use of one does not interfere with the other bicycles or devices. The parking device selected should allow for maximum flexibility in grouping and placement.

(d) Parking Facility Landscaping. The following basic standards shall be observed:

(1) Each unenclosed parking facility shall provide a minimum of interior landscaping in accord with the following table. Where the total parking provided is located in more than one location on a site, separated by differences in grade or by at least 3.0 meters (ten feet) of nonpaved area, each such area shall be considered a separate facility for the purpose of this requirement.

Size of Facility	Minimum Required Interior Landscaping
Under 1,394 sq. meters (14,999 square feet)	5 percent of total parking facility area
1,394–2,787 sq. meters (15,000–29,999 square feet)	7.5 percent of total parking facility area
2,788 sq. meters and greater (30,000 square feet)	10 percent of total parking facility area

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(2) Each unenclosed parking facility shall provide a perimeter landscaped strip at least 1.5 meters (five feet) wide where the facility adjoins a site line or property line. The perimeter landscaped strip may include any landscaped yard or landscaped area otherwise required, and shall be continuous, except for required access to the site or to the parking facility. Where the landscaped strip adjoins a public street or pedestrian walkway, the landscaped strip may be required to include a fence, wall, berm, or equivalent feature. Where the parking facility adjoins another site, a fence, wall, or other equivalent screening feature may be required.

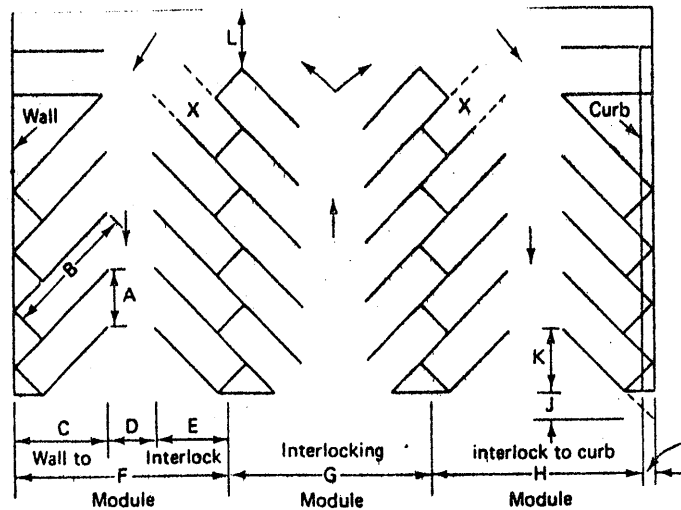
(3) Trees in reasonable number shall be provided. Ground cover alone is not acceptable. Where screening is desirable, a combination of trees and shrubs shall be used. Interior landscaping shall be distributed throughout the paved area as evenly as possible.

(4) Provision shall be made for irrigating all planted area. If a permanent "in place" watering system is not provided, hose bibbs shall be located such that no planted area is more than 15.2 meters (fifty feet) away from one or more such hose bibbs.

(5) All landscaping shall be protected with concrete curbs or other acceptable barriers.

(6) All landscaping shall be continuously maintained.

(e) Parking Facility Design. Basic guidelines for parking lot dimensions and access driveway dimensions are shown in the tables accompanying this section. Additional guidelines for parking facility design, internal layout, acceptable turning radii and pavement slope, vehicular and pedestrian circulation, and other design features may be applied by the director of planning and community environment when deemed appropriate. The director of transportation may require cross-aisles within parking facilities where necessary to prevent safety hazards and vehicular congestion on public streets which might be created by vehicles utilizing public streets to travel between aisles or from one section of the parking facility to another.



X = Stall not accessible in certain layouts
 Parking layout dimensions for 2.6 meter (8.5 feet)
 stalls at various angles

Dimension	On Diagram	Meters				Feet			
		Parking Angle				Parking Angle			
		45°	60°	75°	90°	45°	60°	75°	90°
Stall width, parallel to aisle	A	3.66	2.99	2.68	2.59	12.0	9.8	8.8	8.5
Stall length of line	B	7.62	6.71	6.10	5.5	25.0	22.0	20.0	18.0
Stall depth to wall	C	5.33	5.79	5.94	5.5	17.5	19.0	19.5	18.0
Aisle width between stall lines	D	3.96	5.49	7.62	8.53	13.0	18.0	25.0	28.0
Stall depth, to interlock	E	4.66	5.33	5.73	5.64	15.3	17.5	18.8	18.0
Module, wall to interlock	F	13.96	16.61	19.29	19.51	45.8	54.5	63.3	64.0
Module, interlocking	G	13.29	16.15	19.08	19.51	43.6	53.0	62.6	64.0
Module, interlock to curb face	H	13.35	15.91	18.53	18.75	43.8	52.2	60.8	61.5
Bumper overhang (typical)	I	0.61	0.70	0.76	0.76	2.0	2.3	2.5	2.5
Offset	J	1.92	0.82	0.15	0.00	6.3	2.7	0.5	0.0
Setback	K	3.35	2.53	1.52	0.00	11.0	8.3	5.0	0.0
Cross aisle, one-way	L	4.27	4.27	4.27	4.27	14.0	14.0	14.0	14.0
Cross aisle, two-way	L	7.32	7.32	7.32	7.32	24.0	24.0	24.0	24.0

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Standard Size Parking Spaces

On Diagram:

A

C

E

D

-

G

Parking Dimensions, Meters

Parking Angle and Stall Width	Stall Width Parallel to Aisle	Stall Depth to Wall	Stall Depth to Interlock	Aisle Width Between Stall Lines	Module, Wall to Wall	Module, Interlock to Interlock
45°						
2.59	3.66	5.33	4.66	3.96	14.63	13.41
2.74	3.87	5.33	4.66	3.66	14.33	13.11
2.90	4.08	5.33	4.66	3.35	14.02	12.00
60°						
2.59	2.99	5.79	5.33	5.49	17.07	16.15
2.74	3.17	5.79	5.33	4.88	16.46	15.54
2.90	3.35	5.79	5.33	4.57	16.15	15.24
75°						
2.59	2.68	5.94	5.73	7.62	19.51	19.20
2.74	2.83	5.94	5.73	7.01	18.90	18.59
2.90	2.99	5.94	5.73	6.71	18.59	18.29
90°						
2.59	2.59	5.5	5.5	8.53	19.51	19.51
2.74	2.74	5.5	5.5	7.92	18.90	18.90
2.90	2.90	5.5	5.5	7.62	18.60	18.60

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Standard Size Parking Spaces

On Diagram:	A	C	E	D	—	G	
Parking Dimensions, Feet							
Parking Angle and Stall Width	Stall Width Parallel to Aisle	Stall Depth to Wall	Stall Depth to Interlock	Aisle Width Between Stall Lines	Module, Wall to Wall	Module, Interlock to Interlock	
45°	8.5	12.0	17.5	15.3	13	48	44
	9.0	12.7	17.5	15.3	12	47	43
	9.5	13.4	17.5	15.3	11	46	42
60°	8.5	9.8	19.0	17.5	18	56	53
	9.0	10.4	19.0	17.5	16	54	51
	9.5	11.0	19.0	17.5	15	53	50
75°	8.5	8.8	19.5	18.8	25	64	63
	9.0	9.3	19.5	18.8	23	62	61
	9.5	9.8	19.5	18.8	22	61	60
90°	9.5	8.5	18.0	18.0	28	64	64
	9.0	9.0	18.0	18.0	26	62	62
	9.5	9.5	18.0	18.0	25	61	61

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Small-size Vehicles

Parking Dimensions, Meters and Feet

	Parking Angle	Stall Width	Aisle Length per Stall	Depth of Stalls at Right Angle to Aisle	Aisle Width	Wall to Wall Module
Feet	45°	7.5	10.5	17.0	11.0	45.0
	60°	7.5	8.7	17.7	14.0	49.4
	75°	7.5	7.8	17.3	17.4	52.0
	90°	7.5	7.5	16.0	20.0	52.0
Meters	45°	2.29	3.20	5.18	3.35	13.72
	60°	2.29	2.65	5.39	4.27	15.06
	75°	2.29	2.38	5.27	5.30	15.85
	90°	2.29	2.29	4.88	6.10	15.85

Driveway Dimensions, Meters and Feet, For Nonresidential Uses

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Dimension	Urban					
	High Pedestrian Activity ^a		All Other ^b		Rural	
	Meters	Feet	Meters	Feet	Meters	Feet
Width ^c						
Minimum (one-way)	4.6	15	4.6	15	4.6	15
Minimum (two-way)	7.6	25	7.6	25	9.1	30
Maximum	9.1	30	10.7	35	10.7	35
Right turn radius ^d						
Minimum	3.1	10	3.1	10	4.6	15
Maximum	7.6	25	9.1	30	15.2	50
Spacing ^e						
From property line	0.0	0	0.0	0	0.0	0
From street corner	3.1	10	3.1	10	4.6	15
Between driveways	3.1	10	0.0	0	0.0	0
Angle ^f	75°	75°	45°	45°	45°	45°

- a As in central business areas or in same block with auditoriums, schools, and libraries
- b The remaining city streets including neighborhood business, residential, and industrial
- c Measured along right-of-way line at inner limit of curbed radius sweep or between radius and near edge of curbed island at least 4.6 sq. m. (50 sq. ft.) in area.
- d On side of driveway exposed to entry or exit by right-turning vehicles
- e Measured along curb or edge of pavement from roadway end of radius
- f Minimum acute angle measured from edge of pavement

Source: "Table 6.3 — Commercial Driveway Dimension Guidelines," from page 121 of **Parking Principles**, Special Report 125. Highway Research Board, 1971.

Driveway Dimensions, Meters and Feet

For Residential Uses

Urban

Dimension	High Pedestrian Activity ^a		All Other ^b		Rural	
	Meters	Feet	Meters	Feet	Meters	Feet
Width ^c						
Minimum	3.0	10	3.0	10	3.0	10
Maximum	6.1	20	9.1	30	9.1	30
Right turn radius of flare ^d						
Minimum	1.5	5	1.5	5	3.0	10
Maximum	3.0	10	4.6	15	7.6	25
Angle ^e	75°	75°	45°	45°	45°	45°

a As in central business districts, or in same block with auditoriums, schools, libraries.

b The remaining city streets in residential and undeveloped areas.

c Measured along right-of-way line, at inner limit of curbed radius sweep, or between radius and near edge of curbed island at least 50 square feet in area.

d On side of driveway exposed to entry or exit by right-turning vehicles.

e Minimum acute angle measured from edge of pavement.

