

SECTION 5 - COMMERCIAL DISTRICTS

Editor's Note: Current through Ordinance 2018-1131

- 5.1 COMMERCIAL DISTRICTS ESTABLISHED - Certain classes of Districts, designated by the symbol "C", followed by a numeral, and referred to collectively herein as "C" or Commercial Districts, are established to preserve and enhance property values by protecting residential uses from non-residential uses and by providing space in suitable locations for retail stores, offices, service establishments, wholesale and other businesses necessary to the general welfare of the City in conformance with the objectives of the Comprehensive General Plan and this Ordinance.¹
- 5.1.1 No use shall be permitted in which the nature or manner of operation shall be determined by the Zoning Administrator to be unduly detrimental or injurious to other properties in the vicinity or uses thereon or to the general public welfare by reason of the emission of odor, dust, smoke, noise, vibration, or electrical or other disturbances.
- 5.2 NEIGHBORHOOD COMMERCIAL OR C-1 DISTRICTS - The following regulations shall apply to all land located in any C-1 Districts and shall be subject to all general provisions of this Ordinance.
- 5.2.1 PERMITTED USES²
- (a) Retail stores engaged in the selling of retail products and services, provided at least one half of their floor area is devoted to the sale of retail products, and establishments which supply personal services or commodities primarily to meet the needs of residents of the surrounding residential districts, including but not limited to art, appliance, hardware and variety stores, bakeries, dry cleaning for the retail trade only, hair cutting shops, food and drug stores, restaurants, and tailor shops.
 - (b) Accounting, law, investment, real estate, medical offices, and general business offices when located above the ground floor; and such uses on the ground floor when not replacing a use permitted by Section 5.2.1(a).
 - (c) Signs as classified and regulated in the Sign Ordinance of the City.
 - (d) Parks and playgrounds and other public recreation facilities.
- 5.2.2 CONDITIONAL USES - The following Conditional Uses shall be permitted only when authorized by a Conditional Use Permit:³
- (a) Automobile service stations as regulated by Section 19.
 - (b) Automobile parking lots (commercial) not associated with a use on site.⁴
 - (c) Temporary uses regulated by Section 9.5.2(d).⁵

¹ Amended by Ord. 781, 12/24/87

² Amended by Ord. 781, 12/24/87

³ Amended by Ord. 2018-1131, §16, 4/24/2018

⁴ Amended by Ord. 781, 12/24/87

- (d) Churches and other religious institutions which do not provide sleeping accommodations.
- (e) Pet stores.⁶
- (f) Uses which require exterior-mounted refrigeration or mechanical equipment capable of creating noise or venting vapor or odors, within 100 feet of an area designated for residential use on the general plan.⁷
- (g) Public buildings and grounds utility and service structures, when found by the Commission to be necessary for the public health, safety, or welfare.⁸
- (h) Private clubs and lodges and philanthropic institutions which do not provide sleeping accommodations.⁹
- (i) Public and private libraries, and museums.¹⁰
- (j) Any use conducted outside of a completely enclosed building and any use involving storage of materials or merchandise outside of a completely enclosed building.¹¹
- (k) Any use conducted before 7 am or after 11 pm.¹²
- (l) Incidental and accessory structures and uses located on the same site with, and necessary to, the operation of a Conditional Use.
- (m) Car wash, not to exceed four (4) stalls, coin operated self-service type not including the use of mechanical conveyors, blowers, or steam cleaning, when included within a group of permitted neighborhood retail and service establishments located together within a single parcel of land at least five (5) acres in size.¹³
- (n) Temporary circuses and carnivals.¹⁴
- (o) Other uses, which in the opinion of the Planning Commission, are similar to those listed Permitted Use.¹⁵
- (p) Taverns and lounges.¹⁶
- (q) In existing buildings, replacement of uses permitted by Section 5.2.1(a) by accounting, law, investment, real estate, medical, professional, or general business office uses at the

⁵ Amended by Ord. 781, 12/24/87

⁶ Amended by Ord. 781, 12/24/87

⁷ Amended by Ord. 781, 12/24/87

⁸ Amended by Ord. 781, 12/24/87

⁹ Amended by Ord. 781, 12/24/87

¹⁰ Amended by Ord. 781, 12/24/87

¹¹ Amended by Ord. 781, 12/24/87

¹² Amended by Ord. 781, 12/24/87

¹³ Amended by Ord. 420, 04/28/69

¹⁴ Amended by Ord. 470, 06/14/71

¹⁵ Amended by Ord. 477, 11/08/71

¹⁶ Amended by Ord. 573, 5/10/70; Ord. 781, 12/24/87

ground floor.¹⁷

- (r) In a new building, establishment of accounting, law, investment, real estate, medical, professional, or general business office uses at the ground floor.¹⁸
- (s) New buildings and building additions.¹⁹
- (t) Cabarets.²⁰

