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## ARTICLE 3: BASE DISTRICTS

### Chapter Contents

**Division 1: Agricultural (A) District Regulations**

Sec. 37-30.010 Agricultural (A) District

**Division 2: Residential (R) District Regulations**

Sec. 37-30.020 Residential Low Density (R-L) District

Sec. 37-30.030 Residential Medium Density (R-M) District

Sec. 37-30.040 Residential High Density (R-H) District

**Division 3: Commercial (C) District Regulations**

Sec. 37-30.050 Purpose

Sec. 37-30.060 Use Classifications

Sec. 37-30.070 Development Regulations

Sec. 37-30.080 Design Standards

**Division 4: Mixed Use (MU) District Regulations**

Sec. 37-30.090 Purpose

Sec. 37-30.100 Use Classifications

Sec. 37-30.110 Development Regulations

Sec. 37-30.120 Mixed Use Building Incentives

Sec. 37-30.130 Modification of Use Regulations

Sec. 37-30.140 Design Standards

Sec. 37-30.150 Exemptions from Development Regulations and Design Standards

**Division 5: Industrial (I) District Regulations**

Sec. 37-30.160 Purpose

Sec. 37-30.170 Use Classifications

Sec. 37-30.180 Development Regulations

Sec. 37-30.190 Design Standards

**Division 6: Parks (P) District and Open Space (OS) District Regulations**

Sec. 37-30.200 Purpose

Sec. 37-30.210 Use Classifications

Sec. 37-30.220 Development Regulations

Sec. 37-30.230 Design Standards

**Division 7: Public/Semipublic (PS) District Regulations**

Sec. 37-30.240 Purpose

Sec. 37-30.250 Use Classifications

Sec. 37-30.260 Development Regulations and Design Standards

**Division 8: New Urbanism (NU) District Regulations**

- Sec. 37-30.270 Purpose
- Sec. 37-30.280 Applicability
- Sec. 37-30.290 Use Classifications
- Sec. 37-30.300 Development Regulations
- Sec. 37-30.310 Design Concepts And Standards

## Division 4: Mixed Use (MU) District Regulations

### Sec. 37-30.090 Purpose

In addition to the general purposes listed in *Article 1, Division 1: General Provisions*, the purpose of the Mixed Use (MU) districts regulations is to:

- (a) Promote and provide development opportunities for integrated, complementary housing and employment opportunities in the same building, on the same parcel or within the same block. This district allows more intensive development on busier streets without fostering a strip commercial appearance. This development will support transit use and provide a buffer between busy streets and residential neighborhoods, and provide new housing opportunities in the City. The emphasis of non-residential uses is primarily on locally oriented/neighborhood serving retail, service and office uses. Development is encouraged to provide businesses on the ground floor with housing on upper stories and provides incentives to assist in achieving this goal. However, stand-alone commercial, public and semi-public and residential development is also permitted;
- (b) Promote compact development that is intended to be pedestrian-oriented with buildings close to and oriented to the sidewalk;
- (c) Promote residential development that is appropriate in an urban setting in mixed use buildings by providing incentives as well as standards and regulations to minimize conflicts between different types of uses; and
- (d) Promote vital and safe mixed use areas through the incorporation of Crime Prevention through Environmental Design (CPTED) features in development.
- (e) The purposes of each Mixed Use (MU) districts are as follows:
  - (1) Mixed Arterial Frontage (MAF) District - The Mixed Arterial Frontage district provides a combination of mixed use, commercial and small-scale non-nuisance industry along certain areas of North Main Street and East and West Market Streets and other arterials that have highly mixed land use patterns of existing development. Stand-alone residential uses within the MAF district are generally not encouraged, unless on a vacant site or as part of a comprehensive revitalization of the property subject to the issuance of a Conditional Use Permit. Residential uses in mixed use buildings may only be combined with office, retail, restaurants and service commercial uses and not with industrial, maintenance, vehicle repair, and restoration or storage activities.
  - (2) Mixed Use (MX) District - The Mixed Use district provides opportunities for mixed use, office, public and semipublic uses and commercial uses that emphasize retail, entertainment, and service activities. Medium- and high-density residential uses are encouraged within MX districts to facilitate pedestrian-oriented activity centers.

### Sec. 37-30.100 Use Classifications

**Table 37-30.110** identifies the use classifications for properties located in the Mixed Use (MU) districts:

**Table 37-30.110  
Mixed Use (MU) Districts Use Classifications**

<b>Land Use</b>	<b>MAF</b>	<b>MX</b>	<b>Additional Use Regulations</b>
<b>Residential Uses</b>			
Day Care Homes – Large	NP	NP	(1)(2)
Day Care Homes – Small	NP	NP	(2)
Duplex Dwellings	CUP	CUP	
Home Occupations	NP	NP	(35)
Interim Housing	CUP	CUP	(3)
Manufactured Housing	NP	NP	
Multiple Detached Dwellings	CUP	CUP	
Multi-Family Dwellings	CUP	SPR	
Residential Care Facilities – Small	NP	NP	(11)
Residential Care Facilities - Large	CUP	CUP	
Residential Service Facilities	CUP	CUP	(3)
Second Dwelling Units	NP	NP	
Single-Family Dwellings – Attached	CUP	SPR	
Single-family Dwellings – Detached	NP	NP	
Single Room Occupancy Housing	CUP	CUP	
<b>Mixed Uses</b>			
Mixed Use Buildings and Developments	SPR	SPR	(29)(36)
<b>Public and Semipublic Uses</b>			
Clubs and Lodges	CUP	CUP	
Convalescent Hospitals/Nursing Homes	CUP	CUP	
Cultural Institutions	SPR	SPR	
Day Care Centers	CUP	SPR	
Government Offices	SPR	SPR	
Hospitals	CUP	CUP	
Mural Exhibits	SPR	SPR	(18)
Park and Recreation Facilities	SPR	SPR	
Parking Lots and Structures	CUP	CUP	(26)
Public Safety Facilities	CUP	CUP	
Public Utility Service Yards	NP	NP	
Religious Assembly	CUP	CUP	
Schools – Public/Private	CUP	CUP	
Schools – Trade	CUP	NP	(7)(41)
Telecommunication Facilities:			
▪ Major	CUP	CUP	(22)
▪ Minor	SPR	CUP	(22)
Utilities – Major	NP	NP	(31)
<b>Commercial Uses</b>			

**Table 37-30.110  
Mixed Use (MU) Districts Use Classifications**

<b>Land Use</b>	<b>MAF</b>	<b>MX</b>	<b>Additional Use Regulations</b>
Adult Entertainment Facilities	NP	NP	(5)(21)
Ambulance Services	CUP	NP	
Animal Sales and Services:			
▪ Animal Boarding	CUP	NP	(7)
▪ Animal Grooming	SPR	SPR	(7)
▪ Animal Hospitals	SPR	NP	(7)
▪ Animal Retail Sales	SPR	SPR	(7)
Antique and Collectible Shops	SPR	SPR	
Artists' Studios	SPR	SPR	
Automated Teller Machines (ATMs)	SPR	SPR	(30)(32)
Bakeries:			
▪ Retail	SPR	SPR	
▪ Wholesale	CUP	NP	
Bars	CUP	CUP	(21)
Bed and Breakfast Inns	SPR	SPR	
Building Materials and Services	CUP	NP	(7)(9)
Catering Services	SPR	NP	(27)
Commercial Recreation and Entertainment	CUP	CUP	(6)(21)
Convenience Stores:			(21)
▪ With Gas Pumps	SPR	CUP	(7)(8)(21)(28)
Equipment Sales and Services	CUP	NP	(7)
Entertainment, Live (Excluding Adult Entertainment)	CUP	CUP	(16)(21)
Financial Institutions	SPR	SPR	(30)(32)
Food and Beverage Sales:	SPR	SPR	(21)(32)
Fortunetelling	SPR	CUP	(10)
Funeral Services	SPR	NP	(20)
Hotels and Motels	SPR	CUP	(19)
▪ Extended Stay	NP	NP	(19)
Kiosks:			
▪ Permanent	CUP	CUP	
▪ Temporary or Semi-Permanent	CUP	CUP	
Laboratories	SPR	SPR	
Laundries:			
▪ Limited	CUP	SPR	
▪ Unlimited	SPR	NP	
Live-Work Units	SPR	SPR	(33)
Maintenance and Repair Services:			
▪ Major	CUP	NP	(7)
▪ Minor	SPR	SPR	(7)
Marine Sales and Services	CUP	NP	(7)
Nurseries	CUP	NP	(7)(40)