(f) Paving and Drainage. The following basic standards shall be observed:

(1) In all districts except the OS and AC districts, parking and loading facilities shall be surfaced and maintained with asphaltic, concrete, or other permanent, impervious surfacing material sufficient to prevent mud, dust, loose material, and other nuisances.

(2) In the OS and AC districts, gravel surfacing shall be permitted as approved by the city engineer.

(3) All parking and loading facilities shall be graded and provided with permanent storm drainage facilities, meeting the construction specifications set by the city engineer. Surfacing, curbing, and drainage improvements shall be sufficient to preclude free flow of water onto adjacent properties or public streets or alleys, and to preclude standing pools of water within the parking facility.

(g) Safety Features. Parking and loading facilities shall meet the following standards:

(1) Safety barriers, protective bumpers or curbing, and directional markers shall be provided to assure safety, efficient utilization, protection to landscaping, and to prevent encroachment onto adjoining public or private property.

(2) Visibility of and between pedestrians, bicyclists, and motorists shall be assured when entering individual parking spaces, when circulating within a parking facility, and when entering and exiting a parking facility.

(3) Internal circulation patterns, and the location and traffic direction of all access drives shall be designed and maintained in accord with accepted principles of traffic engineering and traffic safety.

(h) Lighting. Lights provided to illuminate any parking facility or paved area shall, to the maximum extent feasible, be designed to reflect away from any residential use.

(i) Noise. Areas used for primary circulation, for frequent idling of vehicle engines, or for loading activities shall be designed and located to minimize impacts on adjoining properties, including provisions for screening or sound baffling.

(j) Maintenance. All parking and loading facilities shall be maintained to assure desirability and usefulness of the facility. Such facilities shall be maintained free of refuse, debris, or other accumulated matter and shall at all times be available for the intended off-street parking or loading use for which they are required or intended.

(k) Application of Design Standards to Other Paved Areas. The standards of this section shall apply to all paved areas used for outdoor display, storage, sales, or other purposes associated with permitted and conditional office, commercial, or industrial uses. (Ord. 3108 §§ 4, 5, 1979; Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

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Chapter 18.88

SPECIAL PROVISIONS AND EXCEPTIONS

Sections:

- 18.88.010 Application.
- 18.88.020 Accessory uses and facilities.
- 18.88.030 Location of accessory buildings.
- 18.88.040 Separation between buildings.
- 18.88.050 Substandard lots.
- 18.88.060 Utility easements.
- 18.88.070 Watercourse or channel.
- 18.88.080 Measurements.
- 18.88.090 Projections into yards.
- 18.88.100 Height exceptions.
- 18.88.110 Permitted uses and facilities in required yards.
- 18.88.120 Permitted yard encroachments.
- 18.88.130 Home occupations.
- 18.88.140 Mobile homes—Campers.
- 18.88.150 Hazardous conditions.
- 18.88.160 Vehicle and equipment repair and storage.

18.88.010 Application. The regulations established by this title shall be subject to the special provisions and exceptions set forth in this chapter. (Ord. 3048 (part), 1978).

18.88.020 Accessory uses and facilities. (a) Accessory uses and facilities shall be permitted in any district when incidental to and associated with a permitted use or facility, or when incidental to and associated with an allowable and authorized conditional use therein, subject to the provisions of this section.

(b) Accessory uses and facilities:

(1) Shall be subordinate to the primary activity of the principal use or the principal facility, respectively;

(2) Shall contribute to the comfort, convenience, efficiency, or necessity of the occupants or the activities of a principal use, or the function of a principal structure;

(3) Shall be located on the same site as the principal use or structure served, except as otherwise authorized by this title.

(c) Accessory uses and facilities include, but are not limited to, the following list of examples; provided that each accessory use or facility shall comply with all provisions of this title:

(1) Residential garages and parking facilities, together with access and circulation elements necessary thereto;

(2) Customer, visitor, and employee parking facilities, and off-street loading facilities, together with access and circulation elements necessary thereto;

- (3) Facilities for storage incidental to a principal use;
 - (4) Recreational uses and facilities for the use and convenience of occupants or employees, or guests thereof, of a principal use or facility;
 - (5) Newsstands, gift shops, drugstores, and eating and drinking facilities, or similar services intended solely for the convenience of occupants or employees, or guests thereof, of a principal use, when conducted entirely within a principal facility;
 - (6) Building management offices when located within the principal facility and limited to the management thereof;
 - (7) Refreshment and service facilities in parks, in playgrounds, and in permitted public or private recreation facilities or schools;
 - (8) The operation of service facilities and equipment in connection with schools, hospitals, and similar institutions or uses, when located on the site of the principal use.
- (d) No use or facility permitted as an accessory use or facility pursuant to this section shall be construed to be permitted as a principal use or facility unless specifically authorized as a permitted or conditional use in the district in which it shall be located. Operation, occupancy, and continuance of allowable accessory uses and facilities shall be conditioned upon the continued occupancy or use of the principal use or facility being served. (Ord. 3048 (part), 1978).

18.88.030 Location of accessory buildings. (a) Except as otherwise provided in this section, accessory buildings shall at all times be located in conformance with requirements for principal buildings, and shall not be located in any required front, side, or rear yard.

(b) In residential zones, accessory buildings not containing lodging units or dwelling units may be located in conformance with requirements for principal buildings, or may be located in a required interior yard, subject to the following limitations:

- (1) No such accessory building shall be located in a required front yard, or a required street side yard, or a required rear yard adjacent to a street.
- (2) No such accessory building shall be located in any portion of a required interior side yard which is less than 1.8 meters (six feet) from the side lot line and less than 22.9 meters (seventy-five feet) from the street line, measured along such side lot line.
- (3) No such accessory building shall be located in any portion of a rear yard which is less than 1.8 meters (six feet) from a lot line which is the side lot line of an adjoining lot and is less than 22.9 meters (seventy-five feet) from a street line, measured along the common lot line.
- (4) Accessory buildings located within a required interior yard as permitted by this section shall be subject to a maximum height established by a daylight plane beginning at a height of 2.1 meters (seven feet) at the property line and increasing at a slope of one meter for each three meters of distance from the property line to a distance 1.8 meters (six feet) from the

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property line. Accessory buildings shall be subject to a maximum height of 3.7 meters (twelve feet) in any other portion of a required interior yard. (Ord. 3108 § 19, 1979; Ord. 3048 (part), 1978).

18.88.040 Separation between buildings. (a) The minimum distance between separate buildings located on the same site shall be as required by Title 16.

(b) A principal building and an accessory building, meeting the requirements of Title 16 and each located on a site as otherwise permitted for principal buildings and accessory buildings, may be connected by a structure meeting the definition of a breezeway. Such structure, or breezeway, shall be a part of the accessory building. (Ord. 3048 (part), 1978).

18.88.050 Substandard lots. (a) Any lot having a site area, width, or depth less than required by this title, which meets one of the provisions specified in this subsection, may be used as a lot or site under the provisions of this title, subject to the applicable district regulations and other provisions of this title:

(1) A lot shown upon an official subdivision map duly approved and recorded;

(2) A lot for which a deed or a valid contract of sale is on record in the office of the county recorder of Santa Clara County prior to February 19, 1951, and was of legal area at the time it was recorded;

(3) A lot for which individual water, sewer, and/or gas service or services were installed by the city prior to October 8, 1947;

(4) A lot upon which a dwelling was constructed on or after October 8, 1947, and prior to July 20, 1978, which at the time of construction complied with all lot width and area requirements;

(5) A lot otherwise meeting applicable requirements at the time such lot was created, but which does not meet the minimum requirements of this title as currently applicable to such lot, by reason of annexation, a change in zoning district, or a change in applicable regulations within a district.

(b) A substandard lot meeting one of the provisions designated in subsection (a) shall be considered a legal lot; provided the particular measurement (area, width, or depth) not in accord with this title shall not be further reduced.

(c) Notwithstanding the provisions of subsection (a), when two or more contiguous lots are held by the same owner and any one of said contiguous lots held by the same owner does not conform to standards for minimum lot size under this title or under Title 21, and at least one of such contiguous lots is not developed with a building for which a permit has been issued by the city or predecessor authority, such lots shall be automatically merged and shall be considered and regulated as a single site under the provisions of this title and Title 21. (Ord. 3048 (part), 1978).

18.88.060 Utility easements. No structures other than fences or landscaping features shall be located within any portion of an easement granted to the city for utility purposes, unless authorized pursuant to an encroachment permit granted by the city. Any structure now existing which does not comply with this section shall not be expanded, enlarged, or replaced in event of demolition or destruction, except as may be authorized by an encroachment permit issued by the city. (Ord. 3048 (part), 1978).

18.88.070 Watercourse or channel. No portion of a lot which is located within the easement lines, or top of the banks in the event such easement lines cannot be ascertained, of any natural watercourse, river, stream, creek, waterway, channel, or flood-control easement or drainage easement shall be included in the determination of lot area and lot dimensions. In the case of any such lot which is bounded, in whole or in part, by any such natural watercourse, river, stream, creek, waterway, channel, or flood-control easement or drainage easement, for those portions of the lot so bounded, all measurements and dimensions specified by this title and related to or determined from lot lines shall be measured from said easement line, or top of the bank, of such watercourse. (Ord. 3048 (part), 1978).

18.88.080 Measurements. Distances between buildings, or between any structure and any property line, setback line, or other line or location prescribed by this title shall be measured to the nearest vertical support or wall of such structure. Where one or more buildings do not have vertical exterior walls, the distances between the buildings shall be prescribed by the building official. In the application of measurements specified by this title in both English and metric measure, metric measure shall be applied for all new construction; provided, that where existing structures, uses, areas, heights, dimensions, or site improvements have been based upon English measures, the exact metric equivalent of the English measures prescribed by this title may continue to be used for improvements, extensions, and revisions to such facilities or uses. It is the purpose of this title to facilitate conversion from English to metric measures with minimum impact on property and improvements and changes thereto, and the building official, zoning administrator, director of planning and community environment and other persons responsible for interpretation and enforcement of this title shall, in case of conflict or difference between English and metric measurements, apply the provisions of this title in the less restrictive manner. (Ord. 3048 (part), 1978).

18.88.090 Projections into yards. (a) Cornices, eaves, fireplaces, and similar architectural features, excluding flat or continuous walls or window surfaces or enclosures of usable interior space, may extend into a required side yard a distance not exceeding 0.6 meters (two feet), or may extend into a required front or rear yard a distance not exceeding 1.2 meters (four feet).

