

CHAPTER 1. - GENERAL PROVISIONS

Section 6100. - Adoption of zoning plan.

Hereby adopted is a Zoning Ordinance for the City of East Palo Alto, County of San Mateo, State of California, an ordinance that constitutes a Zoning Ordinance under the provisions of Section 65800 et seq., of the Government Code of the State of California.

Section 6101. - Purpose.

This Zoning Ordinance is adopted to promote and protect the public health, safety, peace, morals, comfort, convenience and general welfare, and for the accomplishment thereof is adopted for the following more particularly specified purposes:

- (a) To guide, control, and regulate the future growth and development in the City of East Palo Alto.
- (b) To protect the character and the social and economic stability of residential, commercial, industrial, and other private and public areas within the city, and to assure the orderly and beneficial development of such areas.
- (c) To obviate the menace to the public safety resulting from the locating of buildings, and the use thereof, and the use of land, adjacent to streets and highways which are a part of the circulation element of the General Plan of the city, or which are important thoroughfares, in such manner as to cause interference with existing or prospective traffic movements on said streets and highways.
- (d) To provide adequate light, air, privacy, and convenience of access to property, and to secure safety from fire, inundation, and other dangers.
- (e) To prevent overcrowding the land and prevent undue congestion of population.

Section 6102. - Definitions.

For the purpose of this part, certain terms used herein are defined as follows:

Section 6102.1. All words used in the present tense shall include the future tenses; all words in the plural number shall include the singular, and all words in the singular number shall include the plural number unless the natural construction of the wording indicates otherwise. The word "lot" includes the word "plot," the word "building" includes the word "structure," and the word "shall" is mandatory and not directory. The word "city" as used herein shall mean the City of East Palo Alto, State of California; the words "city council" shall mean the City Council of the City of East Palo Alto, State of California; the words "planning commission" shall mean the Planning Commission of the City of East Palo Alto, State of California; and the words "city boundary" shall mean the limit of incorporation of the City of East Palo Alto, State of California.

Section 6102.1.5. ADULT BOOKSTORES, ADULT MOVIE HOUSES, ADULT CABARETS.

- (a) *Adult bookstore:* A building or portion thereof used by an establishment having as a substantial or significant portion of its stock-in-trade for sale to the public books, magazines or other publications which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or anatomical areas.
- (b) *Adult movie house:* A building or portion thereof, or area, whether open or enclosed, regularly used for the presentation of motion pictures distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons or customers.
- (c) *Adult cabarets:* A building or portion thereof, or area, regularly used for the presentation or exhibition or featuring of topless or bottomless dancers, strippers, or any entertainers regularly displaying specified anatomical areas for observation by patrons or customers.

(d) *Specified sexual activities:*

- (1) Human genitals in a state of sexual stimulation or arousal;
- (2) Acts of human masturbation, sexual intercourse, sodomy or bestiality; or
- (3) Fondling or other erotic handling of human genitals, pubic region, buttock or female breast.

(e) *Specified anatomical areas:*

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

Section 6102.2. ADVERTISING STRUCTURE. A structure of any kind or character erected or maintained for outdoor advertising purposes, upon which any poster, bill, printing, painting, or other advertisement of any kind whatsoever may be placed, including statuary, for advertising purposes.

"Advertising structure" does not include:

- (a) Official notices issued by any court or public body or officers;
- (b) Notices posted by any public office, in performance of a public duty or by any person in giving legal notice; and
- (c) Directional, warning or information structures required by or authorized by law or by federal, city, or state authority.

Section 6102.3. AGRICULTURE. The tilling of the soil, the raising of crops, horticulture, viticulture, small livestock fanning, dairying, or animal husbandry.

Section 6102.4. AIRPORT. Any area of land or water which is used or intended for use for the landing and taking off of aircraft, and any appurtenant areas which are used or intended for use for airport buildings or other airport facilities or rights-of-way together with all airport buildings and facilities located thereon.

Section 6102.5. ALLEY. A passage or way open to public travel affording generally pedestrian and/or vehicular access to abutting lots and not intended for general traffic circulation.

Section 6102.6. ALTER. To make any change in any of the supporting members of a building or structure such as bearing walls, columns, beams, or girders, or to make any change or addition for which a building permit is required.

Section 6102.7. APARTMENT. A room, or suite of two or more rooms, which is designed for, intended for, or occupied by one family for living or sleeping purposes and doing its cooking therein.

Section 6102.8. APARTMENT COURT. See *Dwelling Group*.

Section 6102.9. APARTMENT HOUSE. See also *Dwelling-Multiple*. Any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking in the said building. This includes flats and apartments.

Section 6102.10. AUTOMOBILE WRECKING YARDS. See *Junk Yard*.

Section 6102.11. AUTOMOBILE COURT. Dwellings or dwelling units occupying a building site integrally owned and used to furnish transient living accommodations - primarily for use of automobile travelers.

Section 6102.12. AUTOMOBILE TRAILER PARK. Land where space is used, rented or offered for rent to owners or users of trailer coaches.

Section 6102.13. AUTO WRECKING ESTABLISHMENTS. Premises which are so covered or enclosed that, in either case, they are not open to ordinary view and which are used for the same purposes as automobile wrecking yards.

Section 6102.13.1. BAR. Any building or structure, or any portion of a building or structure, or any premises or place where alcoholic beverages are sold, given, delivered, or consumed, or permitted to be sold, given, delivered, or consumed in compliance with the provisions of Division 9 (commencing with Section 23000) of the Business and Professions Code.

Section 6102.14. BASEMENT. A story partly underground and having at least one-half of its height above grade. A basement shall be counted as a story if the vertical distance from grade to the ceiling is over five feet or if used for business purposes, or if used for dwelling purposes by other than a janitor or domestic servants employed in the same building including the family of the same.

Section 6102.15. BILLBOARD. Same as *Advertising Structure*.

Section 6102.16. BLOCK. That property abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting streets, and railroad right-of-way, unsubdivided acreage, watercourse, or body of water.

Section 6102.17. BOARDING HOUSE. A building or portion thereof other than a hotel or restaurant in which more than five persons are furnished meals for a consideration.

Section 6102.18. BUILDING. Any structure having a roof supported by columns or by walls and intended for the shelter, housing, or enclosure of any person, animal, or chattel. When any portion thereof is completely separated from every other portion thereof by masonry division or fire wall without any window, door, or other opening therein which wall extends from the ground to the upper surface of the roofing at every point, then each such portion shall be deemed to be a separate building.

Section 6102.19. BUILDING - ACCESSORY. A detached subordinate building, the use of which is appropriate, subordinate, and customarily incidental to that of the main building or to the main use of the land, and which is located on the same lot with the main building or use.

Section 6102.20. BUILDING - MAIN. A building in which is conducted the principal use of the lot on which it is situated. In any residential district, any dwelling shall be deemed to be a main building on the lot on which the same is situated.

Section 6102.21. BUILDING SITE. The ground area of a building or buildings together with all open spaces required by this part and which site abuts upon a public or private street.

Section 6102.22. BUNGALOW COURTS. Grouped dwelling or dwelling units and their accessory buildings occupying an integrally owned building site and used for non-transient living accommodations.

Section 6102.23. BUSINESS OR COMMERCE. The purchase, sale, or other transaction involving the handling or disposition (other than assembly manufacture, reduction, or destruction) of any article, substance, commodity or service for profit or livelihood. Including, in addition, office buildings, offices, garages, laundries, lumber yards, outdoor advertising signs, and outdoor advertising structures, recreational and amusement enterprises conducted for profit, but not including junk yards as defined in this part.

Section 6102.24. CAMP GROUNDS OR AUTOMOBILE CAMPS. Integrally owned premises where any persons camp or live in any manner other than in a building of frame or more lasting type of construction and set upon fixed foundations, excepting automobile trailer parks as defined herein and excepting further the occasional and temporary use by a single camping party.

Section 6102.24.1. CARD ROOM. Any building or structure, or any portion of a building or structure, or any premise or place where the lawful playing of cards is permitted, regardless of whether the tables, chairs, and other furniture and fixtures are temporary or permanent, or whether such premises are at times used for other purposes.

Section 6102.25. CLUB. Any building or structure, or any portion of a building or structure, or any premises or place, occupied by a group of associated persons or an organization organized for social, charitable, service, fraternal, professional, or trade purposes.

Section 6102.25.1. COMMERCIAL MESSAGE. Any sign wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

Section 6102.25.2. COPY. The wording on a sign surface that is in either permanent or removable letter form.

Section 6102.25.3. COUNTRY INN. A visitor-serving facility in a rural area, not exceeding two stories in height.

Section 6102.26. COURT. An open, unoccupied space, other than a yard, on the same lot with a building or group of buildings and which is bounded on two or more sides by such building or buildings.

Section 6102.27. DISTRICT:

- (a) A portion of the city within which certain uses of land and buildings are permitted and certain other uses of land and buildings are prohibited, or within which building heights are restricted, or certain yards and other open spaces are required, or within which certain lot areas are established, or within which a combination of such aforesaid regulations are applied, all as set forth and specified in this part.
- (b) A portion of the city within which are applied certain regulations designated as combining regulations as set forth in this part.

Section 6102.28. DWELLING. A building or a portion thereof used or designed and intended to be used for human habitation, including sleeping purposes.

Section 6102.29. DWELLING, ONE-FAMILY (Single-family residence):

- (a) A building containing exclusively a single dwelling unit and built to the specifications of the Uniform Building Code (UBC) or a mobile home containing exclusively a single dwelling unit, built to the Federal Department of Housing and Urban Development (HUD) Construction Standards, on a permanent foundation system, pursuant to Section 18551 of the Health and Safety Code.
- (b) All one-family dwellings:
 - (1) Shall have a minimum width of eighteen (18) feet as measured by the narrowest elevation;
 - (2) Shall not have siding, which is highly reflective;
 - (3) Shall not have finished roofing material which is highly reflective except for the employment of solar energy devices;
 - (4) Where perimeter foundations are not installed, screening of the underfloor area shall be provided to conceal plumbing, conduit and underfloor insulation materials. Where the floor level is less than or equal to three feet above grade, screening shall extend to the ground, taking into consideration building code requirements;
 - (5) Shall not have screening material which is highly reflective or incompatible with siding material.

Section 6102.30. DWELLING, TWO-FAMILY. A building containing exclusively two dwelling units.

Section 6102.31. DWELLING, MULTIPLE. A building or portion thereof containing three or more dwelling units, including apartment houses, apartment hotels and flats, but not including tourist courts.

Section 6102.32. DWELLING GROUP. A group of two or more detached or semi-detached one-family, two-family, or multiple dwellings occupying a parcel of land in one ownership or management and having any yard or court in common, including house courts, bungalow courts, apartment courts and the like, but not including tourist courts.

Section 6102.33. DWELLING UNIT. A room or suite of two or more rooms, which is designed for, intended for, or is occupied by, one family doing its own cooking therein and having only one kitchen.

Section 6102.33.5. ELECTRONIC AMUSEMENT DEVICES. Any electronic machine, device, contrivance or apparatus, the operation or use of which is permitted, controlled, allowed or made possible by the deposit or placing of any coin, plate, disk, slug, or key into any slot, receptacle, crevice or other opening, or by the payment of any fee or fees, for its use as a game or contest of any description, or which may be used for any such game or contest, and the use or possession of which is not prohibited by any laws of the State of California.

6102.33.6. EMBELLISHMENT. Letters, figures, characters, or representatives in cutouts, or irregular forms or similar ornaments attached to or superimposed upon a sign or building. This includes decorative elements above, beside, or below the sign face meant to enhance sign structure, appearance, or visibility.

Section 6102.33.7. EMERGENCY SHELTER. Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person, in accordance with Section 50801(e) of the Health and Safety Code and Government Code Sections 65583 and 65589.5.

Section 6102.34. FAMILY. One or more persons occupying a premises and living as a single nonprofit housekeeping unit as distinguished from persons occupying a hotel, club, fraternity, or sorority house. A family shall be deemed to include necessary servants.

Section 6102.34.1. FLAG. Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols, used as a symbol of a government, political subdivision, or other entity.

Section 6102.35. FREEWAY. A highway in respect to which the owners of abutting lands have no right or easement of access to or from their abutting lands or in respect to which such owners have only limited or restricted right of easement of access and which is declared to be such in compliance with the Streets and Highways Code of the State of California.

Section 6102.36. FRONT WALL. The wall of the building or other structure nearest the street upon which the building faces but excluding certain architectural features as specified in Chapter 22 of this part.

Section 6102.37. GARAGE, PRIVATE. An accessory building or portion of a main building designed for the storage of self-propelled passenger vehicles, provided that the storage space does not exceed that necessary for:

- (a) In any "R-1" District: Four passenger automobiles for each dwelling.
- (b) In any "R-2" District: Three passenger automobiles for each lot and, in addition, two passenger automobiles for each dwelling unit on such lot.

Section 6102.38. GARAGE, PUBLIC. Any building or premises, except those herein defined as a private or storage garage, used for the storage and care, or either thereof, of self-propelled vehicles or where such vehicles are equipped for operation or repair or kept for remuneration, hire, or sale.

Section 6102.39. GARBAGE. All animal and vegetable refuse or residue from kitchens, canneries, bakeries, restaurants, lunch stands, meat, fish, fruit or vegetable markets, and other food handling places, and all household waste or residue that shall result from the preparation or care for, or treatment of foodstuffs intended to be used as food, or shall have resulted from the preparation or handling of food for human consumption or any decayed and unsound meat, fish, fruit and vegetables.

Section 6102.40. GARBAGE, COMMERCIAL. Any garbage other than garbage produced upon the premises upon which hogs are kept.

Section 6102.41. GRADE:

- (a) For buildings adjoining one street only, the elevation of the sidewalk at the center of that wall adjoining the street.
- (b) For buildings adjoining more than one street, the average of the elevations of the sidewalks at the centers of all walls adjoining streets.
- (c) For buildings having no wall adjoining the street, the average level of the finished surface of the ground adjacent to the exterior walls of the buildings.
- (d) All walls approximately parallel to and not more than five feet from the street line shall be considered as adjoining the street.
- (e) Where no sidewalks exist, the elevation of the curb shall be substituted for sidewalk elevation in subsections (a) and (b) above; where no curbs or sidewalks exist, the elevation of the crown of the road shall be substituted for sidewalk elevation in subsections (a) and (b) above.

Section 6102.42. GUEST HOUSE. A house or rooms for guests in an accessory structure on lots of at least five thousand (5,000) square feet, provided the structure does not contain kitchen facilities and is used for the occasional housing of guests of the occupants of the principal structure and not as a rental unit.

Section 6102.43. GUEST ROOM. A room which is intended, arranged, or designed to be occupied or which is occupied by one or more guests, but not including dormitories for sleeping purposes.

Section 6102.44. HEIGHT OF BUILDING. The vertical distance from the "grade" to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the average height of the highest gable of a pitch or hip roof.

Section 6102.46. HOME OCCUPATION. An accessory use of a dwelling unit, conducted entirely within the dwelling unit, and carried on by one or more persons, all of whom reside in the dwelling unit, and where no persons are employed other than domestic help. And where the use is clearly incidental and secondary to the use of the dwelling for residence purposes and does not change the character thereof or adversely affect the uses permitted in the residential zoning district of which it is a part.

Section 6102.47. HOUSE, BOARDING OR ROOMING. A building containing a single dwelling unit and not more than five guest rooms where lodging is provided with or without meals for compensation.

Section 6102.48. HOUSE COURT. A group of two or more dwellings on the same premises, whether detached or in connected rows, having a separate outside entrance on the ground floor level for each family unit of such group.

Section 6102.48.1. HOUSING, SUPPORTIVE. Housing with no limit on length of stay, that is occupied by the target population, and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

Section 6102.48.2. HOUSING, TRANSITIONAL and "TRANSITIONAL HOUSING DEVELOPMENT" means buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in the time, that shall be no less than six months from the beginning of assistance.

Section 6102.49. HOTEL. Any building or portion thereof containing six or more guest rooms used, designed, or intended to be used, let or hired out to be occupied.

Section 6102.49.1. INSTITUTIONAL USE. Any school, hospital or public works facility.

Section 6102.50. JUNK YARD. Premises on which more than two hundred (200) square feet of the area thereof is used for the storage of junk, including scrap metal or other scrap material.

Section 6102.51. KITCHEN. Any room used, or intended, or designed to be used for cooking and preparing food.

Section 6102.52. LOADING SPACE. An off-street space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a street, alley, or other appropriate means of access.

Section 6102.53. LOT. A parcel of land occupied or to be occupied by a use, building, or unit group of buildings and accessory buildings and uses together with such yards, open spaces, lot width, and lot area as are required by this part and fronting upon a street or a private easement determined by the commission to be adequate for purposes of access.

Section 6102.54. LOT OF RECORD. Land held in separate ownership as shown on the records of the city recorder (at the time of the passage of the ordinance establishing the zoning district in which the lot is located).

Section 6102.55. LOT, CORNER. A lot not greater than one hundred (100) feet in width and located at the junction of two or more intersecting streets.

Section 6102.56. LOT, CORNER, REVERSED. A corner lot which rears upon the side of another lot whether across an alley or not.

Section 6102.57. LOT DEPTH. The average horizontal distance between the front and rear lot lines measured in the mean direction of the side lot lines.

Section 6102.58. LOT LINES. The lines bounding a lot as defined herein.

Section 6102.59. LOT LINE, FRONT. In the case of an interior lot, a line separating the lot from the street and, in the case of a corner lot, a line separating the narrowest lot frontage of the lot from the street.

Section 6102.60. LOT LINE, REAR. Ordinarily, that line of a lot which is generally opposite and most distant from the front line of said lot. In the case of an angular or gore shaped lot, a line ten (10) feet in length within the lot parallel to and at the maximum distance from the front line of the lot. In cases in which these definitions are not applicable, the zoning administrator shall designate the rear lot line.

Section 6102.61. LOT LINE, SIDE. Any lot boundary not a front or rear lot line. A side lot line separating a lot from another lot or lots is an interior side lot line; a side lot line separating a lot from a street is a street side lot line.

Section 6102.62. LOT WIDTH. The horizontal distance between the side lot lines measured at right angles to the lot depth at a point midway between the front and rear lot lines.

Section 6102.62.1. MARQUEE. Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of a building, generally designed and constructed to provide protection from the weather.

Section 6102.62.3. MEDICAL OFFICE. Medical office means a use providing consultation, diagnosis, therapeutic, preventive, or corrective personal treatment services by doctors, dentists, medical and dental laboratories, and similar practitioners of medical and healing arts for humans, licensed for such practice by the State of California. Incidental medical and/or dental research within the office is considered part of the office use, where it supports the on-site patient services.

Section 6102.62.5. MEETING HALL. Any building or structure, or any portion of a building or structure, or any premises or place where people are permitted to congregate or meet for social, service, fraternal, recreational, professional or trade purposes, regardless of whether or not such premises are used for any other additional purposes.

Section 6102.63. MOTEL-MOTOR COURT. Same as *Tourist Court*.

Section 6102.63.1. NON-CHARTERED FINANCIAL INSTITUTION. A use, other than state or federally chartered bank, credit union, mortgage lender or savings and loan association, that offers deferred deposit transaction services or check cashing services and loans for payment of a percentage fee. Specifically included in the term "non-chartered financial institutions" are deferred deposit transaction (payday loan) businesses that make loans upon assignment of wages received, check cashing businesses that charge a percentage fee for cashing a check or negotiable instrument, and motor vehicle title lenders who offer a short-term loan secured by the title to a motor vehicle. Nonprofit financial institutions are not encompassed by the term non-chartered financial institution.

Section 6102.64. NONCONFORMING. A building or structure or portion thereof or use of building or land which does not conform to the zoning regulations and which lawfully existed at the time the regulations with which it does not conform became effective.

Section 6102.64.3. NUISANCE. Anything which is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any navigable lake, or river, bay streams, canal, or basin, or any public park, square, street, or highway.

Section 6102.64.4. ON-PREMISES ADVERTISING DISPLAY, LEGAL, NONCONFORMING. Any legal and permitted structure, housing sign, device, fixture, statuary, painting, display, message placard, or other contrivance, or any part thereof, which has been designed, constructed, created, intended, or engineered to have a useful life of fifteen (15) years or more, and intended or used to advertise, or to provided data or information in the nature of advertising, for any of the following purposes:

- (a) To designate, identify, or indicate the name or business of the owner or occupant of the premises upon which the advertising display is located for sale as of the date of the passage of Chapter 6413 of the Zoning Ordinance; and/or
- (b) To advertise the business conducted, services available or rendered, or the goods produced, sold, or available for sale as of the date of the passage of Chapter 6413 of the Zoning Ordinance, upon the property where the advertising display has been lawfully erected.

Section 6102.64.5. OPEN SPACE, USABLE. Usable open space is that area of a building site which is landscaped or otherwise developed and maintained for recreation or outdoor living by the occupants. Usable open space shall not include yards or other areas having a width of less than eight feet, except for balconies which may have a minimum horizontal dimension of five feet, or areas devoted to motorized vehicle access or storage.

Section 6102.64.6. OPERATOR OF BAR, CARD ROOM, CLUB OR MEETING HALL. Any person who shall as owner, lessee, employee, agent, or otherwise, operate, keep, maintain, permit or allow to be operated or maintained any bar, card room, club or meeting hall in or upon any building or structure or any portion of a building or structure, or any premises or place.

Section 6102.65. OUTDOOR ADVERTISING. Any card, cloth, paper, metal, wooden, plastic, or painted sign of any character placed for outdoor advertising purposes on or to the ground or any tree, wall, bush, rock, fence, building, structure, advertising, or thing, either privately or publicly owned; provided, however, that "outdoor advertising" does not include:

- (a) Official notices issued by any court or public body or officer;
- (b) Notices posted by any public officer in performance of a public duty or by any person in giving any legal notice;
- (c) Directional, warning or information signs or structure required by or authorized by law or by federal, state or city authority;
- (d) The tree, wall, bush, rock, fence, building, structure, or thing upon which the sign is placed, other than an advertising structure as defined herein.

Section 6102.66. PARKING SPACE. Automobile space within a building or a private or public parking area, exclusive of driveways, ramps, columns, office and work areas, for the parking of one automobile.

Section 6102.67. PARCEL OF LAND. A contiguous quantity of land in the possession of, or owned by, or recorded as the property of the same claimant or person.

Section 6102.68. PERSON. Any individual, firm, co-partnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver syndicate, this, and any other city, municipality, district, or other political subdivision or any other group or combination acting as a unit.

Section 6102.68.2. PUBLIC FACILITIES. Public facilities include facilities and grounds owned or operated by park and recreation districts, schools, fire departments, churches, municipal institutions, and community organizations including clubs, lodges and similar uses.

Section 6102.69.1. REASONABLE ADJUSTMENT. With regard to sign standards, an adjustment made by the director of planning of not more than twenty-five (25) percent.

Section 6102.70. SIGN. Any lettering, symbol, or other thing of visual appearance primarily used for, or having the effect of, attracting attention from the street, sidewalk or other outside public area for advertising or identification purposes. No sign shall be erected, installed or maintained in the city except as expressly authorized by, and in conformity with, the provisions of this Ordinance. For the purpose of this Zoning Ordinance, the term "sign" does not include any of the following:

- (a) Official notices posted by any court, public body or public officer in the performance of a public duty, or by any person giving a legal notice required to be posted by law;
- (b) Official traffic, fire and police related signs, temporary traffic control signs used during construction, utility location and identification signs and markers required to protect such facilities, and any signs required by the city or any other public authority to be erected, installed or maintained; and/or
- (c) Displays of merchandise or products for sale on the premises, or ornamentation, designs, pictures, paintings or other such art forms unless the attraction, because of size, use or nature thereof, has the substantial effect of attracting attention for advertising or identification purposes when viewed from an outside area.