<b>Table 37-30.110 Mixed Use (MU) Districts Use Classifications</b>			
<b>Land Use</b>	<b>MAF</b>	<b>MX</b>	<b>Additional Use Regulations</b>
Offices: ▪ Business and Professional ▪ Medical and Dental	SPR SPR	SPR SPR	
Pawn Shops	CUP	NP	(37)
Personal Improvement Services	SPR	SPR	
Personal Services	SPR	SPR	(30)
Printing and Publishing: ▪ Limited ▪ Unlimited	SPR CUP	SPR NP	
Recreational Vehicle Parks	NP	NP	
Recycling Facilities	<i>See Section 37-50.210 Recycling Facilities.</i>		
Research and Development Services	SPR	NP	
Restaurants: With Drive-through	SPR CUP	SPR NP	(21) (21)(30)
Retail Sales	SPR	SPR	(21)
Secondhand or Consignment Stores	CUP	CUP	(38)
Service Stations	SPR	CUP	(7)(8)(21)
Speculative Buildings	SPR	SPR	(12)
Shopping Centers	SPR	SPR	
Tattoo and/or Body Piercing Parlors	CUP	NP	
Vehicle-Related Retail Sales and Services	SPR	NP	(7)(8)(17)
Vehicle Repair: ▪ Major ▪ Minor	CUP CUP	NP NP	(7)(8)
Vehicle Sales and Service	CUP	NP	(7)(8)
Vehicle Storage	NP	NP	(7)(8)
Vehicle Washing	CUP	NP	(7)(8)(39)
Warehousing: ▪ Limited ▪ Wholesale Distribution	CUP CUP	NP NP	(7)(13)(25) (7)
<b>Industrial Uses</b>			
Industrial Complexes	CUP	NP	(23)
Industry - Limited	CUP	NP	
<b>Accessory Uses and Structures</b>	(14)		
Animals – Domestic	P	P	(34)
Utilities – Minor	P	P	(4)
<b>Temporary Uses</b>	TULP	TULP	(15)
<b>Nonconforming Structures and Uses</b>	<i>See Section 37-50.160 Nonconforming Uses and Structures.</i>		
Notes: P = Permitted Use NP = Not Permitted Use CUP = Conditional Use Permit Required			

**Table 37-30.110  
Mixed Use (MU) Districts Use Classifications**

Land Use	MAF	MX	Additional Use Regulations
<p>SPR = Site Plan Review Required                      TULP = Temporary Use of Land Permit Required</p>			
<p>(1) See <i>Section 37-50.120 Large Family Day Care Homes</i>.</p>			
<p>(2) Small and large family day care homes are permitted uses when the principal use is an existing residential dwelling unit.</p>			
<p>(3) Residential service facilities and Interim housing serving six or fewer people are allowed with a SPR. Such facilities shall be designed to accommodate a group living environment.</p>			
<p>(4) Minor utilities shall not unreasonably interfere with the use, enjoyment or aesthetics of adjacent uses.</p>			
<p>(5) See <i>Section 37-50.020 Adult Entertainment Facilities</i>. Adult bookstores shall be subject to the same supplemental regulations applicable to adult entertainment facilities.</p>			
<p>(6) Commercial recreation and entertainment uses less than 2,000 square feet in floor area are allowed with a SPR.</p>			
<p>(7) See <i>Section 37-50.170 Outdoor Storage and Display</i>.</p>			
<p>(8) See <i>Section 37-50.250 Service Stations, Vehicle Repair, and Vehicle Washing</i>.</p>			
<p>(9) Building materials and service uses shall not be located in an R district unless accessory to a retail use.</p>			
<p>(10) No fortunetelling use shall be located any closer than within 750 feet of another fortunetelling use.</p>			
<p>(11) Small residential care facilities are a permitted use when the principal use is an existing residential dwelling.</p>			
<p>(12) See <i>Section 37-50.280 Speculative Buildings</i>.</p>			
<p>(13) See <i>Section 37-50.320 Warehousing, Limited</i>.</p>			
<p>(14) See <i>Section 37-50.010 Accessory Uses and Structures</i>. Accessory uses and structures will require a SPR or a CUP if required for the principal use.</p>			
<p>(15) See <i>Section 37-50.300 Temporary Use of Land</i>.</p>			
<p>(16) A Live Entertainment Permit shall be issued for live entertainment uses in accordance with <i>Section 37-60.490 Conditional Use Permit – Live Entertainment Permit</i>.</p>			
<p>(17) The maximum floor area allowed for any structure devoted to vehicle-related retail sales and services located in the MAF district is limited to 5,000 square feet.</p>			
<p>(18) See <i>Section 37-50.150 Mural Exhibits</i>.</p>			
<p>(19) See <i>Section 37-50.270 Single Room Occupancy (SRO) Housing</i>.</p>			
<p>(20) Funeral services with crematories shall require a CUP.</p>			
<p>(21) See <i>Section 37-50.030 Alcohol License Review</i>.</p>			
<p>(22) See <i>Section 37-50.290 Telecommunication Facilities</i>. Only stealth telecommunication facilities shall be permitted.</p>			
<p>(23) Uses within an industrial complex must be otherwise authorized by SPR within the zoning district.</p>			
<p>(24) See <i>Section 37-50.130 Live-Work Units</i>.</p>			
<p>(25) The CUP for limited warehousing is not subject to administrative approval pursuant to <i>Section 37-60.500 City Planner Duties</i>. Approval by the Planning Commission shall require an affirmative vote of five members. Any CUP application receiving an affirmative vote of four members of the Planning Commission shall automatically be set for hearing for a final determination by the City Council. All other general appeal rights remain for these CUP applications.</p>			
<p>(26) Does not apply to the parking required to serve the use per <i>Section 37-50.360 Off-Street Parking and Loading Spaces Regulations</i>.</p>			
<p>(27) Catering is only permitted as an accessory use to a restaurant in the MX district. The parking or storage of catering vehicles in the MX District is prohibited.</p>			
<p>(28) Convenience stores with gas pumps (including sales, display, storage, restrooms, etc.) are limited to a maximum of 2,500 sq. ft. of gross floor area in the MX district.</p>			
<p>(29) See <i>Section 37-30.120 Mixed Use Building Incentives</i>. Mixed use buildings in the MAF or MX Districts shall have no more than twenty-five percent (25%) of the gross floor area of the ground floor of a building dedicated to residential uses unless authorized by the City Planner pursuant to <i>Section 37-30.130 Modification of Use Regulations</i>.</p>			
<p>(30) Drive-through lanes shall not be permitted in the MX district except as otherwise provided for in this Section. When permitted, the following shall apply to any drive-through lane:</p>			
<p>(a) Drive-through lanes shall not be located between the street facade of a building and the street.</p>			
<p>(b) A drive-through lane or access driveway shall not directly access the primary street serving the site.</p>			
<p>(31) Water well facilities may be considered subject to the approval of a CUP.</p>			
<p>(32) ATM facilities which are located entirely within a building and are not externally accessible shall be a permitted use.</p>			
<p>(33) See <i>Section 37-50.130 Live-Work Units</i>.</p>			

<b>Table 37-30.110 Mixed Use (MU) Districts Use Classifications</b>			
<b>Land Use</b>	<b>MAF</b>	<b>MX</b>	<b>Additional Use Regulations</b>
(34)			Not more than four domestic animals are permitted per residential dwelling except that newborn and baby animals up to the age of three months shall not be counted.
(35)			See <i>Section 37-50.110 Home Occupations</i> . Home occupations are permitted uses when the principal use is an existing residential dwelling unit.
(36)			Prohibited commercial uses in mixed use developments include vehicle-related uses including repair, sales, service, storage and washing; live entertainment; commercial recreation; animal sales and services; maintenance and repair services; pawn shops, tattoo and/or body piercing parlors, industrial uses and other uses deemed inappropriate by the City Planner. In mixed use buildings, commercial uses shall be limited to retail, restaurants, offices, services and similar pedestrian-oriented uses which are deemed by the City Planner to be compatible with residential uses.
(37)			No pawn shop shall be located any closer than within 750 feet of another pawn shop use.
(38)			No firearm or weapon sales shall be permitted.
(39)			In the MX district, vehicle washing may be considered subject to the approval of a CUP as an accessory use to a service station only.
(40)			In the MX district, nursery uses are allowed as an accessory use only.
(41)			Truck and heavy equipment driving schools shall not be permitted.

**Sec. 37-30.110 Development Regulations**

**Table 37-30.120** identifies the development regulations for the Mixed Use (MU) districts:

<b>Table 37-30.120 Mixed Use (MU) Districts Development Regulations</b>			
<b>Development Regulations</b>	<b>MAF</b>	<b>MX</b>	<b>Additional Regulations</b>
Lot Size – Minimum	7,500 sq. ft.	No minimum	(A)(F)(L)
Lot Depth – Minimum	100 ft.	100 ft.	
Lot Width – Minimum	50 ft.	50 ft.	
Lot Frontage – Minimum	50 ft.	50 ft.	
Yards –			
Front - Minimum/Maximum	0 ft.	0 ft.	(B)(C)
Side			
Interior- Minimum	0 ft.	0 ft.	(M)
Corner –Minimum/Maximum	0 ft.	0 ft.	(B)(C)
Rear- Minimum	5 ft.	5 ft.	(M)
Height – Maximum	50 ft.	50 ft.	(G)(I)(M)
FAR/Density – Maximum		(D)(E)(H)	
Usable Open Space – Minimum		(E)(H)(K)	
Mixed Use Buildings and Developments		(B)(C)(D)(E)(F)(I)(J)(K)(M)	
Residential Development		(C)(D)(F)(K)	
Landscaping – (Percentage of Lot Area)	5%	5%	
Landscaping	<i>See Article 5, Division 4: Landscaping and Irrigation.</i>		
Fences, Walls, and Hedges	<i>See Section 37-50.090 Fences, Walls, and Hedges.</i>		
Off-Street Parking, Loading, and Outdoor Lighting	<i>See Article 5, Division 2: Parking, Loading, and Outdoor Lighting. Additional standards are found in Section 37-30.140(q) Parking and Section 37-30.120 Mixed Use Building Incentives of this Division. Additional lighting standards are found in Section 37-30.140(x) Lighting of this Division.</i>		