(b) A canopy or patio cover may be located in any residential district

in the required rear yard or that portion of the interior side yard which is more than 22.9 meters (seventy-five feet) from the street lot line measured along the common lot line. Such canopies shall be subject to the following conditions:

- (1) A canopy or patio cover shall not be more than 3.7 meters (twelve feet) in height.
- (2) The canopy or patio cover shall be included in the computation of building coverage.
- (3) The canopy or patio cover and other structures shall not occupy more than fifty percent of the required rear yard.
- (4) The canopy or patio cover shall not be enclosed on more than two sides.
- (c) Structures not over 1.8 meters (six feet) in height or 2.3 square meters (twenty-five square feet) in floor area, used exclusively for storage purposes, may extend into a required side yard a distance not exceeding 0.6 meters (two feet), or may extend into a required front or rear yard a distance not exceeding 1.2 meters (four feet).
- (d) Uncovered porches, stairways, landings, or fire escapes may extend not more than 1.8 meters (six feet) into a required front or rear yard, and may extend not more than 0.9 meters (three feet) into a required side yard.
- (e) In residential districts, a portion of a main building which is less than 0.5 the maximum width of such building may extend into the required rear yard no more than 1.8 meters (six feet), except that a corner lot having a common rear property line with an adjoining corner lot may extend into the required rear yard not more than 3.0 meters (ten feet). (Ord. 3108 § 12, 1979; Ord. 3048 (part), 1978).

18.88.100 Height exceptions. Except in RE, R-1, and R-2 districts, flues, chimneys, exhaust fans or air conditioning equipment, elevator equipment, cooling towers, antennas, and similar architectural, utility, or mechanical features may exceed the height limit established in any district by not more than 4.6 meters (fifteen feet); provided, however, that no such feature or structure in excess of the height limit shall be used for habitable space, or for any commercial or advertising purposes. (Ord. 3048 (part), 1978).

18.88.110 Permitted uses and facilities in required yards. Except as otherwise prescribed by district regulations or other provisions of this title, use and development of required yards shall be limited to the following:

- (a) Fences, screening, and enclosures permitted by Chapter 16.24;
- (b) Landscaping;
- (c) Outdoor recreation, including open structures and ground level facilities related thereto, such as tennis courts, swimming pools, other game or court facilities, sitting areas, decks, patios, terraces, and like features constructed at ground level or within 0.3 meters (one foot) above natural grade; provided, that no below grade improvements such as swimming pools shall be permitted within 0.9 meters (three feet) from the property line;

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- (d) Pedestrian walkways and driveways;
- (e) Required parking, in accord with the location provisions specified within each district. (Ord. 3048 (part), 1978).

18.88.120 Permitted yard encroachments. In the R-1 district, where a single-family dwelling legally constructed according to existing yard and setback regulations at the time of construction encroaches upon present required yards, one encroaching side of the existing structure may be extended in accord with this section. Only one such extension shall be permitted for the life of such building. This section shall not be construed to allow the further extension of an encroachment by any building which is the result of the granting of a variance, either before or after such property became part of the city.

One of the following encroachments shall be permitted:

(a) **Front Yard.** In cases where the existing setback is less than 6.1 meters (twenty feet) but at least 4.3 meters (fourteen feet), the existing encroachment may be extended for a distance of not more than one hundred percent of the length of wall to be extended; provided, that the total length of the existing encroaching wall and the additional wall shall together not exceed one-half the maximum existing width of such building.

(b) **Interior Side Yard.** In cases where the existing setback is less than 1.8 meters (six feet) but at least 1.5 meters (five feet), an existing encroachment may be extended not more than one hundred percent of the length of the existing encroachment, but not to exceed 6.1 additional meters (twenty additional feet).

(c) **Street Side Yard.** In cases where the existing side yard setback is less than 4.9 meters (sixteen feet) but at least 3.0 meters (ten feet), an existing encroachment may be extended for not more than one hundred percent of the length of the encroaching wall to be extended, but not to exceed 6.1 meters (twenty feet). (Ord. 3048 (part), 1978).

18.88.130 Home occupations. Where permitted, a home occupation shall be subject to the following limitations:

(a) The home occupation shall be conducted in a manner that is compatible with residential uses permitted in the same district, and in a manner which does not change the character and appearance of the dwelling unit in which it is conducted.

(b) No person shall be employed on the site in connection with the home occupation except lawful occupants of the dwelling unit within which the home occupation is conducted.

(c) No advertising shall be permitted on the site.

(d) Not more than twenty-five percent of the gross floor area of the dwelling unit, or 46.5 square meters (five hundred square feet) of gross floor area on the site including accessory buildings, whichever is less, shall be devoted to the home occupation.

(e) The home occupation shall not be conducted in a manner which

generates traffic or parking demand or vehicular deliveries substantially greater than customarily associated with residential occupancy of the dwelling unit.

(f) No mechanical, electrical, or other equipment shall be used, nor shall a home occupation be conducted in any manner which is a nuisance or is noxious, offensive, or hazardous by reason of vehicular traffic, noise, electrical or magnetic interference, vibration, particulate matter, odor, heat, humidity, glare, refuse, radiation, or other objectionable emissions or effects.

(g) No outdoor storage of any material, equipment or goods shall be permissible in connection with any home occupation. (Ord. 3048 (part), 1978).

18.88.140 Mobile homes – Campers. Occupancy of a mobile home camper, trailer, motor home, or similar motorized or nonmotorized vehicle, whether for temporary or permanent residence or for sleeping purposes only, is prohibited, except in the following instances:

(a) In a mobile home park lawfully existing as a permitted use, as a conditional use, or as a lawful nonconforming use, and subject to all regulations applicable thereto;

(b) As may be authorized by a conditional use permit for a temporary use, in accord with Chapter 18.90;

(c) Subject to securing a permit therefor from the building official and otherwise complying with applicable law, use of a mobile home may be permitted for sleeping purposes only for a period not to exceed thirty consecutive days in any calendar year for not more than two nonpaying guests of the occupant of a single-family dwelling, when the mobile home is placed on the site of the single-family dwelling in accord with all applicable regulations governing parking and storage of vehicles. (Ord. 3070 § 5, 1978: Ord. 3048 (part), 1978).

18.88.150 Hazardous conditions. In any area within the city identified by the comprehensive plan as having moderate or high risk due to flood hazard, seismic activity hazard, to other geologic hazard, the following provisions shall apply:

(a) In areas identified as subject to high risk, the building official may require, prior to issuance of a building permit or other permit authorizing any new construction, submission by the permit applicant of detailed geologic, soils, and engineering data sufficient to define the extent of any potential hazard and to demonstrate that the proposed construction shall, to the maximum extent feasible, mitigate or otherwise recognize such hazard. Such reports and data shall be required for any use involving public assembly.

(b) In areas identified as subject to moderate risk, the building official may require such reports as described in (a) for any use except single-family use or two-family use. Such reports and data shall be required for any use involving public assembly. (Ord. 3048 (part), 1978).

18.88.160 Vehicle and equipment repair and storage. The following provisions shall apply in all residential districts, and to all sites in any other district used for residential occupancy:

(a) Servicing, repairing, assembling, disassembling, wrecking, modifying, restoring, or otherwise working on any vehicle, motor vehicle, camper, camp trailer, trailer, trailer coach, motorcycle, motor-driven cycle, house car, boat, or similar conveyance is prohibited unless conducted within a garage or accessory building, or in an area screened from view from the street and adjoining lots by a legally located fence, wall, or equivalent screening.

(b) Storing, placing or parking any of the conveyances designated in subsection (a), or any part thereof, which is disabled, unlicensed, unregistered, inoperative, or from which an essential or legally required operating part is removed, including an unmounted camper, camp trailer, trailer, trailer coach and similar nonmotorized conveyance, or any other structure or device exceeding .46 cubic meters (sixteen cubic feet) in volume to be carried upon or in any such conveyance, or any equipment, machinery, or similar material shall be prohibited unless conducted within a garage or accessory building, or in an area screened from view from the street and adjoining lots by a legally located fence, wall, or equivalent screening.

(c) Servicing, repairing, assembling, disassembling, wrecking, modifying, restoring, or otherwise working on, or storing, placing, and parking any of the conveyances designated in this section (excluding (1) Passenger vehicles other than house cars and (2) "Pickup" motor trucks on which no equipment other than a camper is mounted), whether disabled or fully operative, is permitted for an aggregate period of over seventy-two hours during any continuous period of ninety-six hours in any open areas on a lot only in locations where an accessory building or principal building of equivalent height or bulk would be permitted by the provisions of this title.

(d) Notwithstanding the provisions of subsections (a) and (b), emergency repairs and short-term or temporary parking of any conveyance listed in subsection (a), when owned by a person residing on the lot, may be conducted for an aggregate period of up to seventy-two hours in any continuous period of ninety-six hours exclusive of the screening requirements.

(e) For the purpose of this section, references to types of conveyances shall have the same meanings as defined in the Vehicle Code of the state of California, where such definitions are available.

(f) Chapter 18.94 shall not be applicable to this section. (Ord. 3048 (part), 1978).

Chapter 18.90

VARIANCES AND CONDITIONAL USE PERMITS

Sections:

- 18.90.010 Duties of zoning administrator.
- 18.90.020 Application for variance or conditional use permit.
- 18.90.030 Public hearing and notice.
- 18.90.040 Action by zoning administrator.
- 18.90.050 Variance—Findings and conditions.
- 18.90.060 Conditional use permit—Findings and conditions.
- 18.90.070 Effective date.
- 18.90.080 Revocation, extension, transferability, and duration.
- 18.90.087 Conditional use permits for licensed residential care homes.
- 18.90.090 Reports.
- 18.90.100 Variances in conjunction with subdivision.
- 18.90.110 Temporary uses.
- 18.90.120 Sales of alcoholic beverages.

18.90.010 Duties of zoning administrator. Subject to the provisions of this chapter and the general purpose and intent of this title, the zoning administrator may grant the following:

(a) A variance from the site development regulations (except limitations on residential density and size of establishment) and parking and loading regulations applicable within any district established by this title;

(b) A variance from the special requirements that apply to site development and parking and loading regulations applicable within any district established by this title. Special requirements in any district do not include special provisions and exceptions as set forth in Chapter 18.88 except for the location of accessory buildings;

(c) A variance from the requirements of Title 20;

(d) A conditional use permit for any use or purpose for which such permit is required or permitted by the provisions of this title. (Ord. 3070 § 4, 1978; Ord. 3048 (part), 1978).

