CITY OF BELMONT

Zoning Ordinance Amendments for General Plan Consistency

Phase I Zoning

Adopted November 28, 2017

DYETT & BHATIA
Urban and Regional Planners

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF BELMONT AMENDING THE BELMONT ZONING ORDINANCE (ORDINANCE 360) AND ZONING MAP TO IMPLEMENT THE 2035 GENERAL PLAN AND CONFORM VARIOUS EXISTING REGULATIONS TO THE 2035 GENERAL PLAN

THE CITY COUNCIL OF THE CITY OF BELMONT DOES ORDAIN AS FOLLOWS:

SECTION 1. BZO § 2.3.1 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.3.1 as follows:

2.3.1 ACRE, NET - means area of a site or lot, excluding land to be dedicated for required easements for vehicles or rights-of-way, either public or private, land that is unbuildable because of floor hazards, and land to be dedicated for parks, schools, and other public uses.

SECTION 2. BZO § 2.4.1 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.4.1 as follows:

2.4.1 ACTIVE USE - means a street-level land use that engages pedestrians and provides "eyes" on the street. Examples include retail shops, restaurants, personal services, and offices serving walk-in clientele.

SECTION 3. BZO § 2.8.1 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.8.1 as follows:

2.8.1 ALTERNATIVE FUELS AND RECHARGING FACILITY – means a facility offering motor vehicle fuels not customarily offered by commercial refueling stations (e.g., LPG) as well as equipment to recharge electric-powered vehicles.

SECTION 4. BZO § 2.8.2 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.8.2 as follows:

2.8.2 ANIMAL RETAIL SALES (PET SHOPS) means retail sales and boarding of domestic animals, provided such activities take place within an entirely enclosed building. This classification includes grooming if incidental to the retail use**.**

SECTION 5. BZO § 2.12 AMENDED

Belmont Zoning Ordinance (Ordinance 360) is amended by modifying Section 2.12 as follows:

2.12 ~~AUTOMOBILE~~ SERVICE STATION - ~~Automobile service station shall mean an area which dispenses fuel and provides for the service of motor vehicles, including tube and tire repairs, battery charging, storage of merchandise and supplies related to the servicing of motor vehicles sales, lubricants, automobile washing (not including mechanical car wash) and grease racks.~~ Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with ancillary activities, such as: providing minor vehicle repair services; conducting state inspections (e.g. "smog checks"); selling automotive oils,

replacement parts, and accessories; and providing incidental food and retail services.

SECTION 6. BZO § 2.23.1 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.23.1 as follows:

2.23.1 BUILDING MATERIALS AND SERVICES means retail sales or rental of building supplies or equipment. This classification includes lumberyards, tool and equipment sales or rental establishments, and includes establishments devoted principally to taxable retail sales to individuals for their own use. This definition does not include hardware stores less than 10,000 square feet.

SECTION 7. BZO § 2.26 AMENDED

Belmont Zoning Ordinance (Ordinance 360) is amended by modifying Section 2.26 as follows:

2.26 BUILDING, GOVERNMENT ~~A building owned or used by the federal, state, county or city government, or any political subdivision, agency or instrumentality thereof.~~ means administrative, clerical, or public contact offices of a government agency, including postal facilities and courts, together with incidental storage and maintenance of vehicles. This classification excludes corporation yards, equipment service centers, and similar facilities that primarily provide maintenance and repair services and storage facilities for vehicles and equipment.. Administrative, clerical, or public contact offices of a government agency, including postal facilities and courts, together with incidental storage and maintenance of vehicles. This classification excludes corporation yards, equipment service centers, and similar facilities that primarily provide maintenance and repair services and storage facilities for vehicles and equipment.

SECTION 8. BZO § 2.27 AMENDED

Belmont Zoning Ordinance (Ordinance 360) is amended by modifying Section 2.27 as follows:

2.27 BUILDING SETBACK LINE. ~~A line parallel to the street line at a distance from it, regulated by the front yard requirements set up in this Ordinance.~~ A line parallel to, and at a set distance from each property line. The front setback is measured from the front property line or from the edge of the sidewalk if proposed to be located within the lot line and dedicated for public use.

SECTION 9. BZO § 2.30.1 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.30.1 as follows:

2.30.1 BUSINESS AND PROFESSIONAL OFFICES means offices for firms and organizations providing professional, executive, management, or administrative services, including accounting, architecture, computer hardware and software design, engineering, graphic design, interior design, investment, law, management, medical/dental, real estate, tax preparation and other services.

SECTION 10. BZO § 2.31.1 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.31.1 as follows:

2.31.1 BUSINESS SERVICES**.** The business services use type refers to establishments primarily engaged in the provisions of services of a clerical, employment, protective or minor processing nature to firms, rather than individuals, and where the storage of goods other than samples is prohibited. Typical uses include secretarial services, quick-printing services, and blueprint services.

SECTION 11. BZO § 2.42.1 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.42.1 as follows:

2.42.1 COMMUNITY ASSEMBLY**.** A facility for public or private meetings including community centers, banquet centers, religious assembly facilities, civic auditoriums, union halls, meeting halls for clubs and other membership organizations. This classification includes functionally related facilities for the use of members and attendees such as kitchens, multi-purpose rooms, and storage. It does not include gymnasiums or other sports facilities, convention centers, day care centers or schools.

SECTION 12. BZO § 2.48.3 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.48.3 as follows:

2.48.3 DAY CARE CENTER. Establishments providing non-medical care for persons on a less-than-24-hour basis. This classification includes commercial and nonprofit nursery schools, preschools, day care facilities for children or adults, and any other day care facility licensed by the State of California.

SECTION 13. BZO § 2.60 AMENDED

2.60 FLOOR AREA, GROSS ~~–~~means ~~T~~the sum of all finished and unfinished framed-in floor surfaces with an interior vertical height of six and one-half feet or more from floor to ceiling, capable of accommodating living space, measured from the exterior walls plus garages, utility rooms, and enclosed accessory structures. Covered decks, porches, patios, carports, and other covered areas which are not enclosed on all sides shall not be counted as dwelling floor area. For the purposes of calculating floor area and an associated floor area ratio (FAR) other than for single family or duplex and related accessory structures, the gross floor area does not include underground parking, partially underground parking with no more than three feet above sidewalk level, or parking structures that are interior to a commercial, residential, or mixed use building.

SECTION 14. BZO § 2.70.1 ADDED

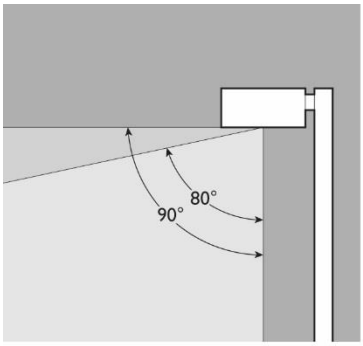
Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.70.1 as follows:

2.70.1 INSTRUCTIONAL SERVICES. Services for the purpose of personal enrichment. Typical uses include classes or instruction in music, health, athletics, art, or academics. Instructional Services includes rehearsal studios as an accessory use.

SECTION 15. BZO § 2.72.1 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.72.1 as follows:

2.72.1 LIGHTING, FULL CUT-OFF. A lighting fixture constructed in such a manner that it meets the adopted criteria of the Illuminating Society of North America and all light emitted by the fixture, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected an angle of 90 degrees, and above a vertical angle of 80 degrees, the luminous intensity cannot exceed 10 percent of the light or the lamp or lamps of the fixture. Also known as a fully shielded light fixture.



Permitted: Full Cutoff Luminaire

Does not allow light at 90°. Allows 100 cd per 1,000 lamp lumens at 80 degrees

SECTION 16. BZO § 2.85.1 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.85.1 as follows:

2.85.1 MAINTENANCE AND REPAIR SERVICE. Establishments engaged in the maintenance or repair of office machines, household appliances, furniture, and similar items. This classification excludes maintenance and repair of motor vehicles.

SECTION 17. BZO § 2.85.2 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.85.2 as follows:

2.85.2 MIXED USE. Under this section, mixed use refers to vertical mixed use where retail or commercial uses are on the ground floor, and residential, lodging, or office uses are above.

SECTION 18. BZO § 2.93.1 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.93.1 as follows:

2.93.1 OFFICES WITH WALK-IN CLIENTELE means offices providing direct services to patrons or clients without prior appointments. This use classification includes employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, and offices for elected officials. It does not include banks or check-cashing facilities.

SECTION 19. BZO § 2.96.1 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.96.1 as follows:

2.96.1 PERSONAL SERVICES, GENERAL means provision of recurrently needed services of a personal nature that do not pose land use compatibility issues warranting public review. This classification includes seamstresses, tailors, shoe repair shops, bike repair shops, self-service laundries, photocopying and photo finishing services, and travel agencies mainly intended for the consumer. This classification also includes fitness centers, exercise clubs, and studios offering performing arts, martial arts, physical exercise, or yoga training and similar types of instruction.

SECTION 20. BZO § 2.96.2 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.96.2 as follows:

2.96.2 PERSONAL SERVICES, LIMITED means Personal services that may cause land use conflicts because of hours of operation, drop-off or pickup requirements, or potential adverse impacts on neighboring uses or the local retail market. This classification includes barber shops and beauty salons, dry cleaning agents (excluding large-scale bulk cleaning plants), massage establishments, nail salons, smoke shops, or tobacco sales.

SECTION 21. BZO § 2.100.1 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.100.1 as follows:

2.100.1 RESEARCH AND DEVELOPMENT LABORATORY. Establishments with laboratory facilities as distinct for offices, that are primarily engaged in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale, but excludes uses that in the opinion of the Planning Commission, may be objectionable by reason of production of offensive odor, dust, noise, bright lights, vibration or the storage of hazardous material or products, or uses which in the opinion of the commission threaten public safety. Typical uses include biotechnology firms and robotics laboratories.

SECTION 22. BZO § 2.105A RENUMBERED

Belmont Zoning Ordinance (Ordinance 360) is Section 2.105a is renumbered as follows:

2.105~~a~~.1 SIGNAL ACCESS, REASONABLE - Reasonable signal access means the maximum number and strength of signals available for a given antenna size, height, and location consistent and balanced with the goals of maintenance aesthetic quality and public safety.

SECTION 23. BZO § 2.105.2 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.105.2 as follows:

2.105.2 SOCIAL SERVICE CENTER. Facilities providing a variety of supportive services for disabled and homeless individuals and other targeted groups on a less-than-24-hour basis. Examples of services provided are counseling, meal programs, personal storage lockers, showers, instructional programs, television rooms, and meeting spaces. This classification is distinguished from day care centers and emergency shelters providing 24-hour or overnight care.

SECTION 24. BZO § 2.123 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.123.1 as follows:

2.123.1 UTILITIES, MINOR. Facilities necessary to support established uses involving only minor structures, such as electrical distribution lines, and underground water and sewer lines.

SECTION 25. BZO § 2.123A RENUMBERED

Belmont Zoning Ordinance (Ordinance 360) Section 2.123a is renumbered as follows:

2.123~~a~~.2 VEHICULAR SERVICE SHOPS – Premises primarily engaged in the sales, service and major repair or exchange of vehicle parts and accessories conducted wholly within a building.

SECTION 26. BZO § 2.123.3 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 2.123.3 as follows:

2.123.3 VEHICLE WASHING. Washing, waxing, or cleaning of automobiles or similar light vehicles, including self-serve washing facilities that are the principal use of a building, structure, or site.

SECTION 27. BZO § 3.1 AMENDED

Belmont Zoning Ordinance (Ordinance 360) is amended by modifying Section 3.1 as follows:

3.1 CLASSES OF DISTRICTS - For the purpose of this Ordinance, the City is divided into the following classes of districts as shown on the maps hereinafter included by reference:

Single Family Residential, or R-1E, R-1H, R-1A, R-1B and R-1C Districts

Duplex Residential, or R-2 Districts Multi-family Residential, or R-3, R-4 and R-5 Districts

Hillside Residential and Open Space, or HRO-1, ~~and~~ HRO-2, and HRO-3 Districts

Neighborhood Commercial, or C-1 Districts

General Commercial, or C-2 Districts

~~Highway Commercial, or C-3 Districts~~

Regional Commercial, or RC District

Service Commercial, or C-4 Districts

Mixed Use District, Corridor Mixed Use, or CMU

Executive Administrative, or E-1, E-2.1 and E-2.2 Districts

Harbor Industrial Area, or HIA-1 and HIA-2 Districts

Limited Industrial, or M Districts

~~Agricultural, or A Districts~~

Exclusive Manufacturing, or M.E. Districts

Special Building Site District No. 1, S-1 or S-2 Combining Districts

Downtown Design Control District, or D-1 Combining Districts

Schools and Compatible Multiple Uses, or SC Districts

Open Space Public, or OS-P Districts

Public and Semi-Public, or PS District

SECTION 28. BZO § 5.4 REPEALED

Belmont Zoning Ordinance (Ordinance 360) Section 5.4 (HIGHWAY COMMERCIAL OR C-3 DISTRICTS) and its subordinate sections are repealed.

SECTION 29. BZO § 5.4 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding a new Section 5.4 and subordinate sections as follows:

5.4 REGIONAL COMMERCIAL OR RC DISTRICT - The following regulations apply in the RC District.

5.4.1 PURPOSE - The Regional Commercial District allows for community-serving retail and services; visitor- and retail-serving auto-oriented commercial services, such as lodging, service stations, car dealerships, and commercial office uses at appropriate locations, as designated in the General Plan. Some light industrial and research and development (R&D) uses may also be permitted, subject to development standards and design review to ensure land use compatibility.