5.2.3 PROHIBITED USES²¹

- (a) Establishments of the drive-in type offering goods or services to the customers waiting in parked automobiles shall not be permitted except as otherwise provided herein.
- (b) There shall be no manufacturing processes or treatment of products other than those which are clearly incidental and essential to the retail business conducted on the same premises.
- (c) Self-service sales of, or automatic dispensing of flammable or dangerous liquids or hazardous materials are specifically prohibited except for supervised sales of gasoline dispensed directly into a vehicle.

5.2.4 AUTOMOBILE PARKING AND LOADING FACILITIES - Parking and loading facilities shall be provided in accordance with the provisions of Section 8 of this Ordinance.

5.2.5 FLOOR AREA RATIO - The maximum floor area ratio in the C-1 Districts shall be 0.8.

5.2.6 TRANSITIONAL YARDS - Transitional yards shall be provided according to the regulations as set forth in Section 9.7.5 herein.

5.2.7 DESIGN REVIEW - All exterior modifications shall be subject to design review as prescribed in Section 13.

5.2.8 LANDSCAPING - All new structures established in this District shall be subject to landscaping requirements as prescribed in Section 13.3 of this Ordinance and shall provide a 10 foot deep landscaped area between the public sidewalk and the parking lot and building improvements.²²

5.2.9 BUILDING HEIGHT - No building shall exceed 28 feet in height.

5.3 GENERAL COMMERCIAL OR C-2 DISTRICTS - The following regulations shall apply to all land located in any C-2 Districts and shall be subject to all the general provisions of this Ordinance.

5.3.1 PERMITTED USES

¹⁷ Amended by Ord. 622, 4/10/78; Ord. 781, 12/24/87

¹⁸ Added by Ord. 781, 12/24/87

¹⁹ Amended by Ord. 781, 12/24/87

²⁰ Added by Ord. 995, 02/13/04

²¹ Amended by Ord. 622, 4/10/78; Ord. 781, 12/24/87

²² Added by Ord. 641, 02/21/79; Amended by Ord. 781, 12/24/87

(a) Any use which is a Permitted Use in the Neighborhood Commercial C-1 Districts.

5.3.2 **CONDITIONAL USES** - The following Conditional Uses shall be permitted upon the granting of a Use Permit in accordance with the provisions of Section 11 of this Ordinance.

(a) Any use which is a Conditional Use in the Neighborhood Commercial, C-1 Districts.

(b) Automobile rental agency.

(c) Auto accessory stores.²³

(d) Commercial amusement, entertainment, and health club enterprises.²⁴

(e) Private clubs and lodges, including the serving of food and beverages to members and their guests, and including such other facilities customarily provided for the comfort and convenience of the membership.²⁵

(f) Indoor theaters.²⁶

(g) Any permitted use in any Residential (R) Districts.²⁷

(h) Pawn shops and second hand stores.²⁸

(i) Automobile sales lots.²⁹

(j) Commercial parking lots.³⁰

(k) Gasoline stations or businesses offering self-service sales of, or automatic dispensing of, flammable or dangerous liquids or hazardous materials.³¹

(l) Restaurants which sell predominantly take-out meals or provide drive-in or drive-through service.³²

(m) Floor area transfer within and adjacent to the CBD General Plan Land Use designation areas.³³

5.3.3 **AUTOMOBILE PARKING AND LOADING FACILITIES** - Parking and loading facilities shall be provided in accordance with the provisions of Section 8 of this Ordinance.³⁴