18.90.020 Application for variance or conditional use permit. (a) Application for a variance or a conditional use permit may be made by the owner of record of property for which the variance or conditional use permit is sought, or by one of the following:

(1) A purchaser of property for which the variance or permit is sought, when acting pursuant to a contract in writing executed and acknowledged by both the buyer and the owner of record;

(2) A lessee in possession of property for which a variance or permit is sought, when acting with the written consent of the owner of record;

(3) An agent of the owner of record of property for which a variance or permit is sought, when duly authorized by the owner in writing.

(b) Application shall be made to the zoning administrator on a form

prescribed by the zoning administrator, and shall contain the following:

- (1) A description and map showing the location of the property for which the variance or permit is sought, and indicating the location of all parcels or properties within a distance of 76.2 meters (two hundred fifty feet) from the exterior boundary of the property involved in the application;
 - (2) The name and address of the applicant, and a list as shown on the last equalized assessment roll of the name and address of the owner of record of each parcel, and the street address of each residential, commercial, or industrial occupant, located within a distance of 76.2 meters (two hundred fifty feet) from the exterior boundaries of the property involved;
 - (3) If the application is for a variance, plans and/or descriptions of existing and proposed construction on the property involved, together with a statement of the circumstances which justify the variance application;
 - (4) If the application is for a conditional use permit, plans and/or descriptions of existing and proposed uses on the property, and describing in detail the nature of the use proposed to be conducted on the property;
 - (5) Such additional information as the zoning administrator may deem pertinent and essential to the application.
- (c) Application for a variance or a conditional use permit shall be accompanied by the fee prescribed by the municipal fee schedule, no part of which shall be returnable to the applicant. (Ord. 3048 (part), 1978).

18.90.030 Public hearing and notice. (a) Upon receipt of an application for a variance or a conditional use permit, the zoning administrator shall set a date for a public hearing, which hearing shall be held within forty-five days of the date of filing of the application.

(b) Notice of such hearing shall be mailed, at least ten days prior to the date of the hearing, to the applicant, and to each occupant and the owner of record of property within 76.2 meters (two hundred fifty feet) of the exterior limits of the property involved. Compliance with the procedures set shall be deemed sufficient notice to allow the city to proceed with the hearing and action, regardless of actual receipt by any occupant or record owner.

(c) The notice of public hearing shall contain the following:

- (1) A statement of the general location of the property involved and the nature or purpose of the application;
- (2) A statement of the time, place, and purpose of the hearing;
- (3) Reference to the application on file for particulars;
- (4) A statement that any interested person, or agent thereof, may appear and be heard. (Ord. 3048 (part), 1978).

18.90.040 Action by zoning administrator. At the time and place set for such hearing, the zoning administrator shall hear evidence for and against such application. Each hearing shall be open to the public. The zoning administrator may continue any hearing from time to time. Within a reasonable time, but not more than ten working days after the conclusion of

the hearing, the zoning administrator shall make findings and shall render a decision on the application which in his opinion is supported by the evidence contained in the application or presented at the hearing. Notice of the decision of the zoning administrator shall be mailed to the applicant and to any other person requesting such notice. The zoning administrator shall forward a notice of any variance granted to the recorder's office of the county of Santa Clara in such form as may be permissible for recording. (Ord. 3048 (part), 1978).

18.90.050 Variance — Findings and conditions. (a) The zoning administrator may grant a variance from the site development regulations, the parking and loading regulations, or the special requirements of this title applicable within any district if, from the application or the facts presented at the public hearing, he finds:

(1) There are exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to property in the same district.

(2) The granting of the application is necessary for the preservation and enjoyment of a substantial property right of the applicant, and to prevent unreasonable property loss or unnecessary hardship.

(3) The granting of the application will not be detrimental or injurious to property or improvements in the vicinity and will not be detrimental to the public health, safety, general welfare, or convenience.

(b) In granting such variance, the zoning administrator may impose such reasonable conditions or restrictions as he deems appropriate or necessary to protect the public health, safety, general welfare, or convenience, and to secure the purposes of this title. (Ord. 3048 (part), 1978).

18.90.060 Conditional use permit — Findings and conditions. (a) The zoning administrator may grant a conditional use permit in accord with this title if, from the application or the facts presented at the public hearing, he finds:

(1) The proposed use, at the proposed location, will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare, or convenience.

(2) The proposed use will be located and conducted in a manner in accord with the Palo Alto comprehensive plan and the purposes of this title.

(b) The zoning administrator may impose such reasonable conditions or restrictions as he deems necessary to secure the purposes of this title and to assure operation of the use in a manner compatible with existing and potential uses on adjoining properties and in the general vicinity. (Ord. 3048 (part), 1978).

18.90.070 Effective date. A variance or conditional use permit granted by the zoning administrator shall take effect ten days following the mailing

of the notice of the decision of the zoning administrator, unless an appeal is filed as provided in Chapter 18.92. (Ord. 3048 (part), 1978).

18.90.080 Revocation, extension, transferability, and duration. (a) In any case where the conditions of a variance or conditional use permit have not been or are not being complied with, the zoning administrator shall give notice to the permittee of intention to revoke the variance or conditional use permit, and, at least ten days following the mailing of such notice, shall conduct a hearing thereon. Following such hearing, and if good cause exists therefor, the zoning administrator may revoke such variance or conditional use permit.

(b) A variance or conditional use permit which has not been used within one year following the effective date thereof, shall become null and void and of no effect unless a shorter time period shall specifically be prescribed by the conditions of such variance or conditional use permit. The zoning administrator may, without a hearing, extend such time for a maximum period of one additional year only, upon application filed with him before the expiration of the one-year limit, or the expiration of such limit as may be specified by the conditions of the variance or conditional use permit.

(c) Unless specifically provided otherwise as a condition of a variance or a conditional use permit, a valid variance or permit granted pursuant to this chapter shall be transferable to successive owners of the site for which the variance or permit is granted.

(d) A variance granted pursuant to this chapter shall exist for the life of the existing structure or such structure as may be constructed pursuant to the variance approval unless a different time period is specified in the issuance of the variance. A variance from the parking and loading regulations shall be valid only during the period of continued operation of the use and/or structure for which the variance was granted.

(e) Each variance, and the conditions applicable thereto, shall be recorded with the county recorder. (Ord. 3064 § 1 (part), 1978; Ord. 3048 (part), 1978).

18.90.087 Conditional use permits for licensed residential care homes.

(a) No application for a conditional use permit for a licensed residential care home shall be accepted for any such use within 304.8 meters (one thousand feet) of any premises for which a conditional use permit for a licensed residential care home is in force.

(b) No conditional use permit for a licensed residential care home shall be issued for any occupancy greater than eight persons, six of whom require care. Of the remaining two persons permitted, each must be an owner of the property or an equal co-tenant. No subtenancy or other occupancy shall be permitted, unless the number of persons requiring care is reduced proportionately.

(c) Smoke detectors of a type and number and at such locations as specified by the fire department shall be installed in all premises in which

lawful occupancy is increased, or for which a conditional use permit is issued after the effective date of this section.

(d) Conditional use permits for licensed residential care homes shall not be transferable.

(e) The total number of motor vehicles owned or possessed by all residents in a licensed residential care home shall not exceed the number which may be lawfully parked on the driveway or in the garage of the premises involved. (Ord. 3048 (part), 1978).

18.90.090 Reports. The zoning administrator shall make a monthly report to the city manager of the action taken on all applications for variances and conditional use permits. A copy of such report also shall be forwarded to the city council and the planning commission. (Ord. 3048 (part), 1978).

18.90.100 Variances in conjunction with subdivision. In cases of subdivisions of five or more lots or any other subdivision which by the terms of Title 21 is required to be reviewed by the planning commission and city council, the subdivider may, in conjunction with filing of a tentative map and additional data pursuant to Title 21, also file an application under this chapter for one or more variances as to yards required by this chapter, or setbacks established by Title 20, or both. In such event, the variance application shall be processed concurrently with the subdivision, in lieu of under the provisions of this title, and shall be reviewed by the planning commission and granted by the city council in accord with the following procedure:

(a) In such cases, the tentative map under Section 21.12.040, or preliminary parcel map under Section 21.32.040, shall include the dimensions and locations of all proposed buildings and structures for which variances are sought under this section, and the subdivider's application shall contain justification and reasons for such variances.

(b) Under this section, the planning commission may recommend and the city council may approve the granting of variances as to setback or yard requirements or both where it appears from the proposed map, the subdivider's statement, and from other relevant facts that the granting of such variances will be consistent with sound subdivision planning, will not in any substantial degree be detrimental or injurious to the property or improvements of other owners of property, and will not be contrary to the public welfare or convenience. No public hearing need be held for the granting of variances under this section.

(c) In the granting of variances under this section, the planning commission may recommend and the city council may require the imposition of such conditions or restrictions as are deemed necessary or appropriate to protect the public health, safety, or welfare.

(d) Any variance granted under this section shall, unless otherwise stated, be transferable with the lot upon which it is granted, and any

condition or restriction imposed in conjunction therewith shall be deemed to be binding on said lot in the hands of transferees for the duration of said variance, or the enjoyment of the benefits granted thereby.

(e) At the time of the filing of the final map or parcel map with the director of public works/city engineer, the subdivider applying for variances under this section shall also file therewith a map or maps in duplicate, drawn to scale, showing the lots in the subdivision upon which such variances are sought and showing clearly by dotted lines drawn parallel to the property line affected, with dimension marks and numbers in each case, such altered setbacks and yards as may have been approved and imposed on the tentative map. Said map or maps accompanying the final map shall be captioned "record of variances and conditions thereof granted in conjunction with subdivision of (state tract name and number)" and shall contain thereon a statement substantially as follows:

"The variances and conditions or restrictions as to setback and/or yard requirements shown hereon were granted and imposed by the City Council of the City of Palo Alto by Resolution No. on (date). Such variances shall be transferable with the respective lots on which they are granted and such lots in the hands of transferees for the duration of said variance or the enjoyment of the benefits granted thereby."

(f) In addition to the matters set forth in Section 21.16.110, the final map or parcel map shall include thereon a statement substantially as follows:

"Lots (listing them by number or other appropriate designation) are transferable subject to certain conditional variances as to setback and/or yard requirements which are shown on the 'record of variances and conditions' for the subdivision on file with the Department of Planning and Community Environment, City of Palo Alto, California."