**Table 37-30.120  
Mixed Use (MU) Districts Development Regulations**

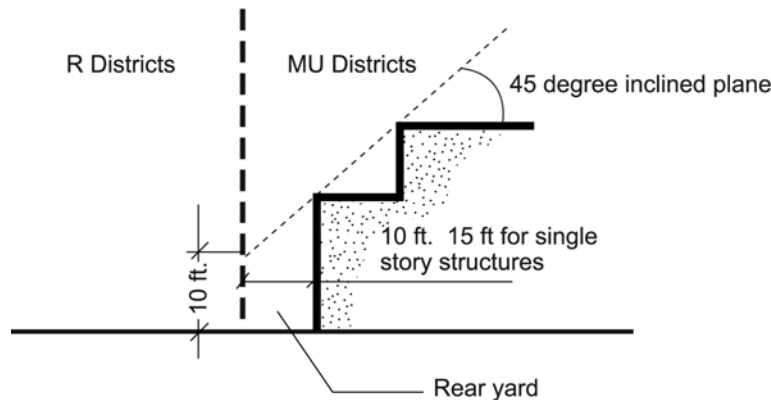
<b>Development Regulations</b>	<b>MAF</b>	<b>MX</b>	<b>Additional Regulations</b>
Driveway and Corner Visibility	See <i>Section 37-50.460 Driveway and Corner Visibility.</i>		
Signs	See <i>Article 5, Division 3: Signs.</i>		
Outdoor Facilities	See <i>Section 37-50.170 Outdoor Storage and Display.</i>		
Accessory Uses and Structures	See <i>Section 37-50.010 Accessory Uses and Structures.</i>		
Screening of Mechanical Equipment	See <i>Section 37-50.260 Screening of Mechanical Equipment.</i>		
Recycling and Solid Waste Disposal	See <i>Section 37-50.200 Recycling and Solid Waste Disposal Regulations.</i>		
Performance Standards	See <i>Section 37-50.180 Performance Standards.</i>		
Planned Unit Developments	See <i>Article 6, Division 13: Planned Unit Development Permits.</i>		
Nonconforming Uses and Structures	See <i>Section 37-50.160 Nonconforming Uses and Structures.</i>		
Vehicle Trip Reduction	See <i>Section 37-50.330 Vehicle Trip Reduction.</i>		
Swimming Pools, Spas, and Hot Tubs	See <i>Section 37-50.010(l) Swimming Pools, Spas, and Hot Tubs.</i>		
Condominium Conversions	See <i>Section 37-50.050 Condominium Conversions.</i>		
Alcohol License Review	See <i>Section 37-50.030 Alcohol License Review.</i>		

**Notes:**

- (A) See *Section 37-50.070 (a) and (b) Development on Existing Lots.*
- (B) Non-residential and mixed use buildings shall have a build-to-line of 0 feet except that the front or corner side street facades of such buildings may be set back to accommodate pedestrian oriented outdoor uses and amenities which the City Planner determines are appropriate to an urban setting, such as outdoor patio dining areas, plazas and courtyards, fountains, public art, entry forecourts, landscaping.
- (C) Structures and buildings with ground floor residential uses shall have a front and corner-side yards of at least 5 feet, but no greater than 10 feet. Stairs, landings, patios, unenclosed porches and architectural entry features, landscaping and similar features may occupy such yards.
- (D) Developments in the MAF and MX Districts are subject to the following FAR and Density Limitations:
  - (1) Residential developments shall be subject to a maximum of 24 dwelling units per net acre without density bonus;
  - (2) Non-residential developments shall be subject to a maximum FAR of 1.0 in the MX and .30 in the MAF; and
  - (3) Mixed use developments shall have a maximum commercial FAR of 1.0 + 10 dwelling unit per net acre. For mixed use buildings see *Section 37-120 Mixed Use Building Incentives.*
- (E) See *Section 37-30.120 Mixed Use Building Incentives.*
- (F) See Chapter 17 of the Municipal Code for inclusionary housing requirements for projects with 10 or more residential units.
- (G) Additional building height may be considered for mixed use buildings and developments subject to the approval of a CUP.
- (H) For each square foot of ground floor public plaza or courtyard provided in conjunction with non-residential and mixed use buildings on a site, a corresponding increase in the gross floor of the building may be allowed on a foot-by-foot basis. Such floor area shall not be counted towards the maximum FAR permitted for the development. To qualify for this incentive, the plaza or courtyard must meet all of the following requirements:
  - (1) It must be accessible to pedestrians directly from a public sidewalk and the building it serves;
  - (2) It must directly abut and be visible from the street frontage of the site;
  - (3) It must have pedestrian-oriented amenities such as seating areas, art, fountains or similar amenities as approved by the City Planner; and
  - (4) It must provide a minimum of 150 square feet usable open space and have no dimension less than 15 feet in size.
- (I) Except as permitted in *Section 37-50.080 Exceptions to Height Limits* and *Section 37-30.140(j) Roof Treatments.*

**Table 37-30.120  
Mixed Use (MU) Districts Development Regulations**

Development Regulations	MAF	MX	Additional Regulations
(J)	Mixed use developments (on a site and not in a mixed use building) shall be subject to the following:		
(1)	The residential portion of the development may be detached (in another building) from the commercial use; however, the commercial use shall be located along the street frontages of the site.		
(2)	The parking requirements for the residential use shall be in addition to those of the commercial use.		
(3)	The residential portion of the development shall be in accordance with the R-H-1.8 district development regulations except as modified by this Division.		
(4)	These regulations may be modified subject to the approval of a CUP for mixed use residential developments if the following conditions can be demonstrated:		
(i)	The parking requirements will be met for both the residential and commercial uses;		
(ii)	The residential use serves a special housing need identified in the Salinas General Plan or advances redevelopment objectives;		
(iii)	The housing is appropriate to an urban setting and is dependent on the proximity to commercial services and public transportation; and		
(iv)	The project design is consistent with the density, design standards and purpose statement of this Division.		
(K)	Residential development shall be in accordance with the R-H-1.8 district development regulations except as modified by this Division.		
(L)	Minimum lot sizes may be reduced when the exclusive use of such lots is intended for utility substations, pumping stations and other similar facilities or in conjunction with shopping centers and office complexes where two or more separate lots would be created and be subject to a reciprocal agreement utilizing shared parking, landscaping, and related facilities when it can be demonstrated that the purpose of the district can be achieved and that the public health, safety and general welfare will be maintained.		
(M)	Structures shall not intercept a 45-degree inclined plane inward from a height of ten feet above existing grade at an R district boundary line. Single story structures and ground level parking may encroach a maximum of five feet into required side and rear yards.		



**Sec. 37-30.120 Mixed Use Building Incentives**

To encourage pedestrian-oriented activity centers in the Mixed Use Districts and as an incentive to foster mixed use buildings (which provide housing for smaller households not requiring more than a maximum of two (2) bedrooms) when no more than twenty-five percent (25%) of the gross floor area of the ground floor of the mixed use

building(s) is dedicated to residential use and the building includes a minimum commercial gross floor area ratio (FAR) of 0.25, the following incentives are provided:

- (a) The residential bedrooms per unit mix requirement of the R-H-1.8 district for three (3) and four (4) bedroom units is waived.
- (b) The usable open space requirement of the R-H-1.8 district is reduced from five hundred square feet (500 sq. ft.) per unit to one hundred square feet (100 sq. ft.) per unit for studio, one (1) bedroom and two (2) bedroom units provided each dwelling unit is provided with a balcony/terrace of at least sixty (60) square feet in size which is directly accessible to the unit.
- (c) Parking requirements are reduced to one parking space per dwelling unit for studio, one-bedroom and two-bedroom units and one parking space for each four hundred square feet (400 sq. ft.) of commercial I floor area.
- (d) No loading areas shall be required for commercial uses under thirty thousand square feet (30,000 sq. ft.) in size.
- (e) Residential density (without a density bonus) within a mixed use residential building may be provided in accordance with the following:

<u>Commercial Floor Area</u>	<u>Residential Density</u>
<u>1.0</u>	<u>10 dwelling units per acre</u>
<u>0.50 - 0.99</u>	<u>20 dwelling units per acre</u>
<u>0.25 - 0.49</u>	<u>24 dwelling units per acre</u>

- (f) The following additional requirements shall also apply to mixed use buildings:
  - (1) Mixed use buildings must incorporate ground floor occupancies and uses (storefronts or offices regularly open and accessible to the public) which are oriented to the public sidewalks/streets to enhance the pedestrian environment.
  - (2) Access to the residential units shall be provided from a separate ground floor entry and not through a commercial storefront or use.
  - (3) Yards shall be in accordance with the applicable MU district.
  - (4) Commercial uses within mixed use residential buildings shall be limited to retail, restaurants, offices, services and similar pedestrian-oriented uses, which are deemed by the City Planner to be compatible with residential uses.
  - (5) The incentives in this section shall only apply to mixed use buildings, which have dwelling units with two (2) bedrooms or less. When mixed use residential buildings have dwelling units with three (3) bedrooms or more, the development regulations (parking, usable open space, bedroom per units mix, etc) of the R-H-1.8 district shall apply to all units in the development (except as otherwise provided for in this Division) and the incentives of this section shall not apply.
  - (6) No more than twenty-five percent (25%) of the gross floor area of the ground floor of a mixed use building shall be residential to receive the incentives unless approved subject to *Section 37-30.130 Modification of Use Regulations*.