Section 6102.70.1. SIGN, ANIMATED. Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

Section 6102.70.2. SIGN, ABANDONED. Any sign remaining in place or not maintained for a period of more than ninety (90) days which no longer advertises or identifies an on-going business, product, or service available on the parcel where the sign is located.

Section 6102.70.3. SIGN, BANNER. Any sign of lightweight fabric or similar material that is permanently mounted to a pole or a building by a permanent frame at one or more edges. National flags, state, or municipal flags, or the official flag of any institution or business shall not be considered banners.

Section 6102.70.4. SIGN, BULLETIN BOARD. Any sign which accommodates changeable copy and which displays information on activities and events on the premises.

Section 6102.70.5. SIGN, BUILDING. Any sign attached to any part of a building, as contrasted to a freestanding sign.

Section 6102.70.6. SIGN, CANOPY. Any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. A marquee is not a canopy.

Section 6102.70.7. SIGN, CHANGEABLE COPY. A sign or portion thereof with characters, letters, or illustrations that can be changed, rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an

animated sign and not a changeable copy sign for purposes of this Ordinance. A sign on which the only copy that changes in an electronic or mechanical indication of time or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this Ordinance.

Section 6102.70.8. SIGN, COMMERCIAL. A sign which relates solely to the economic interests of the sign user, and includes, but is not limited to any sign that identifies or advertises a business, profession, activity, article of merchandise, property or service that is to be or has been sold or leased or offered for sale or lease.

Section 6102.70.9. SIGN, CONSTRUCTION. A temporary commercial sign stating the names of those persons directly connected with the construction of a real estate development project, and may include their addresses and telephone numbers.

Section 6102.70.10. SIGN, FREESTANDING. Any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from any building or other structure.

Section 6102.70.11. SIGN, INCIDENTAL. A sign, generally informational, that has a purpose secondary to the use of the property on which it is located, such as "no parking," "entrance," "loading only," "telephone," and other similar directives. No sign with a commercial message legible from a position off the property on which the sign is located shall be considered incidental.

Section 6102.70.12. SIGN, MARQUEE. Any sign attached to, in any manner, or made a part of a marquee.

Section 6102.70.13. SIGN, MONUMENT. Any sign which is completely self-supporting, has its base on the ground, and is generally rectangular in form.

Section 6102.70.14. SIGN, NONCOMMERCIAL. Any sign other than a commercial sign and includes, but is not limited to, political signs relating to a candidate for public office or an issue placed or sought to be placed on the ballot.

Section 6102.70.15. SIGN, OFF-PREMISES. Any sign which directs attention to a business, service product, or entertainment not sold or offered or only incidentally sold or offered on the premises on which the sign is located.

Section 6102.70.16. SIGN, PORTABLE. Any sign not permanently attached to the ground or other permanent structure, and designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to, placed or painted on vehicles parked and visible from the public right-of-way, not including signage painted on vehicles used in the normal day-to-day operations of the business.

Section 6102.70.17. SIGN, PROJECTING. Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

Section 6102.70.18. SIGN, REAL ESTATE. A temporary commercial sign advertising the sale or rental of the real property, or any portion thereof, upon which the sign is located and the identification of the person handling such sale, lease or rental.

Section 6102.70.19. SIGN, RESIDENTIAL. Any sign located in a district zoned for residential uses that contains no commercial message or services rendered (e.g., permitted and licensed day care facility).

Section 6102.70.20. SIGN, ROOF. Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

Section 6102.70.21. SIGN, INTEGRAL ROOF. Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends

vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof a space of more than six inches.

Section 6102.70.22. SIGN, SUBDIVISION. A temporary commercial sign advertising single-family dwellings or lots within a subdivision offered for sale or lease for the first time. The term "subdivision sign" also includes a model home sign on the site of a single-family dwelling within the subdivision.

Section 6102.70.23. SIGN, SUSPENDED. A sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Section 6102.70.24. SIGN, TEMPORARY. A sign intended to be displayed for a limited period of time. A temporary sign may be either freestanding or attached to a building, structure, or other object. Any sign that is not "temporary" shall be considered permanent insofar as the provisions of this Ordinance apply to permanent signs.

Section 6102.70.25. SIGN, WALL. Any sign attached parallel to, but within six inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall or any building or structure, which is supported by such a wall or building, and which displays only one sign surface.

Section 6102.70.26. SIGN, WINDOW. Any sign pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside the window or upon the window panes or glass, and is visible from the exterior of the window.

Section 6102.71. SINGLE ROOM OCCUPANCY. A multiple tenant building that houses one or two people in individual rooms (sometimes two rooms, or two rooms with a bathroom or half bathroom), or to the single room dwelling itself. Tenants typically share bathrooms and/or kitchens, while some rooms may include kitchenettes, bathrooms, or half-baths. It is more commonly known by the acronym SRO.

Section 6102.72. SMALL LIVESTOCK FARMING. The raising and/or keeping of more than twelve (12) chicken hens or twelve (12) pigeons or pheasants or twelve (12) similar fowl and/or twelve (12) rabbits, chinchillas, hamsters, guinea pigs, or twelve (12) similar animals or any roosters, quacking ducks, geese, guinea fowls, peafowl, goats, sheep or similar livestock; or the raising and/or keeping for commercial purposes any cats; provided that the term "small livestock farming" as used in this part shall not include commercial kennels, hog farming, dairying or the raising and/or keeping of horses, mules, or similar livestock as determined by the planning commission.

Section 6102.73. STORY. A space in a building between the surface of any floor including a basement floor and the surface of the floor or roof next above but not including any attic or under floor space.

Section 6102.74. STREET. A public or private right-of-way dedicated or conveyed as such or condemned or otherwise acquired for use as such, other than an alley, which affords the principal means of access to abutting property.

Section 6102.75. STAND. Means a structure for the display and sale of products with no space for customers within the structure itself.

Section 6102.76. STRUCTURE. Anything constructed or erected which requires location on the ground or attached to something having a location on the ground but not including a tent or vehicle.

Section 6102.77. STRUCTURAL ALTERATIONS. Any change which would prolong the life of the supporting members of a building or structure such as bearing walls, columns, beams, or girders.

Section 6102.77.1. TARGET POPULATION. Persons with low incomes having one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided under the Lanterman Developmental Disabilities Services Act (Division 4.5, commencing with Section 4500 of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated youth, families, families with

children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

Section 6102.78. TOP SOIL. The immediate surface area of land, consisting either of topsoil or subsoil.

Section 6102.79. TOP SOIL SITE. Premises from which any topsoil is removed or excavated for the purpose of disposition away from the immediate premises whether such disposition is immediate or in the future.

Provided, however, that not to exceed twenty-five (25) cubic yards of topsoil may be removed from anyone's building site after a permit has been secured from the city building inspector for the construction of a permanent structure of the same site without said operation being construed to be topsoil site and coming within the provisions of this part.

Section 6102.80. TOURIST COURT (Motel-Motor Court). A group of attached buildings containing guest rooms or dwelling units, some or all of which have a separate entrance leading directly from the outside of the building with garage attached or parking space conveniently located on the lot and which is designed, used, or intended wholly or in part for the accommodation of automobile transients. Tourist courts include auto courts, motels, and motor lodges.

Section 6102.81. TRAILER. A vehicle without motive power designed to be drawn by a motor vehicle and to be used for human habitation or for carrying persons and property including a trailer coach or house trailer.

Section 6102.81.1. TEMPORARY USES. A prospective stationary use, intended for limited duration, to be located in a zoning district not permitted that use by right, and not continuing the nonconforming use or building.

Section 6102.82. USE. The purpose for which land or premises or a building thereon is designed, arranged or intended, or for which it is or may be occupied or maintained.

Section 6102.83. USE, ACCESSORY. A use incidental and accessory to the principal use of a lot or a building located upon the same lot as the accessory use.

Section 6102.84. YARD. Any space on a lot other than a court, which is open and unobstructed from the ground to the sky except for incidental projections permitted by this part.

Section 6102.85. YARD, FRONT. A yard extending across the full width of the lot, the depth of which is measured horizontally from the front lot line to the nearest wall of any main building or structure upon the lot.

Section 6102.86. YARD, REAR. A yard extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest part of a main building toward the nearest point of the rear lot line.

Section 6102.87. YARD, SIDE. A yard between the sideline of the lot and the nearest line of the building and extending from the front yard to the rear yard.

(Ord. No. 319, § 1, 1-6-2009; Ord. No. 344A, § 1, 7-19-2011; Ord. No. 344D, § 1, 7-19-2011; Ord. No. 344E, §§ 1—3, 7-19-2011; Ord. No. 344F, § 1, 7-19-2011; Ord. No. 353, § 2, 12-20-2011; Ord. No. 380, § 1, 6-17-2014; Ord. No. 361, § 1, 10-1-2013; Ord. No. 388, § 2(A), 3-17-2015)

Section 6103. - Nature and interpretation of zoning.

- (a) This Zoning Ordinance establishes various districts within the City of East Palo Alto within some, all or none of which it shall be lawful, and within some, all or none of which it shall be unlawful to erect, construct, alter, or maintain certain buildings or structures or to carry on certain trades or occupations, or to conduct certain uses of land or buildings; within which the height and bulk of

buildings shall be limited; within which certain open spaces shall be required about buildings and consisting further, of additional appropriate regulations to be enforced in such district, as set forth herein.

- (b) In their interpretation and application, provisions of this part shall be held to be minimum requirements, except where they are expressly stated to be maximum requirements. It is not intended to impair, or interfere with any private restrictions placed upon property by covenant or deed; provided, however, that where this part imposes a greater restriction upon the use of buildings, structures, or premises, or upon the heights of buildings or requires larger yards, courts or other open spaces than are imposed or required by such private restrictions, the provisions of this part shall control.
- (c) Medical marijuana distribution facilities, mobile marijuana dispensaries, and marijuana cultivation, as defined in Chapter 9.32 of the East Palo Alto Municipal Code are prohibited uses in all planning areas and zoning districts in the City of East Palo Alto.

(Ord. No. 351, § 2, 7-19-2011; Ord. No. 395, § 2, 2-16-2016)

Section 6104. - Establishment of planning commission and director of planning.

- (a) *Duties of the director of planning:* The director of planning shall administrate this Zoning Ordinance. He or she may appoint an assistant, who may exercise all of the powers of the director of planning, as the director of planning may prescribe. The director of planning may refer any matter directly to the planning commission when, in his or her opinion, such action will be in the public interest.
- (b) *Duties of the planning commission:* The planning commission shall be empowered to hear and decide the following matters and such other matters as the city council may, from time to time, direct:
 - (1) All applications for design review, tentative parcel and subdivision maps, and the extension thereof;
 - (2) All variances from the strict interpretation of the Zoning Ordinance;
 - (3) Exceptions to off-street parking requirements;
 - (4) All permit renewals;
 - (5) All use permits where development criteria and processing procedures have been adopted by the city council, by ordinance or policy statement, such as permits for auto wrecking, the boarding of horses, certain residential care facilities, certain day care uses, certain on-premises signs and removal of abandoned, wrecked, dismantled or inoperative vehicles;
 - (6) Annual review of use permits conditions; and
 - (7) Projects where either a negative declaration or environmental impact report is required by the Environmental Quality Control Act of 1970.
- (c) *Applications:* Applications shall be made on standard forms supplied by the director of planning. He or she may prescribe the forms and scope of all applications and establish filing deadlines subject to any provisions of state statutes or city ordinances or policies.
- (d) *Filing fees:* Applications for action by the director of planning and/or planning commission shall be accompanied by the fees set forth in the adopted schedule of fees as adopted by the city council as may cover the activities for which application is made.
- (e) *Filing of applications, notices, and setting for public hearing:* Upon the filing of an application, the director of planning shall set the matter for public hearing and such hearing shall be within thirty (30) days of the filing of such application. Public notice of said such hearing shall be given in the manner prescribed by the California Government Code. Hearings shall be held at regular, announced intervals designated by the director of planning. Hearings shall be held at City Hall unless for good cause shown they should be held elsewhere in the city.

- (f) *Hearings:* At the time and place set for public hearing, the planning commission shall hear evidence for and against each application, shall make findings as required by law and shall take such action as in its opinion is indicated by such evidence. Applicants shall bear the same burdens of proof as provided for by state statute or city ordinance and policies. The quantum of proof shall be as required by state statute or city ordinance or policies. Each hearing shall be open to the public. The planning commission may continue from time to time any hearing.
- (g) *Findings:* The planning commission shall make all necessary findings for granting or denying any application as are required by law.
- (h) *Decisions:* A decision may be rendered at the hearing or be taken under advisement. In any event, unless continued for further hearing, written notice of the decision shall be mailed to the applicant by first-class mail at the address set forth in the application and to any other person who has filed a written request therefor with the director of planning.
- (i) *Rules of procedure:* The planning commission shall operate under the same rules of procedure, insofar as they are applicable, as those adopted by the city council.
- (j) *Appeals:* All decisions of the director of planning shall be subject to appeal by the applicant or any interested party to the planning commission and all decisions of the planning commission shall be subject to appeal by the applicant or any interested party to the city council as set forth in Chapter 30 of this part.

(Ord. No. 284, § 1, 3-2-2004)

Section 6105. - Extensions of approval.

Notwithstanding any other provision of this appendix, all discretionary approvals granted pursuant to this appendix that pertain to a development project included in a tentative map or tentative parcel map shall be extended for the period of time that the tentative map or tentative parcel map remains in effect and has not expired.

(Ord. No. 324, § 3, 8-3-2009)

Chapter notes:

(Sections 6102.70.1 through 6102.70.26, Sections 6102.25.1, 6102.25.2, 6102.33.6, 6102.34.1, 6102.62.1, 6102.64.4, and 6102.69.1 - Added by Ordinance No. 192 - January 23, 1996)

(Section 6102.81.1. - Added by Ordinance No. 191- January 26, 1996)

CHAPTER 2. - DISTRICTS

Section 6110. - Designation of districts.

The districts established by this part are as follows:

District:	
R-1	One-Family Residential Districts
R-2	Two-Family Residential Districts

R-M	Multiple-Family Residential Districts
PUD	Planned Unit Development Districts
COSC	Community Open Space Conservation Districts
P	Parking Districts
O	Office Districts
OR	Office Residential Districts
C-1	Neighborhood Business Districts
C-2	General Commercial Districts
M-1	Light Industrial Districts
M-2	Heavy Industrial Districts
RM	Resource Management Districts

Section 6111. - Combining districts.

In addition to the foregoing districts, there are hereby established, for combination with the districts set forth in Section 6110 above, certain non-residential combining districts as set forth in Chapter 20.

Section 6112. - Establishment of districts.

- (a) The districts listed in Sections 6110 and 6111 of this chapter are hereby established insofar as their designations, locations, and boundaries are set forth and indicated on the zoning map which comprises Section 6114 of this part. This zoning map shows the designation, locations, and boundaries of each adopted district, and the location and depth of certain setback lines.
- (b) The Flood Insurance Rate Map (FIRM) constitutes Section 6114 of this part, and all notations, references, data, and other information shown thereon are made a part of this part.

Section 6113. - District boundaries.

Where uncertainty exists as to the boundaries of any of the aforesaid districts as described as aforesaid or as shown on said sectional district maps, the following rules shall apply:

- (a) Where such boundaries are indicated as following streets and alleys, the centerlines of such streets and alleys shall be construed to be such boundaries.
- (b) Where such boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be such boundaries.

- (c) In unsubdivided property or where a district boundary divides a lot, the location of any such boundary, unless the same is indicated by dimensions shown upon said sectional district maps, shall be determined by the use of the scale appearing on such sectional district maps.
- (d) In case further uncertainty exists, the planning commission, upon written application or upon its own motion, shall determine the exact location of such boundaries.

Section 6114. - Zoning map.

A zoning map is hereby established by this section to delineate the city's zoning districts established by Section 6112 and named in Sections 6110 and 6111.

Section 6115. - Flood zone rate map (FIRM).

This section incorporates the Flood Insurance Rate Map (FIRM), as published by the Federal Emergency Management Agency, which delineate areas of special flood hazards, as defined in Chapter 35 of this part.

Section 6116. - Effect of establishment of districts.

Except as hereinafter otherwise provided:

- (a) No building or structure shall be erected and no existing building or structure shall be moved, altered, added to or enlarged nor shall any land, building or structure, or premises be used, designed or intended to be used for any purpose or in any manner other than those included among the uses hereinafter listed as permitted in the district in which such building or structure, land, or premises is located.
- (b) No building or structure shall be erected, reconstructed, or structurally altered to exceed in height the limit hereinafter designated for the district in which such building or structure is located.
- (c) No building or structure shall be erected, nor shall any existing building or structure be altered, enlarged, or rebuilt except in conformity to the lot area, yard, court, and building or structure location regulations hereinafter set forth for the district in which such building or structure is located.
- (d) No yard or other open space provided about any building for the purpose of complying with the provisions of this part shall be considered as providing a yard or open space for any other building, and no yard or other open space on one lot shall be considered as providing a yard or open space for a building on any other lot.
- (e) No parking area or garage space provided on a lot for the purpose of complying with provisions of this part shall be reduced in area or capacity or be considered as providing parking area or garage space, or yard, court, or other open space required for any building or use on any other lot except as hereinafter provided.
- (f) No lot or other premises shall be divided, subdivided or otherwise reduced to result in an area less than the minimum lot area specified by this part for the district in which such lot is situated. Any division of property made in violation of this provision or in violation of the provisions of the City of East Palo Alto Subdivision Ordinance or the Subdivision Map Act shall not be recognized for the purposes of determining lots, parcels or building sites in the application of this part.

Chapter notes:

(Sections 6102.70 and 6102.71 - Amended by Ordinance No. 138 - December 16, 1991)

CHAPTER 3. - PARKING

Section 6117. - Required parking spaces.

In all districts there shall be provided at the time of the erection of any main building or structure, or at the time any main building or structure is enlarged or increased in capacity, off-street parking spaces for automobiles and bicycles in accordance with the schedule set forth in Section 6119 of this chapter.

An exception to the requirement for additional parking spaces is that an existing single-family home may be increased to up to four bedrooms without the addition of parking spaces so long as there are two parking spaces in a driveway.

(Ord. No. 380, § 2, 6-17-2014)

Section 6118. - General automobile requirements.

(a) *Size and access:*

- (1) Each standard parking space shall be not less than eighteen (18) feet in length and nine feet in width, exclusive of aisles and access drives. Each parallel standard parking space shall be not less than twenty-three (23) feet in length and eight feet in width. If parking is within a residential garage, and there is a minimum clear space of twenty (20) feet in length and ten (10) feet in width, the parking space may be eighteen (18) feet in length and nine feet in width.
- (2) Each compact parking space shall be not less than sixteen (16) feet in length and eight feet in width, exclusive of aisles and access drives. Each parallel compact parking space shall be not less than nineteen (19) feet in length and eight feet in width. With respect to any commercial, office, industrial or multifamily development, up to forty (40) percent of the required off-street parking spaces may consist of compact parking spaces. However, for housing developments granted a density bonus by the planning commission, up to fifty (50) percent of the required off-street parking spaces may consist of compact parking spaces.
- (3) All parking spaces, except parallel spaces, shall be marked by double strips two feet apart and the width of each space shall be measured from center to center of the double strips. This provision does not apply to single-family detached properties.
- (4) Each parking space shall be accessible from a street or alley, independent of any other parking space; provided, however, in the case of off-street parking for a single-family dwelling or a second unit, tandem parking spaces within a garage or carport or elsewhere on the site is allowed.

(b) *Location:* Parking spaces required in connection with new residential uses shall be provided in private garages or carports located on the same building site as the main building. Parking spaces required in connection with the expansion of existing single-family residential uses may be uncovered. Notwithstanding the foregoing, where a single-family dwelling is being constructed or expanded upon a legally created lot which is nonconforming with respect to the lot area and such construction or expansion is subject to design review approval pursuant to Chapter 26, the use of the driveway for required parking spaces and/or tandem parking may be allowed provided that the length of the driveway is at least twenty (20) consecutive feet, excluding any public right-of-way.

(c) Parking spaces required in connection with uses permitted in "C" or "M" zones shall be provided in off-street parking areas located within one thousand (1,000) feet of the building such spaces are to serve.

(d) *Units of measurement:*

- (1) For the purpose of this chapter, "floor area" in the case of offices, merchandising or service types of uses shall mean the gross floor area used, or intended to be used, for service to the public as customers, patrons, clients or patients, or as tenants, including areas occupied by fixtures and equipment used for display or sale of merchandise. It shall not include areas used principally for non-public purposes such as storage, incidental repair, processing or packaging of merchandise, for show windows, for offices incidental to the management or maintenance of

stores or buildings, for toilet or restrooms, for utilities, or for dressing rooms, fitting or alteration rooms.

- (2) In hospitals, bassinets shall not be counted as beds.
 - (3) In stadia, sports arenas, churches and other places of assembly in which patrons or spectators occupy benches, pews, or other similar seating facilities, each twenty (20) inches of such seating facilities shall be counted as one seat for the purpose of determining requirements for off-street parking facilities under this part.
 - (4) When units of measurements determining number of required parking spaces result in requirement of a fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall require one parking space.
- (e) *Change in use—Additions and enlargement:* Whenever in any building there is a change in use, or increase in floor area, or in the number of employees or other unit measurements specified hereinafter to indicate the number of required off-street parking spaces and such change or increase creates a need for an increase of more than ten (10) percent in the number of off-street parking spaces as determined by the tables in this chapter, additional off-street parking spaces shall be provided on the basis of the increased requirements of the new use, or on the basis of the total increase in floor area or in the number of employees, or in other unit of measurement provided. However, that in case a change in use creates a need for an increase of less than five off-street parking spaces, no additional parking facilities shall be required.
- (f) *Mixed occupancies and uses not specified:* In the case of a use not specifically mentioned in subsection (b) of this section, the requirements for off-street parking facilities for a use which is so mentioned and to which said use is similar shall apply. In the case of mixed uses, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Off-street parking facilities for one use shall not be considered as providing required parking facilities for any other use except as hereinafter specified for joint use.
- (g) *Collective provision:* Nothing in this chapter shall be construed to prevent collective provisions of off-street parking facilities for two or more buildings or uses, provided that the total of such off-street parking spaces supplied collectively shall not be less than the sum of the requirements for the various uses computed separately.
- (h) *Joint use:* Not more than fifty (50) percent of the off-street parking facilities required by this chapter for a theater, bowling alley, dance hall, or an establishment for the sale and consumption on the premises of alcoholic beverages, food or refreshments and up to one hundred (100) percent of such facilities required for a church or an auditorium incidental to a public or parochial school, may be supplied by off-street parking facilities provided for other kinds of buildings or uses, as defined below, not normally open, used or operated during the principal operating hours of theaters, churches or the aforesaid establishments and not more than fifty (50) percent of the off-street parking facilities required by this chapter for a building or use, as defined below, other than theaters, churches or the aforesaid establishments may be supplied by such facilities provided for theaters, churches, or the aforesaid establishments, provided that a properly drawn legal instrument is executed by the parties concerned for the joint use of the off-street parking facilities which instrument, duly approved as to form and manner of execution by the city attorney, shall be filed with the application for a building permit.
- (i) Buildings or uses not normally open, used or operated during the principal operating hours of theaters, churches, or the aforesaid establishments are defined as banks, business offices, retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair or service shops, and manufacturing buildings and similar uses.