(g) The approval by the city council of such final map or parcel map and the accompanying map or maps showing variances and conditions constitute the granting of such variances subject to any such conditions or restrictions. (Ord. 3048 (part), 1978).

18.90.110 Temporary uses. The zoning administrator may grant a conditional use permit authorizing the use of a site in any district for a temporary use, subject to the following provisions:

(a) Application shall be made to the zoning administrator and shall be subject to the fee prescribed by the municipal fee schedule.

(b) The permit may be granted by the zoning administrator without a requirement for public hearing and notice as otherwise required by Section 18.90.030.

(c) The permit may include authorization to vary from specific requirements of this title as may be solely related to the requested temporary use.

(d) A conditional use permit for a temporary use, if granted by the zoning administrator, shall be valid for a specifically stated time period not to exceed forty-five days. The zoning administrator may impose such

reasonable conditions or restrictions as he deems necessary to secure the purposes of this title and to assure operation of the use in a manner compatible with existing and potential uses on adjoining properties and in the general vicinity.

(e) A conditional use permit for a temporary use may be granted by the zoning administrator if, from the application or the facts presented to him, he finds:

(1) The granting of the application will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare, or convenience.

(2) The proposed use will be located and conducted in a manner in accord with the Palo Alto comprehensive plan and the purposes of this title. (Ord. 3048 (part), 1978).

18.90.120 Sales of alcoholic beverages. (a) In any district where otherwise permitted by this title, any eating and drinking establishment or other use having any part of its operation subject to an on-sale license required by the state of California shall be subject to securing a conditional use permit.

(b) A conditional use permit shall be obtained whenever a new on-sale license is required by the state of California, and in the case of premises for which no conditional use permit is in force, whenever a new on-sale license or a transfer thereof is required by the state of California.

(c) The maximum number of permits which may be issued in any single block where any portion of the block is classified in one or more districts in which an eating and drinking establishment is a permitted or a conditional use shall be governed by the following table, and no application for a conditional use permit for the sale of alcoholic beverages under on-sale license from the state of California shall be accepted unless the standards in this section are met.

In any block having residentially zoned site area equal to or greater than 25 percent of the total block area:

**Maximum Number of
Conditional Use Permits
Which May be Authorized**

No permit

1 permit

2 permits

**Square Feet of Zoned Site Area in District or
Districts Allowing Eating and Drinking Use
as a Permitted or Conditional Use**

0- 1,858.0 sq. m. (0-19,999 sq. ft.)

1,858.1-3,716.0 sq. m. (20,000-39,999 sq. ft.)

3,716.1 sq. m. and above (40,000 sq. ft. and above)

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In any block having residentially zoned site area less than 25 percent of
total block area:

**Maximum Number of
Conditional Use Permits
Which May be Authorized**

3 permits

4 permits

5 permits

6 permits

7 or more

(Ord. 3048 (part), 1978).

**Square Feet of Zoned Site Area in District or
Districts Allowing Eating and Drinking Use
as a Permitted or Conditional Use**

0-14,864.4 sq. m. (0-159,999 sq. ft.)

14,846.5-29,728.9 sq. m. (160,000-319,999 sq. ft.)

29,729.0-59,457.9 sq. m. (320,000-639,999 sq. ft.)

59,458.0-118,915.8 sq. m.

(640,000-1,279,999 sq. ft.)

In the same progression

APPEALS

Sections:

- 18.92.010 Appeal.
- 18.92.020 Filing procedure.
- 18.92.030 Action by city clerk and stay of proceedings.
- 18.92.040 Hearing and notification.
- 18.92.050 Action by commission.
- 18.92.060 Action by city council.
- 18.92.070 Resubmittal of application.

18.92.010 Appeal. An appeal may be taken to the planning commission by any person, firm, or corporation aggrieved or affected by any determination of the zoning administrator with respect to granting or denial of a variance or of a conditional use permit. (Ord. 3048 (part), 1978).

18.92.020 Filing procedure. (a) An appeal shall be in writing and shall be filed with the city clerk within ten days after the mailing of notice of the decision of the zoning administrator on a variance or conditional use permit. An appeal not filed within such time shall not be processed. The appeal shall state the grounds therefor.

(b) An appeal shall be subject to an appeal fee as prescribed by the municipal fee schedule, no part of which shall be returnable to the appellant. (Ord. 3048 (part), 1978).

18.92.030 Action by city clerk and stay of proceedings. Filing of an appeal with the city clerk shall stay all proceedings in furtherance of the action appealed until the determination of the appeal as provided in this chapter. Upon the filing of an appeal, the city clerk shall immediately notify the zoning administrator and chairman of the planning commission of the appeal, and shall forward all materials submitted with the appeal to the secretary of the planning commission. (Ord. 3048 (part), 1978).

18.92.040 Hearing and notification. Upon notification and receipt of the appeal, the chairman of the planning commission shall set a date for a public hearing on the appeal, which shall be held within three months of the date of filing of the appeal. Notice of hearing shall be given in the same manner as provided in Chapter 18.90 for notice of hearing by the zoning administrator.

The zoning administrator shall transmit to the planning commission copies of the original application, of the appeal, and of other papers constituting the record upon which the action appealed was taken, including a written statement setting forth the reasons for his decision. (Ord. 3048 (part), 1978).

18.92.050 Action by commission. Upon the date set for hearing, the planning commission shall conduct a public hearing thereon, unless, for cause, the commission on that date continues the matter. Upon conclusion of the hearing on the appeal, the commission shall make findings and recommend to the city council that the decision of the zoning administrator be affirmed, changed or modified, or in lieu thereof, make such other or additional recommendations as it deems proper. The findings of the commission shall be subject to the provisions of Sections 18.90.050 and 18.90.060 and shall be submitted in the form of a recommendation to the city council. (Ord. 3048 (part), 1978).

18.92.060 Action by city council. Upon receipt of the recommendation of the planning commission, the city council shall consider the appeal within thirty days of receipt of the recommendation by the city clerk. The council may, at its option, conduct a public hearing on the matter.

In conformity with the provisions of this title, the council may by motion reverse or affirm wholly or partly, or may modify any decision, determination, or requirement recommended by the planning commission, and may make such decision or determination or may impose such conditions as the facts warrant with respect to the appeal and to the approval or denial of the application for variance or conditional use permit, and the decision or determination of the council shall be final.

If granted by the council upon appeal, the variance or conditional use permit shall be effective immediately. Notice of the council's decision shall be mailed to the original applicant, to the person filing the appeal, and to any other person who has filed a written request therefor with the city clerk. (Ord. 3048 (part), 1978).

18.92.070 Resubmittal of application. No substantially similar application for a variance or conditional use permit which has been denied wholly or in part shall be resubmitted for a period of six months from the effective date of the final action on such application, except upon a showing of a substantial change of circumstances. (Ord. 3048 (part), 1978).

**APPEALS FROM DETERMINATIONS OF
THE DIRECTOR OF PLANNING AND
COMMUNITY ENVIRONMENT**

Sections:

- 18.93.010 Appeal.
- 18.93.020 Notice of determination.
- 18.93.030 Filing procedure.
- 18.93.040 Action by city clerk and stay of proceedings.
- 18.93.050 Consideration and notification.
- 18.93.060 Action by commission.
- 18.93.070 Action by city council.
- 18.93.080 Resubmittal of application.

18.93.010 Appeal. An appeal may be taken to the planning commission by any person, firm, or corporation aggrieved or affected by any determination of the director of planning and community environment allowing an adjustment of automobile or bicycle parking requirements pursuant to subsections 18.83.080(a) or (b) or approving an application pursuant to Chapter 18.99. (Ord. 3048 (part), 1978).

18.93.020 Notice of determination. Notice of all determinations of the director of planning and community environment specified in Section 18.93.010 shall be given by the director of planning and community environment by distributing such notice in the next available city council packet after the rendering of the decision. Such notice shall also be published once in a local newspaper of general circulation not later than five days after the distribution of the notice in the city council packet.

The notice referred to in this section shall generally state the address and description of the subject property and project, and the nature of the determination. Said notice shall also recite the fact that details regarding the project and determination will be available in the office of the planning department, and that an appeal may be taken from the determination within ten days after the publication of the notice. (Ord. 3048 (part), 1978).

18.93.030 Filing procedure. (a) An appeal shall be in writing in such form as may be prescribed by the director of planning and community environment and shall be filed with the city clerk within ten days of the publication of notice of the determination. An appeal not filed within such time shall not be processed. The appeal shall state the grounds therefor.

(b) An appeal shall be subject to an appeal fee as prescribed by the municipal fee schedule, no part of which shall be returnable to the appellant. (Ord. 3048 (part), 1978).

18.93.040 Action by city clerk and stay of proceedings. Filing of an

appeal with the city clerk shall stay all proceedings in furtherance of the action appealed until the determination of the appeal as provided in this chapter. Upon the filing of an appeal, the city clerk shall immediately notify the director of planning and community environment and the chairman of the planning commission of the appeal, and shall forward all materials submitted with the appeal to the secretary of the planning commission. (Ord. 3048 (part), 1978).

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18.93.050 Consideration and notification. Upon notification and receipt of the appeal, the chairman of the planning commission shall place the appeal on the agenda of the next regular meeting of the planning commission on the fourth Wednesday of the month for action; provided, that if, in the opinion of the chairman of the planning commission, such scheduling is not practical by reason of the proximity of the date of the appeal to the next regular meeting date of the planning commission, or by reason of the congestion of the agenda for said meeting, planning commission consideration of the appeal may be scheduled, at the discretion of the chairman of the planning commission, for the next following regular meeting of the planning commission. Notice of the date and time of consideration of the appeal shall be mailed to the applicant and appellant not later than the date of distribution of the planning commission packet for the subject meeting.

The director of planning and community environment shall transmit to the planning commission copies of the original application, of the appeal, and of other papers constituting the record upon which the action appealed was taken, including a written statement setting forth the reasons for his decision. (Ord. 3048 (part), 1978).

18.93.060 Action by commission. Upon the date set for consideration of the appeal, the planning commission shall consider the appeal, unless, for cause, the commission on that date continues the matter. The planning commission may determine the matter upon the record provided to it, or may, at its discretion, receive such additional testimony or evidence as may be deemed relevant. The commission shall make findings relevant to the determination appealed and shall recommend to the city council that the decision of the director of planning and community environment be affirmed, changed or modified, or in lieu thereof, make such other or additional recommendations as it deems proper. The findings of the commission shall be submitted in the form of a recommendation to the city council. (Ord. 3048 (part), 1978).