5.4.2 PERMITTED USES – Subject to Section 9.5.6, the following are permitted uses.

(a) Animal sales and services, including animal clinics and grooming, and animal retail sales (pet shops).

(b) Banks and retail financial institutions without drive-through service.

(c) Business and professional offices when located above the ground floor; and offices with walk-in clientele on the ground floor when not replacing a use permitted by Section 5.4.2 (d), and (j) in a space not to exceed 1,500 square feet.

(d) Business services.

(e) Government buildings.

(f) Instructional services.

(g) Maintenance and repair services.

(h) Nursery and garden center.

(i) Restaurants.

(j) Retail stores engaged in the selling of retail products and services, including but not limited to art, appliance, auto accessories, hardware and variety stores, bakeries, food and drug stores, and tailor shops.

(k) Personal services, general, but only on the ground floor of a mixed use building occupying less than 2,000 square feet.

5.4.3 CONDITIONAL USES - Subject to Section 9.5.6, the following uses are allowed with a conditional use permit.

(a) Automobile rental agency.

(b) Auto/vehicle sales and services, including dealers and new and used car sales lots, automobile repair services, service stations and electric vehicle charging facilities, and vehicle washing.

(c) Banks and retail financial institutions with drive-through service.

(d) Commercial amusement, entertainment, and health club enterprises, including cinemas, indoor theaters, ice rinks, and related facilities, which may be publicly- or privately-owned.

(e) Communication facilities, including antennas and transmission towers equipment within buildings.

(f) Day care centers.

(g) Health clinics

(h) Hotels and motels

(i) Non-traditional financial institutions, including check-cashing facilities, payday lenders, and pawn brokers.

(j) Recycling collection facilities.

(k) Restaurants that sell predominantly take-out meals or provide drive-in or drive-through service.

(l) Personal services, limited, occupying less than 1,500 square feet.

(m) Utilities.

5.4.4 ACCESSORY USES – Accessory uses, including ancillary and incidental uses, necessary to the operation of a use but of less intense nature, are permitted in the RC District if the primary use is permitted. Where the primary use requires a conditional use permit, ancillary uses shall also require a conditional use permit.

5.4.5 AUTOMOBILE PARKING AND LOADING FACILITIES - Parking and loading facilities shall be provided in accordance with the provisions of Sections 8 and 8A.

5.4.6 FLOOR AREA RATIO - The maximum floor area ratio in the RC District shall be 1.8.

5.4.7 TRANSITIONAL YARDS - Transitional yards shall be provided according to the regulations in Section 9.7.5.

5.4.8 DESIGN REVIEW - All new construction and exterior modifications are subject to design review under Section 13.

5.4.9 LANDSCAPING - All new structures are subject to landscaping requirements in Section 13.3 and the following additional requirements. Projects involving the construction of new floor area shall provide a minimum of 10 percent of the site in landscaping. Projects involving the construction of one or more new buildings shall provide 15 percent of the site in

landscaping. A minimum of one tree shall be provided for each 400 square feet of landscape area.

5.4.10 BUILDING HEIGHT - No building may exceed 55 feet in height.

5.4.11 SITE DEVELOPMENT STANDARDS - All development shall conform to the following:

(a) Minimum lot size shall be 7,200 square feet.

(b) Minimum lot width shall be 60 feet.

(c) Minimum setback requirements: None except where an interior lot line abuts a residential zoning district in which case the interior setbacks required of the abutting lot must be provided (e.g. six feet plus two feet for each additional story above two stories for interior side lot lines).

(d) On-site pedestrian circulation and access must be provided according to the following standards.

(1) *Internal Connections*. A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.

(2) *To Circulation Network*. Regular connections between on-site walkways and the public sidewalk shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage. Such walkway shall be the shortest practical distance between the main entry and sidewalk, generally no more than 125 percent of the straight line distance.

(3) *To Neighbors*. Direct and convenient access shall be provided from commercial and mixed-use projects to adjoining residential and commercial areas to the maximum extent feasible while still providing for safety and security.

(4) Interior Pedestrian Walkway Design.

(A) Walkways shall have a minimum unobstructed width of six feet and shall be hard-surfaced.

(B) Where a required walkway crosses driveways, parking areas, or loading areas, it must be clearly identifiable through the use of a raised crosswalk, a different paving material, or similar method.

(C) Where a required walkway is parallel and adjacent to an auto travel lane, it must be raised or separated from the auto travel lane by a raised curb at least four inches high, bollards, or other physical barrier.

5.4.12 SUPPLEMENTAL STANDARDS FOR SHOPPING CENTERS - Shopping centers containing 25,000 square feet or more of floor area are subject to the following standards and criteria for approval.

(a) *Entry Plazas/Passenger Loading Areas*. A plaza shall be provided at the entry to each anchor tenant that provides for pedestrian circulation and loading and unloading. Entry plazas and passenger loading areas shall include unique, decorative paving materials,

adequate seating areas, provision of adequate shade from the summer sun, and attractive landscaping including trees or raised planters. Entry plazas with features described under paragraph 2 below may be counted toward the public plaza requirements.

(b) *On-Site Public Plazas*. Outdoor plazas for the use of customers and visitors shall be provided at a rate of five square feet per 1,000 square feet of floor area, up to 1,500 square feet of outdoor plaza.

(1) *Location*. Public plazas shall be visible from a public street, or from on-site areas normally frequented by customers, and shall be accessible during business hours.

(2) *Amenities*. On-site public space shall include benches or other seating, and the ground surface shall be landscaped or surfaced with high-quality paving materials. Amenities shall be provided that enhance the comfort, aesthetics, or usability of the space, such as shade trees and other landscaping, shade structures, drinking fountains, water features, public art, and performance areas.

(3) *Design Criteria*. In order to receive design approval for a shopping center, the Planning Commission shall find that all of the following criteria have been met.

(A) *Integrated Theme.* Buildings and structures exhibit an integrated architectural theme that includes similar or complementary materials, colors, and design details.

(B) *Site Entrance.* The driveway entrance provides an organizing element to the site design with features such as a landscaped entry corridor or a divided median drive separated by a landscaped center dividing island. Buildings are located within 30 feet of the corner of the driveway and public right-of-way and building elements with greater vertical emphasis are used at these corners.

(C) *Building Entrances.* Building entrances to anchor tenants and other large stores are prominent and inviting. The architectural details of building entrances are integrated with the overall building design in terms of materials, scale, proportion, and design elements.

(D) *Vehicular Circulation.* Safe, convenient vehicular circulation is provided within the development through an appropriate system of internal vehicular circulation routes based on a hierarchy of drive aisles and cross routes. Vehicular and pedestrian conflicts are minimized. Where pedestrian circulation routes cross vehicular traffic aisles and driveways within a development, there are clearly delineated crosswalks that include clear sight lines, adequate warning signage, adequate lighting, and protective barrier posts or similar features at walkway entrances.

(E) *Cart Corrals.* Adequate, convenient cart corrals are provided near building entrances and throughout the parking areas.

(F) *Lighting.* A combination of attractively designed and located lighting fixtures, not to exceed 16 feet in height with full cutoff luminaires, including ground-mounted fixtures, light bollards, and architectural lighting provides interesting compositions for outdoor lighting, as well as a safe, secure environment.

(G) *Loading.* Loading areas are appropriately screened from view of public streets

and also setback from interior lot lines abutting residential neighborhoods.

(H) *Shade Areas.* Pedestrian areas, such as walkways, building entrances, and gathering areas, are adequately shaded from the summer sun through such techniques as the careful placement of trees and landscaping, trellis structures, projecting canopies, covered walkways, arcades, porticos, building orientation, and similar techniques.

SECTION 30. BZO § 5A ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding a new Section 5A and subordinate sections as follows:

SECTION 5A – CORRIDOR MIXED USE DISTRICT

5A.1 CORRIDOR MIXED USE OR CMU DISTRICT - The following regulations apply in CMU Districts.

5A.1.1 PURPOSE – The Corridor Mixed Use District applies to parcels along El Camino Real outside of the Belmont Village Specific Plan area and is intended to accommodate community- and visitor-serving retail and services, lodging, office, and high density residential in a mixed use setting. A mix of uses on individual development sites is desired, but not required. A community benefits program allows additional height, density and intensity to be granted in exchange for the provision of specified community benefits.

5A.1.2 PERMITTED USES. Subject to Section 9.5.6, the following are permitted uses:

(a) Animal sales and services, including animal clinics and grooming, and animal retail sales (pet shops).

(b) Banks and retail financial institutions without drive-through service.

(c) Business and professional offices when located above the ground floor; and such uses on the ground floor when not replacing a use permitted by Section 5A.1.2 (d), (k), and (l) in a space not to exceed 3,000 square feet unless determined by the Director to be an office use serving walk-in clientele.

(d) Business services.

(e) Government buildings.

(f) Instructional services.

(g) Maintenance and repair services.

(h) Multi-family dwellings when located above the ground floor.

(i) Nursery and garden center.

(j) Personal services.

(k) Restaurants.

(l) Retail stores engaged in the selling of retail products and services, including but not limited to art, appliance, auto accessories, hardware and variety stores, bakeries, dry cleaning for the retail trade only, hair cutting shops, food and drug stores, and tailor shops, but excluding building materials and services.

(m) Utilities, that are minor in nature and an accessory use intended to serve an existing or planned land use and meet all of the standards of the City Code.

5A.1.3 CONDITIONAL USES - Subject to Section 9.5.6, the following uses are allowed with a conditional use permit.

(a) Automobile rental agency.

(b) Auto/vehicle sales and services, including dealers and new and used car sales lots, automobile repair services, service stations and electric vehicle charging facilities, and vehicle washing.

(c) Banks and retail financial institutions on the ground-floor in a mixed use building, not to exceed 3,000 square feet.

(d) Commercial amusement, entertainment, and health club enterprises, including cinemas, indoor theaters, ice rinks, and related facilities, which may be publicly- or privately-owned.

(e) Communication facilities, including antennas and transmission towers equipment within buildings.

(f) Community assembly.

(g) Day care centers.

(h) Emergency shelter only in the S-2 Emergency Shelter Combining District, in compliance with Section 21.

(i) Group residential.

(j) Health clinics.

(k) Hospital

(l) Hotels and motels.

(m) Multi-family dwellings on the ground floor, with a determination by the Planning Commission that a single use building is appropriate for the site and is setback at least 10 feet from the front and street side lot lines.

(n) Non-traditional financial institutions, including check-cashing facilities, payday lenders, and pawn brokers.

(o) Recycling collection facilities.

(p) Restaurants that sell predominantly take-out meals or provide drive-in or drive-through service.

(q) Social service center.

(r) Utilities and other major facilities that are determined by the Director not to be minor and accessory to a permitted or conditional use.

5A.1.4 ACCESSORY USES – Accessory uses, including ancillary and incidental uses, necessary to the operation of a use but of less intense nature, are permitted if the primary use is permitted. Where the primary use requires a conditional use permit, ancillary uses shall also require a conditional use permit.

5A.1.5 AUTOMOBILE PARKING AND LOADING FACILITIES - Parking and loading facilities shall be provided in accordance with the provisions of Sections 8 and 8A.

5A.1.6 FLOOR AREA RATIO - The maximum floor area ratio in the CMU District shall be 1.75, which may be increased up to 2.2 with provision of community benefits approved by the City Council under Section 5A.2. This FAR limit applies to the entire development on a site, inclusive of any residential component.

5A.1.7 RESIDENTIAL DENSITY - The maximum residential density in the CMU District shall be 45 units per net acre, which may be increased up to 60 units per net acre with provision of community benefits approved by the City Council under Section 5A.2.

5A.1.8 TRANSITIONAL YARDS - Transitional yards shall be provided according to the regulations as set forth in Section 9.7.5.

5A.1.9 DESIGN REVIEW - All new construction and exterior modifications are subject to design review under Section 13.

5A.1.10 LANDSCAPING - All new structures established in this District shall be subject to landscaping requirements in Section 13.3 and the following additional requirements. Projects involving the construction of new floor area shall provide a minimum of 10 percent of the site in landscaping and a minimum of one tree for each 400 square feet of landscape area.

5A.1.11 BUILDING HEIGHT - No building shall exceed 45 feet in height (55 feet with community benefits as prescribed in Section 5A.2).

5A.1.12 SITE DEVELOPMENT STANDARDS - All development shall conform to the following:

(a) Minimum lot size shall be 7,200 square feet.

(b) Minimum lot width shall be 60 feet.

(c) Minimum setback requirements: None except for ground-floor residential uses to which the following setbacks apply: 10 feet front yard; 5 feet plus 2 feet per each additional story above three stories, side yard; and 15 feet rear yard.

(d) Minimum upper-story horizontal setbacks for residential uses: 5 feet from a vertical plane projected upward from an interior lot line; 10 feet for a bedroom or living room window and five feet on either side of that window.

(e) Minimum ground floor height: 15 feet for non-residential space; 10 feet for residential space.

5A.1.13 BUILDING DESIGN STANDARDS - All development shall conform to the following:

(a) Ground Floor Transparency. At least 50 percent of the exterior walls on the ground floor facing and within 20 feet of a front or street side lot line shall include windows, doors, or other openings located between 2.5 and seven feet above the level of the sidewalk.