²³ Amended by Ord. 784, 02/11/88

²⁴ Amended by Ord. 784, 02/11/88

²⁵ Amended by Ord. 784, 02/11/88

²⁶ Amended by Ord. 781, 12/24/87

²⁷ Amended by Ord. 781, 12/24/87

²⁸ Amended by Ord. 781, 12/24/87

²⁹ Amended by Ord. 784, 02/11/88

³⁰ Amended by Ord. 784, 02/11/88

³¹ Amended by Ord. 784, 02/11/88

³² Amended by Ord. 784, 02/11/88

³³ Added by Ord. 912, 11/7/96

³⁴ Amended by Ord. 784, 02/11/88

- 5.3.4 FLOOR AREA RATIO - The maximum floor area ratio in the C-2 Districts shall be 1.2.³⁵
- 5.3.5 TRANSITIONAL YARDS - Transitional yards shall be provided according to the regulations as set forth in Section 9.7.5 herein.³⁶
- 5.3.6 DESIGN REVIEW - All exterior modifications shall be subject to design review as prescribed in Section 13 of this Ordinance.³⁷
- 5.3.7 LANDSCAPING - All new structures established in this District shall be subject to landscaping requirements as prescribed in Section 13.3 of this Ordinance.³⁸
- 5.3.8 BUILDING HEIGHT - No building shall exceed 28 feet in height.³⁹
- 5.3.9 DOWNTOWN SPECIFIC PLAN AREA ZONING REGULATIONS - The regulations of Section 5.3.10 through 5.3.18 shall apply to all land located in any General Commercial, C-2, District within the Downtown Specific Plan Area as set forth in the Downtown Plan Zoning Policy Map Figure 7.1 and Land Use Policy Map Figure 5.1 together with all the general provisions of this Ordinance unless otherwise noted and in the event of conflict these regulations shall prevail.⁴⁰
- 5.3.10 PERMITTED USES⁴¹
- (a) Any use which is a Permitted Use identified in Section 5.3.1 of this Ordinance.
 - (b) On sites designated (CBD) Central Business District in the Downtown Specific Plan up to 3,000 square feet on the first floor building area within Block #2 of the Village Center is permitted to be used for banking services.
 - (c) On sites designated (C/R) Commercial Residential in the Downtown Specific Plan, multi-family residential dwelling units are permitted provided they are consistent with the standards set forth in Section 5.3.18 of this Ordinance.
- 5.3.11 CONDITIONAL USES - The following Conditional Uses shall be permitted only when authorized by a Conditional Use Permit.⁴²
- (a) Any use which is a Conditional Use listed in Section 5.3.2 of this Ordinance exclusive of the specific provisions for permitted multi-family residential use provided in Sections 5.3.10(c) & 5.3.11(b) of this Ordinance.
 - (b) Multi-family residential within the C-2 District subject to the provisions of Section 5.3.18 of this Ordinance.
- 5.3.12 AUTOMOBILE PARKING AND LOADING FACILITIES - Shall be provided in accordance with the provisions of Section 8 of this Ordinance and by Table 6.5, PARKING

³⁵ Amended by Ord. 784, 02/11/88

³⁶ Amended by Ord. 784, 02/11/88

³⁷ Amended by Ord. 784, 02/11/88

³⁸ Added by Ord. 641, 02/21/79

³⁹ Amended by Ord. 784, 02/11/88

⁴⁰ Added by Ord. 841, 04/23/91

⁴¹ Added by Ord. 841, 04/23/91

⁴² Added by Ord. 841, 04/23/91; amended by Ord. 2018-1131, §17, 4/24/2018

GUIDELINES, Downtown Specific Plan. Landscape and lighting of parking areas shall incorporate the provisions of Section 4.7.3 and 4.7.4 Downtown Specific Plan SITE PLANNING AND DESIGN OBJECTIVES into the design of parking areas. A minimum of 50% of the required parking shall be provided on the ground floor on sites designated C/R.⁴³

The PARKING CONSTRAINTS AND OPPORTUNITIES, Downtown Specific Plan shall be employed during City review of a parking variance request in the Downtown Specific Plan Area.

5.3.13 FLOOR AREA RATIO - The maximum commercial floor area ratio shall be 0.5. On sites designated C/R in the Downtown Specific Plan, mixed residential/commercial uses shall be a maximum 1.0 for the residential use and 0.5 for the commercial use for a combined 1.5 maximum FAR. Maximum floor area allowed for sites which are designated CBD in the Downtown Specific Plan is as follows: 0.75 FAR for parcels greater than one acre, 0.65 FAR for parcels greater than one half acre to one acre, 0.5 FAR for parcels one half acre or less.⁴⁴

A. Floor Area Transfer – The permanent transfer of floor area development potential from a parcel within the Central Business District (CBD) Land Use portion of the C-2 Zoning District to another site within or adjacent to the CBD area shall be permitted upon approval of a conditional use permit by the Planning Commission.⁴⁵

Floor area transfer permits are subject to the following:

1. Application Requirements – A conditional use permit application for floor area transfer shall be accompanied by the following:
 - a. Map showing the location and boundaries of the proposed sending and receiving sites.
 - b. Table showing the maximum floor area allowed on both the sending and receiving sites, the current total floor area used on the sending site, and the proposed total floor area on the receiving site.
 - c. A design review application for the receiving site.
 - d. A signed contractual agreement with the owner of the sending property to transfer floor area to the owner of the receiving site and agreeing to record a deed restriction on the sending site reducing development potential by the amount to be transferred.
 - e. A statement indicating why the floor area to be transferred will not be used on the sending site.
2. Standards for Floor Area Transfer
 - a. Floor area and development rights transfer shall be by recordation of a deed of

⁴³ Added by Ord. 841, 04/23/91

⁴⁴ Added by Ord. 841, 04/23/91; amended by Ord. 984, 03/25/03

⁴⁵ Added by Ord. 912, 11/7/96

development rights transfer on each lot describing the transfer between the owners of the sending and receiving sites.