18.93.070 Action by city council. Upon receipt of the recommendation of the planning commission, the city council shall consider the appeal within thirty days of receipt of the recommendation by the city clerk unless, for cause, on the date set for such consideration, the city council continues the matter.

In conformity with the provisions of this title, the council may by motion reverse or affirm wholly or partly, or may modify any decision, determination, or requirement of the director of planning and community environment, and may make such decision or determination or may impose such conditions as the facts warrant with respect to the appeal and to the determination appealed, and the decision or determination of the council shall be final.

The decision of the council shall be effective immediately. Notice of the council's decision shall be mailed to the original applicant, to the person filing the appeal, and to any other person who has filed a written request therefor with the city clerk. (Ord. 3048 (part), 1978).

18.93.080 Resubmittal of application. No substantially similar application pursuant to subsection 18.83.080(a) or (b) or Chapter 18.99 which has been denied in whole or in part shall be resubmitted for a period of six months from the effective date of the final action on such application, except upon a showing of substantial change of circumstances. (Ord. 3048 (part), 1978).

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**NONCONFORMING USES AND
NONCOMPLYING FACILITIES****Sections:**

- 18.94.010 General application.
- 18.94.020 Nonconforming use—Expansion.
- 18.94.030 Nonconforming use—Change.
- 18.94.040 Nonconforming use—Discontinuance.
- 18.94.050 Nonconforming use—Maintenance and repair of facility.
- 18.94.060 Nonconforming use—Replacement of facility.
- 18.94.070 Nonconforming use—Required termination.
- 18.94.080 Noncomplying facility—Enlargement.
- 18.94.090 Noncomplying facility—Maintenance and repair.
- 18.94.100 Noncomplying facility—Replacement.
- 18.94.110 Determination of value.
- 18.94.120 Determination of age.
- 18.94.130 Certificate of use and occupancy.
- 18.94.140 Unsafe buildings.

18.94.010 General application. Except as provided by this chapter or otherwise provided by law, a nonconforming use may be continued, and a structure containing or used by one or more nonconforming uses may be maintained, or a noncomplying facility may be maintained. (Ord. 3048 (part), 1978).

18.94.020 Nonconforming use—Expansion. (a) A nonconforming use shall not be altered, enlarged, expanded, or extended, except as provided in subsection (b). This prohibition shall include any moving, enlargement, extension, expansion or alteration of a nonconforming use which:

(1) Increases the site area or floor area occupied by such use on the same or any additional site;

(2) Increases the number of structures or the size of any structure housing such nonconforming use or portion thereof.

(b) A nonconforming use which occupies a portion of a building may be expanded to include additional floor area within the same building; provided, that:

(1) Without substantial remodeling or reconstruction, the portion of building into which expansion is proposed is not reasonably susceptible to use or occupancy by a conforming use. The determination of whether a portion of a building is reasonably susceptible to use or occupancy by a conforming use shall be made by the building official and shall take into consideration, but not be limited to, the following:

(A) Whether any required remodeling or reconstruction would involve structural alterations;

(B) Whether the building was designed and constructed for the

nonconforming use occupying the building or portion thereof, or uses of similar intensity or classification;

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(C) The degree of privacy, separation, and protection afforded the portion of the building into which expansion is proposed from intrusion, interference, noise, and similar effects resulting from or generated by the nonconforming use;

(D) Availability of access to the portion of the building into which expansion is proposed.

(2) Such expansion within the building does not create, cause, or increase any additional nonconformance or noncompliance with the requirements of this title.

(3) Nothing contained in this section authorizes a change in the nature of a nonconforming use contrary to the provision of Section 18.94.030. (Ord. 3048 (part), 1978).

18.94.030 Nonconforming use – Change. (a) Except as provided in subsection (b), a nonconforming use shall not be changed to or replaced by any use except a conforming use.

(b) A nonconforming use may be changed to or replaced by another nonconforming use which would have been permitted under the most recent zoning classification of the property under which the nonconforming use was a conforming use and which is of no higher occupancy rating than the existing nonconforming use as defined by Title 16 subject to the following limitations:

(1) The change or replacement shall not increase the extent of the nonconformity, or the nature of the activity, or the site area or floor area occupied by the nonconforming use on the site, except as may be provided by Section 18.94.020(b).

(2) Any period of temporary vacancy or discontinuance associated with such change or replacement shall not exceed the limitations established by Section 18.94.040.

(3) Such change or replacement of nonconforming use to or by another nonconforming use shall be permitted only if the building, or portion of building, presently occupied by the nonconforming use is not reasonably capable of conversion to accommodate use and occupancy by a conforming use, without substantial reconstruction or remodeling. The building official shall determine whether the building, or portion of a building, is reasonably capable of such conversion. Said determination shall take into consideration, but not be limited to, the following:

(A) Whether changes in the nature of the building or a portion of the building would be required by Title 16 or similar regulations in order to convert the use of the building, or portion of the building, to a conforming use;

(B) Whether any reconstruction or remodeling necessary to convert the use and occupancy of the building, or a portion of the building, involves structural alterations;

(C) Whether the building, or portion of the building, was originally designed and constructed for the particular existing nonconforming use or uses of similar character.

(c) A nonconforming use which is changed to or replaced by a conforming use shall not be reestablished, and any portion of a site or any portion of a building, the use of which changes from a nonconforming to a conforming use, shall not thereafter be used except to accommodate a conforming use. (Ord. 3048 (part), 1978).

18.94.040 Nonconforming use – Discontinuance. (a) On any site having facilities thereon valued at less than one thousand dollars, any nonconforming use, other than a residential use, which is discontinued or abandoned or otherwise ceases operation and use of the site for a period of six months or longer shall not be resumed, reestablished, or continued, and all subsequent use of such site and facilities thereon shall conform to this title.

(b) On any site not subject to subsection (a), a nonconforming use of facilities designed and constructed for nonresidential purposes which is discontinued or abandoned or otherwise ceases operation and use of the site for a period of one year or more shall not be resumed, and all subsequent use of such site and facilities thereon shall conform to this title.

(c) Notwithstanding the provisions of Section 18.94.030, or the provisions of subsections (a) and (b) of this section, in any residential district, a nonresidential, nonconforming use occupying facilities originally designed and constructed for residential use which is discontinued or abandoned or otherwise ceases operation and use of the site for a period of ninety days or greater shall not be continued or recommenced, and any subsequent use of the site and facilities shall conform to this title. This provision shall not be construed to prevent a change of ownership or management of such nonconforming use; provided, that any cessation of operation of the use is solely in connection with the transfer of ownership or management to a specifically designated person or entity and is solely for the purpose of accomplishing any transfer of title, equipment, operational control, or similar purposes. Nothing contained in this subsection shall affect the right to maintain or replace an office use as provided in Sections 18.25.070(a), 18.27.070(a), and 18.29.070(a). (Ord. 3048 (part), 1978).

18.94.050 Nonconforming use – Maintenance and repair of facility. Facilities occupied or used by a nonconforming use permitted by this chapter shall be subject to the following provisions governing maintenance, repairs, alterations, or replacement:

(a) Normal and routine maintenance of any structure for the purpose of preserving its existing condition, retarding or eliminating wear and tear or physical depreciation, or complying with the requirements of law, shall be permitted.

(b) Incidental alteration shall be permitted, provided the value of the

incidental alterations in any one-year period shall not exceed twenty percent of the value of the facility prior to such alterations.

(c) Structural alterations or enlargement of the facility shall be permitted only to accommodate a conforming use, or when made to comply with the requirements of law. (Ord. 3048 (part), 1978).

18.94.060 Nonconforming use — Replacement of facility. A facility, used or occupied wholly or partly by one or more nonconforming uses, which is damaged or destroyed by any means except ordinary wear and tear and depreciation, may be reconstructed or replaced only for occupancy or use by a conforming use, except in the following instances:

(a) Where none of the nonconforming uses is subject to termination as provided by Section 18.94.070, reconstruction or replacement for continued occupancy or use by such nonconforming use shall be permitted only in accord with the following limitations:

(1) The extent of nonconformity, or the intensity of activity, or the site area or floor area occupied by the nonconforming use subsequent to reconstruction or replacement of the facility shall not exceed that existing prior to reconstruction or replacement.

(2) Reconstruction or replacement shall be subject to all applicable laws, regulations, and procedures otherwise governing construction on the site.

(b) When one or more of the nonconforming uses is subject to termination as provided by Section 18.94.070, reconstruction or replacement for continued occupancy or use by such nonconforming use shall be permitted only in accord with the following limitations:

(1) During the first one-third of the applicable termination period of such use, the facility may be reconstructed or replaced; provided the value of such reconstruction or replacement shall not exceed seventy-five percent of the value of the facility prior to damage or destruction.

(2) During the second one-third of the applicable termination period of such use, the facility may be reconstructed or replaced; provided the value of such reconstruction or replacement shall not exceed fifty percent of the value of the facility prior to damage or destruction.

(3) During the last one-third of the applicable termination period of such use, the facility may be reconstructed or replaced; provided the value of such reconstruction or replacement shall not exceed twenty-five percent of the facility prior to damage or destruction.

(4) Any reconstruction or replacement permitted in this chapter shall not extend or otherwise modify the required termination date established by Section 18.94.070 and applied to the nonconforming use prior to such reconstruction or replacement. Said termination date shall apply to all portions of the site or structure, including those portions reconstructed or replaced. (Ord. 3048 (part), 1978).

18.94.070 Nonconforming use — Required termination. (a) In any

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district, a nonconforming, nonresidential use occupying a site having facilities thereon valued at less than one thousand dollars, shall be terminated within five years from the effective date of this section, or within five years from the date such use becomes nonconforming, whichever date is later, and within such time the improvements shall either be removed, or converted or modified to accommodate a conforming use.

(b) In any district, a nonconforming, nonresidential use of a site not subject to subsection (a) of this section shall be terminated in accord with the following provisions and schedules, except that nothing contained in this subsection affects the right to maintain or replace professional and medical office uses as provided in Sections 18.25.070(a), 18.27.070(a), and 18.29.070(a):

(1) When occupying or using facilities designed and built for residential use, the nonconforming use shall be terminated within ten years from July 20, 1978, or within ten years from the date such use becomes nonconforming, whichever date is later, and within such time the improvements shall either be removed, or converted or modified to accommodate a conforming use.

(2) When occupying or using facilities designed or built for nonresidential use, the nonconforming use shall be terminated, and the facilities shall be converted or modified to accommodate a conforming use, or shall be removed at or before the time limit prescribed in subdivision (3) of this subsection; provided, however, that no such termination, removal, or conversion shall be required within fifteen years from July 20, 1978, or within fifteen years from the date such use became nonconforming, whichever date is later.