### **Sec. 37-30.130 Modification of Use Regulations**

- (a) Mixed use buildings in the MAF or MX Districts proposing more than twenty-five percent (25%) of the ground floor area dedicated to residential use may request to receive the incentives specified in *Section 37-30.120 Mixed Use Building Incentives* or other incentives subject to the approval of a Conditional Use Permit. In addition to the findings established in *Article 6, Division 8: Conditional Use Permits*, the applicant shall be required to also demonstrate how the project will achieve the following:
- (1) The project meets the basic purposes of *Section 37-30.090 Purpose* and the applicable district.
  - (2) The project helps achieve a mix of uses in an area because no more than thirty percent (30%) of the existing ground floor area on the block is developed for residential use.
  - (3) The project design is consistent with the development regulations and design standards of this Division.
- (b) An exemption for additions to architecturally significant historic structures (as determined by the City Planner) shall be subject to the approval of a Conditional Use Permit by the City Planner. In addition to the required findings in *Article 6, Division 8: Conditional Use Permits*, the City Planner must also find that the addition will not damage the historic integrity, architecture, or significance of the building.

### **Sec. 37-30.140 Design Standards**

- (a) **Purpose** - These design standards are intended to assist the designer in understanding the City's requirements for high quality development (residential, mixed use, and non-residential) in the mixed use districts. These mandatory standards complement the development regulations contained in this Division by providing good examples of potential design solutions and by providing design interpretations of the various mandatory regulations. These standards ensure the highest level of design quality while at the same time providing the flexibility necessary to encourage creativity on the part of project designers. These standards are also intended to ensure that buildings and dwellings are visually compatible with one another and adjacent neighborhoods and create mixed use areas, which are attractive, compact, pedestrian and transit-oriented, active and safe.
- (b) **Applicability** - These standards shall also apply to applicable properties located in the Focused Growth Overlay district.
- (c) **Site Planning** – The location of structures and other site improvements shall create a pedestrian-oriented environment with safe, pleasant, convenient and accessible pedestrian routes to public sidewalks, transit facilities and adjacent uses. Site planning shall incorporate the following:
- (1) Structures shall be sited along street frontages of sites with parking in the rear or in limited circumstances to the side. Placing parking areas behind rather than in front of buildings helps to preserve an attractive streetscape and

improve pedestrian access to surrounding activities and uses, and it provides an urban border for the street.

- (2) Placement of structures, entrances and open space areas such as plazas and courtyards shall be oriented to provide direct access to public sidewalks and streets to the maximum extent possible to facilitate pedestrian access and movement between adjacent uses.
- (3) Buildings shall be sited to avoid random and irregular building relationships, and shall be arranged to create a sense of unity and overall harmony with adjacent structures. A visual link between separate structures on a site shall also be established. This link can be accomplished through the use of an arcade system, trellis, or similar features.
- (4) Buildings shall be sited in a manner that maximizes visibility of plazas, courtyards, streets, and alleys to provide opportunities for people engaged in their normal behavior to observe the spaces around them.
- (5) The location of outdoor spaces shall have clear, recognizable shapes that reflect careful planning and are not simply left over areas between structures. Such spaces shall provide pedestrian-oriented amenities such as shady areas, art, benches, fountains, landscaping, etc.

**(d) Natural Surveillance** – Whenever possible, design and placement of buildings and other physical features shall maximize visibility and encourage natural surveillance. This includes building orientation, placement of windows, doors and balconies, building and site entrances and exit locations, placement of parking, lighting and refuse containers, placement and type of landscape materials, plazas and other open space areas, location of walkways, types of walls and fences (including the use of picket and wrought-iron and similar materials to promote visibility) and other physical obstructions that discourages the potential for criminal activity.

**(e) Yards/Setbacks -**

- (1) Buildings with ground floor residential uses shall have a maximum front yard and corner side yard of ten feet (10') to accommodate stairs, landings, porches, covered architectural entry features and similar building features.
- (2) When provided, the front or corner side yard shall include landscaping and/or a hard-surface expansion of the sidewalk. Walkway connections to building entrances shall include special paving treatment or materials. The use of awnings, canopies and arcades shall be provided as appropriate to provide visual interest, shade and protect pedestrians from the elements.
- (3) All other buildings shall generally have no setback and be located directly behind the sidewalk to facilitate pedestrian access to the public realm. Portions of the front or corner-side street facades may be set back to allow for pedestrian-oriented outdoor areas and amenities only, such as plazas and courtyards, outdoor patio dining areas, public art, fountains, entry forecourts, landscaping or other amenities appropriate to an urban setting. When provided such yards shall generally be no more than ten feet (10'), except where ground floor building space is occupied by retail or other pedestrian-oriented uses with entrances opening directly to a plaza or courtyard. In such cases, the City Planner may allow the maximum front or corner-side yard to be extended.

**(f) Building Entrances –**

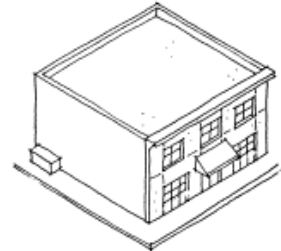
- (1) The main building entrance or entrances shall be oriented to the street or plazas, as applicable, to maximize natural surveillance and provide "eyes on the street." The main entries to buildings shall be clearly demarcated, visible and accessible from the street and/or pedestrian walkways. Main entries shall be recessed or framed by a sheltering element such as an awning, arcade, porch, or portico. Such entrances shall open directly to the outside and shall not require a pedestrian to first pass through a garage, parking lot or loading area to gain access to the entrance from the street. Secondary building entries may be from parking areas.
- (2) All residential dwellings fronting on streets shall have a main entrance opening onto the front or corner side facade of the dwelling at the ground floor level. Such an entrance shall open directly to the outside. The entrance may be above grade level through a porch, stoop, portico or similar architectural feature. Ground floor single-family attached dwellings fronting on a street shall have separate entries directly from the sidewalk or a pedestrian walkway. Upper story and ground floor residential units in a multi-family or mixed use building fronting on streets may share one (1) or more entries accessible directly from the street.
- (3) Multi-family residential buildings with facades over one hundred fifty feet (150') in length facing a street frontage shall provide a minimum of two (2) or more pedestrian building entrances on that frontage.



- (g) Architecture** - There is no particular required style for structures and buildings in the mixed use districts. The primary focus shall be on the construction and design of a high quality pedestrian-oriented buildings and developments. A diversity of styles is encouraged. Large-scale developments; however, should have a harmonious or unified architectural and urban design theme to establish an identity for the project.

**(h) Mass and Scale -**

- (1) The mass and scale of a new development shall be compatible with neighboring developments and not overwhelm them with disproportionate size or a design that is out of character. Buildings shall step down to lower-profile buildings on adjacent properties.
- (2) At residential edges, buildings shall maintain low profiles to provide a transition between urban and residential areas. Taller elements of the building shall increasingly step back from adjacent single-family residential zones.
- (3) Building scale shall be reduced through the proper use of window patterns, structural bays, roof overhangs, awnings, moldings, fixtures and other details that promote a “human” scale.



**(i) Facade Articulation –**

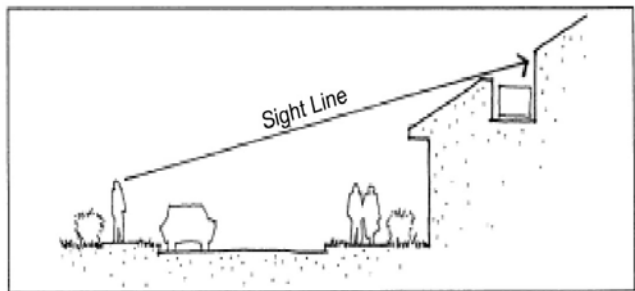
- (1) Building design shall avoid large monotonous façades, long straight-line building fronts, plain box shapes, and barren exterior treatment. All building facades visible from a public right-of-way or public areas such as plazas shall be highly articulated, and incorporate the chosen design theme in a consistent manner.
- (2) Building facades shall be articulated at least every fifty feet (50') by changes in building mass or facade treatment.
- (3) For residential units, the facades of the buildings shall be designed so as to give individual identity to each vertical module of units using techniques such as providing a deep notch (in plan) between the modules; varying architectural elements between units (e.g., window color, roof shape, window shape, stoop detail, railing type); providing porches and balconies; varying color or materials of each individual module within a harmonious palette of colors and materials, etc.



Side and rear elevations should not be blank (top). Instead, façade ornamentation should wrap corners (middle).

**(j) Roof Treatments -** A variety of roof forms are permitted. Changes in roof form must correspond with a building’s structural bays and massing.