- b. No landscape variances are created as a result of the floor area transfer.
- c. Parking standards will be met or an application for a variance has been approved prior to action on the Conditional Use Permit.
- d. The transferring and receiving sites are located within the CBD identified in the Downtown Specific Plan or adjacent thereto, and are south of Ralston Avenue and west of El Camino Real.
- e. For increases in building size of up to 30% landscaping shall provide for all trees to be 24" box specimens and all shrubs to be 5 gallons in size.
- f. For increases in building size of up to 60% the development shall conform to 2e above plus include detailed window framing, cornice moldings and parapet treatments, and two additional traditional decorative architectural features consistent with the architectural theme zone.
- g. For increases over 60% the development shall conform to 2e and 2f above plus be highly articulated such that no continuous wall segment is over 20 feet in length, to avoid long continuous walls.

3. Conditional Use Permit Findings Required for Approval

- a. The proposed transfer of floor area and resulting development will be consistent with the Policies of the Downtown Specific Plan.
- b. The transfer of floor area to the receiving site will facilitate implementation of the Downtown Specific Plan and will assist in obtaining compliance with the land use and design standards therein.
- c. All floor area transfer standards will be met

4. City Council Notification and Call Up

- a. A notice of public hearing before the Planning Commission shall be delivered to the City Clerk for distribution to the City Council at the same time as general public noticing occurs.
- b. Within two days following action of the Planning Commission on the requested floor area transfer, a Notice of Action shall be sent to the applicant and delivered to the City Clerk for distribution to the City Council.
- c. Within ten (10) days following the date of the Notice of Action, a Council member may initiate proceedings to call up the matter.

Said call up shall be governed by the following procedures:

- 1. The request for call up by a Council member must be made by written notice. Said notice shall be served on the City Clerk. The Clerk shall

notify the applicant of the call up.

2. Upon service of said notice of call up by the City Council, all proceedings in furtherance of the Notice of Action shall be stayed.
3. The Council shall hear the matter not later than thirty (30) days following service of Notice of Call Up.
4. Upon completion of its review, the Council may affirm, reverse, or modify the decision of the Commission.

5.3.14 DESIGN REVIEW - All exterior modifications and new construction shall be subject to the Design Review process defined in Section 13 of this Ordinance. The specific architectural, landscaping, open space, and height and bulk standards shall be as identified in Sections 5.3.15, 5.3.16, and 5.3.17 in this Ordinance.⁴⁶

5.3.15 LANDSCAPING - 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. Additional landscaping requirements are identified in Section 5.3.16 of this Ordinance. Within the Village Center area designated CBD in the Downtown Specific Plan a landscaped public plaza of 2,500 square feet shall be provided, and development standards identified in Policy 4.4.9, Downtown Specific Plan and Policy 3.5.4, Downtown Specific Plan shall be incorporated into project design.⁴⁷

5.3.16 BUILDING HEIGHT AND BULK - The maximum permitted building height shall conform to Figure 4.2 BUILDING HEIGHT AND BULK MAP, Downtown Specific Plan. Figure 4.2 shall be used in conjunction with the BUILDING LINE AND FRONTAGE, Figure 4.3, Downtown Specific Plan and Table 4.2 BUILDING LINE, FRONTAGE AND SETBACK GUIDELINES, Downtown Specific Plan to identify site specific development and landscaping standards. The STREETScape, OPEN SPACE AND LANDSCAPE MAP, Figure 4.1, Downtown Specific Plan, shall be used to identify additional landscaping requirements, right-of-way treatment, street lighting and furniture and decorative paving requirements.⁴⁸

5.3.17 ARCHITECTURAL THEME ZONES - Architectural style, building components and sign requirements for exterior modifications and new construction shall conform to FIGURE 4.4, Downtown Specific Plan. The Design Guidelines identified in Section 4.7.3 and 4.7.4 SITE PLANNING AND DESIGN OBJECTIVES of the Downtown Specific Plan, shall be incorporated into project design.⁴⁹

5.3.18 RESIDENTIAL SITE DEVELOPMENT STANDARDS - Residential development within the Downtown Specific Plan shall conform to the following:⁵⁰

- (a) Maximum residential density of 30 units per net acre (1,450 square feet of net lot area

⁴⁶ Added by Ord. 841, 04/23/91

⁴⁷ Added by Ord. 841, 04/23/91

⁴⁸ Added by Ord. 841, 04/23/91

⁴⁹ Added by Ord. 841, 04/23/91

⁵⁰ Added by Ord. 841, 04/23/91

per unit.