(3) The following schedule shall govern the period of time for termination of nonconforming uses specified in subdivision (2) of this subsection:

Type of Construction as Defined by Building Code	Age of Structure Computed from Date of Construction
Type I—Totally noncombustible	35 years
Type II—Fire resistive	35 years
Type III—Noncombustible exterior, combustible interior	30 years
Type IV—Heavy timber	30 years
Type II—Nonrated	25 years
Type V—Wood frame	20 years

(Note: Schedule will be changed when 1976 Uniform Building Code is adopted.)

(4) Nothing contained in this subsection shall extend or otherwise modify any termination date provided by any previously existing ordinance for any use which became nonconforming under such ordinance prior to the effective date of this section. Such termination dates for such previously existing nonconforming uses are incorporated in this section and shall remain in effect.

(c) The director of planning and community environment shall

determine those properties the uses of which were lawfully existing uses permitted or conditionally permitted in the districts in which they were located immediately prior to July 20, 1978, and which uses were rendered nonconforming by reason of the adoption of this title on July 20, 1978, and those properties which, prior to the effective date of this section were located in an R-1 district, which was imposed by reason of annexation of the property to the city, without benefit of rezoning, the uses of which were lawfully existing uses, permitted or conditionally permitted, operating subject to a conditional use permit prior to the date of annexation. Written notice of said nonconformance shall be mailed to the owner of record of each such property and to the occupant of the property. Within two years of the date of mailing of such notice, any owner of such property, lessee of such property with the written consent of owner, or purchaser of such property when acting pursuant to a contract of sale in writing duly executed and acknowledged by both the buyer and the owner of record, may apply to have such property excepted from the termination provisions of this section. Said application shall be made to the director of planning and community environment in such form as may be prescribed by the director of planning and community environment. Said application shall include, but not be limited to, a statement of the location and size of the property, the nature of its use on July 20, 1978, a statement of reasons establishing the compatibility of said use with the surrounding areas and properties, a map of the subject property and indicating the location of all parcels or properties within a distance of 76.2 meters (two hundred fifty feet) from the exterior boundary of the subject property, a list, as shown on the last equalized assessment roll, of the name and address of the owner of record of each parcel, and the street address of each residential, commercial, or industrial occupant, located within a distance of 76.2 meters (two hundred fifty feet) from the exterior boundaries of the subject property, and such other information as may be required by the director of planning and community environment.

(1) Such application shall be accompanied by such fee as is prescribed in the municipal fee schedule.

(2) Upon receipt of such application, the director of planning and community environment shall so inform the chairperson of the planning commission who shall set a date for a public hearing on the application which shall be held within a reasonable time from the date of filing of the application. Notice of the hearing shall be given in the same manner as provided in Chapter 18.90 for notice of hearing by the zoning administrator.

(3) Upon the date set for hearing, the planning commission shall conduct a public hearing thereon, unless, for cause, the commission shall on that date continue the matter. Upon conclusion of the hearing, the commission shall determine whether the use of the property on the effective date of this section is compatible with and will not be detrimental to the surrounding area and properties. In the event the commission so finds, it shall recommend to the city council that the use shall be excepted from the

termination provisions of this section. The commission may recommend such conditions as it may find necessary to insure compatibility, including, but not limited to, required improvement of or modifications to existing improvements on the property, limitations on hours of operation, and limitations on the nature of operations.

(4) Upon receipt of the recommendation of the planning commission, the city council shall consider the application within a reasonable time. The council may, at its option, conduct a public hearing on the matter.

In the event the council finds the use of the subject property to be compatible with and not detrimental to the surrounding area and properties, it shall, by motion, except said use from the termination provisions of this section. In granting such exception, the council may impose such conditions as are deemed necessary to insure such compatibility, including, but not limited to, the conditions set out in this section.

(5) Any use which is excepted from the termination provisions of this section, and which is changed pursuant to Section 18.94.030 shall be subject to the termination provisions of this section as though no exception had been granted unless, prior to such expansion or change, application is made and granted pursuant to this subsection with respect to the expanded or changed use.

(6) Any use excepted from the termination provisions of this section shall be permitted to remodel, improve, or replace site improvements on the same site, without the necessity to comply with site development regulations, for continual use and occupancy by the same use; provided, that any such remodeling, improvement, or replacement shall not result in increased floor area, number of dwelling units, height, length, or any other increase in the size of the improvement.

(d) Notwithstanding the provisions of this section, any off-street parking lot which was lawfully existing and not subject to any required termination provisions of any predecessor ordinance on the effective date of this section, and which on that date was and continues to be used accessory to a lawful permitted use, shall be permitted to continue in existence and use for the life of the principal use to which it is accessory, regardless of whether said parking lot and principal use are located in the same district. (Ord. 3108 § 7, 1979; Ord. 3070 § 2, 1978; Ord. 3048 (part), 1978).

18.94.080 Noncomplying facility – Enlargement. Except as specifically permitted by Section 18.88.120, no enlargement, expansion, or other addition or improvement to a noncomplying facility shall be permitted which increases the noncompliance. This section shall not be construed to prohibit enlargement or improvement of a facility, otherwise permitted by this title, which does not affect the particular degree of or manner in which the facility does not comply with one or more provisions of this title. (Ord. 3048 (part), 1978).

18.94.090 Noncomplying facility – Maintenance and repair. (a) Normal

and routine maintenance of a noncomplying facility shall be permitted for the purpose of preserving its existing condition, retarding or eliminating wear and tear or physical depreciation, or complying with the requirements of law.

(b) Incidental alterations to a noncomplying facility shall be permitted, provided such alterations do not increase the degree of noncompliance, or otherwise increase the discrepancy between existing conditions and the requirements of this title.

(c) Structural alterations to a noncomplying facility shall be permitted when necessary to comply with the requirements of law, or to accommodate a conforming use when such alterations do not increase the degree of noncompliance, or otherwise increase the discrepancy between existing conditions and requirements of this title, or do not effectively extend or perpetuate the useful life of any particular feature or portion of such structure deemed noncomplying. (Ord. 3048 (part), 1978).

18.94.100 Noncomplying facility – Replacement. A noncomplying facility which is damaged or destroyed by any means except ordinary wear and tear and depreciation may be reconstructed only as a complying facility, except as follows:

(a) When the damage or destruction of a noncomplying facility affects only a portion of a facility, which portion does not constitute or contribute to the noncompliance, said portion may be repaired or reconstructed to its previous configuration.

(b) When the damage or destruction of a noncomplying facility affects only a portion of such facility, which portion constituted or contributed to the noncompliance, any replacement or reconstruction to such damage shall be required to be accomplished in such manner as not to reinstate the noncompliance or degree of noncompliance caused by the destroyed or damaged portion of the facility, and otherwise in full compliance with this title; provided, that in the event the cost to replace or reconstruct that portion of the facility damaged or destroyed to its previous configuration does not exceed fifty percent of the cost to replace or reconstruct that portion of the facility damaged or destroyed in conformance with this subsection, then that portion of the facility damaged or destroyed may be replaced or reconstructed to its previous configuration. In no event shall such replacement or construction create, cause, or increase any noncompliance with the requirements of this title.

(c) When the damage or destruction of a noncomplying facility located in an LM district is noncomplying solely by reason of failure to comply with the regulations for floor area ratio and/or site coverage, and such noncompliance does not exceed the maximum floor area ratio by more than a factor of one-tenth (.1) and the maximum site coverage by more than ten percentage points, and affects only a portion of said facility, then that portion may be replaced or reconstructed to its previous condition. In no

event shall such replacement or reconstruction create, cause, or increase any noncompliance with the requirements of this title.

(d) Except as otherwise provided in this section with regard to replacement or reconstruction of a portion of a facility to its previous noncomplying condition, all reconstruction shall be subject to all applicable laws, regulations, and procedures otherwise governing construction on the site at the time said construction is undertaken. (Ord. 3048 (part), 1978).

18.94.110 Determination of value. Value, as used in this chapter with respect to value of a facility, or to the value of improvements on a site, or to the value of reconstruction or replacement, means the current cost of construction, or the current cost of replacement in kind of existing facilities or improvements, excluding consideration of the value of land. Estimates or determinations of such cost for purposes of this chapter shall be made by or shall be reviewed and approved by the building official. (Ord. 3048 (part), 1978).

18.94.120 Determination of age. The age of a facility shall be computed from the recorded date of its completion, if available, or otherwise shall be deemed to be one year subsequent to the date of issuance of a building permit for such facility. In any case where, in a single construction phase, an addition to a facility was commenced prior to July 20, 1978, which had at the time of its completion a value in excess of seventy-five percent of the full cash value of the original facility, or which increased the gross floor area of the facility by more than seventy-five percent, the age of the facility shall be computed from the recorded date of the completion of such addition, if available, or otherwise such date shall be deemed to be one year subsequent to the date of issuance of a building permit for such addition. When the age of a facility cannot be determined by any of the foregoing means, the building official shall estimate the age for purposes of this chapter. (Ord. 3048 (part), 1978).

18.94.130 Certificate of use and occupancy. The owner or occupant of any site occupied or used entirely or partially by a nonconforming use shall make application for a certificate of use and occupancy under the provisions of Title 16 and shall annually thereafter apply for renewal of such certificate. (Ord. 3048 (part), 1978).

18.94.140 Unsafe buildings. Nothing in this chapter shall be construed as repealing, abrogating, or modifying any provision of Chapter 16.40, or any other provision of this code, or of any law relating to requirements for construction, maintenance, repair, demolition, or removal of structures. (Ord. 3048 (part), 1978).

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**NONCONFORMING USE AMORTIZATION
COMBINING DISTRICT (N)****Sections:**

- 18.95.010 Specific purposes.
- 18.95.020 Applicability of regulations.
- 18.95.030 Requirements for establishment of district.
- 18.95.040 Alternative schedule for termination of nonconforming use.

18.95.010 Specific purposes. The nonconforming use amortization combining district is intended to modify the regulations governing required termination of nonconforming uses to promote the timely, simultaneous, and orderly conversion to conforming use in areas having several properties occupied by nonconforming uses. (Ord. 3048 (part), 1978).

18.95.020 Applicability of regulations. The nonconforming use amortization combining district may be combined with any district, in accord with the provisions of Chapter 18.08 and Chapter 18.98. Where so combined, the provisions of this chapter shall apply to required termination of certain nonconforming uses, in lieu of the comparable provisions of Chapter 18.94. (Ord. 3048 (part), 1978).