- (1) Towers - Towers may be integrated into a building to provide a focal point for the primary entrance(s). When provided, they may not exceed a maximum height of sixty-five feet (65').
- (2) Rooftop Equipment Screening - Mechanical equipment must be integrated into the overall mass of the building and screened from public view behind parapets or recessed into hips, gables, parapets, or similar features. Plain equipment boxes



are not acceptable.

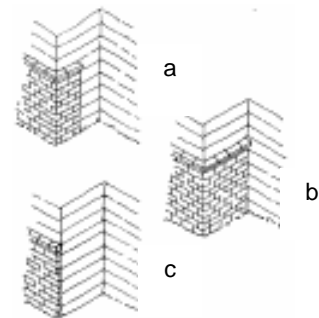
- (3) Articulation – At a minimum, the roofline at the top of the structure shall not run in a continuous plane for more than fifty feet (50') without offsetting or jogging the roof plane.
- (4) Roof materials - Roof materials shall be appropriate to the style of the building, roof form, and slope. Heavier or more complex roofing materials (tile, metal) should be placed on simpler roofs; if they are used on complex roofs, they can cause leakage or other problems. More complex roofs, however, require monolithic, simpler materials (shingles). The allowable materials for roofs include tile, slate, metal, and composition shingles with an architectural grade shadow shake rather than a simple three (3)-tab.

**(k) Wall Treatments** - Architectural treatments bring identity and character to a neighborhood or district. A minimum number of differing architectural features supports visual interest on the street and relieves what too often become monotonous facades. Taking many buildings collectively, distinctive, consistent architectural massing and roof forms can define and unify public space and streetscapes. These standards require structural articulation and are intended to produce an architecture that is internally consistent and produces adequate detail and relief in the massing as follows:

- (1) Base and Top Treatments - Building facades shall have three (3) recognizable elements: a base, middle, and top.
  - (A) Base: The base must be one to four feet (1' to 4') in height and must be defined by (but not limited to) one (1) or more features such as: thicker walls, richly textured materials (e.g., tile or masonry), special materials such as ceramic tile, granite, or marble.
  - (B) Middle: The middle shall form the area between the base and the top of the building façade and shall be clearly distinguishable from these two (2) elements.
  - (C) Top: The top shall create an attractive profile for the building and must be defined by (but not limited to) one (1) or more features such as: cornice treatments, roof overhangs with brackets, stepped parapets, richly textured materials (e.g., tile or masonry).

(2) Materials -

- (A) Exterior materials and finishes shall be durable. Buildings must incorporate consistent, pedestrian-scale textures and details on all sides that are visible from public streets and pedestrian pathways.
- (B) Materials that are visibly simulated or prefabricated are prohibited. Scored plywood is prohibited.
- (C) Material changes must not occur at external corners, but may occur at reverse interior corners or as a return at least four feet (4') from external corners.
- (D) Materials must be properly applied and



Material changes shall occur as a “return” of at least 4’ from exterior corners (a), or occur at interior or reverse corners (b). Material changes shall not occur at external corners (c).



correctly detailed, especially at the base of buildings, along cornices, eaves, parapets or ridge tops, and around entries and windows.

- (3) Articulation - Facade articulation is required. Building fenestration (windows and doors placement) and changes in mass shall relate to structural systems and the organization of interior space. Vertical architectural features such as columns and piers help articulate building mass. Also, see the *Facade Articulation Section* above.
- (4) Awnings and Canopies - Awnings and canopies shall be subject to the following:
  - (A) Awnings/canopies shall not be located so as to obscure transom windows, piers, pilasters and other architectural building features and shall generally be designed to project over individual doors and window openings where feasible. Awnings/canopies that are a continuous feature extending over several windows, doors and over architectural features are generally discouraged.
  - (B) The size of the awning/canopy shall be proportional in scale to the building to which it is attached.
  - (C) No portion of an awning/canopy shall be less than eight feet (8') above the surface above which it projects (fourteen feet (14') above a roadway surface) or shall project more than five feet (5') feet into a public right-of-way. An encroachment permit is required for any awning/canopy located within the public right-of-way.
  - (D) The style of the awning/canopy shall complement the architectural style of the building to which it is attached. Awnings should generally have a simple horizontal valance if located over rectangular or square window/door openings. Domed or barrel-shaped awnings are appropriate for buildings with arched window/door openings.
  - (E) An awning/canopy with a single, solid color is preferred. The color of the awning shall be compatible with and complement the exterior color(s) of the building. Awning/canopy colors that call more attention to the awning/canopy than the building are inappropriate. Awnings/canopies with highly contrasting corporate/franchise identity colors are not allowed.
  - (F) Awnings/canopies shall be regularly cleaned and kept free of visible defects and wear.
  - (G) Awnings/canopies with signs shall require the issuance of a Sign Permit in accordance with *Article 5, Division 3: Signs*.
- (5) Transparency and Windows - Transparency standards help strengthen the relationship between buildings and the street and increase public safety by placing eyes and activity on the street.
  - (A) Windows and entry doors



Buildings should have frequent doors and windows to increase transparency.

(public) in buildings shall not have reflective, translucent or dark tinted glass on the ground floor as it prevents and discourages building transparency.

(B) For buildings which contribute to frontage along build-to lines, or are located along the street frontages of a site, the following shall apply:

- (i) Street-facing building facades shall not have a section of blank wall exceeding thirty linear feet (30') without being interrupted by a window or entry door.
- (ii) At least sixty percent (60%) of the linear length of street-facing non-residential facades must contain windows, doors, or arcades at all levels. Clerestory windows or other high, non eye-level windows do not count towards the sixty percent (60%) requirement.
- (iii) For residential structures, one (1) primary window (excluding clerestory and other high, non eye-level windows) shall be required in each room with an exterior wall on the street facades of the dwelling.

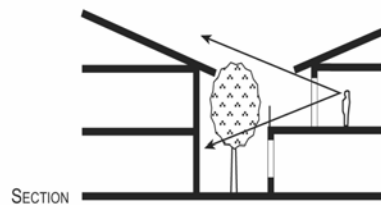
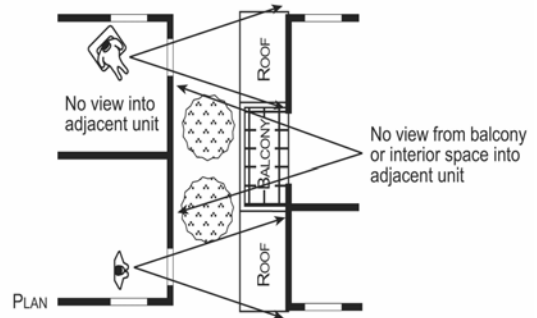
(C) For buildings that do not contribute to frontage along build-to lines or are not located along the street frontages of a site the following shall apply:

- (i) The primary building entry and windows shall be generally visible from the street(s).
- (ii) The main entrance(s) shall open directly onto a publicly accessible connecting walkway. This walkway shall connect directly to the sidewalk or pedestrian walkway of an adjacent street.
- (iii) Building facades that are visible from the street shall not have a section of blank wall exceeding thirty linear feet (30') without being interrupted by a window, entry, or a section of lattice with vines. Lattices may extend no more than thirty feet (30') in length without being interrupted by a door or window.

**(I) Privacy for Residential Units –**

- (1) To balance privacy, security and pedestrian-friendliness, the primary entrances of ground floor residential units shall face a public sidewalk, and the finished-floor elevation shall be at least eighteen inches (18") but no more than sixty inches (60") above the sidewalk provided that an accessible “at grade” entrance is available.

- (2) Buildings shall be oriented to promote privacy to the greatest extent



*Plant appropriate trees and offset windows and balconies (or patios) to maintain privacy between residential units.*

possible. In, mixed use projects, the windows of units shall generally face away from loading, service, and recycling and solid waste disposal areas. To the extent residential windows face the windows of an adjacent unit, the windows shall be offset to maximize privacy.

- (3) Windows, balconies or similar openings shall be oriented to minimize direct line-of-sight into adjacent units within the development. In addition, units above the ground floor shall be designed so that they do not look directly onto private patios or backyards of adjoining residential units.
- (4) Landscaping may also be used to aid in privacy screening and as a buffer from commercial development.

**(m) Colors –**

- (1) Exterior building and roofing colors shall be appropriate to and enhance the architectural style and materials of the structure. Large areas of intense primary color shall generally be avoided, as subdued colors are more appropriate as the dominant overall color for a structure.
- (2) The color palette chosen for new structures shall generally be compatible with the colors of adjacent structures. An exception is where the colors of adjacent structures strongly diverge from these design standards.
- (3) Primary or bold colors may only be used to accent elements, such as door and window frames and architectural details.
- (4) Wherever possible, minimize the number of colors appearing on the structure's exterior. Small commercial structures shall generally use no more than three (3) colors unless appropriate to the architectural style.
- (5) Roof flashing, rain gutters, and downspouts, vents and other roof protrusions shall be finished to complement the adjacent materials and/or colors.