- (b) Minimum setback requirements: Setbacks shall be 15 feet front yard; 6 feet plus 2 feet per each additional story above two stories, side yard; and 15 feet rear yard. Setbacks shall be further defined by Section 5.3.17 of this Ordinance.
- (c) Minimum lot size shall be 7,200 square feet.
- (d) Minimum lot width shall be 60 feet.
- (e) Minimum lot frontage shall be 72 feet.
- (f) Building height shall conform to the provisions of Section 5.3.16 of this Ordinance.
- (g) Maximum floor area ratio is 1.0.
- (h) Open Space: A minimum of 300 square feet of open space area shall be required for each dwelling unit on the ground floor, plus 150 square feet of open space area for each unit above the ground floor, Roof decks, balconies, or other open structural open areas which are improved for outdoor living may be used to satisfy the open space requirements for above ground floor units. Ground floor open space areas shall be a minimum of 10 feet in average width and a minimum of 20 feet in average length.
- (i) Landscaping: Landscaping shall be as prescribed by Section 5.3.15 of this Ordinance.
- (j) Parking: Off-street parking shall be provided in accordance with the provisions of Section 5.3.12 of this Ordinance.
- (k) Design Review: Design review shall be as prescribed in Section 5.3.14 of this Ordinance.

5.4 REGIONAL COMMERCIAL OR RC DISTRICT - The following regulations apply in the RC District.⁵¹

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

⁵¹ Section 5.4 “Regional Commercial” added by Ord. # 2017-1124, §29, 11/28/2017; previous section 5.4 “Highway Commercial” was repealed by Ord. # 2017-1124, §28, 11/28/2017.

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.

5.5 SERVICE COMMERCIAL OR C-4 DISTRICTS - The following regulations shall apply to all land located in any C-4 Districts and shall be subject to all the general provisions of this Ordinance.

5.5.1 PERMITTED USES

- (a) Any use which is a Permitted Use in the Highway Commercial C-3 Districts.
- (b) Service and storage activities related to the residential and commercial functions of the City, including but not limited to:⁵²
 - Wholesale business supply stores

⁵² Amended by Ord. #784, 02/11/88; Ord. #862, 05/12/92

- Wholesale Greenhouses and plant nurseries
- Janitorial service
- Printing, publishing and issuing of periodicals, books, stationery and other reading matter
- Storage and warehousing
- Wholesale establishments

5.5.2 **CONDITIONAL USES** - The following Conditional Uses shall be permitted upon the granting of a Use Permit, in accordance with the provisions of Section 11 of this Ordinance;⁵³

- (a) Any use which is a Conditional Use in the Highway Commercial, C-3 Districts.
- (b) Beverages, non-alcoholic, bottling and distribution.
- (c) Salvage and junk shop within a completely enclosed building.
- (d) Animal hospital.
- (e) Tool, die and pattern making.
- (f) Carpenter, cabinet, ceramics, machine, or sheet metal shops.
- (g) Contractor's office and storage yard.
- (h) Vehicle body repair and painting.
- (i) Dry cleaning establishments.
- (j) Laboratories, research, experimental and testing.
- (k) Laundries, linen, towel, diaper, and other similar supplies and services.
- (l) Parcel delivery stations.
- (m) Saw and knife sharpening shop.
- (n) Wholesale bakery.

5.5.3 **AUTOMOBILE PARKING AND LOADING FACILITIES** - Parking and loading facilities shall be provided in accordance with the provisions of Section 8 of this Ordinance.

5.5.4 **FLOOR AREA RATIO** - The maximum floor area ratio in the C-4 District shall be 1.8.⁵⁴

5.5.5 **TRANSITIONAL YARDS** - Transitional yards shall be provided according to the

⁵³ Amended by Ord. #784, 02/11/88; Ord. #862, 05/12/92

⁵⁴ Amended by Ord. #784, 02/11/88

regulations as set forth in Section 9.7.5 herein.