(1) Design of Required Openings. Openings fulfilling this requirement shall have transparent or moderately-tinted glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least three feet deep and five feet wide. Shading or use of drapes or other internal window covering for energy efficiency may be approved.

(2) Exceptions for Parking Garages. Multi-level garages are not required to meet the building transparency requirement of this subsection.

(3) Alternatives through Design Review. Alternatives to the building transparency requirement may be permitted through Design Review if:

(A) The proposed use has unique operational characteristics with which providing the required windows and openings is incompatible, such as in the case of a cinema or theater; and

(B) Street-facing building walls will exhibit architectural relief and detail, and will be enhanced with landscaping in such a way as to create visual interest at the pedestrian level.

(b) Building Entrances. The primary pedestrian access to all ground-level commercial uses shall be from a public sidewalk. In mixed-use developments, entrances to residential units shall be physically separated from the entrance to the commercial use and clearly marked with a physical feature such as a recess or projection incorporated into the building or appropriately-scaled element applied to the façade.

(c) Outdoor Living Area For Residential Units. A minimum of 36 square feet per unit of outdoor living area must be provided for residential units. This requirement may be met by common or private open space or a combination of the two. Common areas may consist of landscaped areas, patios, swimming pools, barbeque areas, and similar improvements designed to serve residents. Landscaped rooftop gardens may fulfill up to 50 percent of this requirement. Private areas may consist of balconies, decks, fenced yards, and similar areas directly accessible from a unit.

5A.2 COMMUNITY BENEFIT BONUSES

5A.2.1 PURPOSE AND APPLICABILITY. To provide an incentive for development, in partnership with the City, to provide community benefits that would not otherwise be created, the City Council may grant increased FAR, density or height in return for provision of specific community benefits, as listed below or subsequently identified by the City Council, if doing so is in the City's interest and will help implement the General Plan, and these benefits cannot be realized without granting increased FAR, height, and/or density.

5A.2.2 BONUSES AVAILABLE

(a) For Lot Consolidation. In order to promote the consolidation of small lots into larger sites, which are better able to accommodate mixed use development and thus confer

community benefits, the City Council may approve an increase in the maximum allowable base FAR up to 10 percent if such an increase is needed to ensure development feasibility based on an independent, third-party appraisal. This additional FAR may be combined with additional FAR earned for other community benefits listed in paragraph (b) below.

(b) For Other Community Benefits. Increased FAR, height, and density up to the maximums with community benefits listed in Section 5A.1.6, 5A.1.7 and 5A.1.11 may be approved by the City Council for the following community benefits:

(1) On-site affordable housing in an amount exceeding the City's requirements for inclusionary housing established in the Zoning Ordinance.

(2) Public access easements, wider sidewalks, and additional public right-of-way provided where identified in the General Plan.

(3) Public right-of-way improvements, which are in addition to those required to serve new development.

(4) Art in public places, including art in privately-owned publicly accessible plazas and courtyards.

(5) Privately owned publicly accessible open space exceeding the minimum requirements of this Ordinance, and consistent with the general types and locations of desired public parks and plazas identified in the General Plan.

(6) Below-market rental rates guaranteed for a minimum of ten years for a day care center, cultural facility or incubator space for qualifying small businesses.

(7) Retention or construction of retail or office commercial development within the CMU Corridor Mixed Use District.

(8) Contributions to a Council-administered Community Fund or Community Recreation Fund, if one is created.

(9) Community recreational facilities, such as an ice rink.

(10) Any other community benefit, as determined by the City Council after a duly-noticed public hearing, to be significant, substantial and essential for Specific Plan implementation and which would not otherwise be provided if increased FAR, height or density is not approved.

5A.2.3 PROCEDURES FOR AWARDING BONUSES; FINDINGS REQUIRED - After conducting a duly-noted public hearing, the City Council may grant increased FAR, density or height, as requested by the applicant or as modified by the Council, in return for provision of specific community benefits if the City Council determines that (1) making such an award is in the City's interest and will help implement the General Plan, (2) these benefits cannot be realized without granting increased FAR, height, and/or density, and (3) that the increase granted is the minimum necessary to realize these benefits and no adverse impacts or land use incompatibilities will be created that are judged unacceptable. The decision to grant increased FAR, density or height is discretionary, and the Council is not obligated to grant any increase if any of these required findings cannot be made.

5A.2.4 MODIFICATIONS AND CHANGED PLANS

(a) *Minor Modifications*. The Community Development Director may approve minor modifications, not to exceed 10 percent of any dimensional requirement or standard, to an approved project that are consistent with the original findings and conditions approved by the review authority and would result in the same or substantially similar community benefits.

(b) *Changed Plans*. A proposed change in an approved project subject to the requirements of this section that would result in a change of more than 10 percent increase in any dimensional requirement or standard trips must be accompanied by a statement of what modifications or additions to the approved community benefits will be made to ensure the City derives the same or substantially similar benefits. The Planning Commission may conditionally approve such a change, subject to annual monitoring, after holding a duly-noticed public hearing and confirming that the community benefit program's objectives are being met.

5A.2.5 IMPLEMENTATION AND MONITORING - A report documenting the community benefits realized under this program or an affidavit confirming that the requirements of this section have been met must be submitted to the Community Development Director within one year of project approval. If the approved community benefits consist of solely physical development or measures that would be performed once, this report must be submitted once. For measures that are ongoing commitments, this report must be submitted annually. If the annual report shows compliance for three consecutive years, no further annual reports are required. A five-year review may be required by the Director to evaluate the overall effectiveness of all community benefits derived from this program and may suggest new or modified benefits for the Council's consideration.

SECTION 31. BZO § 5B ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 5B and subordinate sections as follows:

SECTION 5B – HARBOR INDUSTRIAL AREA

5B.1 HARBOR INDUSTRIAL AREA 1 OR HIA-1 DISTRICT – The following regulations apply in the Harbor Industrial Area 1 or HIA-1 District.

5B.1.1 PURPOSE – The HIA-1 District is intended as a pre-zoning designation that applies to the unincorporated area within Belmont's Sphere of Influence where high density residential uses as well as light industrial, retail, hotel uses and research and development laboratories will be allowed, consistent with the General Plan, upon annexation to the City. This pre-zoning is adopted under the authority granted to the City by the Government Code and becomes effective at the time of annexation.

5B.1.2 PERMITTED USES – Subject to Section 9.5.6, the following are permitted uses.

(a) Light manufacturing, processing, packaging, treatment or fabrication of goods and merchandise, provided, however, that no use shall be unduly hazardous or injurious to uses in the vicinity by reason of odor, dust, smoke, noise, vibration, electrical or other disturbances and no outdoor facilities and outdoor storage are permitted.

(b) Maintenance and repair services.

(c) Multi-family dwellings.

(d) Nursery and garden center.

(e) Parks and recreational facilities.

(f) Personal services located within a mixed use building with multi-family dwellings.

(g) Research and development laboratories.

(h) Restaurants.

(i) Retail stores engaged in the selling of retail products and services, including but not limited to art, appliance, auto accessories, building materials and supplies, hardware and variety stores, bakeries, dry cleaning for the retail trade only, hair cutting shops, food and drug stores, and tailor shops, but excluding large floor plate retail with over 25,000 square feet of sales area.

(j) Utilities, that are minor in nature and an accessory use intended to serve an existing or planned land use and meet all of the standards of the City Code.

5B.1.3 CONDITIONAL USES - Subject to Section 9.5.6, the following uses are allowed with a conditional use permit.

(a) Animal hospitals.

(b) Commercial amusement, entertainment, and health club enterprises, which may include a publicly- or privately-owned ice rink.

(c) Communication facilities, including antennas and transmission towers equipment within buildings.

(d) Community assembly.

(e) Day care centers.

(f) Health clinics.

(g) Recycling collection facilities.

(h) Utilities and other major facilities that are determined by the Director not to be minor and accessory to a permitted or conditional use.

5B.1.4 ACCESSORY USES – Accessory uses, including ancillary and incidental uses, necessary to the operation of a use but of less intense nature, are permitted if the primary use is permitted. Where the primary use requires a conditional use permit, ancillary uses shall also require a conditional use permit.

5B.1.5 AUTOMOBILE PARKING AND LOADING FACILITIES - Parking and loading facilities shall be provided in accordance with the provisions of Sections 8 and 8A.

5B.1.6 FLOOR AREA RATIO - The maximum floor area ratio in the HIA-1 District shall be 5.0.

5B.1.7 TRANSITIONAL YARDS - Transitional yards shall be provided according to the

regulations in Section 9.7.5.

5B.1.8 DESIGN REVIEW - All new construction and exterior modifications are subject to design review under in Section 13.

5B.1.9 LANDSCAPING - All new structures established in this District are subject to landscaping requirements in Section 13.3 and the following additional requirements. Residential and mixed use projects with residential units shall provide a minimum of 10 percent of the site in landscaping plus a minimum of one tree for each 400 square feet of landscape area.

5B.1.10 BUILDING HEIGHT - No building shall exceed 65 feet in height.

5B.1.11 SITE DEVELOPMENT STANDARDS - All development shall conform to the following:

(a) Minimum lot size shall be 7,200 square feet.

(b) Minimum lot width shall be 60 feet.

(c) Minimum setback requirements: None except where an interior lot line abuts a residential zoning district in which case the interior setbacks required of the abutting lot must be provided (e.g. six feet plus two feet for each additional story above two stories for interior side lot lines).

(d) On development sites with residential uses, on-site pedestrian circulation and access must be provided according to the following standards.

(1) *Internal Connections*. A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.

(2) *To Circulation Network*. Regular connections between on-site walkways and the public sidewalk shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage. Such walkway shall be the shortest practical distance between the main entry and sidewalk, generally no more than 125 percent of the straight line distance.

(3) *To Neighbors*. Direct and convenient access shall be provided from commercial and mixed-use projects to adjoining residential and commercial areas to the maximum extent feasible while still providing for safety and security.

(4) Interior Pedestrian Walkway Design.

(A) Walkways shall have a minimum unobstructed width of six feet and shall be hard-surfaced.

(B) Where a required walkway crosses driveways, parking areas, or loading areas, it must be clearly identifiable through the use of a raised crosswalk, a different paving material, or similar method.

(C) Where a required walkway is parallel and adjacent to an auto travel lane, it must be raised or separated from the auto travel lane by a raised curb at least four inches high, bollards, or other physical barrier.

5B.1.12 RESIDENTIAL BUILDING DESIGN STANDARDS - All development with residential uses shall conform to the following:

(a) *Building Entrances*. The primary pedestrian access to all ground-level residential uses shall be from a public sidewalk. In mixed-use developments, entrances to residential units shall be physically separated from the entrance to the commercial use and clearly marked with a physical feature such as a recess or projection incorporated into the building or appropriately-scaled element applied to the façade.

(b) *Outdoor Living Area For Residential Units*. A minimum of 36 square feet per unit of outdoor living area must be provided for residential units. This requirement may be met by common or private open space or a combination of the two. Common areas may consist of landscaped areas, patios, swimming pools, barbeque areas, and similar improvements designed to serve residents. Landscaped rooftop gardens may fulfill up to 50 percent of this requirement. Private areas may consist of balconies, decks, fenced yards, and similar areas directly accessible from a unit.

5B.2 HARBOR INDUSTRIAL AREA 2 OR HIA-2 DISTRICT – The following regulations apply in the Harbor Industrial Area 2 or HIA-2 District.

5B.2.1 PURPOSE – The HIA-2 District is intended as a pre-zoning designation that applies to the unincorporated area within Belmont's Sphere of Influence where light industrial, retail, hotel uses and research and development laboratories will be allowed, including large floorplate retail uses, consistent with the General Plan, upon annexation to the City. This pre-zoning is adopted under the authority granted to the City by the Government Code and becomes effective at the time of annexation.

5B.2.2 PERMITTED USES – The following uses are permitted.

(a) Business services.

(b) Light manufacturing, processing, packaging, treatment or fabrication of goods and merchandise, provided, however, that no use shall be unduly hazardous or injurious to uses in the vicinity by reason of odor, dust, smoke, noise, vibration, electrical or other disturbances and no outdoor facilities and outdoor storage are permitted.

(c) Maintenance and repair services.

(d) Nursery and garden center.

(e) Research and development laboratories.

(f) Restaurants.

(g) Retail stores engaged in the selling of retail products and services, including but not limited to art, appliance, auto accessories, building materials and supplies, hardware and variety stores, bakeries, dry cleaning for the retail trade only, hair cutting shops, food and drug stores, and large format retail establishments that sell merchandise and bulk goods for individual consumption.

(h) Storage warehouses and facilities for personal storage, including mini-warehouses and mini-storage but excluding outdoor storage.

(i) Utilities, that are minor in nature and an accessory use intended to serve an existing or planned land use and meet all of the standards of the City Code.

5B.2.3 CONDITIONAL USES - The following uses are allowed with a conditional use permit.

(a) Animal hospitals.

(b) Communication facilities, including antennas and transmission towers equipment within buildings.

(c) Recycling collection and processing facilities.

(d) Freight/truck terminals and warehouses.

(e) Utilities and other major facilities that are determined by the Director not to be minor and accessory to a permitted or conditional use.

5B.2.4 ACCESSORY USES – Accessory uses, including ancillary and incidental uses, necessary to the operation of a use but of less intense nature, are permitted if the primary use is permitted. Where the primary use requires a conditional use permit, ancillary uses shall also require a conditional use permit.