**(n) Treatment Adjacent to Residential Districts -**

- (1) To provide privacy for adjacent residential units, windows on the second and higher floors of buildings, which directly face or abut residential zones, should be designed either as translucent, louvered, be offset from existing residential windows, or utilize another solution to achieve privacy for the adjacent residential units.
- (2) Developments shall be designed to minimize motor vehicle circulation through local single-family neighborhood streets; however, pedestrian connections are encouraged.
- (3) Parking areas shall be located and designed to be convenient in order to minimize parking in residential neighborhoods.
- (4) Building façades and garages that face existing residential units shall be designed to be compatible with the setbacks and scale of the existing development.

**(o) Vehicle Circulation and Access –**

- (1) Site access and internal circulation shall promote safety, efficiency, and convenience. Vehicular traffic shall be adequately separated from pedestrian circulation. Vehicular entrances shall be clearly identified and easily accessible to minimize pedestrian/vehicle conflict.
- (2) The number of site access points or driveway aprons shall be minimized. Driveway entrances shall be located as far as possible from street

intersections and shall be coordinated with existing or planned median openings and driveways on the opposite side of the roadway. Common driveways that provide vehicular access to more than one site are encouraged.

- (3) When permitted, a driveway entrance for a drive-through lane shall not have direct access from the primary street serving the site. Such entrances shall only be located off driveways located within the interior of the development.

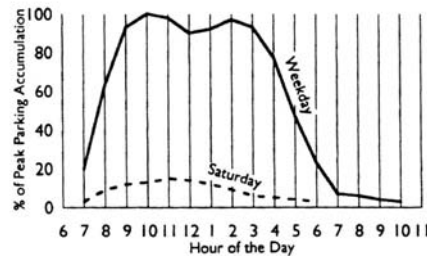
**(p) Pedestrian Circulation –**

- (1) All new uses shall be oriented and designed to enhance pedestrian movement to and between adjacent uses and public streets.
- (2) New development shall include pedestrian walkways. Pedestrian circulation shall be adequately separated from vehicular traffic. Pedestrian entrances and walkways shall be clearly identified and easily accessible to minimize pedestrian/vehicle conflict.
- (3) In mixed use projects, pedestrian walkways shall link dwelling units with the compatible commercial facilities in the project, common open space, plazas and courtyards, parking areas, and public sidewalks.
- (4) Colored, textured paving shall be used to delineate pedestrian crossings at circulation drives and parking aisles.

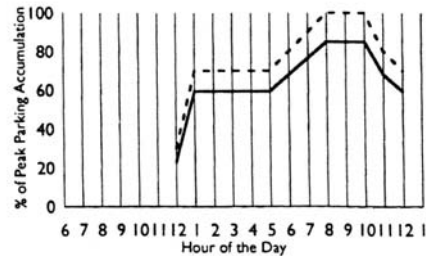
**(q) Parking –**

- (1) Mixed Use Buildings-
  - (A) A reduction in parking requirements for residential units (applicable to studios, one (1), and two (2) bedroom units only) when incorporated into a mixed use residential building to one (1) parking space per unit is provided to encourage residential uses in conjunction with neighborhood serving commercial uses.
  - (B) For the commercial use portion of a mixed use building, a parking standard of one (1) space for each four hundred square (400 sq. ft.) of retail, office, restaurants, service and similar pedestrian-oriented uses shall apply. As an alternative, when the mixture of uses is known, the Urban Land Institute's (ULI's) Shared Parking Standards may be used to calculate the total number of shared parking spaces. To determine shared parking demand, two (2) or more uses would be added for each hour of the day, for both weekdays and for Saturdays, to see which hour produces the highest parking demand. The following steps shall be used to determine the required minimum and maximum number of spaces for projects including a mix of uses:
    - (i) For each hour of the day, determine the parking demand for each individual land use (as determined by the Urban Land Institute's Shared Parking Standards).
    - (ii) Add together the parking demands for each land use to determine the aggregate parking demand for each hour. For example, add the amount of parking demanded by restaurants at one (1:00 PM) to the amount of parking demanded by retail at one (1:00 PM).

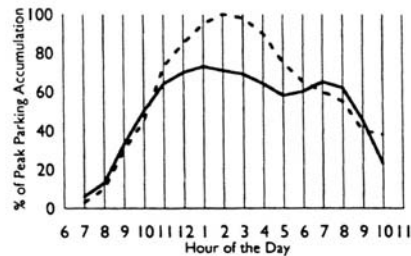
- (iii) Determine the minimum shared parking space requirement by using the largest of the aggregate parking demand figures. On-street parking spaces shall be used to help meet this requirement.
- (iv) Where visitor parking is required, the sharing of visitor parking and non-residential parking is permitted.



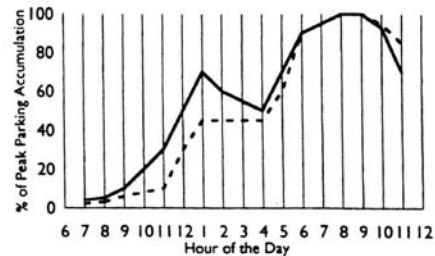
OFFICE



CINEMA



RESTAURANT

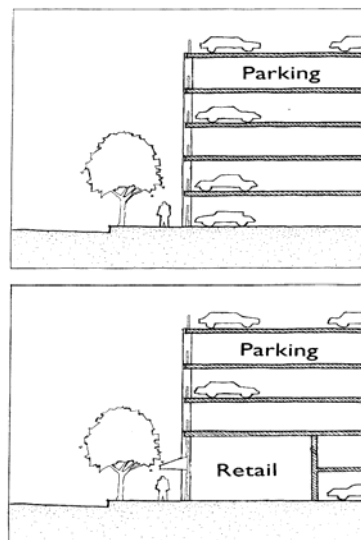


REGIONAL RETAIL

These percent of peak parking diagrams illustrate daily variation in parking demand for different land uses on different days of the week.

- (2) Other uses – Residential, mixed use developments (excluding mixed use buildings), commercial uses and public and semipublic uses shall be subject to the parking requirements by use classification in *Section 37-50.360 Off-street Parking and Loading Spaces Regulations*.
- (3) On-Street Parking - With the exception of streets where parallel parking operations would adversely impact traffic flow or where on-street parking is not “currently” allowed, all street improvement projects must include provisions for on-street parking. Existing on-street parking along the length of the lot shall be counted towards the required parking of adjacent buildings on the street side abutting the uses, unless the City Engineer determines that the parking must be removed at a later time to implement General Plan Circulation improvements then it shall not be counted
- (4) Parking Structures - Where feasible, the use of parking structures instead of parking lots is encouraged. A parking structure’s smaller footprint makes such parking a less obtrusive use than parking lots. Parking structures or garages shall be subject to the following:

- (A) Parking structures are generally discouraged along the primary and pedestrian-oriented street frontages serving a site unless retail, restaurants, services, offices or other habitable uses occupy the ground floor portion of the parking structure that fronts the street. On secondary street frontages and other non pedestrian-oriented street frontages serving a site, ground floor parking may occupy the portion of the structure that fronts a street if the City Planner determines that the street frontage serving the site is not expressly pedestrian-oriented in nature and that such parking would not adversely impact surrounding uses on the block.
- (B) When ground floor parking is permitted, the exterior of the street facade of the parking structure shall have the appearance of a building and incorporate similar materials, colors, and architectural features as adjacent buildings. In no case, shall unscreened vehicles in the parking structure be visible from public streets.
- (C) Stand-alone parking structures should generally not exceed thirty-five feet (35') in height except higher structures may be considered through the Conditional Use Permit process.
- (D) Whether placed under-ground where it can serve as a foundation for buildings or above ground, parking structures shall be designed to minimize the impact of the structure on the street and to be compatible with the architectural style of the surrounding buildings.

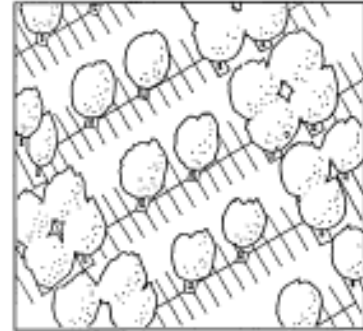


Parking structures may not be along the street (top) unless retail occupies the ground floor (bottom).

- (5) Bicycle Parking - Bicycle parking must be provided in easily accessible locations from the street. Bicycle parking must be visible from the building it serves in order to improve security for parked bicycles.

(6) Driveway Entrances – Colored, textured paving shall be provided at a minimum depth of ten feet (10') at all primary vehicular driveway entrances (immediately behind the street right-of-way line) to the development.

(7) Parking Lot Landscaping - Where parking lots abut streets, a minimum eight-foot (8') wide landscaped frontage shall be provided on the site, adjacent to the sidewalk. Landscaped frontages are not required when parking lots are sited behind buildings or plazas. A minimum number of shade trees are required, equivalent to one (1) tree per five (5) parking stalls. Trees in parking lots shall be spread uniformly throughout the parking area and may not be located only at the end of parking rows. Trees planted along connecting walkways and adjacent landscaped frontages may also contribute to the one-per-five requirement for parking lots. Trees in parking lots must be set into a tree well or planter having a minimum interior dimension of five feet (5') (exclusive of curbs). Trees adjacent to walkways and in plazas shall be protected by attractive bollards, raised concrete curbing or tree guards designed to be compatible with the development.



Orchard Parking Landscaping plants trees along connected walkways to meet the required average overall tree planting of one tree per five parking stalls.