(Ord. No. 380, § 3, 6-17-2014)

Section 6119. - Automobile parking spaces required.

The number of off-street parking spaces required shall be set forth in the following table:

<u>USE</u>	<u>PARKING SPACES REQUIRED</u>
DWELLINGS	
DWELLING UNIT NO. OF BEDROOMS:	
Zero to 1	1
2 to 4	2
5 to 6	3
More than 6	1 additional space for every bedroom above 6
Parking spaces for single-family dwelling units may be uncovered	
APARTMENTS	1 space for each dwelling unit having 0 bedrooms or studio apartment.
	1.2 spaces for each dwelling unit having 1 bedroom.
	1.5 spaces for each dwelling unit having 2 bedrooms.
	2 spaces for each dwelling unit having 3 or more bedrooms.
	Plus 1 additional uncovered guest parking space for

	each 5 units.
HOUSING, AFFORDABLE	Same number of spaces required for dwellings or apartments as applicable, except for the provisions of Section 6118(a).
HOUSING, RENTAL	Same number of spaces required for dwellings or apartments as applicable except for the provisions of Section 6118(a).
ROOMING HOUSES, LODGING HOUSES, CLUB ROOMS, FRATERNITY HOUSES	1 for the first 3 guest bedrooms plus 1 for each additional 3 guest bedrooms or fraction thereof.
AUTO COURTS, MOTELS	1 for each individual sleeping unit, or dwelling unit.
HOTELS	1 for each 4 guest bedrooms.
AUTOMOBILE SALES, AUTOMOBILE REPAIR	1 space for every 500 sq. ft. of floor area.
CONVALESCENT HOMES, SKILLED NURSING FACILITIES, HOSPITALS	1 for each 5 beds.
THEATERS	1 for each 5 seats.

STADIA, SPORTS ARENA AUDITORIUM	1 for each 5 seats.
ORPHANAGES	1 for each 10 beds.
CHURCHES	1 for each 4 seats in the main worship unit.
SCHOOLS	1 for each classroom, plus 1 for each 100 sq. ft. in the Auditorium, or any space so used.
DANCE HALLS, ASSEMBLY HALLS WITHOUT FIXED SEATS, EXHIBITION HALLS, MEETING HALLS, CLUBS, CARD ROOMS	Four (4) for each 100 sq. ft. of floor area used for dancing or assembly.
BOWLING ALLEYS	3 for each alley.
MEDICAL OR DENTAL CLINICS, BANKS, BUSINESS OFFICES, PROFESSIONAL OFFICES	1 for each 200 sq. ft. of floor area.
ESTABLISHMENTS FOR THE SALE AND CONSUMPTION (ON THE PREMISES) OF ALCOHOLIC BEVERAGES, FOOD OR REFRESHMENTS	1 for each 3 seats or stools.
MORTUARIES OR FUNERAL	10 for each room used as a chapel room or slumber room, or parlor, or 1 for each 25 sq. ft. of floor area of

	assembly rooms used for services, whichever amount is greater.
WAREHOUSES	1 space for each 2 employees on largest shift.
ALL USES NOT ENUMERATED ABOVE WHICH ARE PERMITTED IN "C" OR "H" DISTRICTS	1 for each 160 sq. ft. of gross floor area excluding basement and storeroom.
ALL USES NOT ENUMERATED ABOVE WHICH ARE PERMITTED IN "M" DISTRICTS	1 space for each 2 employees on largest shift; in no case less than 1 space for each 2,000 sq. ft. of floor area.

(Ord. No. 380, § 4, 6-17-2014)

Section 6120. - Exceptions.

In cases of practical difficulties and unusual hardship, the planning commission may, after proper hearings, recommend exceptions to the foregoing requirements.

Application for an exception shall be made and an exception may be issued under the same procedure as that specified in Chapter 25 of this part for the granting of a variance, except that no public hearing need be held thereon and the findings of the planning commission need include only that establishment, maintenance and/or conducting of the off-street parking facilities as proposed are as nearly in compliance with the requirements set forth in Section 6119 hereof as are reasonably possible. At the time of applying for such exception, the applicant shall pay to the planning commission a filing fee set by resolution of the city council.

Section 6121. - Parking areas, development and maintenance.

(a) Every parcel of land hereafter used as a public or private parking area shall be developed and maintained as follows:

- (1) Screening: Automobile parking facilities for more than ten (10) vehicles shall be effectively screened on each side which adjoins or faces premises situated in any R-1, R-2, or R-M district by a solid masonry wall. Such wall shall not be less than six feet in height, except within required front yard areas and shall be maintained in good condition. Screen planting or wooden fences may be substituted for aesthetic reasons, or in cases of practical difficulties or unusual hardship, provided that the design and plant material is approved by the director of planning and a bond to guarantee the installation and maintenance of said screen planting or fencing, for a period of three years, is posted with the planning commission.

- (2) Surface of Parking Area: Any automobile parking area for more than ten (10) vehicles shall be surfaced with an asphalt or Portland cement binder pavement so as to provide a durable and dust-free surface and shall be so graded and drained as to dispose satisfactorily of all surface water accumulation within the area.
- (3) Protective Installation: To insure the proper maintenance and utilization of these facilities, public parking areas shall be designed so that a parked vehicle does not overhang required sidewalks, planters, or landscaped areas. A permanent curb, bumper, wheel stop, or similar device shall be installed which shall be adequate to protect the required sidewalks, planters, or landscaped areas from vehicular overhang and to protect any structure from vehicular damage. If such protection is provided by means of a method designed to stop the wheel rather than the bumper of the vehicle, the stopping edge shall be placed no closer than two feet from the edges of the required sidewalks, planter, or landscaped areas and from any building. The director of planning may require other barrier curbs or wheel stops as deemed necessary to protect areas within or adjacent to the parking area from vehicular encroachment.
- (4) Landscaping: A planter or landscaped area of at least four feet wide shall be provided adjacent to all street rights-of-way. In addition, any area within the street right-of-way between the edge of the sidewalk and the outer edge of the right-of-way shall be developed as a planter or landscaped area in conjunction with the required four-foot area above, unless this requirement is waived by the city engineer. Where a parking area has a capacity of more than ten (10) parking spaces, landscaped areas including the above four-foot street buffer strip shall not be less than five percent of the total parking lot area.

Live landscaping shall be provided and maintained within any planter or landscaped area required by this section. Not more than thirty (30) percent of the planter or landscaped area may be covered with hard surfaces such as gravel, landscaping rock, concrete, or other impervious materials. Such landscaped area or planter shall create the visual and physical separation necessary to reduce the traffic hazards between pedestrians and vehicles.

(b) Parking spaces for residential tenants.

- (1) Required parking spaces shall not be rented, leased or otherwise conveyed to or used by any person who is not a tenant of, visitor to, or employee for which the parking spaces are required. Parking spaces developed in excess of the minimum required for the use they are intended to serve may however be rented or leased to any other business or industry.
- (2) For tenancies beginning after June 1, 2014, it is unlawful for any manager or owner of any residential unit to separately charge, require or receive a fee, rent or other remuneration from a resident of the residential unit for the use of the off-street parking required by this chapter (other than from the consideration received for the rent or lease of the dwelling and its appurtenant parking spaces). That parking space is considered an inseparable part of the rented premises.
- (3) Required covered and uncovered spaces for residential units shall be permanently maintained and shall not be used for the storage of boats or other similar recreational vehicles.
- (4) All on-site legal parking spaces in residential properties must be made available to the occupants of the property. For those properties developed after June 1, 2014, the occupants of each unit will have use of the parking that was developed for its unit. For those properties developed before June 1, 2014, and that have less than two covered parking spaces per unit and where the property owner lives at the multi-unit property, the property owner may reserve for his or her personal use two uncovered or covered legal parking spaces which must be contiguous if available. The remaining on-site legal parking spaces not utilized by the property owner must then be divided among the tenants.
- (5) If a landlord removes an on-site, off-street parking space housing service from a tenancy in violation of this section:
 - a. The tenant may apply for a rent decrease by an amount commensurate with the value of the removed parking space for the temporary period of time during which the space is removed;

- b. The landlord shall be subject to criminal prosecution; and
 - c. The city may bring a civil action for injunctive relief.
- (6) Nothing in this section is intended to penalize a temporary removal of a parking space reasonably necessitated by required repair or maintenance.
- (7) Nothing in this section is intended to prohibit a landlord and tenant from voluntarily agreeing to the substitution of one parking space for another at the same property.
- (c) Parking spaces for commercial tenants.
- (1) Parking spaces for the automobiles of customers and employees for any business in any zone shall be permanently maintained and shall not be utilized for the storage of merchandise, materials or service vehicles specifically maintained for the business or for any other individual or business.
 - (2) Required parking spaces shall not be rented, leased or otherwise conveyed or used by any person who is not a tenant of, visitor to, or employee which the parking spaces are required. No employee shall be restricted from using the parking spaces required for the use where he or she is employed. Parking spaces developed in excess of the minimum required for the use they are intended to serve may however be rented or leased to any other business or industry.

(Ord. No. 375, § 1, 5-6-2014)

Chapter notes:

(Section 6118(a) - Amended by Ordinance No. 117 - October 26, 1989)

(Sections 6118(b) - Amended by Ordinance No. 132 - April 15, 1991)

CHAPTER 4. - NONCONFORMING USES

Section 6130. - [Lawful use of existing nonconformity.]

Except as otherwise provided in this chapter, the lawful use of land, buildings, or structures existing at the time of the adoption of this part may be continued, although such use does not conform to the regulations specified by this part for the district in which such land, building or structure is located; provided, however, that no such nonconforming use may be extended to occupy a greater area of land, building or structure than that occupied by such use at the time of the adoption of this part; provided further, that if any such nonconformity use is abandoned, any subsequent use of such land or building shall be in conformity to the regulations specified by this part for the district in which such land is located.

If any use is wholly discontinued for any reason except pursuant to an order of court for a period of one year, it shall be conclusively presumed that it has been abandoned within the meaning of this chapter.

Section 6131. - [Nonconforming use of land.]

Where no building or structure is involved, the nonconforming use of land may be continued for a period of not more than three years from the time such land use became nonconforming under the terms of this part.

Section 6132. - [Assessed valuation.]

Any nonconforming building or structure that had an assessed valuation of five hundred dollars (\$500.00) or less as shown on the assessment roll of the San Mateo County Assessor at the time of the adoption of this part or at the time it may become nonconforming by virtue of any amendment hereto shall

be completely removed from the premises upon which it is located within five years from the date of the adoption of this part.

Section 6133. - [Nonconforming existing on-premises signs.]

1. All existing signs which have been legally permitted and/or authorized by the City of East Palo Alto or a preceding jurisdiction, but do not meet the size, location, or similar measurement or placement standard established by this Zoning Ordinance are deemed legal, nonconforming and shall be required to comply with the amortization provisions of this chapter during the following time periods:
 - (a) Signs painted on buildings, walls or fences — Two years from July 1, 2011;
 - (b) All other signs — Seven years from July 1, 2011.
2. All existing signs located in the Ravenswood/4 Corners Specific Plan Project Area which were installed between September 4, 2012 and November 1, 2013 which have been legally permitted and/or authorized by the City of East Palo Alto or a preceding jurisdiction, but do not meet the size, location, or similar measurement or placement standard established by this Zoning Ordinance are deemed legal, nonconforming and shall be required to comply with the amortization provisions of this chapter during the following time periods:
 - (a) Signs painted on buildings, walls or fences — Two years from February 7, 2014;
 - (b) All other signs — Seven years from February 7, 2014.
3. No nonconforming sign shall be in any manner altered, reconstructed, moved or its face changed without being made to comply in all respects with this chapter. Normal maintenance or repair of any nonconforming sign, as determined by the chief building official or director of planning, is not prohibited by this section.
4. The amortization provisions of this section are not intended to apply to billboards visible from a state highway.

(Ord. No. 372, § 1, 1-7-2014)

Section 6134. - [Intended district use.]

In all "R" districts as set forth in this part, every nonconforming building or structure which was designed, arranged or intended for a use or uses permitted in "C" or "M" districts but not in "R" districts under this part shall be completely removed or shall be altered, converted, and used as a structure in conformance in every respect with the provisions of this part when such nonconforming buildings or structures reach the ages specified in Section 6135 of this chapter. The age of such buildings or structures shall be computed from the date the building or structure was erected. Provided, however, that no such removal, alteration or conversion shall be required within ten (10) years from the effective date of this part.

Section 6135. - [Building or structures defined.]

Buildings or structures defined in the Uniform Building Code of the City of East Palo Alto adopted by city council, as Type I and/or Type II fifty (50) years; Type III and Type IV forty (40) years; Type V thirty (30) years.

Section 6136. - [Abandonment.]

If a nonconforming use hereunder is abandoned for a continuous period of not less than six months, any future use of said building shall be in conformity to the regulations specified in this part for the district in which said building is located. If any use is wholly discontinued for any reason except pursuant to an order of court for a period of one year, it shall be conclusively presumed that it has been abandoned within the meaning of this chapter.

Section 6136.5. - [Adult entertainment uses.]

Adult entertainment uses which do not conform to any regulations of this part, either at the date of adoption of this section or any future date shall be, within one year of such date: (a) made to fully conform to the regulations of this part; (b) converted to another use which fully conforms to the regulations of this part; or (c) discontinued.

Section 6137. - [Enlarged, reconstructed or structurally altered nonconformities.]

- (a) Any building which was erected lawfully and permitted under regulations of this part or prior to the effective date of this part, the use of which is no longer permitted under the regulations of this part, shall not be enlarged, reconstructed or structurally altered. Work may be permitted on such buildings for ordinary structural maintenance and repairs or replacements of fixtures, plumbing and wiring. Such permitted work shall not exceed twenty-five (25) percent of the replacement value of the building within any twelve-month period.
- (b) For the purposes of this chapter, replacement value shall be determined by the latest available International Conference of Building Officials Building Valuation Data, or as otherwise established by the Construction Services Division.
- (c) Any legally constructed residential structure (as verified through building permit records, assessor's records or an inspection by the planning director or building official) may be structurally altered. The planning director and building official shall review existing placement of structures on the property to determine if the existing placement significantly violates current setback and/or building code provisions, or if the structure is detrimental to the public health, safety or welfare of the city. If the structure is considered to contain significant violations or be detrimental to the public health, safety or welfare of the city, modifications to the structure may be requested at the time of the proposed addition by the planning director or building official to reduce its degree of nonconformity or improve building code compliance. If the existing structure encroaches into one, two or three required setbacks by more than fifty (50) percent of the current required setback, and structural modifications are proposed which exceed twenty-five (25) percent of the current floor area of the existing structure within a twelve-month period, those portions of the structure which encroach into the current required setbacks shall be removed as part of the proposed modifications. Requested modifications will be limited to no more than (50) percent of the value of the proposed addition.

Section 6138. - [Reconstruction, repairing or rehabilitation.]

Should any building which does not conform with the regulations of this part be destroyed by natural disaster, fire, act of God, war or other similar event to the extent that reconstruction, repairing, or rehabilitation of the building would amount to more than seventy-five (75) percent of the replacement value of the building, such building shall be subject to all of the regulations of this part.

Section 6139. - [Foregoing provisions.]

The foregoing provisions shall also apply to nonconforming uses in districts hereafter changed.

Section 6140. - [Actual construction lawfully begun prior to the establishment of any district.]

Nothing contained in this part shall be deemed to require any change in the plans, construction or designated use of any building upon which actual construction was lawfully begun prior to the establishment of any district under the provisions of this part which includes such building and in which district a building permit is required after the establishment of such district and upon which building actual construction has been diligently carried on.

Section 6141. - [License or permit is required.]

In every case in which, under the provisions of any city ordinance in effect at the date this part takes effect, a license or permit is required for the establishing, maintaining or conducting of any business use

and any such business use exists as a nonconforming use under the provisions of this part, then no such license or permit shall be authorized, issued, renewed, re-issued or extended for said business use unless and until a use permit as provided in Chapter 24 of this appendix shall first have been secured for the continued maintenance or conducting of said business use.

Section 6142. - [Subject to abatement as nonconforming uses.]

(a) Where uses or structures extend beyond the time periods provided in this chapter, and become subject to abatement as nonconforming uses, the planning commission or the city council on appeal, may upon application grant an exemption from the provisions of Sections 6132, 6134—6136, and/or 6138 and 6139 of this chapter to allow continued nonconforming land use provided the following required findings can be made:

- (1) The use will not be injurious to the public health, safety or welfare of the city or surrounding neighborhood; and
- (2) The use will not adversely affect the character of the surrounding area; and
- (3) The use will not create a significant impact on the environment.

Any exemption may be conditioned as deemed appropriate by the planning commission or city council.

(b) Upon receipt of said application, the planning commission shall hold at least one public hearing thereon, notice of which shall be given by:

- (1) One publication in a newspaper of general circulation in the city within ten (10) days preceding the date of said hearings; and
- (2) Mailing a notice, not less than ten (10) days prior to the date of said hearing, to property owners (as shown on the last equalized assessment roll) within three hundred (300) feet of the exterior limits of the property(ties) which is the subject of the exemption.

Section 6143. - Appeal procedures.

Any appeal of the decision of the planning commission pertaining to a nonconforming use shall follow the appeal procedures as set forth in Chapter 30 of these Zoning Regulations.

(Ord. No. 284, § 22, 3-2-2004)

Chapter notes:

(Section 6137(c) - Added by Ordinance No. 245 - October 2, 2000)

CHAPTER 6. - "R-1" DISTRICTS (SINGLE-FAMILY RESIDENTIAL DISTRICTS)

Section 6160. - Purposes of chapter.

In addition to the objectives set forth in Section 6101, the single-family residential districts are included in this Zoning Ordinance to achieve the following purposes:

- (a) To reserve appropriately located areas for family living at a reasonable range of population densities consistent with sound standards of public health and safety.
- (b) To ensure adequate light, air, privacy and open space for each single-family dwelling unit.
- (c) To protect single-family dwellings from the congestion and lack of privacy associated with multifamily dwellings.
- (d) To provide space for community facilities needed to complement residential areas and for institutions which require a residential environment.

- (e) To protect residential properties from the hazards, noise and congestion created by commercial and industrial uses.
- (f) To protect residential properties from fire, explosion, noxious fumes, noise, excessive light or glare and other hazards.

Section 6161. - Permitted and conditional use table.

The following uses are either permitted or subject to the granting of a use permit pursuant to Chapter 24 of this Ordinance:

Land Use:	Permitted Use	Conditional Use
ACCESSORY STRUCTURES: Located on the same site as the permitted use, including garages, carports, garden sheds, greenhouses, shade structures, recreation rooms and home hobby shops.	X	
AGRICULTURAL USES: Raising of fruit and nut trees, vegetables and horticultural specialties, not including commercial nurseries, greenhouses over 1,000 square feet, or storage of landscaping equipment, products or supplies for commercial uses.	X	
ANIMALS: (See additional provisions at the end of this table.)*	X	
CHARITABLE ORGANIZATIONS AND INSTITUTIONS		X
DAY CARE (LARGE FAMILY) PRIOR TO OCTOBER 19, 1992: As defined in Section 1596.78(a) of the Health and Safety Code, which are duly licensed pursuant to Division 2, Chapter 3.6 of the Health and Safety Code (commencing with Section 1597.30).	X	
DAY CARE (LARGE FAMILY, more than 12 children): As defined in Section 1596.78(a) of the Health and Safety Code, which are duly licensed pursuant to Division 2, Chapter 3.6 of the Health and Safety Code (commencing with Section 1597.30).		X
DAY CARE (SMALL FAMILY, 12 children Max.): As defined in section 1596.78(b) of the Health and Safety Code, which are duly licensed pursuant to Division 2, Chapter 3.6 of the Health and Safety Code (commencing with Section 1597.30).	X	
DAY CARE (COOPERATIVE): Any cooperative arrangement between parents for the care of their children which satisfies all of the conditions set forth in Section 1596.792(e) of the Health and Safety Code, and is therefore exempt	X	

from regulation under Chapter 3.4 (commencing with Section 1596.70), Chapter 3.5 (commencing with Section 1596.90), Chapter 3.6 (commencing with Section 1597.30).		
HOME BUSINESS: With a home business permit (see Chapter 19).	X	
INSTITUTIONAL AND COMMUNITY FACILITIES		X
PUBLIC BUILDINGS, FACILITIES AND USES		X
PUBLIC UTILITY USES, FACILITIES AND STRUCTURES such as power stations, pumping stations, drainage ways and structures, storage tanks and transmission lines.		X
RELIGIOUS INSTITUTIONS, BUILDINGS OR FACILITIES		X
RESIDENTIAL (MODEL HOMES) utilized in connection with the sale of new single-family dwellings in a subdivision, located upon a lot within the same subdivision or, in the discretion of the planning commission, upon a lot within another subdivision developed by the applicant, for such period of time as determined by the planning commission, not to exceed an initial term of one year and not exceeding a term of one year for each extension thereof.		X
RESIDENTIAL (SECOND UNITS) as authorized by a use permit granted pursuant to Chapter 22.5 of this Ordinance, on lots greater than 6,500 square feet.		X
RESIDENTIAL (SINGLE-FAMILY DWELLING)	X	
SCHOOLS AND OTHER EDUCATIONAL FACILITIES		X
SOCIAL CLUBS OR MEETING FACILITIES (NONCOMMERCIAL)		X
STABLES AND CORRALS for the keeping of horses for private use, provided that not less than one acre of net site area shall be required for two horses and not less than an additional one-half acre of net site area shall be required for each additional horse.		X
SUPPORTIVE HOUSING	X	
SWIMMING POOLS used solely by persons resident on the site and their guests.	X	

TRANSITIONAL HOUSING	X	
OTHER USES which are similar in nature to a permitted or conditional use as determined by the planning director.		

* ANIMALS (KEEPING PROVISIONS):

The keeping for private use of a reasonable number of domestic dogs, cats or other small mammals, birds, fish and small reptiles, subject to the following restrictions and standards:

1. All animals shall be kept as pets only, and not for sale, experimental or commercial purposes.
2. Animals shall at all times be confined to the site, unless restrained or caged in direct control of the owner or person having custody of the animal.
3. No animals shall be permitted which are vicious, poisonous, wild or dangerous, or which cause any raucous outcry or other noise disturbing to the peace and quiet of the neighborhood, or otherwise constitute a hazard to the public health, safety or welfare and all such animals are hereby declared to be a public nuisance.
4. The factors to be considered in determining whether the number of animals upon a site is reasonable shall include, but are not limited to the following:
 - The size of the site or portion thereof on which the animals are kept.
 - The type of animals and extent of noise.
 - Odor or other adverse impacts upon the occupants of neighboring properties the animals may cause by their presence on the site.
 - The proximity of other dwelling units.
 - The manner in which the animals are confined upon the site.
 - The propensity of the animals to cause injury or damage to persons or property.

(Ord. No. 344E, § 4, 7-19-2011)

Section 6162. - One dwelling limit per site.

Not more than one dwelling unit shall be located on each site, except for a second unit authorized by a use permit granted pursuant to Chapter 22.5 of this Ordinance.

Section 6164. - Development standards.