5B.2.5 AUTOMOBILE PARKING AND LOADING FACILITIES - Parking and loading facilities shall be provided in accordance with the provisions of Sections 8 and 8A.

5B.2.6 FLOOR AREA RATIO - The maximum floor area ratio in the HIA-2 District shall be 5.0.

5B.2.7 TRANSITIONAL YARDS - Transitional yards shall be provided according to the regulations in Section 9.7.5.

5B.2.8 DESIGN REVIEW - All new construction and exterior modifications are subject to design review under Section 13.

5B.2.9 LANDSCAPING - All new structures established in this District shall be subject to landscaping requirements in Section 13.3.

5B.2.10 BUILDING HEIGHT - No building shall exceed 65 feet in height.

(a) *Ground Floor Elevation*. The finished floor elevation of commercial development shall not be greater than one foot above the adjacent sidewalk level. Residential development may have a finished floor elevation up to five feet above sidewalk level to provide more interior privacy for residents.

(b) *Allowed Exceptions*. Non-habitable building features such as chimneys (up to 6 feet in width), cupolas, flagpoles, monuments, steeples, roof screens, solar energy facilities, mechanical equipment, and similar structures, covering no more than 20 percent of the top floor roof area to which they are accessory, may exceed maximum permitted height standards by eight feet.

(c) *Sloping Sites*. On lots with a grade change of 10 percent or more between two side lot lines or between a front and rear lot line, building height shall be measured for a "reference grade plane", representing the average of finished ground level adjoining the building at exterior walls. When the finished ground level slopes away from the exterior

walls, the reference ground plane shall be established by the lowest point within the area between the building and the adjacent lot line or, if the lot line is more than five feet from the building, between the building and a point five feet from the building.

(d) *Abutting Residential Districts*. The maximum height of a building wall within 50 feet of an abutting residential zoning district, meaning the project site shares a common boundary with the adjacent parcel and is contiguous to it, must not exceed 35 feet. Lots that are across the street or only have a common corner are not abutting. In addition, to protect privacy and minimize sunlight blockage, no structure or building feature shall intercept a 45-degree daylight plane inclined inward starting from a height of 12 feet above existing grade at the abutting residential district lot line.

5B.2.11 SITE DEVELOPMENT STANDARDS - All development shall conform to the following:

(a) Minimum lot size shall be 7,200 square feet.

(b) Minimum lot width shall be 60 feet.

(c) Minimum setback requirements: None except where an interior lot line abuts a residential zoning district in which case the interior setbacks required of the abutting lot must be provided (e.g. six feet plus two feet for each additional story above two stories for interior side lot lines).

SECTION 32. BZO § 5C ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 5C and subordinate sections as follows:

SECTION 5C - PUBLIC AND SEMI-PUBLIC DISTRICT

5C.1 PUBLIC AND SEMI-PUBLIC OR PS DISTRICT - The PS Public and Semi-Public or PS District applies to all public and community facilities, including city parks and recreation facilities, community centers, the library, public schools, and various publicly-owned facilities and public infrastructure.

5C.2 PERMITTED USES – Subject to Section 9.5.6, the following uses are permitted in the PS District.

(a) Community centers

(b) Cultural facilities

(c) Government buildings

(d) Parks and recreation facilities

(e) Public utility and public service structures

5C.3 CONDITIONAL USES – None

5C.4 ACCESSORY USES – Accessory uses, including ancillary and incidental uses, necessary to the operation of a use but of less intense nature, are permitted if the primary use is permitted.

5C.5 DESIGN REVIEW - All new construction and exterior modifications shall be subject to design review in Section 13, except for public schools, which are exempt from review.

5C.6 SITE AREA, DIMENSIONS AND COVERAGE LIMITS

(a) Minimum lot size: none.

(b) Floor area ratio: none.

(c) Maximum height: 45 feet unless the Planning Commission approves greater height upon finding that adjacent uses and neighborhoods would not be adversely affected.

(d) Minimum setbacks: none, except when abutting a residential district the setback must be the same as the abutting district.

5C.7 ADDITIONAL DEVELOPMENT STANDARDS

(a) Landscaping: All development in this District is subject to landscaping requirements in Section 13.3. In addition, a minimum of 20 percent of the site must be planting area.

(b) Off-street parking and loading: All facilities shall conform to the standards in Section 8, as applicable.

(c) Truck docks, loading areas, and service area must be located on the interior sides of buildings or in the rear of the site and screened to the extent feasible so as not to be visible from public streets or residential neighborhoods.

SECTION 33. BZO § 7 REPEALED

Belmont Zoning Ordinance (Ordinance 360) is amended by repealing Section 7 and its subordinate sections.

SECTION 34. BZO § 8A ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 8A and subordinate sections as follows:

SECTION 8A - OFF-STREET PARKING AND LOADING IN CORRIDOR MIXED USE AND REGIONAL COMMERCIAL DISTRICTS

8A.1 SCOPE OF REGULATIONS - These off-street parking and loading regulations apply to existing use and to all new development in the CMU Corridor Mixed Use and RC Regional Commercial Districts and to such additional zoning districts as the City Council may from time to time designate.

8A.2 GENERAL REGULATIONS - Parking shall be provided generally as indicated in Table 8A.2-1 and developed and maintained according to the standards of Section 8, Off-Street Parking and Loading, as well as the regulations of this Section 8A. Additional requirements for specialized uses are in Section 8; where these provisions conflict, the requirements of this Section govern within the CMU and RC districts.

• **TABLE 8A.2-1: PARKING STANDARDS**		
• *Land Use (All Districts)*	• *Minimum*	• *Maximum*
Retail	2 spaces minimum per 1000 sq. ft.	4 spaces maximum per 1000 sq. ft.
Office	3 spaces minimum per 1000 sq. ft.	4 spaces maximum per 1000 sq. ft.
Residential	Studios: 0.5 spaces minimum per unit; One Bedroom: 1 per unit; Two Bedroom: 1.5 per unit; Three Bedroom +: 2 per unit	2 spaces per unit + 0.5 spaces per unit for guest parking maximum
Location	Outside of shopping centers, parking areas and structures must be placed behind or beneath buildings.	
Access	There must be clear, well-lit, safe pedestrian walkways between parking areas and structures and the main sidewalks and building entrances.	
Parking Structure Driveway Width	Maximum 24 feet	
Ground Floor Design	Where a parking structure faces onto a street, the ground floor must be treated with elements of interest and made as active as possible.	

8A.2.1 MINIMUM REQUIREMENTS

(a) **No Reduction in Off-Street Parking and Loading Spaces.** Off-street parking and loading spaces established as of the effective date of the ordinance codified in this section shall not be reduced in number during the life of such building or land use below that which would be required for a new building or use of a similar type under the requirements of this section. All such off-street parking and loading spaces shall remain permanently available and accessible for the parking or loading of vehicles by occupants of the property, except that any surplus spaces may be rented out to non-occupants, or otherwise made publicly accessible with the provision that such spaces must be vacated on 30 days' notice if they become needed by occupants of the property.

(b) **Separate Parking and Loading Spaces.** No area may be utilized and counted both as a required parking space and a required loading space. However, maneuvering aisles and driveways may serve both required parking spaces and loading spaces if they meet the requirements specified in this Section for both parking and loading facilities.

(c) **Parking for Disabled Persons.** The number, design, designation, and location of Disabled Person Parking spaces must comply with State law. Such spaces will be counted towards the parking requirements of this section.

(d) **Nonconforming Parking Facilities.** Existing land uses with off-street parking and loading facilities that do not conform to the requirements of this section may be enlarged or expanded, provided that an in-lieu parking fee is paid, if established, or additional parking and loading facilities are added, either on-site or off-site, so that the parking needs for the enlarged or expanded portion of the building are met. Exceptions to this requirement may be granted by the Planning Commission for small sites and projects determined by the Commission to provide community benefits.

(e) **Unbundled Parking.** The following rules will apply as conditions of approval to the rental of parking spaces in new Multi-Unit Residential buildings with ten or more rental units. The Community Development Director may grant an exception from the

requirements of this subsection for affordable rental units that include financing for affordable housing that requires that costs for parking and housing be bundled together.

(1) All off-street parking spaces that are beyond a base allowance of one per unit must be rented separately from the rental fees for dwelling units for the life of the dwelling units, such that potential renters have the option of renting a residential unit with only one parking space at a price lower than would be the case if there were a single price for both the residential unit and all of the parking space(s).

(2) In cases where there are fewer parking spaces than dwelling units, the parking spaces shall be offered first to the potential renters of three bedroom or more units, second to potential renters of two bedroom units, and then to potential renters of other units.

(3) Potential renters of affordable units shall have an equal opportunity to rent a parking space on the same terms and conditions as offered to potential renters of market-rate units, at a price proportional to the rent of their units as compared to comparable market-rate units. This stipulation shall be included in any agreement recorded between the City and developer pertaining to the affordable housing units pursuant to Section 29 (Affordable Housing).

(4) Parking spaces shall be offered only to residents of the dwelling units served by the off-street parking, except that any surplus spaces may be rented out to non-residents, or otherwise made available for public use, with the provision that such spaces must be vacated on 30 days' notice if they are needed by residents. Required visitor spaces shall not be rented out, but may be made available for public use.

(f) **Garages/Carports/Uncovered Residential Parking.** For residential uses, required off-street parking located in the front half of a lot or within 25 feet of the side street on a corner lot shall be covered with carport, garage or roofed structure except as allowed below. Uncovered off-street parking may be located in the rear half of the lot when more than 25 feet from a side street.

(g) **Surface Parking Lots.** Surface parking lots shall be subject to the following restrictions and standards. The area of a surface parking lot shall include all features within the lot's outer edges, including all parking spaces, maneuvering aisles, access driveways, and perimeter and interior landscaping, walkways, and other features.

(1) ***Large Parking Lots.*** If on-site parking for more than 50 spaces is needed, such parking facilities shall be designed to have exceptional landscaping or design features, shall be located such that it is not highly visible from public rights-of-way, shall be provided within buildings or parking structures or in separate lots that are each less than two acres in size, or shall be otherwise covered by a structure that serves a non-parking function, such as solar panels, recreational facilities, roof deck, or green roof.

(2) ***Pedestrian Circulation.*** Parking lots containing 25 or more spaces shall have walkways separated from motor vehicle maneuvering aisles and driveways connecting the principal building or buildings served by the lot to the farthest point of the lot from the main pedestrian entrance of such building or buildings.

(A) *Materials and Width.* Walkways shall provide at least four feet of unobstructed width and be hard-surfaced.

(B) *Identification.* Pedestrian walkways shall be clearly differentiated from driveways, parking aisles, and parking and loading spaces through the use of elevation changes, curb separation, different paving material, or similar method.

(C) *Separation.* Where a pedestrian walkway is parallel and adjacent to an auto travel lane, it must be raised and separated from the travel lane by a raised curb at least six inches high, bollards, or other physical barrier.

8A.2.2 CALCULATION OF REQUIRED SPACES

(a) **Fractions**: If the calculation of required parking or loading spaces results in the requirement of a fractional space, such fraction, if one-half (0.5) or greater, shall be considered one additional space; if the fraction is less than one-half (0.5), it shall result in no additional spaces.

(b) **Multiple Uses.** When two or more principal uses are located on the same lot, the estimated peak period parking demand shall be the sum of the estimated demand of the various individual uses during the period of peak combined demand for all uses, as determined through a parking study prepared by a qualified individual or firm.

(c) **Area-Based Estimates.** All area-based estimated peak period parking demands shall be computed on the basis of gross floor area, excluding parking and loading areas.

(d) **Exclusion of First 2,500 Square Feet.** For all nonresidential uses with area-based estimated peak period parking demands, the first 2,500 square feet of retail or restaurant use shall be subtracted from the gross square footage of the use when calculating the estimated parking demand.

(e) **Motorcycle Parking.** There shall be a credit of one automobile parking space for every four motorcycle parking spaces provided, not to exceed five percent of the total number of automobile parking spaces required. Motorcycle parking spaces shall be no less than four feet wide by eight feet long with an aisle width of no less than 10 feet and shall be clearly marked.

(f) **Minimum Parking Requirements.** Except as otherwise provided in this section, no less than the minimum number of parking spaces, as required by Table 8A.2-1, shall be provided for each use or site.

(g) **Maximum Private Parking Requirements.** Except as otherwise provided in this section, no more than the maximum number of private, off-street parking spaces, as specified in 8A.2-1, shall be provided for each use or site.

(1) ***Excess Parking to be Shared.*** Off-street parking spaces may be provided in excess of the maximum number of spaces specified in Table 8A.2-1, provided that all such excess spaces are designed and operated to be shared and publicly accessible parking spaces available for public use at any time, except for uses with safety concerns which the Director confirms are valid and justify not sharing the spaces. Property owners may charge an hourly, daily, or monthly fee for use of any such public access parking provided in excess of the maximum off-street parking limits of this subsection.

(h) **Parking Spaces Below the Minimum or Above the Maximum.** Parking spaces less than the required minimum or more than the allowed maximum may be provided upon

the granting of a conditional use permit as set forth below.