18.95.030 Requirements for establishment of district. The nonconforming use amortization combining district may be established only when the planning commission recommends and the city council makes the following findings:

(a) That the proposed district contains three or more nonconforming uses covering one-third or more of the parcels in a total area not greater than 20.2 hectares (fifty acres), and each parcel containing such use or uses is no greater than sixty-one meters (two hundred feet) from the next parcel containing such use or uses;

(b) That the formation of such district would tend to reduce deterioration, blight, and long-term vacancies in the proposed district;

(c) That the formation of such district would not be injurious to the property or improvements of conforming uses within the proposed district and the immediately surrounding area.

When established, the nonconforming use amortization combining district classification shall be identified on the zoning map by the letter "N" within parentheses, following the general district classification. (Ord. 3048 (part), 1978).

18.95.040 Alternative schedule for termination of nonconforming use. Upon establishment of a nonconforming use amortization combining district, the planning commission shall recommend and the city council shall adopt a period for required termination for all nonconforming uses within

the district subject to termination as provided in Section 18.94.070. Said period shall be the period for required termination of such uses within the district and shall supersede the periods set forth in Section 18.94.070. Any ordinance enacted pursuant to this chapter shall state the applicable period of time on its face. In recommending and adopting such period, the planning commission and city council shall take into consideration, but not be limited to: the nature of construction of the facilities within the district subject to amortization, the ages of such facilities, the nature of the existing zoning, and ability to convert such facilities to accommodate conforming uses. (Ord. 3048 (part), 1978).

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**AMENDMENTS TO ZONING MAP AND
ZONING REGULATIONS****Sections:**

- 18.98.010 Amendments.
- 18.98.020 Changes in district boundaries.
- 18.98.030 Application by property owners.
- 18.98.040 Initiation by city.
- 18.98.050 Action by zoning administrator.
- 18.98.060 Notice of public hearing.
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18.98.010 Amendments. This title may be amended by changing the boundaries of districts, or by changing the regulations applicable within one or more districts, or by changing any other provision of this title, whenever the public interest or general welfare may so require. (Ord. 3048 (part), 1978).

18.98.020 Changes in district boundaries. Changes in the boundaries of districts established by this title may be initiated by any one of the following actions:

(a) By application of a property owner as provided by Section 18.98.030;

(b) By motion of the city council, or by motion of the planning commission, as provided by Section 18.98.040. (Ord. 3048 (part), 1978).

18.98.030 Application by property owner. (a) Application for a change in district boundaries may be made by the owner of record of property for which a change is sought, or by one of the following:

(1) A purchaser of property for which a change is sought, when acting pursuant to a contract in writing duly executed and acknowledged by both the buyer and the owner of record;

(2) A lessee in possession of property for which a change is sought, when acting with the written consent of the owner of record;

(3) An agent of the owner of record of property for which a change is sought, when duly authorized by the owner in writing.

(b) Application shall be made to the zoning administrator on a form prescribed by the zoning administrator, and shall contain the following:

(1) A description and map showing the boundaries of existing and requested districts, and identifying the property for which a change of district is requested;

(2) A written statement setting forth the reasons for the application and all facts relied upon by the applicant in support thereof;

(3) Such additional information as the zoning administrator may deem pertinent and essential to the application.

(c) Application for a change in district boundaries shall be accompanied by the fee prescribed by the municipal fee schedule, no part of which shall be returnable to the applicant. (Ord. 3048 (part), 1978).

18.98.040 Initiation by city. (a) Upon its own initiative, either the city council or the planning commission may by motion initiate application and proceedings for a change in district boundaries.

(b) A motion of the city council or the planning commission pursuant to this section may include any public or private property, and shall be accompanied by such maps or descriptions as may be necessary to define existing and proposed boundaries of districts, and by a statement, describing in general terms, the reasons for consideration of a change in district boundaries. The motion shall be directed to the zoning administrator, who shall process the application, without fee, as otherwise prescribed in this chapter. (Ord. 3048 (part), 1978).

18.98.050 Action by zoning administrator. (a) Upon receipt of an application for change in boundaries, or upon receipt of the motion of the council or the planning commission, the zoning administrator shall notify the chairman of the planning commission.

(b) Upon receipt of such notice, the chairman of the commission shall, on or before the fifteenth day of the month following the month in which the application or motion was filed, set a date for a public hearing upon the matter at either a regular or special meeting of the commission, unless the application is diverted for administrative approval pursuant to Chapter 18.99. Nothing contained in this section modifies any provision of or authority granted by Chapter 18.99. The hearing before the commission shall commence within ninety days of the date of filing. (Ord. 3048 (part), 1978).

18.98.060 Notice of public hearing. (a) The planning commission shall give a notice of hearing on a proposed change of district boundaries in the following manner:

(1) A notice of the time and place of such hearing and the purpose thereof shall be given by publication once in a local newspaper of general circulation not less than ten days prior to the date of the hearing.

(2) When the application for change of district boundaries has been filed by a property owner, written notice of such hearing also shall be mailed, at least ten days prior to the date of the hearing, to each owner of record of property within 76.2 meters (two hundred fifty feet) of the property for which reclassification is sought. When the application is pursuant to the motion of the council or the planning commission, written notice to owners shall not be required.

zoning administrator of a substantial change of circumstances. This provision shall not be construed to prevent the initiation of proceedings by either the planning commission or city council in accord with Section 18.98.040 at any time. (Ord. 3048 (part), 1978).

18.98.120 Prezoning. The determination of district classifications and district boundaries appropriate for property located outside the city, but potentially subject to annexation, may be made in the same manner as prescribed in this chapter for any property within the city; provided, that any ordinance duly passed by the city council establishing or changing such classification shall become effective only upon the effective date of annexation of such property to the city.

Upon passage of such an ordinance, the zoning map shall be revised to show the prezoned or potential classification to become effective upon annexation, and shall identify the district or districts applicable to such property with the label or nomenclature "PREZONED." (Ord. 3048 (part), 1978).

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Chapter 18.99

ADMINISTRATIVE APPROVAL OF MINOR
CHANGES IN PROJECTS

Sections:

- 18.99.010 Purpose of chapter.
- 18.99.020 Definition of minor change.
- 18.99.030 Applicability of chapter.
- 18.99.040 Diversion of applications for administrative approval.
- 18.99.050 Tolling of time periods.
- 18.99.060 Review and approval process.
- 18.99.070 Effect of final decision.
- 18.99.080 Further architectural review board review.
- 18.99.090 Monthly report.

18.99.010 Purpose of chapter. The purpose of this chapter is to provide a uniform and orderly procedure for expeditious administrative approval of minor changes to existing projects and plans. (Ord. 3048 (part), 1978).

18.99.020 Definition of minor change. "Minor change" means an alteration or modification of an existing plan, development, or project which is substantially inferior in bulk, degree, or importance to the overall dimension and design of the plan, development, or project, with no change proposed for the use of the land in question, no change proposed in the character of the structure or structures involved, and no exception or variance required. (Ord. 3048 (part), 1978).

18.99.030 Applicability of chapter. (a) Type of Applications. This chapter shall apply to applications for a minor change to the following:

- (1) An approved development plan for a planned community district pursuant to Chapter 18.68;
- (2) An existing building or structure requiring site and design approval pursuant to Chapter 18.82;
- (3) A plan which has received site and design approval pursuant to Chapter 18.82;
- (4) An existing building, structure, or plan requiring city council approval pursuant to a contractual agreement, resolution, motion, action, or uncodified ordinance.

(b) Conditions. No application shall be diverted for administrative approval under this chapter if any of the following conditions exist:

- (1) The proposed change is not minor when considered in conjunction with other minor changes to the same project approved under this chapter or under consideration, even though such changes relate to different plans, buildings, or structures of the project.
- (2) In the opinion of the director of planning and community environment, the proposed change is or will be controversial.

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(3) In the opinion of the director of planning and community environment, the proposed change probably will be denied by him.

(4) In the opinion of the director of planning and community environment, the proposed change probably would be denied by the city council. (Ord. 3048 (part), 1978).

18.99.040 Diversion of applications for administrative approval. The director of planning and community environment in his discretion may divert a qualified application for a minor change to the administrative approval process provided in this chapter. (Ord. 3048 (part), 1978).

18.99.050 Tolling of time periods. The diversion of an application shall suspend any time period for action by the city council or any city board, commission, or committee for a period of ninety days or until the application is returned to its normal review procedure, whichever is less. (Ord. 3048 (part), 1978).

18.99.060 Review and approval process. (a) Architectural Review Board. The director of planning community environment shall refer diverted applications directly to the architectural review board for review and recommendation; provided, however, the appeal procedure of Section 16.48.100 shall not apply.

(b) Director of Planning and Community Environment. Upon receipt of the architectural review board recommendation, the director of planning and community environment shall expeditiously approve or disapprove the application in accordance with the same standards and with the same power to impose conditions as would have applied to the city council.

(c) Decision. The director of planning and community environment shall render his decision in writing, stating the reasons therefor, and mail a copy thereof to the applicant. Notice of any decision to approve, or conditionally approve an application shall also be given in accord with the provisions of Chapter 18.93. Any aggrieved or affected person may appeal such a decision of the director of planning and community environment in accord with the provisions of Chapter 18.93. Unless an appeal of such a decision is filed within the time specified therefor, the decision of the director of planning and community environment shall become final upon the expiration of said time period. If the application is disapproved, the decision shall have no force and effect, and the application shall be returned to the normal review procedure.

(d) Return of Fee. After a decision of the director of planning and community environment becomes final, or if the application is withdrawn within ten days after the decision is mailed, that portion of the original application fee over an amount as set forth in the municipal fee schedule, exclusive of any architectural review board fee, shall be refunded. (Ord. 3048 (part), 1978).

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18.99.070 Effect of final decision. All final decisions shall be filed with the city clerk, shall have the same force and effect as if rendered pursuant to the normal review procedure, and are not reviewable by the city council. (Ord. 3048 (part), 1978).

18.99.080 Further architectural review board review. If the application is returned to the normal review procedure or if a new application on substantially the same proposed change is filed, no further architectural review board review is required except upon the recommendation of the director of planning and community environment. (Ord. 3048 (part), 1978).

18.99.090 Monthly report. The director of planning and community environment shall make a monthly report to the city manager, with a copy to the city council and the planning commission, on all diverted applications under this chapter. (Ord. 3048 (part), 1978).

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