The following development standards shall apply to R-I-5000 lots:

Site Area	Site Frontage	Site Width	Site Depth	Structure Coverage	Floor Area Ratio
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5,000 sq. ft	50 ft.	50 feet	100 ft.	50% net	55%
6,000 sq. ft.	60 ft.	60 ft.	100 ft.	50% net	55%

Front Yard ¹	Side Yard	Corner Vision Triangle	Rear Yard ² 1st Story	Rear Yard 2nd Story
10/20 ft.	3 ft.	12 ft.	10 ft.	10 ft.
10/20 ft.	3 ft.	12 ft.	10 ft.	10 ft.

¹ Setback for the living area is 10 ft., but for the garage is 20 ft.

² The 10-foot setback requires a minimum of 750 sq. ft. of usable rear yard area; otherwise development is not allowed.

(Ord. No. 344A, § 2, 7-19-2011; Ord. No. 380, § 5, 6-17-2014)

Section 6164.1. - Front and side setback increase over eighteen feet in height.

Where a new structure or an addition to an existing structure will exceed eighteen (18) feet in height, the required setback from the front and side property lines of the site shall be increased by one foot for each two feet of height in excess of eighteen (18) feet, such increased setbacks to be imposed only with respect to that portion of the new structure or addition that exceeds eighteen (18) feet in height. Up to fifty (50) percent of the proposed structure can utilize the single story side setback for a structure; provided that the area where the addition will occur will not reduce light, air and privacy to adjoining properties. The planning commission, as part of the design review process, can permit more than fifty (50) percent of the proposed structure to utilize the single story setback if the proposal exhibits exceptional design.

Section 6164.2. - Setbacks for narrow lots.

Side setbacks for existing, legally subdivided lots which do not meet current minimum zoning standards with respect to width can be reduced to no less than ten (10) percent of the lot width or three feet, which ever is greater. This provision applies only to portions of the structure under eighteen (18) feet in height. Where a new structure or an addition to an existing structure will exceed eighteen (18) feet in height, the required setback from each property line of the site shall be increased by one foot for each two feet of height in excess of eighteen (18) feet, such increased setbacks to be imposed only with respect to that portion of the new structure or addition that exceeds eighteen (18) feet in height.

Section 6164.3. - Additional development standards.

(a) On a flag lot with an average width that exceeds its average depth, the longer dimension may be considered the depth for the purpose of measuring the front, side and rear yards.

- (b) Certain architectural features may encroach into a required yard, in accordance with the provisions of Sections 6406(a), (b) and (c).
- (c) Where a single-family residence has an attached garage with the garage door facing a street, the exterior garage face wall and/or garage door must be set back an additional three feet from the required minimum front or exterior side yard setback.
- (d) Where design review approval is requested for three or more single-family dwellings to be constructed upon contiguous lots within the same subdivision, the planning commission shall have the authority to reduce any of the side or rear requirements prescribed in this section, without the granting of a variance, if the commission finds and determines that:
 - (1) The reduction in the size of one yard will be offset by an equal or greater increase in the size of another yard on the same lot; and
 - (2) The reduction will enable a more advantageous placement of the dwelling on the site in terms of increasing useable open space, or minimizing privacy impacts, or enhancing the aesthetic appearance of the dwelling in relation to other structures on adjacent sites.

(Ord. No. 380, § 6, 6-17-2014)

Section 6164.4. - Minimum design standards.

All new residences and residential additions shall be reviewed by the planning director or planning commission for consistency with the following minimum design standards. The planning director may refer applications which conflict with the minimum design standards to the planning commission for a determination.

1. All new residences or additions shall be designed to respect or compliment the existing development pattern and massing as viewed from the street.
2. Use of exterior materials shall be consistent with or compliment the use of exterior materials in the neighborhood.
3. All second story additions shall be designed as a series of segments as opposed to a single massive structure. If the architectural style warrants a large wall plane, the plane shall be articulated with bay window extensions, trellis features, recessed doors or windows or other architectural elements.
4. Second story additions shall step back from the street and front of the house to reduce the mass of the structure. The use of eaves, dormers, intersecting hips or gables or other roof features are encouraged to add visual interest and break up the mass of the structure.
5. Roof style and pitch shall be consistent with the style and pitch of roofs in the vicinity.
6. New residences and additions shall be designed to preserve privacy, light and air to adjoining properties to the extent feasible. Window and balcony placement shall be sensitive to the existing arrangement of windows and outdoor living spaces on adjoining properties.
7. The use of vegetation to screen and soften views of a new residence or addition may be required as a condition of approval.
8. All additions to existing single-family residences shall be architecturally consistent with the existing residence with respect to roof pitch and tie-in, exterior materials and colors. The addition shall be designed so that it appears to be part of the original structure.

Section 6165. - Height of structures.

- (a) No single-family dwelling shall exceed twenty-six (26) feet in height and no other type of main structure shall exceed thirty (30) feet in height. The following exceptions may be considered by the planning commission as part of the design review or conditional use permit process:

- (1) A roof or architectural feature of a single-family dwelling may exceed twenty-six (26) feet but no more than thirty (30) feet. This exception only applies to additions to existing structures where the height already exceeds twenty-six (26) feet, where the architectural style warrants additional height, or where a raised foundation is required due to a flood zone.
 - (2) A roof or architectural feature for other types of main structures may exceed thirty (30) feet but no more than thirty-five (35) feet. This exception applies to places of assembly where additional height may be needed. This exception will be reviewed by the planning commission as part of a conditional use permit, and shall be necessary for the function of the building or for appropriate architecture, and shall not cause light or privacy impacts to surrounding residential uses.
- (b) No accessory structure shall exceed eighteen (18) feet in height; and
- (c) No structure shall exceed two stories.

Section 6166. - Fences, walls and hedges.

Fences, walls and hedges shall comply with the regulations set forth in Section 6412 of this Ordinance.

Section 6167. - Signs.

No sign of any character shall be erected or displayed in any R-1 district, except as permitted under the regulations set forth in Chapter 22 of this Ordinance.

Chapter notes:

(Sections 6160 through 6169.1 - Added by Ordinance No. 116 - September 25, 1989)

(Sections 6161(f), (g) and (h) - Added by Ordinance No. 149 - October 5, 1992)

(Sections 6161(k) - Amended by Ordinance No. 149 - October 5, 1992)

(Sections 6161 (i) - Added by Ordinance No. 163 - February 7, 1994)

(Sections 6161 (b) - Deleted by Ordinance No. 163 - February 7, 1994)

(Sections 6161, 6162 and 6165 - Amended by Ordinance No. 245 - October 2, 2000)

(Section 6163 and 6168 - Deleted by Ordinance No. 245 - October 2, 2000)

(Sections 6164 through 6164.4 - Added by Ordinance No. 245 - October 2, 2000)

CHAPTER 7. - "R-2" DISTRICTS DUPLEX RESIDENTIAL DISTRICT

Section 6170. - Purposes of chapter.

In addition to the objectives set forth in Section 6101, the duplex residential district is included in the Zoning Ordinance to achieve the following purposes:

- (a) To reserve areas for duplex residences on sites that are able to accommodate two dwelling units but are inappropriate for multifamily development;
- (b) To provide space for community facilities needed to complement residential areas and for institutions which require a residential environment;
- (c) To protect residential properties from the hazards, noise and congestion created by commercial and industrial uses; and
- (d) To protect residential properties from fire, explosion, noxious fumes, noise, excessive light or glare, and other hazards.

Section 6171. - Permitted uses.

The following permitted uses shall be allowed in the R-2 district:

- (a) Single-family dwellings;
- (b) Duplex dwellings;
- (c) Accessory structures and uses located on the same site as a permitted use, including garages, carports, garden sheds, greenhouses, shade structures, recreation rooms, home hobby shops; and secondary dwelling units;
- (d) Raising of fruit and nut trees, vegetables and horticultural specialties, not including commercial nurseries, greenhouses or storage of landscaping equipment, products or supplies for commercial uses;
- (e) Swimming pools used solely by persons resident on the site and their guests;
- (f) The keeping for private use of a reasonable number of domestic dogs, cats and other small mammals, birds, fish and small reptiles, subject to the regulations as set forth in Subsection 6161(e) of this Ordinance;
- (g) Small family day care homes, as defined in Section 1596.78(b) of the Health and Safety Code, which are duly licensed pursuant to Division 2, Chapter 3.6 of the Health and Safety Code (commencing with Section 1597.30);
- (h) Large family day care homes, as defined in Section 1596.78(a) of the Health and Safety Code, which were duly licensed pursuant to Division 2, Chapter 3.6 of the Health and Safety Code (commencing with Section 1597.30) on or before October 19, 1992;
- (i) Any cooperative arrangement between parents for the care of their children which satisfies all of the conditions set forth in Section 1596.792(e) of the Health and Safety Code and is therefore exempt from regulation under Chapter 3.4 (commencing with Section 1596.70), Chapter 3.5 (commencing with Section 1596.90), and Chapter 3.6 (commencing with Section 1597.30) of said Code; and
- (j) Home business with a home business permit (see Chapter 19).

(Ord. No. 344, § 1, 7-19-2011)

Section 6172. - Conditional uses.

The following conditional uses may be allowed in the R-2 district, upon the granting of a use permit pursuant to Chapter 24 of this Ordinance:

- (a) Accessory structures and uses located on the same site as a conditional use;
- (b) Public utility and public service pumping stations, power stations, drainage ways and structures, storage tanks, and transmission lines;
- (c) Fire stations and other public buildings, structures and facilities;
- (d) Institutional and community facilities;
- (e) Religious and charitable institutions;
- (f) Schools and other educational facilities;
- (g) Day care facilities for children or adults, except child care facilities which qualify as permitted uses under Subsections (g), (h) or (i) of Section 6171; provided, however, that in the case of large family day care homes, as defined in Section 1596.78(a) of the Health and Safety Code, a special use permit issued pursuant to Chapter 24.2 shall be required in lieu of a use permit granted under Chapter 24; and

(h) Clubs.

Section 6173. - Site area.

- (a) The minimum net site area of any lot in an R-2 district shall be five thousand (5,000) square feet; and
- (b) Net site area shall not include the portion of a flag lot constituting the access corridor lying between the front lot line and the frontage line of the corridor at the street.

Section 6174. - Site width, frontage and depth.

- (a) The minimum frontage, width and depth of any lot in an R-2 district shall be as follows:

<u>Site Frontage</u>	<u>Site Width</u>	<u>Site Depth</u>
50 ft.	50 ft.	100 ft.

- (b) Notwithstanding the provisions of Subsection (a) of this section, the frontage and width of an access corridor to a flag lot shall be not less than twenty (20) feet.

Section 6175. - Site coverage.

The maximum net site area covered by structures on any lot in an R-2 district shall be fifty (50) percent.

Section 6176. - Front yard, side yard and rear yard.

- (a) The minimum front yard, side yards and rear yard of any lot, except a corner lot, in an R-2 district shall be as follows:

<u>Front Yard</u>	<u>Side Yard</u>	<u>Single-Story Rear Yard</u>	<u>Multi-Story Rear Yard</u>
20 ft.	10 ft.	20 ft.	30 ft.

- (b) The minimum front yard, side yards, and rear yard of any corner lot in any district shall be as follows:

<u>Front Yard</u>	<u>Exterior Side-Yard</u>	<u>Interior Side-Yard</u>	<u>Rear Yard</u>
20 ft.	20 ft.	10 ft.	20 ft.

- (c) Where a new structure or an addition to an existing structure will exceed eighteen (18) feet in height, the required setback from each property line of the site shall be increased by one foot for

each two feet of height in excess of eighteen (18) feet, such increased setbacks to be imposed only with respect to that portion of the new structure or addition that exceeds eighteen (18) feet in height.

- (d) In determining compliance with the requirements set forth in Subsections (a), (b) or (c) of this section, the following special rules shall be applied:
- (1) On a flag lot with an average width that exceeds its average depth, the longer dimension may be considered the depth for the purpose of measuring the front, side and rear yards;
 - (2) Where a single-story addition which does not exceed eighteen (18) feet in height is added to an existing multi-story structure, the single-story addition shall comply with the single-story rear yard requirement for the applicable district, but need not comply with the multi-story rear yard requirement;
 - (3) Where a second story is added to an existing single-story structure, or where an existing or new multi-story structure contains a portion thereof which is single-story and does not exceed eighteen (18) feet in height, the multi-story rear yard requirement shall be applied only to that portion of the structure which is multi-story; and
 - (4) Certain architectural features may encroach into a required yard, in accordance with the provisions of Sections 6406(a), (b) and (c).

Section 6177. - Height of structures.

- (a) No single-family or duplex dwelling shall exceed twenty-six (26) feet in height and no other type of main structure shall exceed thirty (30) feet in height;
- (b) No accessory structure shall exceed eighteen (18) feet in height; and
- (c) No structure shall exceed two stories.

Section 6178. - Fences, walls and hedges.

Fences, walls and hedges shall comply with the regulations set forth in Section 6412 of this Ordinance.

Section 6178.1. - Signs.

No sign of any character shall be erected or displayed in any R-2 district, except as permitted under the regulations set forth in Chapter 22 of this Ordinance.

Chapter notes:

(Sections 6170 through 6179 - Added by Ordinance No. 116 -September 25, 1989)

(Sections 6171(g), (h) and (i) - Added by Ordinance No. 149 - October 5, 1992)

(Section 6172(h) - Amended by Ordinance No. 149 - October 5, 1992)

(Sections 6161(j) - Added by Ordinance No. 163 - February 7, 1994)

(Sections 6161(b) - Deleted by Ordinance No. 163 - February 7, 1994)

CHAPTER 8. - "R-M" DISTRICTS MULTIFAMILY RESIDENTIAL DISTRICTS

Section 6180. - Purposes of chapter.

In addition to the objectives set forth in Section 6101, the multifamily residential districts are included in the Zoning Ordinance to achieve the following purposes:

- (a) To reserve appropriately located areas for family living in a variety of types of dwellings, at a reasonable range of population densities consistent with sound standards of public health and safety; and
- (b) To preserve as many of the desirable characteristics of single-family residential districts as possible, while permitting higher population densities; and
- (c) To provide space for community facilities needed to complement urban residential areas and for institutions which require a residential environment; and
- (d) To protect residential properties from the hazards, noise and congestion created by commercial traffic; and
- (e) To protect residential properties from fire, explosion, noxious fumes and other hazards.

Section 6181. - Permitted uses.

The following permitted uses shall be allowed in the R-M districts:

- (a) Single-family dwellings;
- (b) Multifamily dwellings;
- (c) Accessory structures and uses located on the same site as a permitted use, including garages and carports, garden sheds, greenhouses, shade structures, recreation rooms, home hobby shops, structures for housing swimming pool equipment; and secondary dwelling units;
- (d) Raising of fruit and nut trees, vegetables and horticultural specialties, not including commercial nurseries, greenhouses or storage of landscaping equipment, products or supplies for commercial uses;
- (e) Swimming pools used solely by persons resident on the site and their guests;
- (f) The keeping for private use of a reasonable number of domestic dogs, cats and other small mammals, birds, fish and small reptiles, subject to the regulations as set forth in Subsection 6161(e) of this Ordinance;
- (g) Small family day care homes, as defined in Section 1596.78 of the Health and Safety Code, which are duly licensed pursuant to Division 2, Chapter 3.6 of the Health and Safety Code (commencing with Section 1597.30);
- (h) Large family day care homes, as defined in Section 1596.78(a) of the Health and Safety Code, which were duly licensed pursuant to Division 2, Chapter 3.6 of the Health and Safety Code (commencing with Section 1597.30) on or before October 19, 1992;
- (i) Any cooperative arrangement between parents for the care of their children which satisfies all of the conditions set forth in Section 1596.792(e) of the Health and Safety Code and is therefore exempt from regulation under Chapter 3.4 (commencing with Section 1596.70), Chapter 3.5 (commencing with Section 1596.90), and Chapter 3.6 (commencing with Section 1597.30) of said Code;
- (j) Home business with a home business permit (see Chapter 19); and
- (k) Single-room occupancy developments in the R-M-500 zone.

(Ord. No. 344, § 2, 7-19-2011; Ord. No. 344F, § 2, 7-19-2011)

Section 6181.1. - Conditional uses.

The following conditional uses may be allowed in the R-M districts, upon the granting of a use permit pursuant to Chapter 24 of this Ordinance:

- (a) Accessory structures and uses located on the same site as a conditional use;

- (b) Fire stations and other public buildings, structures and facilities;
- (c) Public utility and public service pumping stations, power stations, drainage ways and structures, storage tanks and transmission lines;
- (d) Recreational courts, to be used solely by persons resident on the site and their guests;
- (e) Model dwelling units utilized in connection with the sale of dwelling units in a residential subdivision, located within the same subdivision or, in the discretion of the planning commission, within another subdivision developed by the applicant, for such period of time as determined by the planning commission, not to exceed an initial term of one year and not exceeding a term of one year for each extension thereof;
- (f) Institutional and community facilities;
- (g) Religious and charitable institutions;
- (h) Schools and other educational facilities;
- (i) Day care facilities for children or adults, except child care facilities which qualify as permitted uses under Subsections (g), (h) or (i) of Section 6181; provided, however, that in the case of large family day care homes, as defined in Section 1596.78(a) of the Health and Safety Code, a special use permit issued pursuant to Chapter 24.2 shall be required in lieu of a use permit granted under Chapter 24; and
- (j) Clubs.

Section 6181.2. - Site area.

The minimum net site area in each R-M district shall be as follows:

District	Net Site Area	
	Interior Lot	Corner or Flag Lot
R-M-500	40,000 sq. ft.	40,000 sq. ft.
R-M-1,000	20,000 sq. ft.	22,000 sq. ft.
R-M-2,000	15,000 sq. ft.	16,000 sq. ft.
R-M-3,000	12,000 sq. ft.	13,000 sq. ft.

Section 6181.3. - Site density.

(a) The minimum net site area per dwelling unit in each R-M district shall be as follows:

District	Structure Coverage
R-M-500	500 sq. ft.

R-M-1,000	1,000 sq. ft.
R-M-2,000	2,000 sq. ft.
R-M-3,000	3,000 sq. ft.

- (b) If after dividing the net site area of the property by the area required per dwelling unit or per structure containing a dwelling unit, a remainder of seventy-five (75) percent or more of the area required for an additional dwelling unit or structure is obtained, one additional dwelling unit or structure containing a dwelling unit may be located on the site.

Section 6181.4. - Site frontage, width and depth.

The minimum site frontage, width and depth in each R-M district shall be as follows:

District	Site Frontage	Side Width	Side Depth
R-M-500	50 ft.	50 ft.	100 ft.
R-M-1,000	50 ft.	50 ft.	100 ft.
R-M-2,000	55 ft.	75 ft.	100 ft.
R-M-3,000	60 ft.	80 ft.	100 ft.

Section 6181.5. - Site coverage.

The maximum net site area covered by structures in each R-M district shall be forty (40) percent.

Section 6181.6. - Front yard, side yards and rear yard.

- (a) Except as otherwise provided in Subsection (b) of this section, the minimum front yard, side yards and rear yard of any lot in each R-M district shall be as follows:

District	Front Yard	Side Yard	Rear Yard
R-M-500	50 ft.	20 ft.	30 ft.
R-M-1,000	40 ft.	10 ft.	30 ft.
R-M-2,000	30 ft.	10 ft.	25 ft.

R-M-3,000	20 ft.	10 ft.	20 ft.
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(b) Notwithstanding the provisions of Subsection (a) of this section:

- (1) The exterior side yard of a corner lot shall be not less than twenty (20) feet;
- (2) One foot shall be added to an interior side yard for each one foot of height or fraction thereof by which a portion of a structure within twenty (20) feet of the side lot line for such yard exceeds eighteen (18) feet in height; provided, that an interior side yard of more than twenty-five (25) feet shall not be required; and
- (3) Certain architectural features may encroach into a required yard, in accordance with the provisions of Subsections 6406(a), (b) and (c).

Section 6181.7. - Height of structures.

The maximum height of any structure in each R-M district shall be as follows:

District	Height Limit
R-M-500	75 ft.
R-M-1,000	60 ft.
R-M-2,000	30 ft., not exceeding two stories
R-M-3,000	30 ft., not exceeding two stories

Section 6181.8. - Distance between structures.

- (a) Where there is more than one structure on a site, the minimum distance between a structure used for human habitation and another structure shall be ten (10) feet; and
- (b) No structure used for human habitation shall be located closer than twenty (20) feet to any other structure used for human habitation on the same site, or on an adjacent site.

Section 6181.9. - Fences, walls and hedges.

Fences, walls and hedges shall comply with the regulations set forth in Section 6412 of this Ordinance.

Section 6181.10. - Signs.

No sign of any character shall be erected or displayed in any R-M district, except as permitted under the regulations set forth in Chapter 22 of this Ordinance.

Chapter notes:

(Sections 6180 through 6181.10. - Added by Ordinance No. 116 - September 25, 1989)

(Sections 6181(g), (h) and (i) - Added by Ordinance No. 149 - October 5, 1992)

(Section 6182(h) - Amended by Ordinance No. 149 - October 5, 1992)

(Sections 6181(j) - Added by Ordinance No. 163 - February 7, 1994)

(Sections 6181(b) - Deleted by Ordinance No. 163 - February 7, 1994)

CHAPTER 8.4. - AFFORDABLE AND SUSTAINABLE HOUSING DENSITY BONUS PROGRAM

Section 6181.11. - Amendment of comprehensive zoning ordinance.

Ordinance No. 325 hereby enacts a new Chapter 8.4 of Appendix A, Zoning Ordinance) of the Municipal Code, to be known as the "Affordable and Sustainable Housing Density Bonus Program", to read as follows.

(Ord. No. 325, 11-17-2009)

Section 6181.12. - Purpose and intent.

This affordable and sustainable housing density bonus ordinance is intended to provide incentives or concessions for the production of housing for very low income, lower income, or moderate income households, or senior households, including condominium projects, and for child day care facilities in accordance with Sections 65915 through 65918 of the California Government Code. In enacting this chapter, it is the intent of the City of East Palo Alto to facilitate the development of affordable housing and child day care facilities and to implement the goals, objectives, and policies of the housing element of the city's General Plan. The regulations and procedures set forth in this chapter shall apply throughout the city to all housing developments of five units or more.

(Ord. No. 325, 11-17-2009)

Section 6181.13. - Definitions.

Whenever the following terms are used in this chapter, they shall have the meaning established by this section:

"Additional incentives or concessions" means such regulatory concessions as specified in California Government Code Subsections 65915(d) and (1) to include, but not be limited to, the reduction of site development standards or zoning code requirements, direct financial assistance or incentives, approval of mixed use zoning in conjunction with the housing development, or any other regulatory incentive which would result in identifiable cost avoidance or reductions that are offered in addition to a density bonus pursuant to Section 6181.16 of this chapter.

"Affordable rent" means the same as set forth in Section 6182.2b for rental target units reserved for very low income, lower income, or moderate income households, not exceeding the following calculations:

- (1) Very low income: Fifty (50) percent of the area median income for San Mateo County, adjusted for household size, multiplied by thirty (30) percent and divided by twelve (12).
- (2) Lower income: Sixty (60) percent of the area median income for San Mateo County, adjusted for household size, multiplied by thirty (30) percent and divided by twelve (12).

- (3) Moderate income: One hundred and ten (110) percent of the area median income for San Mateo County, adjusted for household size, multiplied by thirty (30) percent and divided by twelve (12).