(1) ***Parking Spaces Less Than the Minimum.*** To grant a conditional use permit to provide less than the minimum number of parking spaces required by Table 8A.2-1, the following findings must be made in addition to the findings otherwise required for a conditional use permit:

(A) That adequate measures will be put in place through a Transportation Demand Management (TDM) program, as required by Section 31.7 to reduce parking demand, such as promoting use of public transit, bicycling, and walking, and allowing modified working hours and telecommuting; and

(B) That the reduction or elimination of the required parking spaces will not substantially reduce the availability of on-street parking for the occupants of nearby commercial and, or residential buildings.

(2) ***Parking Spaces More Than the Maximum.*** To grant a conditional use permit to provide more than the maximum number of private parking spaces allowed by Table 8A.2-1, the following findings must be made in addition to the findings required for a conditional use permit:

(A) That the applicant has convincingly demonstrated that the additional parking is required to meet the anticipated parking demand of the proposed uses; and

(B) That the provision of the additional parking will not result in an overdependence on automobiles and will not adversely affect transit, bicycle, or pedestrian access to the site or other adjacent uses.

8A2.3 DESIGN STANDARDS - The parking area design standards of this section apply to all off-street parking areas in the CMU and RC zoning districts. All required parking spaces and associated maneuvering aisles, driveways, and other related features shall be designed and arranged so as to provide motor vehicles with adequate ingress to and egress from all required parking spaces, and to provide pedestrians with adequate access to parked vehicles.

(a) **Parking Layout and Dimensions.** The layout and dimensions of off-street parking facilities shall be as set forth in Figure 8A.3-1 and Table 8A.3-1, as further provided below.

(1) ***Regulatory and Calculated Dimensions.*** Stall width, stall length, and aisle width, as shown in Table 8A.3-1, are regulatory. Other dimensions shown in Table 8A.3-1 are calculated from these required dimensions, and are provided for convenience.

(2) ***Stall Width and Length.*** As indicated in Table 8A.3-1, the required minimum stall width and length for various parking angles are as set forth below. Compact spaces with an eight-foot width and 16-foot length are permitted for up to 33 percent of the required spaces.

(A) *Width.* For parking angles of more than 30 degrees the required minimum stall width is eight feet six inches. For parking angles of 30 degrees or less, the required minimum stall width is eight feet.

(B) *Length.* For all parking angles other than parallel parking, the required minimum stall length is 18 feet. For parallel parking, the required minimum stall length is

20 feet.

(3) ***Aisle Width for Parking Angles Not Shown.*** For parking angles not shown in Table 8A.3-1, the required aisle width shall be interpolated from the values in the table. For example, for a parking angle of 70 degrees, which is two-thirds of the increment between 60 degrees and 75 degrees, the required one-way aisle width is 18 feet eight inches, which is two-thirds of the increment between the required aisle widths for 60-degree parking and 75-degree parking, 16 feet and 20 feet respectively.

(4) ***Alternate Maneuvering Aisle and Parking Space Widths.*** For parking angles equal to or greater than 45 degrees and less than 90 degrees, one-way aisle width may be decreased by three inches for each one-inch increase in stall width, up to a maximum stall width of nine feet two inches. For 90-degree parking, one-way and two-way aisle width may be decreased by three inches for each one-inch increase in stall width, up to a maximum stall width of nine feet two inches and a minimum aisle width of twenty-two feet.

(5) ***Two-Way Modules.*** Table 8A.3-1 provides the dimensions for parking modules with one-way traffic. For parking modules with two-way traffic, add the difference in width between a two-way aisle and a one-way aisle. For example, for a two-way module with a parking angle of 45-degrees, add eight feet, which is the difference between a two-way aisle (20 feet) and a one-way aisle (12 feet).

(6) ***Overhang.*** Parking stall lengths, except for parallel spaces, may be reduced by two feet where the parking stall is designed to abut a landscaped area a minimum of five feet wide, such that the front of the vehicle can overhang the landscaped area.

(7) ***Spaces Abutting Walls or Posts.*** For each side of a parking space abutting a wall or post, an additional foot of width shall be required.

FIGURE 8A.2.3-1: PARKING LAYOUT

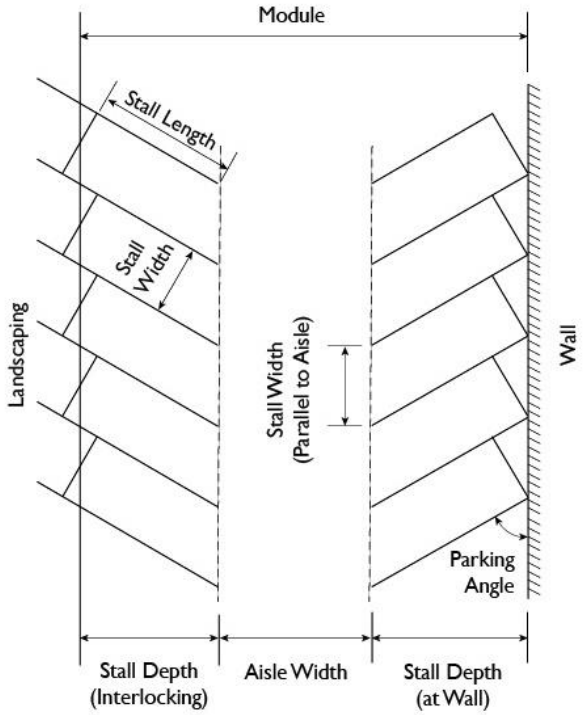


TABLE 8A.2.3-1: PARKING DIMENSIONS										
Parking Angle	*Regulatory*				*Calculated for Reference*					
			Aisle Width		*Stall Width Parallel to Aisle*	*Stall Depth*		*Module (one-way)*		
	Stall Width	*Stall Length*	*One-Way*	*Two-Way*		*Inter-locking*	*At Wall*	*Non-Inter-locking*	*Inter-locking*	*Half Inter-locking*[1]
Parallel	8'-0"	20'-0"	12'-0"	20'-0"	- -	- -	- -	28'-0"	- -	- -
30°	8'-0"	18'-0"	12'-0"	20'-0"	16'-0"	12'-6"	15'-11"	43'-10"	36'-11"	40'-5"
45°	8'-6"	18'-0"	12'-0"	20'-0"	12'-0"	15'-9"	18'-9"	49'-6"	43'-6"	46'-6"
60°	8'-6"	18'-0"	16'-0"	20'-0"	9'-10"	17'-9"	19'-10"	55'-8"	51'-5"	53'-7"
75°	8'-6"	18'-0"	20'-0"	20'-0"	8'-10"	18'-6"	19'-7"	59'-2"	57'-0"	58'-1"
90°	8'-6"	18'-0"	24'-0"	24'-0"	8'-6"	18'-0"	18'-0"	60'-0"	- -	- -
1. One side is interlocking and the other side is non-interlocking.										

(b) **Driveways and Access**.

(1) ***Driveway Width***.

(A) Parking facilities containing fewer than 15 required parking spaces shall have only a single driveway of no less than nine feet and no more than 10 feet in width.

(B) Parking facilities containing 15 or more required parking spaces may have one lane driveways of no less than nine feet and no more than 10 feet in width, and two-lane driveways of no less than 18 feet and no more than 20 feet in width.

(2) ***Vehicle Flow***.

(A) Except for those serving four or fewer residential units, all parking areas shall be designed so that a motor vehicle leaving the parking area will enter the public right-of-way traveling in a forward direction.

(B) Parking areas shall be designed so that a vehicle will not have to enter a public right-of-way to move from one location to another within the parking area.

(c) **Surface**. All outdoor parking spaces, driveways, and maneuvering areas shall be designed, built and permanently maintained to avoid dust, mud and standing water and to maximize permeability, where feasible and appropriate. These surfaces may include traditional asphalt and concrete as well as pervious pavements, sand-set pavers, and supported turf systems. A combination of surfaces may be used; for example, two track driveways of concrete strips with pervious areas between the strips and on the edges.

(1) ***Cross-grades***. Cross-grades shall be designed for slower stormwater flow and to direct stormwater toward landscaping, bio-retention areas, or other water collection/treatment areas.

(2) ***Landscaping Alternative***. Up to two feet of the front of a parking space as measured from a line parallel to the direction of the bumper of a vehicle using the space may be landscaped with ground cover plants instead of paving.

(3) ***Permeable Paving***. Permeable paving, sand-set pavers, supported turf systems, and vegetation shall be used in all overflow parking areas and installed in accordance with manufacturer recommended specifications.

(4) ***Turf Grids/Grassy Pavers***. Turf grids/grassy pavers shall be installed in areas of low traffic or infrequent use wherever feasible.

(d) **Striping and Marking**. In all parking facilities with four or more spaces, each parking space shall be clearly striped with paint or similar distinguishable material, except that the Director may approve alternate means of marking spaces.

(e) **Perimeter Curbing**. A six-inch wide and six-inch high concrete curb shall be provided along the outer edge of the parking facility pavement, except where said pavement abuts a fence or wall. Curbs separating landscaped areas from parking areas shall be designed to allow stormwater runoff to pass through.

(f) **Separation from On-Site Buildings**. Parking areas must be separated from the front and side exterior walls of on-site buildings by walkways a minimum of four feet in width. Commercial buildings with 10,000 square feet or more of gross floor area must be separated from on-site parking on all sides by a walkway a minimum of five feet in width, as well as a planter area at least three feet in width. These requirements do not apply to parking areas containing five or fewer spaces.

(g) **Vertical Clearance**. All covered parking shall have a minimum vertical clearance of seven feet six inches except for spaces in parking lifts, the minimum vertical clearance for disabled parking shall be as required by the Building Code.

(h) **Tandem Parking**. Required parking may be arranged as tandem spaces, provided that pairs of spaces in tandem are assigned to the same residential unit or to employees of the same nonresidential establishment, or that a full-time parking attendant supervises the parking arrangements during periods of peak demand for the uses served. The required stall width, stall length, and aisle width shall apply to tandem spaces, except that the stall length shall be doubled for each pair of tandem spaces.

(i) **Parking Lifts**. Required parking may be provided in parking lifts; provided, that if it is necessary to remove one vehicle from the lift to access another vehicle, the parking shall be subject to the provisions applicable to tandem parking. Parking lifts allowing each vehicle to be independently accessed have no such restrictions. The dimensional standards for 90-degree parking shall apply to parking lifts, including the requirement for an aisle of 24 feet. Exterior parking lifts shall be screened from public view.

(j) **Landscaping and Screening**. Uncovered Parking Areas. Landscaping of parking areas shall be provided and maintained as follows.

(1) ***Landscape Area Required***. A minimum of 10 percent of the interior of any parking lot area shall be landscaped.

(2) ***Minimum Planter Dimension***. No landscape planter that is to be counted toward the required landscape area shall be smaller than 25 square feet in area, or four feet in any horizontal dimension, excluding curbing.

(3) ***Layout***. Landscaped areas shall be well-distributed throughout the parking lot area. Parking lot landscaping may be provided in any combination of:

(A) Landscaped planting strips at least four feet wide between rows of parking stalls;

(B) Landscaped planting strips between parking areas and adjacent buildings or internal pedestrian walkways;

(C) Landscaped islands located between parking stalls or at the ends of rows of parking stalls; and

(D) On-site landscaping at the parking lot perimeter.

(4) ***Required Landscaped Islands***. A landscaped island at least six feet in all interior dimensions and containing at least one 15-gallon-size tree shall be provided at each end of each interior row of parking stalls and between every six consecutive parking stalls.

(5) ***Landscaped Buffer for Open Parking Adjacent to Right-of-Way***. A landscaped area at least five feet wide shall be provided between any surface parking area and any property line adjacent to a public street, unless a different dimension is specified in the base district standards applicable to a site.

(6) ***Landscaped Buffer for Open Parking Abutting Interior Lot Line***. A landscaped area at least three feet wide shall be provided between any surface parking area and any adjacent lot for the length of the parking area.

(7) ***Trees***.

(A) *Number Required*. One for each five parking spaces.

(B) *Distribution*. Trees shall be distributed relatively evenly throughout the parking area.

(C) *Species*. Tree species shall be selected from a list maintained by the City.

(D) *Size*. All trees shall be a minimum 15-gallon size with a one-inch diameter at 48 inches above natural grade.

(E) *Minimum Planter Size*. Any planting area for a tree must have a minimum interior horizontal dimension of five feet. Additional space may be required for some tree species.

(8) ***Protection of Vegetation***.

(A) *Clearance from Vehicles*. All required landscaped areas shall be designed so that plant materials, at maturity, are protected from vehicle damage by providing a minimum two-foot clearance of low-growing plants where a vehicle overhang is permitted, or by wheel stops set a minimum of two feet from the back of the curb.

(B) *Planters*. All required parking lot landscaping shall be within planters bounded by a concrete curb at least six inches wide and six inches high. Curbs separating landscaped areas from parking areas shall be designed to allow stormwater runoff to pass through.

(9) ***Visibility and Clearance***. Landscaping in planters at the end of parking aisles shall not obstruct driver's vision of vehicular and pedestrian cross-traffic. Mature trees shall have a foliage clearance maintained at eight feet from the surface of the parking area. Other plant materials located in the interior of a parking lot shall not exceed 30 inches in height.

(k) **Landscaping for Parking Structures**.

(1) ***Landscaped Buffer for Parking Structure***. A parking structure that does not incorporate ground-floor nonresidential or residential use or is not otherwise screened or concealed at street frontages on the ground level, must provide a landscaped area at least 10 feet wide between the parking garage and public street.