- 5.5.6 DESIGN REVIEW - All exterior modifications shall be subject to design review as prescribed in Section 13 of this Ordinance.⁵⁵
- 5.5.7 LANDSCAPING - All new structures established in this District shall be subject to landscaping requirements as prescribed in Section 13.3 of this Ordinance.⁵⁶
- 5.5.8 BUILDING HEIGHT - No building shall exceed 40 feet in height.⁵⁷
- 5.5.9 DOWNTOWN PLAN AREA ZONING REGULATIONS - The regulations of Sections 5.5.10 through 5.5.18 shall apply to all land located in any Service Commercial, C-4, District within the Downtown Specific Plan Area as set forth in the Downtown Plan Zoning Policy Map Figure 7.1 (pg. 7.13) and Land Use Policy Map Figure 5.1 (pg. 5.6) together with the general provisions of this Ordinance unless otherwise noted and in the event of conflict these regulations shall prevail.⁵⁸
- 5.5.10 PERMITTED USES⁵⁹
- (a) Any use, which is a Permitted Use identified in Section 5.5.1 of this Ordinance exclusive of dry cleaning and public laundries, food, liquor, and drug stores and retail bakeries and restaurants.
- 5.5.11 CONDITIONAL USES - The following Conditional Uses shall be permitted only when authorized by a Conditional Use.⁶⁰
- (a) Any use which is a Conditional Use in the Service Commercial District C-4, listed in Section 5.5.2 of this Ordinance.
- (b) Dry cleaning and public laundries; food, liquor and drug stores; and retail bakeries and restaurants.
- 5.5.12 AUTOMOBILE PARKING AND LOADING FACILITIES - Shall be provided in accordance with the provisions of Section 5.3.12 of this Ordinance.⁶¹
- 5.5.13 FLOOR AREA RATIO - The maximum floor area ratio shall be 0.5.⁶²
- 5.5.14 DESIGN REVIEW - Shall be provided in accordance with Section 5.3.14 of this Ordinance.⁶³
- 5.5.15 LANDSCAPING - Shall be provided in accordance with Section 5.3.15 of this Ordinance.⁶⁴

⁵⁵ Amended by Ord. #784, 02/11/88

⁵⁶ Added by Ord. #641, 02/21/79

⁵⁷ Amended by Ord. #784, 02/11/88

⁵⁸ Added by Ord. #841, 04/23/91

⁵⁹ Added by Ord. #841, 04/23/91

⁶⁰ Added by Ord. #841, 04/23/91; amended by Ord. 2018-1131, §19, 4/24/2018

⁶¹ Added by Ord. #841, 04/23/91

⁶² Added by Ord. #841, 04/23/91

⁶³ Added by Ord. #841, 04/23/91

⁶⁴ Added by Ord. #841, 04/23/91

- 5.5.16 BUILDING HEIGHT AND BULK - Shall be provided in accordance with Section 5.3.16 of this Ordinance.⁶⁵
- 5.5.17 ARCHITECTURAL THEME ZONES - Shall be provided in accordance with Section 5.3.17 of this Ordinance.⁶⁶
- 5.5.18 RESIDENTIAL SITE DEVELOPMENT STANDARDS - Shall be governed by Section 5.3.18 of this Ordinance.⁶⁷
- 5.6 EXECUTIVE ADMINISTRATIVE OR E-1 DISTRICTS - The following regulations shall apply to all land located in E-1 Districts and shall be subject to all the general provisions of this Ordinance.
- 5.6.1 PERMITTED USES

(a) Professional offices limited to the following professions:⁶⁸

Accountant, appraiser, architect, assayer, attorney, auditor
 Bacteriologist
 Certified Public Accountant
 Chemist or laboratory specialist or operator, chiropodist, chiropractor, civil engineer, commercial artist
 Dental laboratory specialist or operator, dentist, designer
 Electrical engineer
 Geologist
 Hydraulic engineer
 Management consultant, medical laboratory specialist or operator, music autographer, oculist, optician, optometrist, osteopath
 Physician
 Structural engineer, surgeon, surveyor;

Provided further that the following uses shall NOT be permitted:

Advertising agency
 Barber or beauty shop
 Collection agency
 General business offices
 Pest control office
 Veterinarian

- (b) A pharmacy provided it is conducted within a medical office building and further provided that the sales of articles shall be limited to drugs, prescription medicines, surgical and medical supplies and such other articles required or recommended by the medical profession.
- (c) Signs as regulated in the Sign Ordinance.

⁶⁵ Added by Ord. #841, 04/23/91

⁶⁶ Added by Ord. #841, 04/23/91

⁶⁷ Added by Ord. #841, 04/23/91

⁶⁸ Amended by Ord. #477, 11/08/71

(d) Accessory uses customarily appurtenant to a Permitted Use.