"Affordable sales price" means a sales price at which lower income households as defined in Health and Safety Code section 50079.5, very low income households as defined in Health and Safety Code section 50105, or moderate income households as defined in Health and Safety Code section 50093, can qualify for the purchase of target units, as calculated by the housing director.

"Child day care facility" means a facility certified and licensed pursuant to all applicable state licensing requirements for the provision of, and providing, nonmedical daytime care to children under eighteen (18) years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a twenty-four (24) hour basis, including, but not limited to, nursery schools, preschools, extended day care facilities, and employer-sponsored child care centers, but excluding family day care homes.

"Condominium project" means a housing development that includes units as defined in subdivision (f) of Section 1351 of the Civil Code, for persons and families of low, lower or moderate income, as defined in Section 50093 of the Health and Safety Code.

"Density bonus" means an increase in the number of primary dwelling units on a property for qualifying projects pursuant to Section 6181.14 of this chapter pursuant to Section 65915-65918 of the Government Code.

"Density bonus housing agreement" means a legally binding agreement between a developer and the city to ensure that the requirements of this chapter are satisfied, pursuant to Section 6181.18 of this chapter.

"Density bonus units" means those residential units granted pursuant to the provisions of this chapter which exceed the otherwise maximum residential density for the development site. Developers may not count affordable units required under Chapter 8.5 to meet qualifying project thresholds in Section 6181.14.

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

- (1) A density bonus and additional incentive(s); or
- (2) A density bonus, where an additional incentive(s) is not requested or is determined to be unnecessary, pursuant to Section 6181.16 of this chapter.

"Extremely low income household" means households whose income does not exceed the extremely low income limits applicable to San Mateo County, as published and periodically updated by the state department of housing and community development pursuant to Section 50106 of the California Health and Safety Code.

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

"Housing development" means construction projects consisting of five or more residential units, including single-family and multifamily for sale or rent, pursuant to this chapter. A housing development may include contiguous sites that are the subject of a single development application.

"Lower income household" means households whose income does not exceed the lower income limits applicable to San Mateo County, as published and periodically updated by the state department of housing and community development pursuant to Section 50079.5 of the California Health and Safety Code.

"Maximum residential density" means the maximum number of residential units permitted by the city's General Plan land use element at the time of application, excluding the provisions of this chapter, and shall be based upon compliance with the site area standards for the applicable R zones in Appendix

A (Zoning) of the Municipal Code. If the housing development is within a planned unit development zone, the maximum residential density shall be determined on the basis of the General Plan, excluding the provisions of this chapter.

"Moderate income household" means households whose income does not exceed the moderate income limits applicable to San Mateo County, as published and periodically updated by the state department of housing and community development pursuant to Section 50093 of the California Health and Safety Code.

"Nonrestricted unit" means all units within a housing development excluding the target units.

"Qualifying resident" means senior citizens or other persons eligible to reside in senior citizen housing.

"Senior citizen housing" means a housing development consistent with the California Fair Employment and Housing Act (Government Code Section 12900 et seq., including 12955.9 in particular), which has been designed to meet the physical and social needs of senior citizens, and which otherwise qualifies as "housing for older persons" as that phrase is used in the Federal Fair Housing Amendments Act of 1988 (P.L. 100-430) and implementing regulations (24 CFR, part 100, subpart E), and as that phrase is used in California Civil Code Sections 51.2 and 51.3.

"Target unit" means a dwelling unit within a housing development which will be reserved for sale or rent to, and affordable to, very low, low, moderate income, senior, or otherwise qualifying residents' households.

"Very low income" household means households whose income does not exceed the very low income limits applicable to San Mateo County, as published and periodically updated by the state department of housing and community development pursuant to Section 50105 of the California Health and Safety Code.

(Ord. No. 325, 11-17-2009)

Section 6181.14. - Implementation.

- (a) The city shall grant a density bonus and at least one additional incentive or concession, as identified in Section 6181.16 of this chapter, to an applicant/developer of a housing development, who agrees to provide the at a minimum one of the following:
 - (1) At least five percent of the total units of the housing development as target units affordable to very low income households; or
 - (2) At least ten (10) percent of the total units of the housing development as target units affordable to lower income households; or
 - (3) A senior citizen housing development as defined in Sections 51.2 and 51.3 of the Civil Code, or mobile home park that limits residency based on age requirements for housing for older persons pursuant to Sections 798.76 or 799.5 of the Civil Code; or
 - (4) At least ten (10) percent of the total units of a newly constructed common interest development project as target units affordable to moderate income households; or
 - (5) A child day care facility containing at least the minimum square footage required by applicable state child care licensing requirements.
- (b) The city shall grant either a density bonus of twenty-five (25) percent over the number of apartments/units to be provided within the existing structure(s) proposed for conversion, or other equivalent financial incentives if the applicant/developer agrees to provide thirty-three (33) percent of the total units in a condominium conversion project as target units affordable to low or moderate income households as defined in State Health and Safety Code Section 50093, or fifteen (15) percent of the total units in a condominium conversion project as target units to lower income households as defined in State Health and Safety Code Section 50079.5.

(c) In determining the density bonus to be granted pursuant to this section, the maximum residential density for the site shall be multiplied by the percentages described below. When calculating the number of permitted density bonus units, any fractions of units shall be rounded to the next larger whole number.

(1)

Percent low-income units provided	Density bonus percentage
10	20
11	21.5
12	23
13	24.5
14	26
15	27.5
16	29
17	30.5
18	32
19	33.5
20	35

(2)

Percent very low income units provided	Density bonus percentage
5	20
6	22.5

7	25
8	27.5
9	30
10	32.5
11	35

(3)

Percent moderate income units in common interest development projects	Density bonus percentage
10	5
11	6
12	7
13	8
14	9
15	10
16	11
17	12
18	13
19	14
20	15
21	16
22	17

23	18
24	19
25	20
26	21
27	22
28	23
29	24
30	25
31	26
32	27
33	28
34	29
35	30
36	31
37	32
38	33
39	34
40	35

(4) Project qualifying for a density bonus pursuant to Subsection 6181.14(a)(3) (senior housing) shall receive a density bonus of twenty (20) percent.

- (5) Project qualifying for a density bonus pursuant to Subsection 6181.14(a)(5) (child care facilities) shall receive a density bonus equal to the greater of the square footage of the child care facility.
- (6) Project qualifying for a density bonus pursuant to Subsection 6181.14(b) regarding condominium conversions shall receive a density bonus of twenty-five (25) percent or other incentives or equivalent financial value.
- (d) The density bonus units shall not be included when determining the total number of target units in the housing development. When calculating the required number of target units, any resulting decimal fraction shall be rounded to the next larger whole number.
- (e) In cases where a density increase of less than that permitted by Subsection 6181.14(c) is requested, no reduction will be allowed in the number of target units required. In cases where a density increase of more than that permitted by Subsection 6181.14(c) is requested, the requested density increase, if granted, shall be considered an additional incentive, as outlined in Section 6181.16 of this chapter.
- (f) An applicant/developer who agrees to construct both ten (10) percent of the total units for lower income households and five percent of the total units for very low income households is entitled to only one density bonus; however, the applicant/developer is entitled to an additional incentive or concession as identified in Section 6181.16 of this chapter.
- (g) The city shall grant a density bonus and at least one additional incentive or concession, pursuant to Section 6181.16 of this chapter, to an applicant/developer of a commercial or industrial project containing at least fifty thousand (50,000) square feet of floor area, when that developer has set aside at least two thousand (2,000) square feet of floor area and three thousand (3,000) outdoor square feet to be used for a child care facility.
- (i) In accordance with state law, the granting of a concession or incentive shall not be interpreted, in and of itself, to require of the applicant/developer a General Plan amendment, zoning change, or other discretionary approval.
- (j) If the housing development has already received an incentive under the terms of the R-M multifamily zoning district provisions of Section 6181.3, no similar incentive or concession will be granted; however, the applicant/developer may propose a different incentive or concession under the terms of this chapter.
- (k) When an applicant for a tentative subdivision map, parcel map, or other residential development approval donates land to a city, county, or city and county as provided for in this subdivision, the applicant shall be entitled to a fifteen (15) percent increase above the otherwise maximum allowable residential density under the applicable zoning ordinance and land use element of the General Plan for the entire development, as follows:

(1)

Percent very low income	Density bonus percentage
10	15
11	16
12	17
13	18

14	19
15	20
16	21
17	22
18	23
19	24
20	25
21	26
22	27
23	28
24	29
25	30
26	31
27	32
28	33
29	34
30	35

- (2) This increase shall be in addition to any increase in density mandated by Section 6181.14(a), up to a maximum combined mandated density increase of thirty-five (35) percent if an applicant seeks both the increase required pursuant to this subdivision and Section 6181.14(a). All density calculations resulting in fractional units shall be rounded up to the next whole number. Nothing in this subdivision shall be construed to enlarge or diminish the authority of a city, county, or city and county to require a developer to donate land as a condition of development.

An applicant shall be eligible for the increased density bonus described in this subdivision if all of the following conditions are met:

- (A) The applicant identifies the proposed source of funding, donates, and transfers the land no later than the date of approval of the final subdivision map, parcel map, or residential development application.
- (B) The developable acreage and zoning classification of the land being transferred are sufficient to permit construction of units affordable to very low income households in an amount not less than ten (10) percent of the number of residential units of the proposed development, zoned at a density required to meet the city's regional housing need share.
- (C) The transferred land is at least one acre in size or of sufficient size to permit development of at least forty (40) units, has the appropriate General Plan designation, is appropriately zoned for development as affordable housing, and is or will be served by adequate public facilities and infrastructure. The land shall have appropriate zoning and development standards to make the development of the affordable units feasible. No later than the date of approval of the final subdivision map, parcel map, or of the residential development, the transferred land shall have all of the permits and approvals, other than building permits, necessary for the development of the very low income housing units on the transferred land, except that the local government may subject the proposed development to subsequent design review to the extent authorized by subdivision (i) of Government Code Section 65583.2, if the design is not reviewed by the local government prior to the time of transfer.
- (D) The transferred land and the affordable units shall be subject to a deed restriction ensuring continued affordability of the units consistent with Government Code Sections 65915(c)(1) and (2), which shall be recorded on the property at the time of transfer.
- (E) The land is transferred to the local agency or to a housing developer approved by the local agency. The local agency may require the applicant to identify and transfer the land to the developer.
- (F) The transferred land shall be within the boundary of the proposed development or, if the local agency agrees, within one-quarter mile of the boundary of the proposed development.

(Ord. No. 325, 11-17-2009)

Section 6181.15. - Development standards.

- (a) Target units must be constructed concurrently with non-restricted units unless both the city and the applicant/developer agree within the density bonus housing agreement to an alternative schedule for development.
- (b) Target units shall remain restricted and affordable to the designated group, if owner-occupied, for a minimum period as set forth in Government Code Section 65915(c)(1). A longer period of time, such as the affordability period of Section 6182.6(d) may be specified if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.
- (c) In determining the maximum affordable rent or affordable sales price of target units the following household and unit size assumptions shall be used, unless the housing development is subject to different assumptions imposed by other governmental regulations:

SRO (residential hotel) unit	75% of 1 person
0 bedroom (studio)	1 person

1 bedroom	2 persons
2 bedroom	3 persons
3 bedroom	4 persons
4 bedroom	5 persons

- (d) Except where Subsection (e) below is invoked by an agreement reached by the city and an applicant/developer, target units shall be built on-site and, where practical, be dispersed within the housing development. The number of bedrooms of the target units, to the extent feasible, shall be equivalent to the bedroom mix of the non-target units of the housing development; except that the developer may include a higher proportion of target units with a greater number of bedrooms. The design and appearance of the target units shall be compatible with the design of the total housing development. Housing developments shall comply with all applicable development standards, except those which may be modified as provided by this chapter.
- (e) Circumstances may arise in which the public interest would be served by allowing some or all of the target units associated with one housing development to be produced and operated at an alternative development site. Where the developer and the city reach such an agreement, the resulting linked developments shall be considered a single housing development for purposes of this chapter. Under such circumstances, the developer shall be subject to the same requirements of this chapter for the target units to be provided on the alternative site.
- (f) A density bonus housing agreement shall be made a condition of the discretionary planning permits, including, but not limited to, tract maps, parcel maps, site plans, planned unit development or use permits, for all housing developments pursuant to this chapter. The agreement shall be recorded as a restriction on the parcel or parcels on which the target units will be constructed. The agreement shall be consistent with Section 6181.18 of this chapter.

(Ord. No. 325, 11-17-2009)

Section 6181.16. - Development incentives or concessions.

- (a) An applicant/developer shall submit a written proposal for the specific incentives or concessions that the applicant/developer requests, and shall provide supporting documentation pursuant to Section 6181.17 of this chapter.
 - (1) The city shall grant the concession or incentive requested by the applicant/developer unless the city makes a written finding in accordance with Government Code Section 65915(d).
 - (2) The applicant/developer shall receive the following number of incentives or concessions:
 - (A) One incentive or concession for projects that include at least ten (10) percent of the total units for lower income households, at least five percent for very low income households, or at least ten (10) percent for persons and families of moderate income in a common interest development.
 - (B) Two incentives or concessions for projects that include at least twenty (20) percent of the total units for lower income households, at least ten (10) percent for very low income

households, or at least twenty (20) percent for persons and families of moderate income in a common interest development.

- (C) Three incentives or concessions for projects that include at least thirty (30) percent of the total units for lower income households, at least fifteen (15) percent for very low income households, or at least thirty (30) percent for persons and families of moderate income in a common interest development.
- (b) An applicant/developer may seek a waiver or modification of development or zoning standards. The city shall not apply any development standard that will have the effect of physically precluding construction of a project that is eligible for the incentive or concession, unless such waiver would result in any adverse impact as listed in Government Code Section 65915(d). The seeking of such waiver or modification of development standards shall not count against the number of incentives or concessions to which the developer is otherwise entitled. In so doing, the applicant/developer shall comply with the provisions of Section 6181.17.
- (c) The approval of additional incentives shall be determined on a case-by-case basis. The additional incentives may include, but are not limited to, any of the following:
 - (1) A reduction of site development standards or a modification of zoning code or architectural design requirements which exceed the minimum building standards provided in Part 2.5 (commencing with Section 18901) of Division 13 of the California Health and Safety Code. These may include, but are not limited to, one or more of the following:

Tier One:

- (a) Reduced minimum lot sizes and/or dimensions.
- (b) Reduced minimum lot setbacks, pursuant to Section 6164.3(d)(2) of this chapter.
- (c) Reduced minimum outdoor and/or private outdoor living area.
- (d) Reduced minimum building separation requirements.

Tier Two:

- (a) Increased maximum lot coverage.
- (b) Reduced on-site parking standards, including the number or size of spaces, requirements for spaces to be covered, and restrictions on tandem parking formats.

Tier Three:

- (a) Increased maximum building height and/or stories.
 - (b) Mixed use development pursuant to Section 6190 et seq. of this chapter.
 - (c) Other regulatory incentives or concessions proposed by the developer or the city which demonstrate actual cost reductions.
 - (d) A density bonus of more than twenty (20) percent.
 - (e) Deferred development impact fees such as capital facilities, park land in-lieu, park facilities, fire or traffic impact fees.
- (d) The city may offer an equivalent financial incentive in lieu of granting a density bonus and additional incentive(s). The value of the equivalent financial incentive shall at least equal the land cost per dwelling unit savings that would result from a density bonus and must contribute significantly to the economic feasibility of providing the target units pursuant to this chapter. The city may recapture subsidies awarded under this subsection and may recommit them to qualifying project(s) within five years of the initial award.
 - (e) Concessions granted under Tier One may be handled administratively by the city planning manager. At the city planning manager's discretion, he may refer Tier Two concessions to the

planning commission. Tier Three concessions, or those sought under Subsection (d), shall be heard by the planning commission.

(Ord. No. 325, 11-17-2009)

Section 6181.17. - Application requirements and review.

- (a) An application pursuant to this chapter shall be processed concurrently with any other application(s) required for the proposed housing development. Approval or disapproval of an application shall be made by the planning commission. An aggrieved party may file an appeal of this action pursuant to Section 6581.2 of this chapter.
- (b) An applicant/developer proposing a housing development pursuant to this chapter may submit a preliminary application prior to the submittal of any formal request for approval of a housing development, including a preliminary application for prospective additional incentives pursuant to Section 6181.16 of this chapter. A preliminary application shall include the following information:
 - (1) A brief description of the proposed housing development, including the total number of units, target units, and density bonus units proposed.
 - (2) The zoning and General Plan designations and assessor's parcel number(s) of the project site.
 - (3) A vicinity map and preliminary site plan, drawn to scale, including building footprints, driveway and parking layout.
 - (4) If an additional incentive(s) is requested, the application should describe why the additional incentive(s) is necessary to provide the target units, in accordance with Section 6181.16 of this chapter. The applicant/developer may provide financial information, including but not limited to a pro-forma which demonstrates a detailed breakdown of project costs as well as unit sale prices based on current market conditions, for the city's review in determining qualification under Section 6181.16. The applicant/developer shall bear all costs of preparation and any outside analysis of said documents carried out for the purposes of this section.
- (c) The planning director or designee shall inform the applicant/developer that the requested additional incentive(s) will be recommended for consideration with the proposed housing development, or that alternative or modified additional incentive(s) pursuant to Section 6181.16(c) will be recommended for consideration in lieu of the requested incentive(s). If alternative or modified incentive(s) are recommended by the planning director or designee, the recommendation shall establish how the alternative or modified incentive(s) affect affordability that is equivalent to the requested incentive(s).

(Ord. No. 325, 11-17-2009)

Section 6181.18. - Density bonus housing agreement.

- (a) An applicant/developer requesting a density bonus shall agree to enter into a density bonus housing agreement with the city.
- (b) Following execution thereof by all parties, the completed density bonus housing agreement, or memorandum thereof, shall be recorded and the conditions therefrom filed and recorded on the parcel or parcels designated for the construction of target units. The approval and recordation shall take place prior to final map approval, or, where a map is not being processed, prior to issuance of building permits for such parcels or units. The density bonus housing agreement shall be binding on all future owners and successors in interest.
- (c) The density bonus housing agreement shall include at least the following:
 - (1) The total number of units approved for the housing development, including the number of target units;

- (2) A description of the household income group to be accommodated by the housing development, as outlined in Section 6181.13 of this chapter, and the standards for determining the corresponding affordable rent or affordable sales price and housing cost;
- (3) The location, unit sizes in square feet, and number of bedrooms of target units;
- (4) Tenure of use restrictions for target units, in accordance with Section 6181.15 of this chapter;
- (5) A schedule for completion and occupancy of target units;
- (6) A description of the additional incentive(s) or equivalent financial incentive(s) being provided by the city;
- (7) A description of remedies for breach of the agreement by either party (the city may identify tenants or qualified purchasers as third party beneficiaries under the agreement); and
- (8) Any other provisions to ensure implementation and compliance with this chapter.
 - A. In the case of for-sale housing developments, the density bonus housing agreement shall provide for the following conditions governing the sale and use of target units during the applicable use restriction period:
 - (1) Target units shall be sold to eligible very low, lower, or moderate income households at an affordable sales price and housing cost, or to qualified residents as defined by this chapter.
 - (2) Target units shall be owner-occupied by eligible very low or lower income households, or by qualified residents in the case of senior citizen housing, or by eligible moderate income households within condominium projects.
 - (3) The purchaser of each target unit shall execute an instrument or agreement approved by the city restricting the sale of the target unit in accordance with this chapter during the applicable use restriction period. Such instrument or agreement shall be recorded against the parcel containing the target unit and shall contain such provisions as the city may require to ensure continued compliance with this chapter and the state density bonus law.
 - B. In the case of rental housing developments, the density bonus housing agreement shall provide for the following conditions governing the use of target units during the use restriction period:
 - (1) The rules and procedures for qualifying households, establishing affordable rent, filling vacancies, and maintaining target units for qualified tenants;
 - (2) Provisions requiring owners to verify household incomes and maintain books and records to demonstrate compliance with this chapter; and
 - (3) Provisions requiring owners to submit an annual report to the city, which includes the name(s), address, and income of each household occupying target units, and which identifies the bedroom size and monthly rent or cost of each target unit.

(Ord. No. 325, 11-17-2009)

CHAPTER 8.5. - AFFORDABLE HOUSING PROGRAM^[1]

Footnotes:

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Editor's note— Ord. No. 379, §§ 1, 2, adopted July 15, 2014, repealed the former Ch. 8.5, §§ 6182.1—6182.11, and enacted a new Ch. 8.5 as set out herein. The former Ch. 8.5 was entitled "Below Market Rate Housing Program", and derived from: Ord. No. 197; Ord. No. 247, adopted Nov. 6, 2000; Ord. No. 281, § 1, adopted Apr. 6, 2004; Ord. No. 284, § 22, Mar. 2, 2004; and Ord. No. 354, arts. 1 and 2, adopted Dec. 20, 2011.

Section 6182.1. - Findings.

In enacting this chapter, the city finds as follows:

- (a) The Legislature of the State of California has found that the availability of housing is of vital statewide importance, and that providing decent housing for all Californians requires the cooperative participation of government and the private sector. The legislature has further found that local governments must balance the rights accorded an owner of residential property through the Costa-Hawkins Act (Chapter 2.7 of Title 5 of Part 4 of Division 3 of the Civil Code) with the responsibility to make adequate provision for the housing needs of all economic segments of the community. This chapter establishes an affordable housing impact fee in accordance with the Mitigation Fee Act (Government Code §§ 66000—66025) to achieve the correct balance between the rights of an owner of residential property, and the needs of the city to exercise its police powers to enhance the public welfare by making adequate provision for the housing needs of all economic segments of the community through the cooperative participation of government and the private sector. This chapter will also assist in meeting the city's share of the subregion's housing needs and will implement the goals, policies, and actions specified in the Housing Element of the city's General Plan.
- (b) The housing element of the city's General Plan, adopted on June 15, 2010, concluded that:
 - (1) There are a number of market forces that impact the supply of affordable and quality housing in the city. Regional housing market conditions have created high land values, which directly affect housing affordability. More stringent underwriting and tighter loan standards have also led to an increase in loan denials, reducing the pool of eligible homebuyers, especially low-income homebuyers. The majority of households in the city are low-income.
 - (2) To provide its fair share of the region's housing needs, the city must have adequate sites for affordable housing.
 - (3) In general, extremely low- and very low-income households cannot afford market rental or owner-occupied housing. Based on prevailing rents in the city, low-income households and above can afford market-rate rents. Most low-income households cannot afford to purchase the typical median-priced home in the city.
 - (4) The city serves as an affordable housing resource for service workers that would otherwise need to travel across the San Francisco Bay.
 - (5) As many city residents cannot afford to own a home in the community, long-time residents with aspirations of owning a home most often move to other communities. Furthermore, many lower income residents also leave the city because of the shortage of safe, habitable, and affordable rental housing.
 - (6) The city's below market program has been and will continue to be instrumental in creating affordable housing opportunities for a variety of ethnically and economically diverse population of families who otherwise could not afford the market-rate sales prices in the city.
- (c) Federal and state government programs do not provide nearly enough affordable housing or subsidies to satisfy the housing needs of lower income households who want or need housing in the city. Generally, newly constructed housing which does not receive assistance is available in the city only at prices which lower income households cannot afford to pay.