(2) ***Parking Structure Rooftop Planting***. Uncovered parking on the top level of a parking structure shall have rooftop planters with a minimum dimension of 24 inches around the entire perimeter of the top floor.

(l) **Screening**. Parking areas shall be screened from view, to the extent feasible, from public streets and adjacent lots in a more restrictive district, according to the following standards.

(1) ***Height***. Screening of parking lots from adjacent public streets shall be three feet in height. Screening of parking lots along interior lot lines that abut residential districts shall be six feet in height, except within the required front setback of the applicable zoning district, where screening shall be three feet in height.

(2) ***Materials***. Screening may consist of one or any combination of the methods listed below.

(A) *Walls*. Low-profile walls consisting of brick, stone, stucco, or other quality durable material and including a decorative cap or top finish as well as edge detail at wall ends. Plain concrete blocks are not allowed as a screening wall material unless capped and finished with stucco or other material.

(B) *Fences*. An open fence of wrought iron or similar material combined with plant materials to form an opaque screen. Use of chain-link or vinyl fencing for screening purposes is prohibited.

(C) *Planting*. Plant materials consisting of compact evergreen plants that form an opaque screen. Such plant materials must achieve a minimum height of two feet within 18 months after initial installation.

(D) *Berms*. Berms planted with grass, ground cover, or other low-growing plant materials.

(m) **Lighting**. Except for those facilities serving four or fewer residential units, all open parking areas shall be provided with exterior lighting meeting the following minimums:

(1) The lighting system shall provide not less than one footcandle and not more than five footcandles overall average illumination with a minimum of one-fourth footcandles on the parking surface.

(2) All lighting shall be on a time clock or photo-sensor system so as to be turned off

during daylight hours and during any hours when the parking area is not in use. This requirement does not apply to security lighting.

(3) All parking area lighting shall meet applicable energy efficiency requirements of the Building Code.

(4) All lighting shall be designed to confine direct rays to the premises. No light fixture shall emit any direct light above a horizontal plane through the fixture. No spillover beyond the lot line shall be permitted, except onto public thoroughfares.

(n) **Electric Vehicle Charging Stations**. In parking facilities containing 20 or more spaces serving new multi-unit development of 10 units or more, new nonresidential development of 10,000 SF or more, or establishment of a new use, change in use, or change in operational characteristics in a building that is 10,000 square feet or more in size that results in an average daily trip increase of more than 10 percent of the current use based on the most recent Institute of Traffic Engineers (ITE) trip generation rates, at least five percent of parking spaces shall be electric vehicle (EV) charging stations. These spaces may be counted towards parking requirements.

(1) ***Size***. Electric vehicle charging stations shall be the same size as other spaces, and electric vehicle charging equipment shall not reduce the size of the space.

(2) ***Signage***. Each electrical vehicle charging station shall be clearly marked with a sign reading "Electrical Vehicle Charging Station" and the associated California Vehicle Code restrictions, and only a vehicle that is connected for electric charging shall be allowed to park in the stalls or spaces so designated.

(3) ***Equipment***. Electrical vehicle charging stations must be wired for a minimum of 240 volts and 32 amps, designed to allow for future provision of higher amperage conduit, equipped with electrical outlets, and may also be equipped with card readers, controls, connector devices and other equipment, as necessary for public use.

8A.2.4 LOCATION OF REQUIRED SPACES

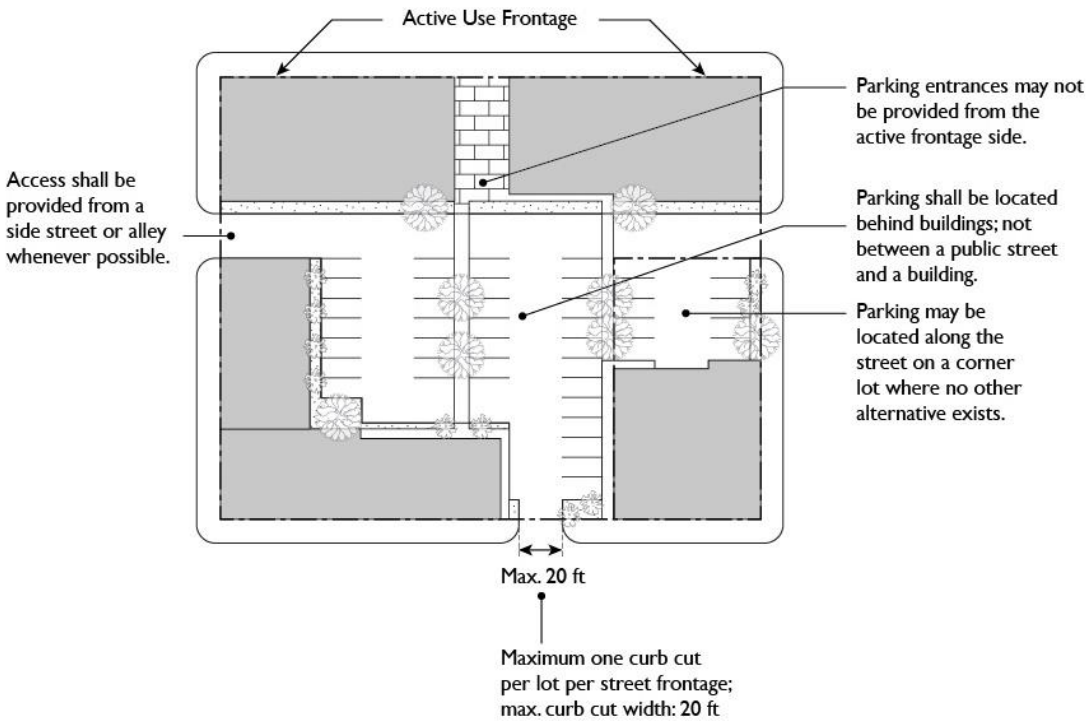
(a) **Location.** Parking shall be located either underground, or behind habitable, landscaped, or public plaza space or otherwise appropriately screened from view from a public street. For purposes of this requirement, alleys are not considered public streets. Parking is not permitted to be located between a public street and a building, except on corner lots, if approved as a modification to development standards.

(b) **Non-residential Uses.** Required parking spaces serving commercial, office, and other non-residential uses shall be located on the same lot as the use they serve, or in an off-site parking facility as provided in Subsection 31.6.5, Off-site Parking Facilities.

(c) **Residential Uses.** Required parking for residential uses shall be located on the same lot as the dwelling served, or in a common parking area not more than 400 feet from the dwellings served. Parking shall not be located within a required front setback area or yard or street-facing side setback area or yard.

(d) **No Street Frontage**. When feasible, required parking shall be located away from a street frontage.

FIGURE 8A.2.4-1: PARKING LOCATION AND ACCESS



8A.2.5 OFF-SITE PARKING FACILITIES - A parking facility serving one or more non-residential uses located on a site other than the location of the use(s) may be used to satisfy the use's on-site parking requirement so long as the parking is available under an enforceable parking agreement and approved by the Director if the standards of this subsection are met.

(a) **Location**. Any off-site parking facility must be located within 1,000 feet, along a pedestrian route, of the principal entrance containing the use(s) for which the parking is required.

(b) **Parking Agreement**. A written agreement between the landowner(s) and the owner of the use in a form satisfactory to the City Attorney and recorded against the parking lot property in favor of the use property, which includes:

(1) A guarantee among the landowner(s) for access to and use of the parking facility; and

(2) Reasonable notice provisions so that replacement spaces can be secured if use of the off-site parking facility is terminated.

8A.3 PARKING REDUCTIONS - The number of on-site motor vehicle parking spaces required by Ordinance may be reduced in accordance with the provisions of this Subsection through the modification to development standards review process.

8A.3.1 RESIDENTIAL USES - If a developer can demonstrate that a multi-family residential or group residential housing project will not generate a need for as much parking as required by this Ordinance, the Planning Commission shall have the authority to allow a reduction in the number of required parking spaces upon making the findings for approving required parking below or determining that other factors justify a parking reduction.

(a) **Shared Parking**. Where a shared parking facility serving more than one use will be provided, the total number of required parking spaces may be reduced, if the Planning Commission finds that all of the following are true:

(1) The peak hours of use will not overlap or coincide to the degree that peak demand for parking spaces from all uses will be greater than the total supply of spaces;

(2) The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if parking for each use were provided separately;

(3) A parking demand study prepared by an independent traffic engineering professional approved by the City supports the proposed reduction; and

(4) In the case of a shared parking facility that serves more than one property, a parking agreement has been prepared consistent with the provisions for Off-site Parking Facilities.

(b) **Other Parking Reductions.** Required parking for any use may be reduced if a parking demand study has been submitted that substantiates the basis for granting the reduced number of spaces and that:

(1) The use will adequately be served by the proposed parking; and

(2) Parking demand generated by the project will not exceed the capacity of or have a detrimental impact on the supply of on-street parking in the surrounding area.

8A.4 BICYCLE PARKING

8A.4.1 MINIMUM – Two short-term (Class 2) bicycle parking spaces are required per site plus the following:

(a) **Multi-family Residential Uses.** 1 additional Class 1 space per 20 units;

(b) **Retail and Service Uses.** For buildings over 10,000 square feet gross floor area, 1 additional short-term (Class 2) space and 1 additional long-term (Class 1) space per incremental 10,000 square feet occupied by tenants with more than 2,500 square feet of space; and

(c) **Office Uses.** 1 additional short-term (Class 2) space per 20,000 square feet, and 1 additional long-term (Class 1) space per incremental 5,000 square feet.

(d) **Exemptions for Small Sites.** The Director may grant an exemption from the bicycle parking requirement for sites with less than 10,000 square feet if on-street (Class 2) public bicycle parking is provided on the block face.

8A.4.2 LONG-TERM (CLASS 1) BICYCLE PARKING - Long-term bicycle parking must be located on the same site as the use it serves, and shall be in an enclosed bicycle locker, or a fenced, covered, and locked bicycle storage area.

8A.4.3 SHORT-TERM (CLASS 2) BICYCLE PARKING

(a) Short-term bicycle parking shall be located within 100 feet of the primary building entrance, and shall be visible from the street or from the main building entrance. Shared

bicycle parking facilities are encouraged, when in compliance with these standards.

(b) Bicycle parking shall be located on private property, unless the Public Works Director approves an encroachment permit for bicycle parking within the public right-of-way. Any bicycle parking in the right-of-way shall be located in the curb zone; a minimum of four feet width of clear sidewalk or 10 feet width of public alley shall remain unobstructed for pedestrian or vehicle uses.

8A.4.4 STANDARDS FOR ALL BICYCLE PARKING

(a) **Class 1 Long-Term Bicycle Parking Spaces.** Class 1 spaces shall be located with direct access for bicycles without requiring use of stairs. The location of such spaces shall allow bicycles users to ride to the entrance of the space or the entrance of the lobby leading to the space. The design shall provide safe and convenient access to and from bicycle parking facilities. Use of elevators to access Class 1 spaces shall be minimized. In residential buildings, Class 1 space shall not be provided within dwelling units, on balconies, or in required outdoor living area. Class 1 bicycle parking shall be located:

(1) On the ground floor within 100 feet of a major entrance to the lobby. There shall be either: (i) convenient access to and from the street to the bicycle parking space and another entrance from the bicycle parking space to the lobby area, or (ii) a minimum five foot wide hallway or lobby space that leads to the bicycle parking entrance, where direct access to bicycle parking space from the street does not exist. Such access route may include up to two limited constriction points, such as doorways, provided that these constrictions are no narrower than three feet wide and extend for no more than one foot of distance.

(2) In a structured parking facility, on the first level of automobile parking either above or below grade, near elevators or other pedestrian entrances to the facility.

(b) **Class 2 Short-Term Bicycle Parking Spaces.** Class 2 paces shall be located, as feasible, near all main pedestrian entries to the use to which they are accessory. Class 2 bicycle parking may be on a sidewalk or in place of an on-street auto parking space, within 100 feet of a main entry to the building. If existing Class 2 bicycle parking in the required quantities already exists in a public right-of-way immediately fronting a project site, and such spaces are not satisfying bicycle parking requirements for another use, such parking shall be deemed to meet the Class 2 requirement for that project.

(1) ***Design and Installation***.

(A) A bicycle parking space shall be in a paved, level, drained, lighted area with access to a right-of-way without the use of stairs, and shall consist of either:

(i) One side of a securely fixed rack element that supports the bicycle upright by its frame, prevents the bicycle from tipping over, and allows the frame and at least one wheel to be locked to the rack element with one lock; or

(ii) For Class 1 long-term parking only, a bicycle locker constructed of theft-resistant material with a lockable door that opens to the full width and height of the locker. Bicycle lockers shall be weather-proof if exposed to the elements; or

(iii) For Class 1 long-term bicycle parking only, wall-mounted racks or wall- or

ceiling-mounted hooks so that bicycles may be hung vertically.

(B) Each bicycle parking space shall be no less than 15 inches wide, by six feet deep, with an overhead clearance of no less than seven feet. This can be satisfied by placing racks, each of which supports two bicycles, 30 inches apart.

(C) Each row of bicycle parking spaces shall be served by an aisle no less than four feet wide. Rack elements must be placed two feet from walls, fences or curbs.

(D) Required bicycle parking may not be tandem; parking or removing a bicycle shall not require moving another parked bicycle.