(8) Parking Lot Location – All new construction of parking lots shall occur behind structures, to the side or within the interior of the development where it is not visible from the street.

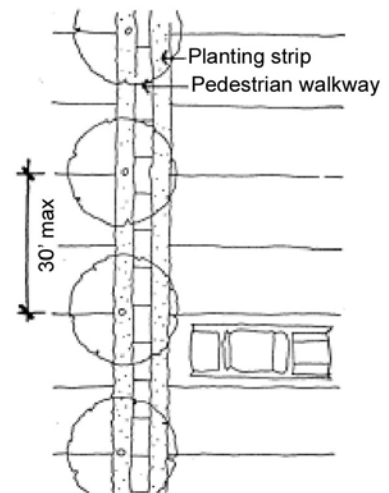
(9) Vehicle Maneuvering Areas - Vehicle maneuvering areas (including drive-through lanes, queuing areas, service station pump islands and similar vehicle-related areas) shall be located within the interior of developments and be screened from view of adjacent streets. Such areas shall not be located between the street and the street facades of buildings.

(10) Electric Vehicle Charging Areas – Whenever possible, electric vehicle charging areas shall be provided in parking areas.

(11) Connecting Walkways - Parking lots shall not exceed one hundred (100) spaces without being segmented by connecting walkways, landscaped frontages, or buildings. Where building entries do not abut a street, connecting walkways are required to link the building entrance to street sidewalks. Connecting walkways must meet the following requirements:

(A) Width and Clearance - The width of the paved walking surface must be at least six feet (6') clear. Any covered structure such as a trellis must have at least ten feet (10') clear height, but must not obstruct visibility.

(B) Paving - Connecting walkways must be



paved with a special paving or concrete in a pattern or color that contrasts with the surrounding pavement.

- (C) Tree Planting - Connecting walkways must be planted with either shade trees spaced thirty feet (30') on center or a shade structure such as a trellis with climbing vines.
- (D) Lighting - Connecting walkways must be equipped with lighting on one (1) side. Lighting standards spaced a maximum of thirty feet (30') apart, and a maximum of sixteen feet (16') tall are recommended.

**(r) Landscaping –**

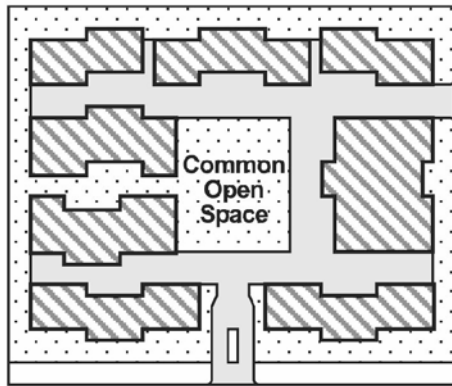
- (1) Landscaping shall be used to define specific areas by helping to focus on entrances to buildings and parking lots, define the edges of various land uses, provide transition between neighboring properties (buffering), and provide screening for parking lots and loading and equipment areas.
- (2) Landscaping shall be in scale with adjacent structures and be of appropriate size at maturity to accomplish its intended purpose.
- (3) Landscaping around the base of structures is recommended to soften the edge between the structure and the sidewalk and parking lot. Landscaping shall be accented at entrances to provide focus.
- (4) Landscaping shall be protected from vehicular and pedestrian encroachment by raised planting surfaces, depressed walks, and the use of concrete curbs or similar features.
- (5) Vines and climbing plants integrated upon buildings, trellises walls are strongly encouraged.
- (6) Use potted plants in clay or decorative concrete containers, especially for enhancement of sidewalk shops, plazas and courtyards and to soften the hardscape.
- (7) At maturity, trees shall be able to be trimmed ten feet (10') above ground and shrubs shall be maintained at a height of approximately three feet (3') when visibility is a factor

**(s) Usable Open Space –**

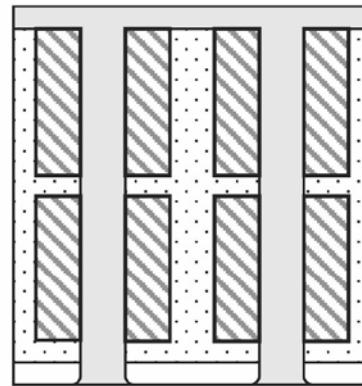
- (1) The design of the common usable open space shall compliment the street pedestrian realm with plazas, pocket parks, public gathering spaces, street furniture and landscaping.
- (2) Non-residential and mixed use projects are encouraged to incorporate plazas and courtyards, which are oriented to the public realm/sidewalks into their design. Buildings can be clustered to create usable pedestrian areas.
- (3) The design shall provide visual and physical cues that demark the public space from the private space.
- (4) To integrate new buildings within the surrounding area, new buildings are encouraged to provide passageways through new buildings that allow for light and air to adjacent buildings.
- (5) In mixed use residential and residential projects, common usable open space shall be provided in large, meaningful areas that are visible from the residential dwellings they serve. Common open space areas shall be convenient to the majority of dwellings and shall contain amenities appropriate to the project's size.



- (6) In mixed use and residential projects, private usable open space shall be contiguous to the unit it serves and be screened from public view for privacy. All balconies and patios that front a public street shall be designed to screen items being stored on the balcony or patio.
- (7) Rooftop open space may be used as common usable open space or private usable open space, when directly accessible to the unit(s) it serves.



Encouraged



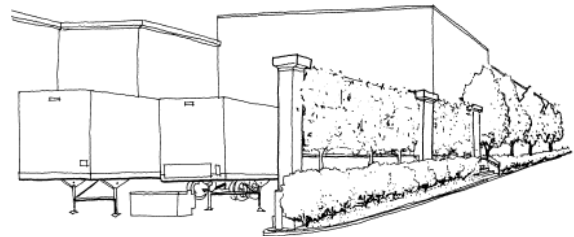
Discouraged

Orient buildings to create usable open space in a convenient location.

**(t) Recycling and Solid Waste Disposal –**

- (1) In mixed use projects, the residential units shall have and maintain a recycling and solid waste disposal area that is separate from that used by the commercial uses. It shall be clearly marked for residential use only and use by commercial uses is prohibited.
- (2) All recycling and solid waste disposal areas for commercial uses shall be located so as to be convenient to the commercial users and where associated odors and noise will not adversely impact the residential uses.
- (3) Recycling and solid waste receptacles shall be screened so as to not be visible from the public right-of-way, public plazas or residential units.

- (u) Loading Facilities -** Loading facilities and related service areas must be located away from and screened from view of streets, parks, plazas, and landscaped walkways and shall generally be located within the interior of the development whenever possible.



**(v) Screening -**

- (1) Screening for outdoor storage (including cart storage) shall be determined by the height of the material or equipment being screened. When allowed, exterior storage shall be confined to portions of the site least visible to public view. Where screening is required, a combination of elements shall be used

including solid masonry walls, berms and landscaping. Chain link fencing with or without slatting shall not be permitted.

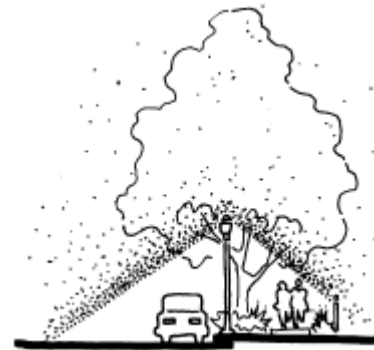
- (2) Any outdoor equipment, whether on a roof, side of a structure or on the ground, shall be appropriately screened from view. The method of screening shall be architecturally integrated with the adjacent structure in terms of materials, color, shape and size. Where individual equipment is provided, a continuous screen is desirable.
- (3) When permitted, roll-up doors, vehicle bays, drive-through aisles, car wash entrances/exits, wash stalls and similar features shall be screened from view of adjacent streets by building orientation and/or the provision of landscaping, berms, trellises, or low walls that are consistent with the architecture and exterior materials of the building.

**(w) Accessory Structures** – The design of accessory structures shall be architecturally compatible with the principal structure on the site through the use of consistent architectural style, exterior building and roofing colors and materials, and landscaping.

**(x) Lighting** — The design of light fixtures and their structural support shall be architecturally compatible with the principal structure(s) on the site and be pedestrian-oriented and scaled. The following additional standards shall apply to on-site lighting, including lighting of signs, structures, landscaping, plazas, parking, and service areas.

(1) Intensity and Direction of Lighting -

(A) All lighting fixtures, including spotlights, electrical reflectors, and other means of illuminating signs, structures, landscaping, parking, loading, and similar area, shall be focused, directed, and arranged to prevent horizontal glare or direct illumination on adjoining property or streets. A sharp cut-off must be used to direct light toward walls and landscaping to avoid shining light up into the sky. No lamp or lens may be visible, as viewed horizontally.



(B) No mercury vapor utility yard lights or other light fixtures with high intensity discharge lamps or bulbs which are not designed to limit or control light direction or which do not shield the light source from view of neighboring residential properties shall be permitted.

(2) Types of Lighting Applications -

(A) Architectural Enhancement - Accent lighting of architectural features is encouraged to highlight building massing and rhythm and enhance the pedestrian environment. Accent lighting shall not be a source of glare, reflected glare, or excessive light, especially when viewed from residences, streets, walkways, or open spaces. Neon lighting does not qualify as accent lighting.