- (d) Rising land prices have been a key factor in preventing development of new affordable housing. New market-rate housing construction in the city aggravates the existing shortage of affordable housing by absorbing the supply of available residential land. This not only reduces the supply of land for affordable housing, but further increases the price of remaining residential land. At the same time new housing contributes to the demand for goods and services in the city, increasing local employment at wage levels which are often not high enough to permit employees to afford housing in the city.
- (e) The citizens of the city wish to retain a diverse community, with housing available to lower income local households. The city agrees with the established policy of the State of California that each community should make available an adequate supply of housing to persons at all economic levels.
- (f) As new investment and redevelopment revitalizes the city, it is critical to provide housing opportunities for local residents and others who could be displaced by "gentrification." A balanced community is only possible if part of the new housing built in the city is affordable to lower income households. Zoning and other ordinances concerning new housing in the city should be consistent with the community's goal of economic and social diversity.
- (g) It is important that housing created under this chapter provide housing opportunities to local residents and workers, who have particularly limited housing options. Household incomes in East Palo Alto are generally below those in San Mateo County as a whole, and affordable housing created under this chapter should be targeted at income levels affordable to local households with lower incomes.
- (h) In general, affordable units within each housing development best serve the goal of maintaining an economically integrated community.
- (i) The housing program authorized by this chapter serves the public necessity and general welfare and will promote the orderly development of the city. The program will serve to implement California law by enabling the city to provide a share of the regional housing need, assist the city in meeting housing obligations and implement the housing element of the city's General Plan.
- (j) A Residential Nexus Study for the City of East Palo Alto, which shall be periodically updated, conforms to the Mitigation Fee Act by establishing a affordable housing impact fee program that is roughly proportional to, and bears a reasonable relationship with the impact of new housing. Periodic updates to the affordable housing fee, and Nexus analysis, will respond to market fluctuations, ensuring that the fee incorporates any changes in administration costs, rents and sales prices.
- (k) The February 1, 2012 dissolution of redevelopment agencies in California resulted in the city's loss of the largest source of funding to produce affordable housing, which would have paid for the administrative costs of maintaining affordability restrictions and to develop additional affordable units.

(Ord. No. 379, § 2, 7-15-2014)

Section 6182.2. - Definitions.

- (a) *Affordable ownership cost.* The maximum purchase price that will be affordable to the specified household at the specified income level. The purchase price shall be considered affordable only if it is based on a reasonable down payment, and monthly housing payments, including mortgage loan principal and interest, any associated loan insurance and financing fees, property taxes and assessments, an allowance for property maintenance and repairs established by the city based on the initial cost and size of the home, homeowners insurance, a reasonable allowance for utilities based on the utility allowance applicable under Section 8 of the United States Housing Act of 1937 (not including telephone service), land rent (if the home is on rented land) and homeowners

association dues, if any, which are equal to or less than one-twelfth of thirty percent (30%) of the maximum annual household income designated for an affordable unit, during the first calendar year of a household's occupancy. The maximum household income for an affordable unit shall be based on presumed occupancy levels of one person in a studio dwelling unit, two persons in a one bedroom dwelling unit, three persons in a two bedroom dwelling unit, and one additional person for each additional bedroom thereafter. Affordable ownership cost shall be calculated assuming a down payment equal to ten percent (10%) of the total purchase price, and a conventional fixed-rate thirty-year fully amortizing loan in the amount of the difference between the purchase price and the down payment.

- (b) *Affordable rent.* Monthly rent, including a reasonable allowance for utilities based on the utility allowance applicable under Section 8 of the United States Housing Act of 1937, and all fees for housing services, equal to or less than one-twelfth of thirty percent (30%) of the maximum annual household income designated for an affordable unit. Affordable rent shall be based on presumed occupancy levels of one person in a studio dwelling unit, two persons in a one bedroom dwelling unit, three persons in a two bedroom dwelling unit, and one additional person for each additional bedroom thereafter.
- (c) *Affordable units.* Dwelling units which were previously or are approved under this chapter to be available at an affordable ownership cost to specified households and other dwelling units that have been proposed by the applicant and approved by the city to meet the requirements of this chapter.
- (d) *Attached housing.* A residential project, or part thereof, in which each dwelling unit has one or more exterior walls in common with or attached to a wall of another dwelling unit.
- (e) *Affordable housing impact fee.* A fee imposed upon certain dwelling units that reflects the reasonable costs to the city needed to mitigate the deleterious impacts of new development, which includes, but not limited to the costs the city has or will incur to fund the construction, acquisition, or financing of new or existing single- or multiple-family affordable housing projects.
- (f) *Detached housing.* A residential project, or part thereof, in which each dwelling unit has no exterior wall in common with or attached to another dwelling unit.
- (g) *Dwelling unit.* One or more rooms designed, occupied, or intended for occupancy as separate living quarters, with cooking, sleeping and bathroom facilities.
- (h) *Eligible household.* A household whose income does not exceed the maximum specified in Sections 6182.3 and 6182.7(a)(1) for a given affordable unit.
- (i) *Household income.* The combined adjusted gross income for all adult persons living in a dwelling unit as calculated for the purpose of the Section 8 program under the United States Housing Act of 1937, as amended, or its successor.
- (j) *Market-rate units.* Dwelling units in residential projects which have no affordability restrictions.
- (k) *Master fee schedule.* The schedule of fees established by the city council and updated from time to time.
- (l) *Median income.* The area median income, adjusted for household size, applicable to San Mateo County as published annually pursuant to Title 25 of the California Code of Regulations, Section 6932 (or its successor provisions) by the California Department of Housing and Community Development.
- (m) *New construction.* In addition to newly built units, new construction includes the voluntary removal and replacement of existing units but does not include the enlargement of existing units.
- (n) *Residential project.*
 - (1) Any planned district, subdivision map, conditional use permit or other city land use approval, which authorizes two or more new dwelling units or live-work units or residential lots, or a combination of two or more residential lots, new dwelling units and live-work units; or

- (2) Contemporaneous construction of two or more new dwelling units on a lot or contiguous lots not within the area of such an approval, if, in the case of contiguous lots, there is evidence of overlapping ownership or control of the lot or lots in question. Construction shall be considered contemporaneous for all units for which, at any one time, a planned unit development, planned community development, subdivision map, conditional use permit or other discretionary city land use approval, or building permit, or application for such an approval or permit, is outstanding, and a certificate of occupancy has not yet been issued.
- (o) *Residential ownership project.* Any residential project that includes the creation of one or more residential dwelling units that may be sold individually. A residential ownership project also includes condominium and stock cooperative conversions.
- (p) *Residential rental project.* Any residential project that creates residential dwelling units that cannot be sold individually.

(Ord. No. 379, § 2, 7-15-2014)

Section 6182.3. - Basic requirement.

- (a) *Affordable housing impact fee.* Except as otherwise noted, each new market-rate unit in a residential project shall be subject to an affordable housing impact fee upon adoption of the fee by resolution in accordance with the 2013 Nexus Study. To account for market fluctuations and to ensure that the fee stays current with the reasonable costs of providing affordable housing, the affordable housing impact fee will be adjusted effective the first day of each new calendar year, as follows:
 - (1) For ownership projects, the fee is to be adjusted annually based on the percentage change in the three-year trailing Freddie Mac San Francisco-Oakland-Fremont MSA House Price Index; and
 - (2) For rental projects, the fee shall be adjusted annually based on the annual percentage change in median rents by bedroom count in the city, averaged across unit sizes, as documented by the city's rent stabilization program.
- (b) *Option to construct or convert units to affordable housing.* In the event that a developer subject to the provisions of this chapter proposes to construct affordable dwelling units or to deed restrict the rents or sale prices of existing market-rate units, the city shall consider the request in the context of an inclusionary housing agreement, which is a regulatory agreement that outlines the obligations of the developer and the city. In that instance, at least twenty (20) percent of all market-rate units in residential ownership projects constructed in the city shall be provided at an affordable ownership cost and shall be constructed not later than the related market rate units in the same residential project. The inclusionary housing agreement shall specify all of the following, including without limitation:
 - (1) Number of units affordable to moderate-income, low-income, very low-income, and extremely low-income households;
 - (2) That the units shall be sold or rented to extremely low income, very low income, low-income or moderate income households at an affordable ownership cost or affordable rent, subject to the affordability restrictions;
 - (3) That, in the event sold or rented, the purchaser or lessee of each unit shall execute an instrument or agreement approved by the city restricting the sale and prohibiting the sublease of the units in accordance with this chapter. Such instrument or agreement shall be recorded against the parcel containing the unit and shall contain such provisions as the city may require to ensure continued compliance with this chapter;
 - (4) In the event of rental housing, an agreement shall additionally provide for the following conditions governing the use of the units during the restriction period, including:

- a. The rules and procedures for qualifying households, establishing affordable rent, vacancies and maintaining units;
 - b. Provisions requiring owners to verify household incomes and maintain books and records to demonstrate compliance with this chapter; and
 - c. Provisions requiring owners to submit an annual report to the city, which includes the name(s), address and income of each household occupying the units, and which identifies the bedroom size and monthly rent or cost of each unit.
- (5) Location of the units, if not within the same site as the market-rate housing;
 - (6) Number of bedrooms in each unit;
 - (7) Organization proposed to market the units, which shall be different than the developer, and shall have demonstrated experience in the sale or rental of the product type;
 - (8) Term of affordability for all units. The city requires a minimum fifty-nine-year renewable term for ownership units, and a ninety-nine-year renewable term for rental housing.
- (c) *City subsidized rental projects.* For any residential rental project for which the applicant requests and receives direct city financial contribution or any form of assistance specified in Chapter 4.3 (commencing with Section 65915) of Division 1 of Title 7 of the Government Code, affordable housing may be required by the city pursuant to the terms of that assistance. If affordable housing is required, the city shall require, as a condition of city assistance, that the rent regulatory agreement include the applicant's agreement to any limitation on rents in consideration for the city's assistance, to ensure compliance with the Costa-Hawkins Act (Chapter 2.7 of Title 5 of Part 4 of Division 3 of the Civil Code).

(Ord. No. 379, § 2, 7-15-2014)

Section 6182.4. - Density bonus.

- (a) Any market-rate units contained in a residential project utilizing the city's density bonus provisions, codified in the City of East Palo Alto Municipal Code Sections 6181.11 to 6181.18, are also subject to the affordable housing impact fee. However, pursuant to Section 6182.90, the affordable housing impact fee shall not be assessed on those units built and awarded under the city's density bonus provisions.
- (b) Any affordable units constructed pursuant to the density bonus provisions shall be jointly administered with the affordable housing program units.

(Ord. No. 379, § 2, 7-15-2014)

Section 6182.5. - Time performance required.

- (a) Affordable housing impact fee and conditions of approval.
 - (1) An application for the initial approval of a residential project shall include an affordable housing plan describing how the residential project will comply with the provisions of this chapter, including the anticipated fee (based upon net square footage of each unit).
 - (2) Conditions shall be imposed upon the initial application to carry out the purposes of this chapter.
 - (3) Additional conditions may be imposed on later city approvals or actions, including without limitation planned unit developments, subdivision approvals, conditional use permits, and building permits, to implement the purposes of this chapter.

- (b) *Issuance of building permits.* No building permit shall be issued for any market-rate unit in a residential project until the permittee has paid the applicable affordable housing impact fee pursuant to this chapter.

(Ord. No. 379, § 2, 7-15-2014)

Section 6182.6. - Administrative guidelines.

- (a) *Maximum sales price.* For any deed restricted ownership affordable unit constructed prior to the adoption of the ordinance codified in this chapter and pursuant to Subsection 6182.3(b), the maximum sales price permitted on resale of an affordable unit shall be the lowest of the following amounts: (1) the seller's lawful purchase price increased by the percentage of increase in the median income from the date of the original purchase of the home by the seller to the date the city is notified of the seller's intent to sell the home; or (2) fair market value; provided, however, that in no event shall this chapter require a sales price lower than the seller's lawful purchase price, plus the seller's reasonable cost of sales and the value of capital improvements, to the extent (if any) authorized by resale restrictions entered into by the city and the owner.
- (b) *Primary residence.* The documents recorded under subsection (d) herein, shall require that the affordable units be maintained as the purchaser's primary place of residence.
- (c) *Household eligibility.* No household shall be permitted to begin occupancy of a unit which is required to be affordable under this chapter unless the city or its designee has approved the household's eligibility. If the city or its designee maintains a list of eligible households, households newly occupying affordable units shall be selected first from that list to the extent provided in the regulatory agreement or resale restrictions. To the extent permitted by existing law, households in which at least one member has lived or worked in the city for at least one year shall have priority in receiving the opportunity to purchase or rent affordable units.
- (d) *Recorded restrictions.* Regulatory agreements and, if the affordable units are owner-occupied units, resale restrictions, deeds of trust or other documents, all consistent with the requirements of this chapter, shall be recorded against affordable owner-occupied units and residential projects containing affordable rental units.
 - (1) For owner-occupied units, restrictions shall be effective for fifty-nine (59) years, and thereafter until payment of any funds due to the city under the applicable resale restrictions, and shall renew for a new term of fifty-nine (59) years upon any transfer during an existing fifty-nine-year term. The resale restrictions shall grant an option to the city or its designee to purchase any affordable owner-occupied unit at the maximum price which could be charged to a purchaser household, at any time the owner proposes sale.
 - (2) For rental units, restrictions shall be effective for a term of ninety-nine (99) years and shall renew for a new term of ninety-nine (99) years upon any transfer during an existing ninety-nine-year term, or for so long as the structures which make up the residential rental project remain in existence, whichever period is shorter.
 - (3) The city attorney shall approve model forms of the documents required by this section and all major variances from those forms for specific residential projects.
- (e) *Comparability of units.* Affordable units shall be comparable to market-rate units in the same residential project in size, number of bedrooms, exterior appearance, interior features, overall quality of construction and all other respects, except for affordable multifamily units in a residential project in which all the market-rate units are detached housing, which need not be comparable in size or exterior appearance. Affordable units shall be dispersed throughout the residential project in a manner acceptable to the city.
- (f) *Guidelines/procedures.* The city may choose to adopt guidelines or procedures for implementing this chapter.

- (g) *Minimum requirements.* The requirements of this chapter are minimum requirements. The city may require additional affordable units or additional measures to further affordable housing goals to the extent it has authority to do so without respect to this chapter.

(Ord. No. 379, § 2, 7-15-2014)

Section 6182.7. - Use and expenditure of fees.

- (a) *City affordable housing fund.* All fees collected under this chapter shall be deposited into a separate account designated as the city affordable housing fund.
- (b) *Provision of affordable housing.* The fees collected under this chapter and all earnings from investment of the fees shall be expended exclusively for provision of affordable units in the city through acquisition, construction, development assistance, rehabilitation, financing, rent or other subsidies, provision of supportive services, or other methods and for the costs of administering this chapter. Administration includes reviewing the compliance and administration of resale restrictions on existing affordable units to ensure that adequate provisions are made to minimize the loss of affordability of these units. The housing shall be of a type, or made affordable at a cost or rent, for which there is an unmet need in the city and which is not adequately supplied in the city by private housing development in the absence of public assistance established by city council. Eligible use shall include funding a revolving reserve fund to be used to purchase resale-restricted affordable units for resale to another qualified buyer to minimize the loss of affordability of these units.

(Ord. No. 379, § 2, 7-15-2014)

Section 6182.8. - Exemptions.

The provisions of this chapter shall not be applicable to the following:

- (a) Units contained within a one hundred percent (100%) deed restricted affordable project provided that the affordability is consistent with covenants and terms approved by the city.
- (b) Affordable dwelling units built and awarded under the city density bonus provisions.
- (c) Second dwelling units, as set forth in Section 6426 of Chapter 22.5 of the City of East Palo Alto's Zoning Ordinance.

(Ord. No. 379, § 2, 7-15-2014)

Section 6182.9. - Enforcement.

- (a) It shall be a misdemeanor for any person to sell or rent an affordable unit under this chapter at a price or rent exceeding the maximum allowed under this chapter or to a household not qualified under this chapter.
- (b) The city attorney shall be authorized to enforce the provisions of this chapter and all regulatory agreements and resale controls placed on affordable units by civil action and any other proceeding or method permitted by law.
- (c) The city may revoke, deny or suspend any permit or development approval for a residential project which has failed to comply with this chapter.
- (d) Failure of any official or agency to fulfill the requirements of this chapter shall not excuse any applicant or owner from the requirements of this chapter.
- (e) The city shall be entitled to recover all its costs, including reasonable attorneys' fees incurred in enforcing this chapter.

(Ord. No. 379, § 2, 7-15-2014)

Section 6182.10. - Waiver.

- (a) Notwithstanding any other provision of this chapter, the city council may waive, limit or suspend the requirements of this chapter upon a finding and determination that doing so is in the best interests of the city, including without limitation the bases set forth below.
 - (1) *No deleterious impact finding.* Where the applicant establishes to the city's satisfaction that the proposed development project will not generate any additional need for affordable housing, the city council may waive the requirements of this chapter.
 - (2) *Deprivation of constitutional rights.* The city shall not condition any permit in any manner which results in a deprivation of the applicant's constitutional rights.
 - (3) *Hardship.* The city may waive or limit the requirements of this chapter if doing so would work an undue hardship on the applicant. It is entirely the burden of the applicant to show hardship and to produce evidence to support following findings:
 - a. The imposition of the mitigation or fee otherwise required by this chapter would make the development of the particular project infeasible; and
 - b. The benefits to the city from the particular development project outweigh its burdens in terms of increased demand for affordable housing and other deleterious impacts.
 - c. For purposes of this subsection, "infeasible" shall mean incapable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social and technological factors.
- (b) The burden of establishing by satisfactory factual proof the applicability and elements of subsections (a)(1), (a)(2), or (a)(3) of this section shall be on the applicant.
- (c) No waiver or limit shall be granted pursuant to this section unless a finding is made, based on satisfactory factual proof provided by the applicant, that at least one of the requirements set forth in subsections (a)(1) or (a)(2) or (a)(3) of this section has been satisfied.

(Ord. No. 379, § 2, 7-15-2014)

Section 6182.11. - Appeal.

- (a) The applicant of any residential project subject to the provisions of this chapter and aggrieved by any administrative decision of the city relating to the imposition of any requirements of this chapter may appeal such decision to the planning commission in the same manner as provided in Section 6581.1 of Chapter 30 the City of East Palo Alto's Zoning Ordinance.
- (b) The applicant of any unit subject to the provisions of this chapter and aggrieved by any decision made by the planning commission pursuant to this chapter may appeal such decision to the city council in the same manner as provided in Section 6581.2 of Chapter 30 of the City of East Palo Alto's Zoning Ordinance.

(Ord. No. 379, § 2, 7-15-2014)

CHAPTER 8.5.5. - AFFORDABLE HOUSING IMPACT FEE—NONRESIDENTIAL DEVELOPMENT

Section 6183.1. - Authority and applicability.

- A. The fees established pursuant to this chapter are adopted under the authority of California Constitution Article XI, Section 7, which provides: "A county or city may make and enforce within its

limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws," and in accordance with the findings set forth in the ordinance codified in this chapter.

B. This chapter shall apply to the extent permitted by the statutes and laws of the State of California.

(Ord. No. 397, § 2, 7-19-2016)

Section 6183.2. - Purpose.

The purpose of this chapter is to: (1) enhance the public welfare by imposing a nonresidential development project housing impact fee whereby developers of nonresidential development projects will mitigate the impacts of their projects on the need for affordable housing by contributing to the supply of housing for households with very low, low, and moderate incomes; and (2) implement the housing element by creating a mechanism to provide benefits to the community from new development in the form of affordable housing, thereby helping to meet the needs of all socioeconomic elements of the community as provided in the housing element.

(Ord. No. 397, § 2, 7-19-2016)

Section 6183.3. - Definitions.

The following words and terms as used in this chapter shall have the meaning respectively ascribed thereto:

Affordable impact fee—Nonresidential development and housing fees—Nonresidential development mean the fee paid by developers of nonresidential development projects to mitigate the impacts that such developments have on the demand for affordable housing in the city.

Building permit means full structural building permits as well as partial permits such as foundation-only permits.

City affordable housing fund means a fund or account designated by the city to maintain and account for all monies received pursuant to this chapter.

Decision-making body means the city staff person or body authorized to approve or deny an application for a planning or building permit for a nonresidential development project.

Developer means the person(s) or legal entity(ies), who also may be the property owner, seeking real property development permits or approval from the city or developing a particular project in the city.

Nonresidential development project means an application for a planning permit or building permit that includes the new construction of gross square feet of nonresidential space or the conversion of a residential use to a nonresidential use.

Planning permit means any discretionary approval of a residential or nonresidential development project, including, without limitation, a general or specific plan adoption or amendment, rezoning, tentative map, parcel map, conditional use permit, variances, or design review.

(Ord. No. 397, § 2, 7-19-2016)

Section 6183.4. - Housing impact fee—Nonresidential development.

A housing impact fee is hereby imposed on all developers of nonresidential development projects. The amount of the housing impact fee shall be established from time to time by resolution of the city council. Housing impact fees shall not exceed the cost of mitigating the impact of nonresidential development projects on the need for affordable housing in the city.

Payment of the nonresidential development project housing impact fees shall be due at the issuance of the first permit entitling the developer to complete the nonresidential development project. The fees shall be calculated based on the fee schedule in effect at the time the first permit is issued.

(Ord. No. 397, § 2, 7-19-2016)

Section 6183.5. - Exemptions from payment of housing impact fee.

- A. Except as provided, the housing impact fee shall not apply to developers of nonresidential development projects adding ten thousand (10,000) square feet or less of new square footage. Further provided that the housing impact fee shall apply to developers of more than one (1) project notwithstanding that each such project adds ten thousand (10,000) or less net new square footage.
- B. The housing impact fee shall not apply to developers of nonresidential development projects which fall within one (1) or more of the following categories:
 - 1. Nonresidential development projects located on property owned by the State of California, the United States of America, or any of its agencies and used exclusively for governmental or educational purposes.
 - 2. Any structure proposed to repair or replace a building that was damaged or destroyed by fire or other calamity, so long as the square footage and use of the building remains the same, and construction of the replacement building begins within one (1) year of the damage's occurrence.
 - 3. Nonresidential development projects to the extent they have received a vested right to proceed without payment of housing impact fees pursuant to state law, including those that are the subject of development agreements currently in effect with the city, if such development agreements were approved prior to the effective date of this chapter and where such agreements expressly preclude the city from requiring payment of the housing impact fee.
 - 4. Nonresidential development projects which have received all required building and planning permits prior to the date of adoption of this ordinance.
 - 5. Other uses that may be specified by resolution of the city council.

(Ord. No. 397, § 2, 7-19-2016)

Section 6183.6. - Alternatives to payment of housing impact fee.

- A. As an alternative to compliance with the basic provisions included in Section 6183.4 of this chapter, developers of nonresidential development projects may propose to mitigate the affordable housing impacts of such development through the construction of affordable units on-site or through an alternative mitigation program proposed by the developer and the decision making body, such as the provision of off-site affordable units, donation of land for the construction of affordable units, or purchase of existing units for conversion to affordable units.
 - 1. The city council may adopt by resolution the percentage of affordable units needed to mitigate the impact of nonresidential development projects on the need for affordable housing.
 - 2. Any affordable rental or for-sale units proposed as an alternative to the payment of the housing impact fee shall be subject to the requirements described in Sections 6182.3 and 6182.6 of Chapter 8.5.
 - 3. If a developer proposes to provide affordable rental units, as defined in Section 6182.2 of Chapter 8.5 then, to ensure compliance with the Costa-Hawkins Rental Housing Act (Chapter 2.7 of Title 5 of Part 4 of Division 3 of the Civil Code), the city may only approve such a proposal if, as required by Civil Code Sections 1954.52(b) and 1954.53(a)(2), the developer agrees in a contract with the city to limit rents in accordance with Section 6182.3 of Chapter 8.5 in

consideration for a direct financial contribution from the city or a form of assistance specified in the State's Density Bonus Law (Chapter 4.3, commencing with Section 65915, of Division 1 of Title 7 of the Government Code). The developer may request that the city waive the affordable housing impact fee as a direct financial contribution to the rental residential development project.