(E) Bicycle rack elements shall be fixed, securely anchored to the ground or to a structure by means that resist tampering or removal. Bicycle locker edges shall be secured with no exposed fittings or connectors. The Director may specify preferred installation methods, such as, but not limited to, embedded mounting in poured-in-place concrete, recessed bolt heads or grouted-in anchoring.

(2) ***Location***.

(A) Direct access from the bicycle parking to the public right-of-way shall be provided by means of access ramps, if necessary, and pedestrian access from the bicycle parking area to the building entrance shall also be provided.

(B) Where bicycle parking is not directly visible and obvious from the right-of-way, signs shall be provided, except that directions to long-term bicycle parking may be posted or distributed by the building management, as appropriate.

(C) Bicycle parking must be separated from automobile parking by a sufficient distance to prevent damage from moving automobiles or their loading and unloading.

(D) Bicycle parking may be provided inside a building provided it is easily accessible from a building entrance and a bicyclist does not have to use stairs to reach it.

(E) The placement of bicycle parking, bicycle rack elements and bicycle lockers shall not interfere with pedestrian circulation.

8A.4.5 REMOVAL OF ABANDONED BICYCLES - Property owners shall remove abandoned bicycles from short-term and long-term parking associated with their property on a quarterly basis after posting a notice of removal warning on such bicycles for one month. This requirement shall not preclude provision of seasonal bicycle storage.

8A.5 LOADING REQUIREMENTS

8A.5.1 NUMBER OF SPACES REQUIRED - The off-street loading requirements are specified in Table 8A.5-1 below.

TABLE 8A.5-1: LOADING REQUIREMENTS		
Use Type	*Number of Spaces*	*Size (See (B) below)*
Residential Use Types		
Multi-Unit		

TABLE 8A.5-1: LOADING REQUIREMENTS		
Use Type	*Number of Spaces*	*Size (See (B) below)*
Less than 50 units	none	
50 to 149 units	1	small
150 units, or more	2	small
Commercial and Institutional Use Types		
Offices – All		
Less than 25,000 gross square feet	none	
25,000 to less than 100,000 gross square feet	1	medium
100,000 or more	2	medium
All Other		
Less than 10,000 gross square feet	none	
10,000 to less than 20,000 gross square feet	1	medium
20,000 to less than 40,000 gross square feet	2	medium
40,000 to less than 80,000 gross square feet	2	large
Each additional 40,000 gross square feet or fraction of one-half or more thereof	1	large

8A.5.2 SIZE OF SPACES - The size of each type of loading space shall be as follows:

(a) **Small.** Small loading spaces shall have a width of no less than 10 feet, a length of no less than 25 feet, and a vertical clearance of no less than eight feet

(b) **Medium.** Medium loading spaces shall have a width of no less than 12 feet, a length of no less than 35 feet, and a vertical clearance of no less than 14 feet.

(c) **Large.** Large loading spaces shall have a width of no less than 12 feet, a length of no less than 50 feet, and a vertical clearance of no less than 14 feet.

8A.5.3 MODIFICATIONS - In approving a project, the Director or the Planning Commission, as the case may be, may modify the number and size of loading spaces required because of the nature of the use or the design of the project.

8A.5.4 MANEUVERING AREAS - All off-street loading spaces shall be designed and located so that there is sufficient off-street maneuvering area to accommodate vehicles using the loading spaces. Maneuvering areas shall be designed to accommodate the largest vehicle intended to use the loading spaces and shall not be encumbered by parking stalls or physical obstructions.

8A.5.5 SURFACE AND MAINTENANCE - Loading spaces and the maneuvering areas and driveways serving them shall be paved and maintained with concrete, asphalt, or similar material of sufficient thickness and consistency to support anticipated traffic volumes and weights; properly graded for drainage; and maintained in good condition free of weeds, dust, trash, and debris.

8A.5.6 LOCATION - Loading spaces shall be located on the same lot on which the use for which they are required is located, except that, upon the granting of a conditional use permit, loading spaces may be provided in a common loading area serving multiple adjacent uses and located

on an adjacent lot within 300 feet of the lot on which the use requiring the loading spaces is located. To grant such a conditional use permit, the Planning Commission shall make the following findings in addition to the findings otherwise required:

(a) That the common loading area results in a more efficient design than individual loading areas serving each use separately;

(b) That the total number of loading spaces provided in the common loading area is no less than the number of loading spaces that would be required if the uses served were located in a single facility; and

(c) That the common loading area will be in place at all times during operation of the principal uses to be served by the loading spaces.

8A.5.7 ACCESS TO TENANT SPACES SERVED BY LOADING SPACES - Buildings served by loading spaces shall be designed such that there is a direct interior path of travel between the loading spaces and each tenant space served by the loading spaces of sufficient width and height to accommodate all material to be loaded and unloaded.

8A.5.8 AVAILABILITY AND UTILIZATION OF LOADING SPACES - All loading spaces shall be made readily available to pick-up and delivery vehicles during all hours when pick-ups and deliveries are allowed. Owners of property containing such loading spaces shall be responsible for advising drivers of pick-up and delivery vehicles of the location and hours of such loading spaces, shall require drivers to use such loading spaces, and shall not allow pick-up and delivery vehicles to be loaded in the public right-of-way.

8A.5.9 LANDSCAPING AND SCREENING - All loading spaces and the maneuvering areas and driveways serving them shall be landscaped and/or screened as required by this section.

8A.5.10 LIGHTING - All exterior loading spaces and the maneuvering areas and driveways serving them shall be provided with lighting meeting the minimums established for parking areas.

8A.6 ALTERNATIVE COMPLIANCE WITH PARKING REQUIREMENTS

8A.6.1 ALTERNATIVE PARKING AND LOADING PLAN - Where an applicant can demonstrate to the satisfaction of the Planning Commission that variations in the standards or dimensions otherwise required by this section are warranted for uses with unique needs, an alternative parking area design and loading plan may be allowed with approval of a conditional use permit. To grant such a conditional use permit, the Planning Commission must make all of the following findings in addition to the findings otherwise required:

(a) That the applicant has convincingly demonstrated that the alternative plan is a superior solution and the requested modifications in the design standards are warranted; and

(b) That the alternative parking arrangement will be in place at all times during operation of the principal uses to be served by the parking.

8A.6.2 VALET PARKING - Valet parking may be permitted as a means of satisfying all or a portion of the off-street parking requirement. Valet parking may be used to accommodate more parking spaces on the site of the principal use served by the parking than could be accommodated in conformance with the design standards of this section. It may also be used to provide off-site parking. No valet parking shall cause interference with the public use of rights-of-way or imperil public safety.

8A.6.3 ACCESS AND PARKING IN-LIEU FEES - As an alternative to providing off-street parking on-site or off-site, project applicants may elect to pay a fee in-lieu to fund public access and parking improvements for all or a portion of the required spaces. This optional Access and Parking In-Lieu Fee is intended to enable the City to (1) acquire sites for and develop off-street public parking, or to lease unused, or underutilized private parking for public use to accommodate auto access and vehicle storage demand that cannot be addressed either on site, or on-street in the vicinity of the project, or (2) to fund transportation demand management programs and services, and/or public transportation, bicycle, and/or pedestrian facilities and services, as necessary to accommodate an equivalent number of person trips to the site. The fee shall be established by the City Council and administered by the Director on a per vehicle trip basis, such that the developer of a nonresidential project contributes toward the provision of parking and/or non-auto facilities and services accommodating the same number of person trips to the site as would have been accommodated by the provision of the minimum number of off-street parking spaces required by this section, as adjusted by other provisions of this section. The Director shall determine the vehicle trip generation rate for each land use or site seeking to use the Access and Parking In-Lieu Fee option with reference to the vehicle trip generation rates published in the latest edition of the Institute for Transportation Engineers' (ITE) Trip Generation Manual, with adjustments for mixing of uses, density of population and employment, and proximity to frequent transit service. An Access and Parking in-lieu fee shall be provided for nonresidential uses only as follows:

(a) **Parking In-Lieu Fee Amount.** The amount of the parking in-lieu fee shall be as set forth in the City's Master Fee Schedule and, for projects that would otherwise have to provide 20 or more spaces, the Director shall have the right to determine whether to accept payment of the fee for all or only a portion of the required parking.

(b) **Deposit of Funds.** Parking in-lieu fees shall be deposited with the City prior to issuance of a building permit in a separate fund to be known as the Access and Parking In-Lieu Fee Fund and shall be used only as described in this section.

(c) **Refund of Fee.** A parking in-lieu fee may be refunded, without interest, to the person who made such payment, or his or her assignee or designee, if additional off-street parking spaces are provided for such building or use by others than the City, so as to satisfy the parking requirement for which the in-lieu payment was made. To obtain a refund, the required off-street parking spaces must be in place prior to issuance of a Certificate of Occupancy and before funds are spent or committed by the City.

8A.7 TRANSPORTATION DEMAND MANAGEMENT

8A.7.1 PURPOSE - The specific purposes of the Transportation Demand Management (TDM) Program requirements are to promote maximum efficiency in the existing transportation system and to further the transportation goals and implement the policies of the Belmont General Plan, Belmont Village Specific Plan, and the San Francisco Bay Area Clean Air Plan, including reducing total vehicle miles traveled (VMT), while enhancing access and expanding mobility by:

(a) Promoting and encouraging the use of transit, ridesharing, bicycling, walking, flexible work hours and telecommuting as alternatives to solo driving;

(b) Promoting the more efficient utilization of existing transportation facilities and ensuring that new developments are designed in ways to maximize the potential for people and goods to arrive/depart by walking, cycling, riding public transportation, or traveling in a high occupancy vehicle; and

(c) Establishing an ongoing monitoring and enforcement program to ensure that the City's desired alternative mode use percentages are achieved.

8A.7.2 APPLICABILITY - The requirements of this section apply to:

(a) New multi-unit development of ten units or more;

(b) New nonresidential development of 10,000 square feet or more; and

(c) Establishment of a new use, change of use, or change in operational characteristics in a building that is 10,000 square feet or more in size that results in an average daily trip increase of more than 10 percent of the current use, based on the most recent Institute of Traffic Engineers (ITE) trip generation rates.

8A.7.3 PERFORMANCE REQUIREMENTS - All projects subject to the requirements of this section shall incorporate measures to reduce to the extent feasible single-occupant vehicle trip generation rates 15 percent below the standard rates as established in the most recent edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual* by promoting walking, cycling, public transit, and ridesharing/vanpooling, and/or discouraging single-occupant vehicle travel, ensure that the average Vehicle Miles Traveled (VMT) by residents or workers in the development, or students or workers in schools, is less than the average citywide VMT. This performance target is consistent with the Belmont General Plan, and the version of *Plan Bay Area* effective in 2016. Residential developments that obtain GreenTRIP Certification from TransForm, or other equivalent certification aimed at reducing parking and vehicle miles traveled, prior to issuance of a certificate of occupancy, shall be deemed to have met this performance requirement.

8A.7.4 VEHICLE TRIP REDUCTION MEASURES - All projects subject to the requirements of this section that do not have GreenTRIP Certification shall implement any combination of the following measures to achieve the required VMT reduction and promote use of non-auto and shared mobility options. The Director may establish limits on the use of any single measure to meet a portion of the overall performance requirement for a project.

(a) **Passenger Loading Zones.** Passenger loading zones for carpool and vanpool drop-off located near the main building entrance.

(b) **Direct Route to Transit.** A well-lighted path or sidewalk utilizing the most direct route to the nearest transit or shuttle stop from the building.

(c) **Pedestrian Connections.** Safe, convenient pedestrian connections provided from the project to surrounding public streets and, if applicable, trails.

(d) **Bicycle Connections.** If a site is abutting a bicycle path, lane or route, provision of a bicycle connection close to an entrance to the building on the site.

(e) **Long-Term Bicycle Parking.** Covered and secure long-term bicycle parking located within the required walking distance. Long-term bicycle parking must be in at least one of the following facilities:

(1) An enclosed bicycle locker;

(2) A fenced, covered, locked or guarded bicycle storage area; or

(3) A rack or stand inside a building that is within view of an attendant or security guard or visible from employee work areas.

(f) **Short-Term Bicycle Parking.** Secure short-term bicycle parking located within the required walking distance.

(g) **Free Preferential Carpool and Vanpool Parking.** Ten percent of vehicle spaces reserved for carpools or vanpools, with a minimum of one space required. The preferential parking spaces shall be provided free of charge.

(h) **Showers/Clothes Lockers.** Shower and clothes locker facilities free of charge.

(i) **Transportation Management Association (TMA).** Participation in or requirement for tenant to participate in a Village or citywide TMA or a similar organization approved by the Community Development Director that provides ongoing administration of and support for non-auto and shared mobility commute incentives, facilities, and services.

(j) **Paid Parking at Prevalent Market Rates.** Parking provided at a cost equal to the prevalent market rate, as determined by the City based on a survey of paid parking in the City and adjacent communities.

(k) **Alternative Commute Subsidies/Parking Cash Out.** Provide employees with a subsidy, determined by the applicant and subject to review by the Community Development Director, if they use transit or commute by other alternative modes.

(l) **Carpool and Vanpool Ride-Matching Services.** Matching of potential carpoolers and vanpoolers by administering a carpool/vanpool matching program, or participating actively in such a program administered by a local or citywide TMA, the City, or other public agency.

(m) **Guaranteed Ride Home.** Guaranteed rides home in emergency situations for carpool, vanpool and transit riders. Rides shall be provided either by a transportation service provider (taxi, rental car, or services provided by transportation network/ride sharing companies) or an informal policy using company vehicles with designated employee drivers.