(B) Building Entries - Building entries with high activity levels shall be illuminated. Appropriate treatments include: bathing entry surfaces with

light, allowing the building interior light glow through glazing, or using decorative lighting fixtures to announce entries.

- (C) Service Areas - Building-mounted downlight fixtures, in combination with pole fixtures, are preferred for the illumination of building service areas. Such fixtures do not cause glare or light leakage beyond the service areas.
  - (D) Landscaped Frontages - Regular up-lighting of walls or other structures in landscaped frontages shall occur throughout the mixed use district and must be coordinated to create a consistent and dramatic effect.
  - (E) Landscaping and Furnishing – Up-lighting is recommended for all landscaping and furnishings (in both public and private areas) that require accenting (such as specimen trees, shrubs, and sculptural features). Specific areas include streets, parks, and plazas.
  - (F) Plazas, Walkways and Paths - Plazas, walkways and other pedestrian paths shall be lit by pole or lighting bollard type fixtures that are of a human scale, typically not to exceed sixteen feet (16') or four feet (4') in height, respectively.
  - (G) Outdoor Seating Areas - Where intimate environments are desired, (e.g., seating areas in parks and plazas, and some pedestrian walkways), light bollards and other forms of indirect illumination are appropriate.
- (3) Lighting Bollards - Lighting bollards must have a black metal finish. Bollards must have a diameter of approximately eight inches (8"). Around the light source near the top of the bollard, horizontal louvers must be used to stylistically complement the luminaries and direct light downward. Concrete finishes shall not be used for lighting bollards.

**(y) Signs –**

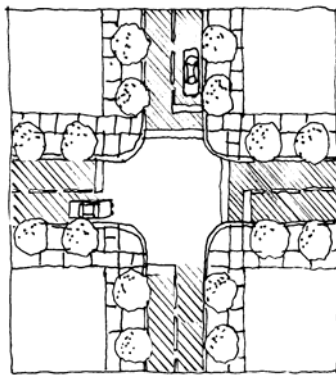
- (1) As development in the Mixed Use District is to support pedestrian activity, signage shall be scaled appropriately. As such, the use of blade, awning and hanging signs are encouraged. Can-type wall signs and freestanding pole signs are generally prohibited in new developments.
- (2) Every structure shall be designed with a precise concept for adequate signing. Provisions for sign placement, sign scale in relationship with the building and sign readability should be considered in developing the signing concept. All signing shall be highly compatible with the building and site design relative to color, material and placement.
- (3) The use of backlit individually cut letter signs is strongly encouraged.
- (4) Each development site shall be appropriately signed to give directions to loading and receiving areas, visitor parking and other special areas.

**(z) Streetscape –** The following standards are intended to further promote the creation of pedestrian-oriented, safe, attractive, and unified streetscapes in the Mixed Use (MU) districts and Focused Growth (FG) Overlay areas. The standards are intended to apply to improvements located within public right-of-ways and shall be subject to the approval of the City Engineer and City Planner:

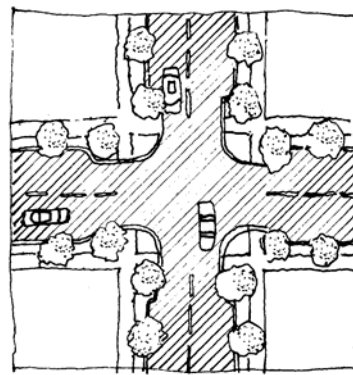
- (1) Traffic Calming – Measures to slow traffic and protect pedestrians from vehicles may be required by the City Engineer when deemed appropriate

and necessary. Examples of appropriate traffic calming measures include:

- (A) Lighted and clearly marked crosswalks.
- (B) Horizontal deflections such as landscaped center islands, street bulb-outs, road narrowing, chicanes, and roundabouts.
- (C) Vertical deflections such as raised and textured intersections and crosswalks.
- (D) Street trees and parkway planters that provide visual interest and buffer pedestrians from motor vehicles on the public streets.
- (E) The use of speed bumps, street closures or forced turns is not desirable and shall be avoided.



Raised/Textured Intersections

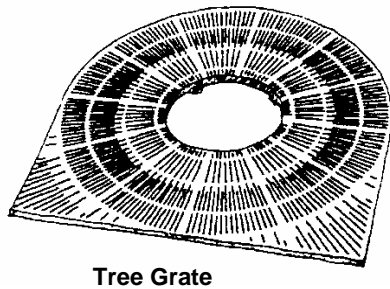


Bulb-outs

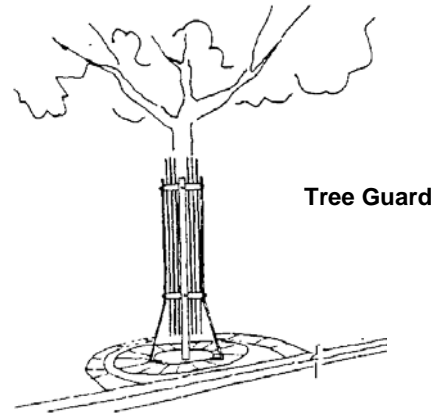
- (2) Other Design Elements – Other design elements such as enhanced street paving, lighting standards and other street furnishings should also be considered to enhance the pedestrian-oriented nature of the area as follows:
  - (A) Enhanced street paving, including textured and colored concrete, interlocking pavers (with even edges) or other materials as approved by the City Engineer, should be used to denote pedestrian street crossings. Paving patterns and colors should be simple and be consistently used throughout the applicable zoning district and Overlay district.
  - (B) Light standards along pedestrian-oriented streets should be lower in height to create an environment that is more human in scale. Such street lighting shall generally not be more than twenty-five feet (25') high. Light standards along arterial streets may be taller than those on local streets. Lighting standards are also encouraged to be placed over the sidewalk rather than street and in such case should not be higher than sixteen feet (16') above the sidewalk.
  - (C) Light standards shall have a high quality appearance and be generally consistent in design, color and fixture type throughout the applicable zoning district and Overlay district. Landscaping planters attached to metal light poles are also encouraged.
  - (D) Pedestrian-oriented street furnishings such as benches, water fountains, etc. are encouraged. Street furniture shall generally not be located

adjacent to crosswalks, curb cuts, fire hydrants or loading and bus zones. There should be five feet (5) of clear passage on sidewalks to ensure pedestrian safety and ADA-compliant access. Such features shall be compatible with the architectural style of adjacent buildings and reflect a compatible theme and style.

- (E) Newspaper racks should be located around major pedestrian gathering areas. The design shall consolidate all vending boxes into one rack. Rack construction should use masonry elements or metal that compliments other site furnishings in the area, or the architecture of adjacent buildings. The rack shall be attractive on all sides and properly anchored. Individual racks will not be permitted.
- (F) Street trees shall be planted on both sides of the street and generally be spaced forty feet (40') apart, on center. When possible, one species of street tree should be used for the sidewalk planting area with an additional street type for any on-street parking space streets or planted medians. Tree grates or guards should be provided along sidewalks and in plazas where a continuous walking surface is needed. Tree openings should be expandable.
- (G) Such design elements shall generally be maintained through a Maintenance District funded by the benefiting property owner(s).



Tree Grate



Tree Guard

**(aa) Kiosks** - Kiosk design and exterior color(s) shall be compatible with the architectural style and exterior color(s) of surrounding buildings.

**Sec. 37-30.150 Exemptions from Development Regulations and Design Standards**

(a) With the exception of prohibited uses, the City Planner may administratively exempt the following projects from those development regulations and design standards of this Division. In such cases, the City Planner shall determine the appropriate regulation or standard that shall apply to the proposed development based on the proposed use. This exemption shall not apply to standards or

supplemental regulations applicable to all developments in the City and that are not unique to this district:

- (1) Additions expanding existing structures by less than twenty-five percent (25%) of the existing gross floor area of the structure or two thousand five hundred square feet (2,500 sq. ft.), whichever is less;
  - (2) Exterior or interior remodels involving no increase in gross floor area; and
  - (3) Parking lot, loading spaces, recycling and solid waste enclosures, open space, landscaping and similar improvements on existing developed properties that enhance the existing conditions and provide site amenities that bring the project closer to achieving consistency with the development regulations and design standards of the district but do not meet the requirements of this section.
- (b) An exemption for additions to existing structures that expand more than twenty-five percent (25%) or two thousand five hundred square feet (2,500 sq. ft.) but less than fifty percent (50%) of the gross floor area of an existing structure or five thousand square feet (5,000 sq. ft), whichever is less, shall be subject to the approval of a Conditional Use Permit by the Planning Commission.
- (c) No exemptions shall be provided for projects exceeding fifty-percent (50%) or five thousand square feet (5,000 sq. ft), whichever is less, of the existing gross floor area of an existing structure as such projects shall comply with the requirements of the applicable MU District.
- (d) An exemption for additions to architecturally significant historic structures (as determined by the City Planner) shall be subject to the approval of a Conditional Use Permit by the City Planner. In addition to the required findings in *Article 6, Division 8: Conditional Use Permits*, the City Planner must also find that the addition will not damage the historic integrity, architecture, or significance of the building.