- B. If the developer seeks an alternative to the payment of the housing impact fee pursuant to subsection A of this section, then the application for the first approval of a nonresidential development project for which the alternative is sought shall include an "affordable housing plan" that describes how the alternative will comply with the provisions of this chapter and Chapter 8.5. No affordable housing plan is required if the developer proposes only to pay the housing impact fee.
1. Nonresidential development projects requesting an alternative to payment of the housing impact fee require that an affordable housing plan be submitted in conformance with this chapter prior to the application being deemed complete.
 2. The affordable housing plan shall be processed concurrently with all other permits required for the nonresidential development project. Before approving the affordable housing plan, the decision-making body shall find that the affordable housing plan conforms to this chapter. A condition shall be attached to the first approval of any nonresidential development project to require recordation of an affordable housing agreement, as described in this subsection, prior to the approval of any final or parcel map or building permit for the nonresidential development project.
 3. The approved affordable housing plan may be amended prior to issuance of any building permit for the nonresidential development project. A request for a minor modification of an approved affordable housing plan may be granted by the decision-making body if the modification is substantially in compliance with the original affordable housing plan and conditions of approval. Other modifications to the affordable housing plan shall be processed in the same manner as the original plan.
 4. If required to ensure compliance with the approved affordable housing plan, affordable housing agreements acceptable to the decision-making body shall be recorded against the nonresidential development project prior to approval of any final or parcel map, or issuance of any building permit, whichever occurs first. The affordable housing agreement shall specify the number, type, location, size, and phasing of all affordable units, provisions for income certification and screening of potential purchasers or renters of units, and resale control mechanisms, including the financing of ongoing administrative and monitoring costs, consistent with the approved affordable housing plan, as determined by the decision-making body.
- C. The decision-making body may approve or conditionally approve an affordable housing plan that proposes on-site construction of affordable units if the decision-making body determines, based on substantial evidence, that:
1. The proposed affordable units comply with the standards in Sections 6182.3 and 6182.6 of Chapter 8.5, including without limitation, compliance with the requirement that the affordable units be made available for occupancy concurrently with the market-rate units; and
 2. The affordable units will mitigate the impact of the project on the need for affordable housing.
- D. If a developer proposes off-site affordable housing units or any other alternative in the affordable housing plan, the decision-making body may approve such a proposal if it is able to make the findings set forth in subsection C of this section and the proposal meets all of the following conditions:
1. Financing or a viable financing plan, which may include public funding sources, is in place for the proposed affordable housing units; and
 2. The proposed location is suitable for the proposed affordable housing, is consistent with the housing element, general plan, and zoning, and will not tend to cause residential segregation.

(Ord. No. 397, § 2, 7-19-2016)

Section 6183.7. - Standards for development of affordable housing.

All affordable units provided pursuant to Section 6182.3 of Chapter 8.5 shall meet the standards of Sections 6182.3 and 6182.6 of Chapter 8.5.

All affordable units provided pursuant to Section 6182.3 of Chapter 8.5 shall be made available for occupancy concurrently with the market-rate units. For the purposes of this subsection, "concurrently" means that the city may not issue building permits for more than fifty (50) percent of the market-rate units until it has issued building permits for all of the affordable units, and the city may not approve any final inspections or certificates of occupancy for more than fifty (50) percent of the market-rate units until it has issued final inspections or certificates of occupancy for all of the affordable units.

All affordable units provided pursuant to Section 6182.3 of Chapter 8.5 shall be subject to a resale restriction, deed of trust, and/or regulatory agreement recorded against the property and shall comply with requirements set out in Section 6182.6 of Chapter 8.5.

(Ord. No. 397, § 2, 7-19-2016)

Section 6183.8. - Affordable housing plan.

All affordable housing impact fees or other funds collected under this chapter shall be deposited into the city affordable housing fund.

The monies in the affordable housing fund and all earnings from investment of the moneys in the fund shall be expended exclusively to provide housing affordable to extremely low income, very low income, lower income, and moderate income households in the city, consistent with the goals and policies contained in the city's housing element and the purposes for which the fees were collected, and for administration and compliance monitoring of the affordable housing program.

The city council may, from time to time, adopt guidelines for expenditure of monies in the affordable housing fund.

(Ord. No. 397, § 2, 7-19-2016)

Section 6183.9. - Administrative relief.

- A. As part of an application for the first approval of a nonresidential development project, a developer may request that the requirements of this chapter be waived or modified by the decision-making body, based upon a showing that applying the requirements of this chapter would result in an unconstitutional taking of property or would result in any other unconstitutional result, or because there is no reasonable relationship between the impact of the development and the need for affordable housing.
 1. Any request for a waiver or modification shall be submitted concurrently with the project application. The developer shall set forth in detail the factual and legal basis for the claim, including all supporting technical documentation.
 2. Any request for a waiver or modification based on this section shall be reviewed and considered at the same time as the project application. The city council may from time to time establish by resolution a processing fee for review of any request for a waiver or modification.
- B. The waiver or modification may be approved only to the extent necessary to avoid an unconstitutional result, based upon legal advice provided by or at the behest of the city attorney, after adoption of written findings, based on legal analysis and the evidence. If a waiver or

modification is granted, any change in the project shall invalidate the waiver or modification, and a new application shall be required for a waiver or modification pursuant to this section.

(Ord. No. 397, § 2, 7-19-2016)

Section 6183.10. - Enforcement.

Payment of the housing impact fee is the obligation of the developer for a nonresidential development project. The city may institute any appropriate legal actions or proceedings necessary to ensure compliance herewith, including, but not limited to, actions to revoke, deny, or suspend any permit or development approval.

The city attorney shall be authorized to enforce the provisions of this chapter and all affordable housing agreements, regulatory agreements, and all other covenants or restrictions placed on affordable units, by civil action and any other proceeding or method permitted by law.

Failure of any official or agency to fulfill the requirements of this chapter shall not excuse any developer or owner from the requirements of this chapter. No permit, license, map, or other approval or entitlement for a nonresidential development project shall be issued, including without limitation a final inspection or certificate of occupancy, until all applicable requirements of this chapter have been satisfied.

The remedies provided for in this section shall be cumulative and not exclusive and shall not preclude the city from any other remedy or relief to which it otherwise would be entitled under law or equity.

(Ord. No. 397, § 2, 7-19-2016)

CHAPTER 8.6. - "OR" DISTRICTS (OFFICE RESIDENTIAL MIXED USE DISTRICTS)

Section 6185. - Regulations for "OR" districts.

The following regulations shall apply in all "OR" districts and shall be subject to the provisions of Chapter 22 of this part.

Section 6186. - Uses permitted.

- (a) Business and professional offices.
- (b) Medical and dental clinics.
- (c) Prescription pharmacies, in connection with medical offices.
- (d) Public parks and playgrounds.
- (e) Churches, subject to securing of a use permit, as provided in Chapter 24 of this part.
- (f) Mixed office and residential development: where mixed office residential developments are proposed in "OR" districts which front on busy streets and back on residential districts, the intent of this Ordinance is that the office development be located on the street frontage and the residential development be located on the portion of the lot adjacent to residential districts.
- (g) Commercial establishments, subject to securing of a use permit, as provided in Chapter 24 of this part.

Section 6187. - Development standards.

- (a) Yards required:
 - Front: None.

Side: Five (5) feet.

Side yard adjacent to a residential district: Twenty (20) feet.

Rear: Five (5) feet.

Rear yard adjacent to a residential district: Twenty (20) feet.

- (b) Maximum height permitted: three stories: Not to exceed thirty-six (36) feet in height.
- (c) Maximum lot coverage permitted: Seventy (70) percent.
- (d) Minimum lot area per dwelling unit: One thousand two hundred fifty (1,250) square feet.
- (e) Minimum lot coverage devoted to office development in a mixed use development: Thirty (30) percent.
- (f) Off-street parking shall be provided as required by Chapter 3 of this part. Parking areas shall be at ground level or underground and shall be screened and landscaped, if at ground level.
- (g) Lighting in parking lots shall be shielded and oriented to prevent glare in adjacent residential districts.
- (h) No sales or merchandising except for prescription pharmacies shall be permitted, except by use permit.
- (i) A six-foot masonry wall shall be constructed adjacent to the property line separating any nonresidential development in an "OR" zone from a residential district. The color and material of the wall shall be compatible with a residential neighborhood.

Chapter notes:

(Sections 6185 through 6187 - Added by Ordinance No. 22 - December 12, 1983)

CHAPTER 9. - "PUD" DISTRICT (PLANNED UNIT DEVELOPMENT DISTRICT)

Section 6190. - Purposes of chapter.

The planned unit development district is included in the Zoning Ordinance for the following purposes:

- (a) To provide a means of guiding land development or redevelopment in areas of the city that are uniquely suited for a planned coordination of mixed land uses;
- (b) To provide for a greater flexibility of land use and design than would be possible through strict application of the regulations applicable to other zoning districts;
- (c) To encourage imaginative and innovative planning concepts, and variety in the development patterns of the city;
- (d) To promote a mixture of harmonious and integrated uses on a site while protecting the integrity and environment of neighboring properties;
- (e) To provide a more efficient use of land resulting in the creation of additional public or private common areas and open space; and
- (f) To establish development standards for a high density mixture of uses, while preserving to the city the authority to modify such standards by imposing more restrictive or approving less restrictive requirements for development.

Section 6191. - Allowable mixed uses.

Any combination of the following uses may be allowed in a PUD district, subject to the provisions of this chapter:

- (a) Professional, administrative, and medical offices;
- (b) Banks, savings and loan associations, credit unions, thrift associations, and similar financial institutions, other than non-chartered financial institutions, which are not allowed;
- (c) Retail establishments, including, but not limited to, clothing stores, jewelry and gift shops, specialty shops, office equipment and supply stores, bakeries, delicatessens and markets;
- (d) Eating and drinking establishments, including, but not limited to, restaurants, coffee shops, taverns, cafes, and cafeterias;
- (e) Business service establishments, including, but not limited to, secretarial, word processing, copying, and printing;
- (f) Personal service establishments, including, but not limited to, beauty and barber shops, tailors, and shoe repair;
- (g) Hotels, which may include facilities for meetings, conferences, dining, and drinking;
- (h) Single-family dwellings;
- (i) Multifamily dwellings;
- (j) Theaters;
- (k) Day care centers; and
- (l) Recreation facilities, including, but not limited to, tennis courts, playgrounds, parks, health clubs, and fitness centers.

(Ord. No. 353, § 3, 12-20-2011)

Section 6192. - Site area.

- (a) The minimum gross site area of the property included within the development plan referred to in Section 6196 of this chapter shall be ten (10) acres, which may consist of more than one lot of record provided such lots are contiguous to each other. Lots, which are separated only by a street, shall be deemed contiguous.
- (b) The development plan referred to in Section 6196 may provide for subdivision of the property in a manner consistent with the types of uses and location of all improvements as shown on the plan. The proposed subdivision shall be subject to approval by the planning commission, which may be granted as part of the commission's approval of the development plan.

Section 6193. - Development standards.

The planned unit development shall comply with the following standards:

- (a) *Density of uses.* The maximum net floor area occupied by all uses within the development shall not exceed seven hundred thousand (700,000) square feet. As used herein, the term "net floor area" means the total rentable enclosed area of all buildings, measured to the inside surface of exterior walls or glass line. Net floor area shall not include common hallways, stairways, elevator shafts at each floor level, service and mechanical equipment rooms, basement or attic areas, areas used exclusively for vehicle parking or loading, and arcades that are open on any side. The total net floor area shall be allocated among various uses in such manner as approved by the planning commission.
- (b) *Site coverage.* The maximum gross site area covered by buildings, streets, and parking lots shall be seventy-five (75) percent. The remaining portion of the site shall be devoted to plazas, walkways, recreational areas, and landscaped areas: provided, however, that at least ten (10) percent of the gross site area shall be landscaped. A subsurface structure covered by at least two feet of earth on which landscaping will be planted shall be considered a landscaped area.

(c) *Height.* No structure shall exceed two hundred twenty-five (225) feet in height, as measured from the finished grade (excluding basements) to the highest point of the structure. Spires, flagpoles, and radio, television and communications antennas not exceeding twenty-four (24) inches in any cross section may extend up to thirty (30) feet above the height limit prescribed herein.

(d) *Setbacks.*

- (1) No structure shall be located within fifty (50) feet from any public street abutting the site, as measured from the street line;
- (2) The distance between structures on the site shall be as approved by the planning commission;
- (3) The portion of any structure in excess of one hundred fifty (150) feet shall be stepped back so as not to intersect a thirty-degree daylight plane inclined inward from a height one hundred fifty (150) feet above the minimum building setback line. Encroachments may be permitted beyond the inclined daylight plane, as approved by the planning commission; and
- (4) Parking structures immediately opposite a residential zoning district shall be set back or stepped back above the first level to mitigate the visual impact of the structure.

(e) *Parking.*

(1) Off-street parking for each use shall be provided at the following ratios:

Office/Personal service	1 space for each 250 square feet of net floor area.
Retail/Restaurant	1 space for each 200 feet of net floor area
Hotel	1 space for each room plus one space for each 50 square feet of meeting space
Any other use	1 space for each 250 square feet of net floor area

The term "net floor area," as used herein, shall have the same meaning as defined in Subsection (a) of this section.

- (2) Forty (40) percent of the required parking spaces may be designated as compact spaces.
- (3) The required parking spaces may be provided on the same or a different site, as approved by the planning commission, provided that all spaces are located within the planned unit development.
- (4) The planning commission may approve a shared use of parking spaces where it is demonstrated that different uses within the planned unit development will require parking facilities at different times of the day.
- (5) The planning commission may approve a modification of any standards or specifications for parking facilities if the commission determines that such modification will increase the number of available parking spaces and will not cause traffic congestion or create a safety hazard.
- (6) Any use involving regular delivery or pick-up by trucks shall be provided with a loading space, but the planning commission may approve a shared use of loading spaces if the

commission finds that such arrangement will not create traffic congestion or result in the use of parking spaces for loading purposes.

- (f) *Architectural design.* Each structure within the development shall be compatible with all other structures in terms of style, size, height, elevations, and other architectural features so as to present an integrated design pattern for the entire project. Emphasis shall be placed on pedestrian pathways, plazas, and common areas to connect the various uses and structures on the site.
- (g) *Traffic circulation.* Primary vehicular access points to the development shall be designed to provide smooth traffic flow with controlled turning movements and minimum hazards to vehicular, pedestrian, and bicycle traffic. Minor streets within the development shall not be connected to streets outside the development in such manner as to encourage their use by through traffic. Where appropriate, the internal circulation system shall provide pedestrian and bicycle paths that are physically separated from vehicular traffic.
- (h) *Open space and landscaping.*
 - (1) Surface parking shall contain landscape areas designed to break the parking lot into smaller sections and to separate parking areas from circulation routes;
 - (2) Upper levels of parking structures shall be screened by specimen trees to mitigate visibility from the street;
 - (3) Mature trees shall be planted at the major entrances to the project; and
 - (4) Lawns, shrubs and accent trees shall be planted adjacent to walkways and plazas and throughout the perimeter setback areas required in Subsection (d)(1) of this section.
- (i) *Screening.* Exterior storage and utility equipment shall be screened from public view. Trash collection and disposal facilities shall be enclosed by a solid masonry wall and solid steel gate no lower than the facilities themselves.
- (j) *Roofs.* Roofing materials shall be selected to minimize glare. Mechanical equipment installed on roofs and capable of being seen from taller buildings shall be screened or painted.
- (k) *Signs.* A master signage plan, pursuant to Section 6421 of Chapter 22, shall be required for the entire project, which shall include, but is not limited to, the following:
 - (1) Type, general location and size of each sign;
 - (2) Design specifications; and
 - (3) If illuminated, the type and intensity of lighting. No flashing electronic signs shall be allowed.
- (l) *Drive-through service.* No drive-through service shall be allowed. As used herein, the term "drive-through service" means a feature or characteristic of a use involving the sales of products or provision of services to occupants in motor vehicles, including drive-in or drive-up windows.
- (m) *Lighting.* No lighting shall be allowed which produces excessive glare or intensity, as viewed from any location either within or outside of the development.

Section 6194. - Modification to standards.

Upon a determination by the planning commission that a modification of standards can better achieve the purposes and objectives of this chapter and provided the commission is able to make all of the findings required for issuance of a planned unit development permit, as prescribed in Subsection 6196(f), the planning commission may modify any or all of the standards set forth in Section 6193 of this chapter.

Section 6195. - Requirement for PUD permit.

- (a) A planned unit development permit, hereafter in this chapter referred to as "PUD permit," shall be required for any planned unit development. No such permit may be granted until the applicant has first obtained approval of the development plan pursuant to Section 6196 of this chapter.
- (b) No use shall be established or changed, nor shall any building or structure be constructed or altered, except in strict conformity with the PUD permit and the conditions contained therein.

Section 6196. - Development plan.

- (a) *Application.* Application for approval of the development plan shall be filed with the director of planning on such form as he shall prescribe. The application shall include eighteen copies of the development plan, drawn to scale, having a dimension of not less than eighteen (18) inches by twenty-six (26) inches. The application shall be accompanied by the following information and documents:
 - (1) Site plan showing the location and size of all structures, streets, sidewalks and pathways, parking and loading facilities, landscaping, open space and common areas. The site plan shall also contain a date, north point, scale, and sufficient description to define the location and boundaries of the development;
 - (2) Scale drawings showing the design of all structures on the site, including size, height, elevations, color, materials, floor plan, and gross floor area;
 - (3) A proposed tentative subdivision map, if a subdivision of the site is contemplated as part of the development plan;
 - (4) The name of any existing recorded map applicable to the site, the date of recording such map, and the book and page of the official records where such map is recorded;
 - (5) Location, names, widths, centerline radii, and centerline slopes of all streets and other ways in the development;
 - (6) A grading and drainage plan shall be furnished showing how runoff surface water will be controlled and the ultimate disposal of all surface waters;
 - (7) Location and character of all existing easements for drainage, sewage or public utilities, together with all building and use restrictions applicable thereto, and the approximate locations of all proposed easements for drainage, sewage or other public utilities;
 - (8) Location of all creeks, streams, and other watercourses on or adjacent to the site, showing top of existing banks and creek depth;
 - (9) All provisions for domestic water supply, which are proposed by the applicant, including source, quality, and approximate quantity expressed as gallons per minute;
 - (10) All provisions for sewage disposal, storm drainage and flood control which are proposed by the applicant, including the approximate distance to and location of the nearest storm drainage and sanitary sewer main lines;
 - (11) Existing wells, active or abandoned, and disposition proposed;
 - (12) Location of existing native and ornamental trees, including outline, centers and species having a trunk circumference of twenty-four (24) inches or more at a point twenty-four (24) inches above natural grade;
 - (13) A list of the names and addresses of the owners of every property located within three hundred (300) feet from each boundary of the site, as shown on the latest available assessment roll of the County of San Mateo;
 - (14) Name and address of record owner or owners, applicant, and registered engineer or licensed land surveyor or other person who prepared the development plans;
 - (15) The proposed name of the development, if any. The proposed name is subject to approval by the planning commission;

- (16) Designation of each general category of land use, including the percentage of gross site area and the amount of net floor areas to be occupied by each such use on the site;
 - (17) Calculation of total coverage on the site, including a breakdown showing the amount of coverage occupied by structures, parking areas, streets, sidewalk and plazas, together with a calculation of the total area of the site devoted to landscaping;
 - (18) Traffic circulation plan and estimates of traffic impacts based upon available data and studies, including previously prepared and certified environmental impact reports;
 - (19) Traffic management plan showing how alternative forms of transportation will be utilized;
 - (20) A preliminary title report issued within thirty (30) days from date of filing the application by a reputable title company doing business in the County of San Mateo, issued to or for the benefit of city and showing all parties having any interest in the land;
 - (21) Landscape and lighting plans;
 - (22) Master signage plan, pursuant to Section 6421.8 of Chapter 22;
 - (23) Restrictive agreements, if any;
 - (24) Schedule for commencement and completion of construction; and
 - (25) Such other agreements, studies, drawings and documents as may reasonably be requested in writing by the director of planning within thirty (30) days after the date on which the application is submitted to the city.
- (b) *Fee.* The application shall be accompanied by the payment of a processing fee, in such amount as established from time to time by resolution of the city council, together with a deposit toward the cost of noticing the public hearing as determined by the director of planning. Unless previously paid, the applicant shall also pay such amounts as the director of planning may require for the cost of any traffic studies, soils reports, noise studies, or other environmental reports or studies to be obtained by the city in connection with the application for approval of the development plan.
- (c) *Distribution.* Upon receipt of the application and acceptance thereof as being complete, the director of planning shall distribute the proposed development plan and accompanying documents to the following persons and agencies:
- (1) One copy to each department head of the city;
 - (2) One copy to the county health department;
 - (3) One copy to the water district or company having jurisdiction over the property;
 - (4) One copy to the sanitation district having jurisdiction over the property;
 - (5) One copy to the fire district having jurisdiction over the property;
 - (6) One copy to such utility companies as are or will be providing service to the development; and
 - (7) One copy to each school district having jurisdiction over the property.
- (d) *Departmental reports.* Upon receipt of the proposed development plan and other documents, each of the persons and agencies referred to in Subsection (c) of this section shall have an opportunity to make an investigation and report to the director of planning any recommended conditions or requirements. The director of planning shall request such persons and agencies to furnish their reports within thirty (30) days after receipt of the proposed development plan. The director of planning shall thereupon cause a written staff report to be prepared and submitted to the planning commission. A copy of such report shall be furnished to the applicant not later than five days prior to the public hearing on the application. The planning department report shall either summarize, or incorporate by reference, all the other departmental reports received as hereinabove specified and shall itemize such conditions as the director of planning deems appropriate to be imposed by the planning commission if approval of the development plan is recommended.

- (e) *Public hearing.* The planning commission shall conduct a public hearing on the application for approval of the development plan. Notice of the public hearing shall be given not less than ten days nor more than thirty (30) days prior to the date of the hearing by mailing, postage prepaid, a notice of the time and place of the hearing to the applicant and to all persons whose names appear on the latest available assessment roll of the County of San Mateo as owning property within three hundred (300) feet of the boundaries of the site on which the development is to be constructed. Notice of the public hearing shall also be published once in newspaper having general circulation in the city not less than ten (10) days prior to the date of the hearing.
- (f) *Action by planning commission; findings.* The planning commission may approve, reject or modify the development plan and may grant approval subject to such conditions and requirements as the commission deems appropriate. No development plan shall be approved or conditionally approved unless the planning commission has first made all of the following findings:
 - (1) That the development is consistent with the General Plan and any applicable specific plan;
 - (2) That the development provides for an integrated and harmonious system of land uses and land use intensities;
 - (3) That all adverse environmental impacts of the development can be adequately mitigated, or there are overriding considerations for approval of the development notwithstanding such impacts;
 - (4) That the public facilities as existing or to be constructed will be adequate to service the development; and
 - (5) That the development will not be detrimental to the public health, safety or general welfare.
- (g) *Design review approval.* Approval of the development plan pursuant to this section shall constitute design review approval of all structures shown on such plan.
- (h) *Modification of approved development plan.* Minor changes in the location, siting or character of buildings and other improvements may be authorized by the director of planning if required by engineering or other circumstances not foreseen at the time the development plan was approved and provided the change does not cause any of the following:
 - (1) A change in the use or character of the development;
 - (2) An increase in the overall density of use or increase in the overall site coverage of structures;
 - (3) A reduction of approved open space or landscaped areas; and
 - (4) A reduction of required off-street parking.