(n) **Shuttle Program.** Provision of a shuttle program or participation in an existing shuttle program approved by the City and subject to any fees for the existing program.

(o) **Information Boards/Kiosks.** Display of the following information in a prominent location, maintained by a designated TDM contact: transit routes and schedules; carpooling and vanpooling information; bicycle lanes, routes and paths and facility information; and alternative commute subsidy information.

(p) **Promotional Programs.** Promotion and organization of events for the following programs: new tenant and employee orientation packets on transportation alternatives; flyers, posters, brochures, and emails on commute alternatives; Spare the Air (June through October); Rideshare Week (October); and trip planning assistance routes and maps.

(q) **Flextime.** Provide or require tenants to provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually determined work hours, such that a substantial share of

employees regularly arrive at and depart from the worksite before or after the a.m. and p.m. peak periods for vehicle travel.

(r) **Other Measures.** Additional measures not listed in this section, such as child care facilities or an in-lieu TDM fee established by the City Council to provide funding for multi-modal access facilities and services, and/or transportation and parking demand management programs.

8A.7.5 SUBMITTAL REQUIREMENTS - All projects subject to the requirements of this section shall submit a transportation demand management plan in conjunction with the development application. These plans must demonstrate that, upon implementation, they will achieve the performance requirement and shall include the following.

(a) **Checklist.** A completed checklist of the trip reduction measures chosen by the applicant pursuant to Section 8A.7.4

(b) **Trip Generation.** Estimated daily trip generation for the proposed use based on the ITE trip generation rates and the reductions anticipated with implementation of the measures proposed. The Community Development Director, a citywide TMA, or a consulting traffic engineer retained by the City at applicants' expense shall maintain guidelines and checklists for evaluation of trip reduction potential of proposed measures and make these available to applicants.

(c) **Implementation Plan.** A description of how the performance requirements will be achieved and maintained over the life of the project.

(d) **Project-Designated TDM Contact.** Designation of an employee or resident as the official contact for the transportation demand management program. The City shall be provided with a current name and phone number of the project-designated TDM contact who administers carpool and vanpool ride-matching services and promotional programs, updates information on the information boards/kiosks, and is the official contact for the administration of the programs.

(e) **Site Plan.** A site plan that designates transportation demand management design elements including, as applicable, the location and layout/design of:

(1) ***External facilities:*** preferential parking areas, paid parking areas, shared parking areas, bicycle parking, passenger loading areas, direct route to transit, and pedestrian connections.

(2) ***Internal facilities:*** showers/lockers, information boards/kiosks, and on-site transit pass sales.

8A.7.6 REQUIRED FINDINGS - Prior to approval of a project subject to the requirements of this section, the Community Development Director or the Planning Commission, whichever has approval authority, shall make both of the following findings:

(a) The proposed trip reduction measures are feasible and appropriate for the project, considering the proposed use or mix of uses and the project's location, size, and hours of operation; and

(b) The proposed vehicle trip reductions will ensure that the performance targets of this section will be achieved and maintained.

8A.7.7 MODIFICATIONS AND CHANGED PLANS

(a) **Minor Modifications.** The Community Development Director may approve minor modifications to an approved transportation demand management plan that are consistent with the original findings and conditions approved by the review authority and would result in the same target minimum alternative mode use.

(b) **Changed Plans.** A proposed change in an approved project subject to the requirements of this section that would result in a 10 percent increase in the number of average daily vehicle trips shall be accompanied by a statement of what modifications or additions to the approved transportation demand management plan will be made to ensure the same target alternative mode use. The Director may conditionally approve such a change, subject to annual monitoring to confirm that the TDM program's objectives are being met.

8A.7.8 MONITORING AND REPORTING - A report documenting the TDM activities undertaken and their results or an affidavit confirming that the requirements of this section have been met shall be submitted to the Community Development Director or Village or citywide TMA by the designated TDM contact. If the TDM measures consist of solely measures that would be performed once, this report must be submitted at the completion of the implementation of those measures. For measures that are ongoing commitments, this report must be submitted annually. If the annual report shows compliance for three consecutive years, no further annual reports are required. A five-year review may be required by the Director or the Village or citywide TMA to evaluate the overall effectiveness of all of the TDM activities and may suggest new or modified activities or substitute activities to meet the program's objectives, per the Director's or TMA's review and approval. The Director may impose reasonable changes, consistent with the scope of the original project approval, that must be implemented to assure the TDM program's objectives will be met.

SECTION 35. BZO § 9.5.5 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 9.5.5 as follows:

9.5.5 RECYCLING COLLECTION FACILITIES

(a) **Size**. Recycling collection facilities must not exceed a building site footprint of 350 square feet.

(b) **Setback**. Facilities must not be located within a required setback.

(c) **Use**. Collection facilities, which include donation bins, shall accept only glass, metals, plastic containers, papers and reusable items. Used motor oil may be accepted with approval of the Fire Chief and in accord with all federal, State, and City regulations.

(d) **Equipment**. No power-driven processing equipment, except for reverse vending machines, can be used.

(e) **Containers**. Recycling collection facilities shall use containers that are constructed and maintained with durable waterproof and rust-proof material, covered when site is not attended, secured from unauthorized entry or removal of material, and shall be of a capacity sufficient to accommodate materials collected and collection schedule. Containers for the 24-hour donation of materials shall be at least 30 feet from any lot in a residential zoning districts or occupied by a residential use unless there is a recognized

service corridor and acoustical shielding between the containers and the residential use.

(f) **Site Maintenance**. Recycling facility sites must be maintained clean, sanitary, and free of litter and any other undesirable materials.

(g) **Hours of Operation**. Recycling collection facilities located within 75 feet of a lot in a residential zoning district or a lot occupied by a residential use shall operate only during the hours between 9:00 a.m. and 7:00 p.m.

(h) **Identification**. Containers must be clearly marked to identify the type of accepted material, the name and telephone number of the facility operator, and the hours of operation.

(i) **Signs**. The maximum sign area is limited to 20 percent of the area of the side of facility or container or 16 square feet, whichever is larger. In the case of a wheeled facility, the side is measured from the pavement to the top of the container.

(j) **Parking**. No additional parking spaces are required for customers of a small collection facility located at the established parking lot of a host use. One space must be provided for the attendant. Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present.

SECTION 36. BZO § 9.5.6 ADDED

Belmont Zoning Ordinance (Ordinance 360) is amended by adding Section 9.5.6 as follows:

9.5.6 USES IN SAN CARLOS AIRPORT SAFETY ZONES - For properties located within San Carlos Airport Safety Zones 4 or 6, uses must comply with the airport land use compatibility criteria listed in Table 4-4 of the San Carlos ALUCP. Some uses may be incompatible in safety zones. Project sponsors in the airport environs must determine whether they are required to file Form 460-1 notice of proposed construction or alteration with the Federal Aviation Administration (FAA), in accordance with airspace protection Policy 2. Project applicants who are required to submit a Form 7460-1 to the FAA must provide the local government permitting agency with a copy of the FAA's study findings with their applications for development approval.

SECTION 37. ZONING CLASSIFICATIONS AMENDED

The zoning classification changes to properties shown on Attachment “1” to this ordinance, “Phase 1 Zoning Map Changes,” are adopted. The Zoning Map of the City of Belmont, previously adopted and amended as set forth in Belmont Zoning Ordinance Section 3.2, is further amended to reflect the changes shown on Attachment “1”.

SECTION 38. TDM CHECKLIST

The Community Development Director with the concurrence of the Public Works Director shall prepare and periodically update a TDM checklist similar to the sample checklist included as Appendix A: Guidelines for Establishing Peak Hour Trip Credits for TDM Measures, to the public review draft Phase I Zoning document dated June 30, 2017 prepared by Dyett and Bhatia. The checklist may include limitations on the use of any single measure, such as bicycle parking, to justify reductions in required automobile parking.

SECTION 39. SEVERABILITY

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Belmont hereby declares that it would have passed this Ordinance and each section or subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

SECTION 40. EFFECTIVE DATE

This Ordinance shall take effect and will be enforced thirty (30) days after its adoption.

SECTION 41. PUBLICATION AND POSTING

Publication of summary. The City Clerk has caused to be published a summary of this ordinance, prepared by the City Attorney under Government Code Section 36933, subdivision (c), once, in a newspaper of general circulation printed and published in San Mateo County and circulated in the City of Belmont, at least five days before the date of adoption. A certified copy of the full text of the ordinance was posted in the office of the City Clerk since at least five days before this date of adoption. Within 15 days after adoption of this ordinance, the City Clerk shall cause the summary of this ordinance to be published again with the names of those City Council members voting for and against the ordinance; and the City Clerk shall post in the office of the City Clerk a certified copy of the full text of this adopted ordinance with the names of those City Council members voting for and against the ordinance.

* * *

The City Council of the City of Belmont, California introduced the foregoing ordinance, on [insert date], 2017 and adopted the ordinance at a regular meeting held on [insert date], 2017 by the following vote:

Ayes:

Noes:

Absent:

Abstain:

ATTEST:

_____
City Clerk

_____
Mayor

APPROVED AS TO FORM:

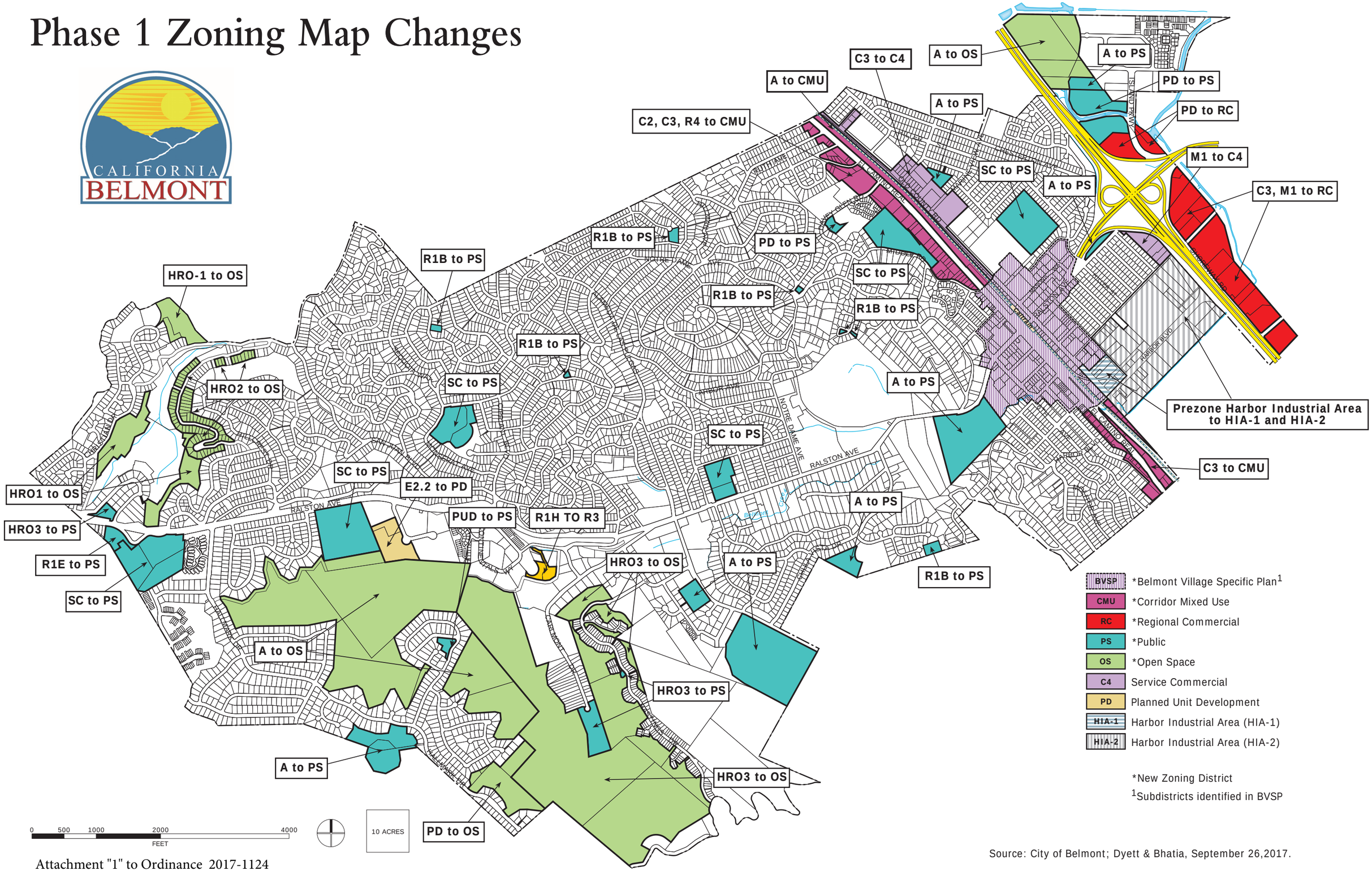
_____
City Attorney

Phase 1 Zoning Map Changes

2035 General Plan Project

Incorporated as Attachment No. 1
And Made a Part of Ordinance No. 2017-_____

Phase 1 Zoning Map Changes



Source: City of Belmont; Dyett & Bhatia, September 26,2017.

Attachment "1" to Ordinance 2017-1124
adopted November 28, 2017