5.6.2 **CONDITIONAL USES** - The following Conditional Uses shall be permitted upon the granting of a Use Permit in accordance with the provisions of Section 11 of this Ordinance:

- (a) Administrative and executive offices including banks, mortgage lending institutions, investment securities, title insurance companies, life and casualty insurance companies, real estate offices and other general business offices.
- (b) Private clubs, lodges and fraternal organizations.
- (c) Medical clinic, convalescent hospital.
- (d) Telephone answering exchange, antenna towers and other outdoor equipment essential to the operation of the exchange.
- (e) Studios for arts and crafts, photography and similar uses.
- (f) Public utility and public services uses including electric substations, fire and police stations.
- (g) Other uses which, in the opinion of the Planning Commission, are similar to those listed permitted uses.⁶⁹

5.6.3 **CONDITIONS OF USE** - All Permitted Uses and those permitted upon the granting of a Conditional Use Permit in the E-1 District shall be conducted within completely enclosed buildings and any use which creates odor, noise, vibration, smoke or dust in amounts discernible and measurable outside the exterior walls of the building housing such activities shall be prohibited.

5.6.4 **SITE AREA, DIMENSION AND COVERAGE LIMITATIONS**

- (a) The minimum site area in any E-1 Districts shall be 7,200 square feet, the minimum average width 60 feet and the minimum lot frontage on a street 35 feet.
- (b) **MINIMUM YARDS** - Each building site shall provide a front yard of not less than 15 feet provided, however, that the sum of the front yard plus one half of the right-of-way of the street on which the site fronts shall not be less than 40 feet; and further provided that no building occupying property fronting on a private road or easement shall be less than 45 feet from the center line of such private road or easement.

A side yard of not less than six feet, except that on corner lots a minimum side yard of 7.5 feet shall be maintained on the street frontage having the greater length; and a rear yard of not less than ten feet.

- (c) **FLOOR AREA RATIO** - The floor area ratio of buildings and structures shall not exceed 1.5.
- (d) **BUILDING HEIGHT** - The maximum building height shall be two stories or 35 feet.

⁶⁹ Amended by Ord. 477, 11/08/71

- 5.6.6 OFF-STREET PARKING AND LOADING - Facilities shall be provided as required or permitted in Section 8.
- 5.6.7 DESIGN REVIEW – All uses in the E-1 Districts shall be subject to Design Review as prescribed in Section 13 of this Ordinance.
- 5.7 EXECUTIVE ADMINISTRATIVE OR E-2 DISTRICTS – The following regulations shall apply to all land located in the E-2.1 and E-2.2 Districts and shall be subject to all the general provisions of this Ordinance.⁷⁰
- 5.7.1 PERMITTED USES
- (a) The following uses shall be permitted in any E-2.1 District:
- (1) Administrative, executive, and sales offices, provided no retail merchandise is dispensed on site.
 - (2) Financial offices, including banks, mortgage lending institutions, investment securities, title insurance companies, life and casualty insurance companies, real estate offices and other general business offices.
 - (3) Professional offices including the professions of accountant, advertising copywriter, appraiser, architect, attorney, auditor, chemical laboratory specialist or operator, dental laboratory specialist or operator, engineer, geologist, medical laboratory specialist or operator, and surveyor.
 - (4) Laboratories limited to operations of a research and experimental nature only and excluding all assembly, processing and manufacturing activities ties. All such research and experimental operations shall be conducted wholly within a building and any uses which create odor, noise, vibration, smoke or dust in amounts discernible or measurable outside the exterior walls of the building housing such activity shall be prohibited.
 - (5) Product repair or adjustment provided that such activity shall be clearly incidental to the activities of administrative, executive or sales offices located on the same site; further provided that all such operations shall be conducted wholly within a building and any uses which create odor, noise, vibration, smoke or dust in amounts discernible or measurable outside the exterior walls of the building housing such activity shall be prohibited.
 - (6) Medical doctor, dentist, radiologist and chiropractor offices, and physical therapists.
 - (7) Signs as classified and regulated in the Sign Ordinance of the City.
- (b) The following uses shall be permitted in the E-2.2 districts:
- (1) Any use which is a permitted use in the E-2.1 district.
 - (2) Warehousing, storage and distribution facilities when located on the same premises

⁷⁰ Amended by Ord. 470, 06/14/71; Ord. 477, 11/08/71; Ord. 790, 05/11/88

as the administrative or executive offices in connection therewith provided that such warehousing shall meet all of the following conditions:

- a) Materials stored shall be for the purpose of local and regional distribution and such use shall exclude the storage of household goods, furniture or other goods relating to the operation of a moving and storage business.
 - b) Products to be warehoused shall be limited to finished products and merchandise excluding all assembly, processing and manufacturing activities. The storage or warehousing of perishable food-stuffs or the storage of bulk or raw materials is specifically excluded.
 - c) All warehousing shall take place within a fully enclosed building.
 - d) The bulk storage of explosives, and the bulk storage of toxic, radioactive, flammable, and similar hazardous materials are prohibited.
- (3) Restaurant facilities when located within a building, provided that such restaurant not occupy more than 10% of the area of the floor upon which it is located or 1000 sq. ft., whichever is less, and when such use is intended as an employee-oriented lunch room or cafeteria with no signs oriented to motorists.

5.7.2 CONDITIONAL USES⁷¹

- (a) The following uses shall be permitted in the E-2.1 District upon the granting of a Use Permit.
 - (1) Public utility buildings and uses and public service structures or installations when found by the Commission to be necessary for public health, safety or welfare.
 - (2) Telephone answering exchange, antenna towers and other outdoor equipment essential to the operation of the exchange.
 - (3) Radio and television broadcasting stations, including antenna towers and other equipment essential to the operation of a station.
 - (4) New buildings.
 - (5) Clinic, Hospital, Sanitarium, or Skilled nursing facility.
 - (6) Other uses which, in the opinion of the Planning Commission, are similar to or compatible with those listed permitted uses.
- (b) The following uses shall be permitted in the E-2.2 District upon the granting of a Use Permit.
 - (1) Any use which is a Conditional Use in the E-2.1 District
 - (2) Product assembly, provided that such activity shall be clearly incidental to the permitted use. Further, all such assembly shall be conducted wholly within an

⁷¹ Amended by Ord. 2018-1131, §19, 4/24/2018

enclosed building. Any assembly which is determined by the Planning Commission to be unduly detrimental or injurious to other properties or uses in the vicinity, or the general public welfare shall be prohibited.

5.7.3 SITE AREA, DIMENSION AND COVERAGE LIMITATIONS

- (a) The minimum site area in any E-2 District shall be 10,000 square feet; the minimum average width 100 feet; and the minimum lot frontage on a street 40 feet.
- (b) FLOOR AREA RATIO - The floor area ratio of buildings and structures shall not exceed 0.45.
- (c) BUILDING HEIGHTS - The maximum height above finish grade of any building wall shall be 28 feet. Buildings shall be limited to two stories not including roof-mounted mechanical enclosures. The total height of all roofs and mechanical enclosures shall not exceed 35 feet measured vertically from finish grade at each point around the perimeter of the building to their uppermost point at each respective cross-slope section of the building.

5.7.4 YARD AREA - All building hereinafter erected or enlarged in any E-2 Districts shall provide a front yard of not less than 30 feet. One- or two-story buildings shall have a side yard of not less than ten feet. Three story buildings shall have a side yard of not less than 15 feet. Rear yards shall be not less than 20 feet.

5.7.5 OFF-STREET PARKING AND LOADING - Facilities shall be provided as required or permitted in Section 8.

5.7.6 DESIGN REVIEW - All new buildings and exterior modifications shall be subject to design review as prescribed in Section 13 of this Ordinance.

5.7.7 DESIGN CRITERIA - In addition to the design standards prescribed by Section 13 of this ordinance the following criteria shall apply to new buildings and building additions over 5000 sq. ft.

- (a) A traffic study shall be required indicating the additional and cumulative traffic impacts to the intersections of Davis Drive, Cipriani Boulevard, Continentals Way, Alameda de las Pulgas, and El Camino Real with Ralston Avenue. The study shall indicate any and all possible mitigations to reduce traffic impacts to these intersections. The project shall be designed or modified to incorporate all traffic mitigation measures determined to be feasible and reasonable by the Planning Commission.
- (b) Heavy landscape treatment and foundation plantings shall be incorporated around the perimeter of the building to minimize perceived height.
- (c) At least 15% of the site to be covered with professionally designed and installed landscaping.
- (d) Submitted plans shall show how the mass and height of the proposed new building or addition provides a transition between any existing building on site and the buildings on adjoining properties. For buildings over one story, shade effects on adjacent properties and buildings shall be shown on submitted plans. Shade effects shall be

minimized.

- (e) The architectural plane of exterior building walls shall be articulated to avoid a monolithic appearance.
- (f) Roof-mounted mechanical equipment shall be enclosed from public view with the same construction materials used on exterior building surfaces and shall be located toward the center axis of the building and away from the building perimeter.
- (g) Large continuous architectural planes of reflective building materials and glass shall be avoided.
- (h) Buildings with concrete exterior construction shall utilize a wood grain textured finish, or similar texture, to soften the visual impact of this building material.
- (i) Exterior colors of all building materials including glass shall be chosen to maximize compatibility with the residential character of the surrounding community.
- (j) Roofs shall incorporate gable, hip, and/or shed features.