Except as otherwise set forth above, any change in the approved development plan shall require approval by the planning commission pursuant to Section 6198 of this chapter.

Section 6197. - Issuance of PUD permit; expiration, extensions.

- (a) Upon approval of the development plan by the planning commission, or by the city council on appeal, the director of planning shall issue a PUD permit to the applicant. Such permit shall contain all of the conditions of approval and shall be signed by the applicant to acknowledge the same. Failure by the applicant to sign the permit within thirty (30) days after the date of issuance or such longer period of time may be allowed by the director of planning, shall invalidate both the PUD permit and the approval of the development plan. The PUD permit, or a memorandum thereof, shall be recorded in the office of the county recorder. The recorded document shall include, as an exhibit attached thereto, a copy of the approved final site plan showing the location of all property lines, street lines, structures, sidewalks and common areas.
- (b) A PUD permit granted pursuant to this chapter shall expire twenty-four (24) months from the date on which approval of the final development plan became effective. Unless prior to such expiration date, a building permit is issued and construction of the development is commenced and prosecuted diligently toward completion, subject only to delays beyond the reasonable control of the permittee.

Notwithstanding the foregoing, the initial expiration date of a PUD permit can extend beyond twenty-four (24) months if so provided under the terms of an executed disposition and development agreement or statutory development agreement between the permit holder and the city.

- (c) A PUD permit may be extended by the planning commission for a period or periods of time not exceeding thirty-six (36) months, or such longer period of time as may be provided under the terms of an executed disposition and development agreement or statutory development agreement between the permit holder and the city. The application for extension shall be filed prior to the expiration date, and shall be accompanied by the payment of a fee in such amount as established from time to time by resolution of the city council. A public hearing shall be conducted on the application for extension and notice thereof shall be given in the same manner as provided in Subsection 6196(e) of this chapter. Extension of a PUD permit is not a matter of right and the planning commission may deny the application or grant the same subject to conditions.

Section 6198. - Continuing jurisdiction of the planning commission.

The planning commission shall, in all cases, retain continuing jurisdiction over each PUD permit and may at any time, either on its own initiative or in response to an application or request to do so, modify or delete any conditions of a PUD permit or impose any new conditions if the commission determines that such action is necessary in order to preserve a substantial right of the applicant, or to preserve the public health, safety or welfare, or to prevent the creation or continuance of a public nuisance, or where such action is necessary to preserve or restore any of the findings set forth in Subsection 6196(f) of this chapter. The planning commission shall not approve a modification of the PUD permit without first conducting a public hearing thereon, with notice of such hearing being given in the same manner as provided in Subsection 6196(e) of this chapter. Notwithstanding the foregoing, unless requested or approved by the permit holder, no modification of the PUD permit shall be made by the planning commission or the city council which abrogates or impairs any vested or contractual rights the permit holder has acquired by virtue of the PUD permit or by virtue of an executed disposition and development agreement or statutory development agreement between the permit holder and the city.

Section 6199. - Appeal procedures.

Any appeal of the decision of the planning commission pertaining to a planned unit development permit shall follow the appeal procedures as set forth in Chapter 30 of the Zoning Regulations.

(Ord. No. 284, § 3, 3-2-2004)

Chapter notes:

(Sections 6190 through 6199 - Added by Ordinance No. 109 - November 20, 1989)

CHAPTER 12.5. - "COSC" DISTRICT (COMMUNITY OPEN SPACE CONSERVATION DISTRICT)

Section 6225. - Regulations for "COSC" district.

The following regulations shall apply in all "COSC" districts and shall be subject to the provisions of Chapter 22 of this part.

Section 6226. - Purpose.

The purpose of the "COSC" district is to protect areas designated for general open space in adopted community plans by providing for planned low intensity development, which preserves, to the greatest degree possible, the visual and open characteristics of the land.

Section 6227. - Uses permitted.

- (a) These following uses shall be permitted in Community Open Space Conservation District:

- (1) Agricultural uses and accessory structures: On-site sales of agricultural products, including but not limited to the following:
 - (a) Flowering crops.
 - (b) Vegetable crops.
 - (c) Truck gardening.
 - (d) Community gardens.
 - (e) Christmas tree farms.
- (2) Public recreation facilities, including but not limited to the following uses:
 - (a) Parks.
 - (b) Playfields.
 - (c) Tot lots.
- (b) The following uses shall be permitted in the Community Open Space Conservation District subject to the securing of a use permit in each case:
 - (1) Nurseries.
 - (2) Livestock and grazing.
 - (3) Commercial recreation facilities, including but not limited to the following uses:
 - (a) Stables and riding academies.
 - (b) Golf courses.
 - (c) Driving ranges.
 - (d) Campgrounds (non-vehicular).
 - (e) Swimming pools.
 - (f) Athletic or sports clubs and facilities.
 - (4) Institutional facilities, including but not limited to the following:
 - (a) Community centers.
 - (b) Day care centers.
 - (c) Interpretive centers.
 - (5) One single-family residence per parcel less than forty (40) acres in size.
 - (6) Division of land, except that no residential uses shall be permitted on a parcel recorded after December 1, 1981.

Section 6228. - Development standards

- (a) Minimum building site: Two (2) acres.
- (b) Maximum height permitted: One-story not to exceed sixteen (16) feet in height.
- (c) Maximum lot coverage permitted: Ten (10) percent.
- (d) Minimum yards required:
 - (1) Front and rear: Fifty (50) feet.
 - (2) Sides: Twenty (20) feet each side.

- (e) Design review: All structures in this district shall be subject to design review by the planning commission as a portion of the use permit process to ensure that the architectural and site design is compatible with its environmental setting.

CHAPTER 13. - "P" DISTRICTS (PARKING DISTRICTS)

Section 6230. - Regulations for "P" districts.

The following regulations shall apply in all "P" districts and shall be subject to the provisions of Chapter 22 of this part.

Section 6231. - Uses permitted.

- (a) The temporary parking of self-propelled private passenger vehicles, subject to the following additional requirements:
 - (1) Such parking lot shall be accessory to and for use in connection with one or more establishments permitted in the adjoining "R, C, or M" districts.
 - (2) No sign of any kind, other than signs designating entrances, exits, and conditions of use, shall be maintained on such parking lot.
 - (3) The location and design of roofs above parking areas, covered walkways, entrances, exits, fences, plant screenings, surfacing, marking, signs, and lighting shall be subject to the approval of the planning commission. Accurate plans and specifications shall be submitted to the planning commission for such approval.
- (b) The temporary use of traveling shows, carnivals and exhibitions, not to exceed seven days in any one year.

CHAPTER 14.5. - "O" DISTRICTS (OFFICE DISTRICTS)

Section 6245. - Regulations for "O" districts.

The following regulations shall apply in all "O" districts and shall be subject to the provisions of Chapter 22 of this part.

Section 6246. - Uses permitted.

- (a) All uses permitted in R-1 and R-2 districts subject to the securing of a use permit as provided in Chapter 24 of this part, for any use for which a use permit is required in an R-1 district, except that no new single-family structures shall be permitted. Single-family structures existing at the time of the adoption of this chapter may be replaced if destroyed or damaged.
- (b) Multiple-family dwellings and dwelling groups.
- (c) The following uses subject to the securing of a use permit in each case as provided in Chapter 24 of this part:
 - (1) Offices.
 - (2) Medical and dental clinics.
 - (3) Prescription pharmacies in connection with medical offices providing there is no exterior entrance.

Section 6247. - Development standards.

- (a) Front, side and rear yard setbacks, height limitation and maximum lot coverage shall conform to the requirements of the combined "S" district.

- (b) The required front yard setback shall not be used for parking area. There shall be no storage or parking of commercial or industrial vehicles on the site except for the purpose of loading or unloading.
- (c) Buildings may not be used for residential and nonresidential use at the same time.
- (d) No sales or merchandising shall be permitted except for prescription pharmacies. There shall be no display of merchandise or products whether in a display window or in any other manner visible from the exterior of any building.
- (e) There shall be no storage, warehousing, handling, processing or assembling of merchandise or products, except as specifically provided for herein.

CHAPTER 15. - "C-1" DISTRICTS (NEIGHBORHOOD BUSINESS DISTRICTS)

Section 6250. - Regulations for "C-1" districts.

The following regulations shall apply in all "C-1" districts and shall be subject to the provisions of Chapter 22 of this part.

Section 6251. - Uses permitted.

- (a) A use permit as provided in Chapter 24 of this part shall be required for the following uses:
 - (1) Hospitals, rest homes, sanitariums, clinics.
 - (2) Philanthropic and charitable institutions.
 - (3) Automobile courts.
 - (4) Hotels.
 - (5) Any residential use.
- (b) The following retail stores, shops, or businesses:
 - (1) Automobile service stations for only the sale of gasoline, oil, and new accessories, including washing and lubrication services. Used tires accepted in trade on the premises may be resold.
 - (2) Bakeries but not including the wholesale baking or bakery goods to be sold off the premises.
 - (3) Banks, savings and loan associations, credit unions, thrift associations, and similar financial institutions, other than non-chartered financial institutions, which are not allowed.
 - (4) Bars.
 - (5) Barber shops.
 - (6) Beauty parlors.
 - (7) Book or stationary stores.
 - (8) Clothes cleaning agency or pressing establishment.
 - (9) Confectionery stores.
 - (10) Conservatories for instruction in music and the arts.
 - (11) Dressmaking or millinery.
 - (12) Drug store.
 - (13) Dry goods or notion store.
 - (14) Florist or gift shop.
 - (15) Grocery, fruit or vegetable store.

- (16) Hardware or electric appliance store.
 - (17) Jewelry store.
 - (18) Laundry agency.
 - (19) Meat market or delicatessen store.
 - (20) Offices, business or professional.
 - (21) Photographic or camera store.
 - (22) Restaurant, tea room, or cafe.
 - (23) Shoe store or shoe repair store.
 - (24) Tailor, clothing or wearing apparel.
 - (25) Theaters.
 - (26) Dry cleaning establishments using self-service, coin-operated machines.
 - (27) Bowling alleys.
 - (28) Massage establishments.
 - (29) Maintenance and operation of up to five electronic amusement devices; provided, however, no such amusement device or devices may be located, operated, or maintained within three hundred (300) feet of the nearest entrance to or exit from any public or private school of elementary or high school grades.
 - (30) Small collection facilities for recyclable materials, subject to obtaining a building permit, provided there is no additional mechanical processing equipment on-site, that collection facilities shall not be located within thirty (30) feet of any property zoned or occupied for residential use unless there is a recognized service corridor and acoustical shielding between containers and residential use, that there is no decrease in traffic or pedestrian circulation or the required number of on-site parking spaces for the primary use, and all litter and loose debris shall be removed on a daily basis.
- (c) The following uses subject to securing a use permit as specified in Chapter 24 of this part:
- (1) Mortuaries.
 - (2) Outdoor advertising structures or signs as defined in Sections 5202 and 5203 of the Business and Professions Code of the State of California.
 - (3) Retail dry cleaning establishments.
 - (4) Patio and garden supply sales.
 - (5) Bulk storage plants for liquefied petroleum gas and similar types of home fuels.
 - (6) Small animal hospitals, clinics, and grooming shops.
 - (7) The sale of used merchandise or vehicles.
 - (8) Retail auto supply sales and auto repair when floor area utilized for auto repair and/or auto storage does not exceed fifteen (15) percent of the total floor area of the business. The fifteen (15) percent floor area shall in no event exceed one thousand five hundred (1,500) square feet and a maximum of three autobays will be allowed.
 - (9) Any establishment engaged in the sale of any alcoholic beverage for on-site or off-site consumption, subject to the regulations as set forth in Section 6506 of this Ordinance. Notwithstanding the foregoing, the requirement for a use permit shall not apply to any establishment lawfully operating and legally engaged in the sale of alcoholic beverages prior to December 21, 1987; provided, however, if any such establishment was licensed by the department of alcoholic beverage control as of December 21, 1987 to sell only beer and wine, a

use permit shall be required for such establishment to engage in the sale of any other alcoholic beverages.

(Ord. No. 353, § 4, 12-20-2011)

Section 6252. - Yards required.

(a) Front yards required: None.

(b) Side and rear yards required:

- (1) Every building or portion thereof which is designed, intended and/or used for any purpose permitted in any "R" district shall comply with the provisions of this part as to side and rear yards which are required by any combined "S" district, provided that when the ground floor of any such building is used exclusively for any commercial purpose, no side or rear yard shall be required for said ground floor except as set forth in the following Subsections (2) and (3).
- (2) There shall be a side yard of at least three feet along the side of every lot in a "C-1" district, which side is bordering on property in any "R" district.
- (3) There shall be a rear yard of at least six feet along the rear of every lot in a "C-1" district, which rear is bordering on property in any "R" district.

Chapter notes:

(Section 6251(d) - Amended by Ordinance No. 71 - February 3, 1986)

(Section 6251(d)(9) - Added by Ordinance No. 131 - April 1, 1991)

CHAPTER 16. - "C-2" DISTRICTS (GENERAL COMMERCIAL DISTRICTS)

Section 6260. - Regulations for "C-2" districts.

The following regulations shall apply in all "C-2" districts and shall be subject to the provisions of Chapter 22 of this part.

Section 6261. - Uses permitted.

- (a) All uses permitted in "C-1" districts without regard to any limitations specified in this part for such uses in said "C-1" districts and without regard to the securing of any use permits except for any residential uses, which shall first obtain a use permit.
- (b) The following uses:
 - (1) Automobile repair garages, including storage facilities where all operations are conducted in a building enclosed on all sides.
 - (2) Billiard parlors or pool halls.
 - (3) Bowling alleys.
 - (4) Carpenter shops.
 - (5) Dance halls.
 - (6) Dancing academies.
 - (7) Electrical substations.
 - (8) Equipment and tool rental.
 - (9) Golf driving ranges and miniature golf courses.

- (10) Laundries.
 - (11) Lumber yards - including the sale of lumber and wood products but not the milling and planing thereof.
 - (12) Paint, paper hanging and decorating shops.
 - (13) Plumbing shops where all operations are conducted in a building enclosed on all sides.
 - (14) Printing shops.
 - (15) Sign painting shops.
 - (16) Skating rinks.
 - (17) Small animal hospitals and pet shops, but not including the raising of animals.
 - (18) Storage of household goods.
 - (19) Stores and shops for the conduct of any wholesale business.
 - (20) Stores and shops for the sale of used merchandise where all operations are conducted in a building enclosed on all sides.
 - (21) Tinsmith shops where all operations are conducted in a building enclosed on all sides.
 - (22) Used car sales.
 - (23) Scaffold storage and rental where all operations are conducted in a building enclosed on all sides.
 - (24) Maintenance and operation of up to five electronic amusement devices; provided, however, no such amusement device or devices may be located, operated, or maintained to or within three hundred (300) feet of the nearest entrance to or exit from any public or private school of elementary or high school grades.
 - (25) Non-chartered financial institutions, so long as the location is at least five hundred (500) feet from a residentially-zoned property and so long as the location is at least one thousand (1,000) feet from any religious institution, school, day care center, bar, or liquor store or other non-chartered financial institution.
- (c) The following uses subject to the securing of a use permit in each case as provided in Chapter 24 of this part:
- (1) Trailer camps.
 - (2) Electroplating shops.
 - (3) Poultry slaughtering.
 - (4) Outdoor advertising structures or signs as defined in Sections 5202 and 5203 of the Business and Professions Code of the State of California.
 - (5) Children's amusement devices.
 - (6) Roofing contractor's establishments.
 - (7) Maintenance and operation of six or more electronic amusement devices; provided, however, no such amusement device or devices may be located, operated, or maintained within three hundred (300) feet of the nearest entrance to or exit from any public or private school of elementary or high school grades.
 - (8) Adult bookstores, adult movie houses or adult cabarets subject to the following limitations:
 - (a) No adult bookstore, adult movie house or adult cabaret shall be located within one thousand (1,000) feet of any other adult bookstore, adult movie house or adult cabaret.

- (b) No adult bookstore, adult movie house or adult cabaret shall be located within two thousand (2,000) feet of any nursery school, elementary school, junior high school, high school, public playground or church.
- (c) No adult bookstore, adult movie house or adult cabaret shall be located within five hundred (500) feet of any R-1, R-2, or R-M zoning district, or within five hundred (500) feet of any residential zoning district in any adjacent jurisdiction.
- (9) Any establishment engaged in the sale of any alcoholic beverage for on-site or off-site consumption, subject to the regulations as set forth in Section 6506 of this Ordinance. Notwithstanding the foregoing, the requirement for a use permit shall not apply to any establishment lawfully operating and legally engaged in the sale of alcoholic beverages prior to December 21, 1987; provided, however, if any such establishment was licensed by the department of alcoholic beverage control as of December 21, 1987 to sell only beer and wine, a use permit shall be required for such establishment to engage in the sale of any other alcoholic beverages.
- (10) Retail establishments offering firearms for sale.

(Ord. No. 353, § 5, 12-20-2011)

Section 6262. - Yards required.

Same as specified for "C-1" districts.

Chapter notes:

(Section 6261(d)(9) - Added by Ordinance No. 131 - April 1, 1991)

(Section 6261(d)(10) - Added by Ordinance No. 160 - February 22, 1994)

CHAPTER 19. - HOME BUSINESSES

Section 6290. - Purposes of chapter.

- (a) To preserve the residential character of East Palo Alto's neighborhoods as contemplated in the city's adopted General Plan;
- (b) To establish a system for review of home businesses currently in existence in or proposed in residentially zoned districts; and
- (c) To eliminate as home businesses in residentially zoned districts all uses except those that conform to the standards set forth in this Ordinance.

Section 6291. - Applicability and scope of chapter.

This Ordinance shall apply to business or commercial activities conducted in dwellings (including single-family attached or detached dwellings, duplexes, apartments, or mobile homes) within residential zoning districts that meet the existing definition for a "home business" in City of East Palo Alto Zoning Ordinance and the following:

- (a) An accessory use of a dwelling unit, conducted entirely within the dwelling unit, and carried on by one or more persons, all of whom reside in the dwelling unit, and where no persons are employed other than domestic help;
- (b) The use is clearly incidental and secondary to the use of the dwelling for residence purposes and does not change the character thereof or adversely affect the uses permitted in the residential zoning district of which it is a part; and

- (c) All temporary uses of land other than those allowed in residentially zoned areas that do not meet the criteria of a "home business" require a temporary use permit as identified in Chapter 24.

Section 6292. - Standards for home businesses.

Home businesses are subject to the requirements of the base residential district, as well as the following standards, which have been established to preserve the neighborhood character of which the dwelling engaged in a home business is a part:

- (a) No home business shall be operated in such a manner as to cause a nuisance, e.g., noise, vibrations, dust, odors, glare, debris, smoke, television or radio interference, heat, radiation, or other nuisances as defined by the director of planning that are detectable outside the dwelling or through vertical or horizontal common walls of an attached dwelling;
- (b) The home business will not change the residential character nor shall it alter the external or internal appearance of the dwelling unit other than those alterations normally allowed for residential structures;
- (c) No signs or symbols identifying the home business are allowed that are visible from any public street;
- (d) No more than twenty-five (25) percent of the gross floor area of one floor of said residence or one room, whichever is less, shall be used for the purpose of home business, exclusive of garage floor areas or the floor areas of accessory structures;
- (e) The use does not involve the storage of hazardous, flammable, or combustible liquids or materials, other than those customarily found in or of greater intensity and/or duration of those customarily associated with a residence;
- (f) Patrons of the home business are permitted at the residence only between the hours of 9:00 a.m. and 8:00 p.m. (with the only exception being those home businesses that do not involve disruptive or other activities);
- (g) The entrance to the space devoted to the home business shall be from within the main dwelling unit and there shall be no internal or external alterations to the existing residence that would operate to provide an entrance other than the same of the entire dwelling unit;
- (h) All advertising shall clearly state "by appointment only" if the residential address is used;
- (i) The home business shall be restricted to the interior of the dwelling unit and shall not take place on external areas of the dwelling's property, the dwelling's garage, or in any accessory structure;
- (j) While no outdoor storage may occur, no more than fifty (50) cubic feet of storage of inventory or products shall be devoted for storage purposes in any part of the dwelling;
- (k) No persons other than residents of the dwelling or domestic help shall work or report to work on the premises;
- (l) Only two clients are permitted in the dwelling at anyone time. (residential garage sales being the only two exceptions);
- (m) No article may be regularly displayed, sold, or offered for sale on the premises. (Residential garage sales not occurring more often than once in a three-month period are excluded from this restriction.);
- (n) An order may be filled on the premises if it is placed earlier by a patron using telephone, mail order, or through attendance at a sales party;
- (o) Although not part of a home business, twice-yearly special sales may be held at the residence for the purpose of selling hand-produced goods (involving little use of mechanical tools) to invited guests. Such sales are allowed provided that: (i) no more than three such sales are

allowed in any calendar year; (ii) no such sale is conducted for more than four consecutive days; and (iii) such sales are conducted between the hours of 9:00 a.m. and 5:00 p.m.;

- (p) The home business shall not generate pedestrian or vehicular traffic and/or parking in excess of what is normal in a similar residential dwelling not having a home business. Specifically, the home business shall cause no more than twelve (12) visits in any one twenty-four-hour day by those patronizing the home business by vehicle. Nor shall the home business cause delivery vehicles to visit the site more than once in a five-day work week (excluding normal package delivery by United States Mail, United Parcel Service, or other company involved in small package delivery);
- (q) The home business shall not generate refuse, sewage, electrical, or water use in excess of what is normal for in a similar residential dwelling not having a home business;
- (r) No mechanical or electrical equipment may be installed or maintained other than such as is customarily incidental to a domestic use;
- (s) Vehicles with commercial signing shall be prohibited, other than one such vehicle which is regularly used by the occupant for transportation. If such a vehicle is not removed from the residential neighborhood at least once every seventy-two (72) hours, it must be stored within an enclosed structure on the premises. For purposes of this Ordinance, a "commercial vehicle" is defined as a vehicle with commercial license plates, one that is equipped with dual rear wheels and is not designed and used for recreational housing purposes;
- (t) The dwelling is the principal residence of the business license and the applicant complies with all city laws, regulations, ordinances, and any other requirements, as established by the director of planning; and
- (u) Up to ten (10) garage sales are allowed to each single-family, or duplex residential property per year. Each event will be no more than two consecutive days.

Section 6293. - Businesses prohibited in the home.

The following uses by the nature of the investment or operation have a pronounced tendency to rapidly increase beyond the limits permitted for home businesses and thereby substantially impair the use and value of a residentially zoned area for residential purposes:

- (a) Animal breeding beyond one litter per year of domestic animals (e.g., cats, dogs, rabbits, birds, etc.);
- (b) Appliance repair; other than the repair of small household appliances;
- (c) Carpentry work;
- (d) Dance instruction to more than one individual at a time;
- (e) Dental or other medical offices;
- (f) Firearms sales and services;
- (g) Food catering;
- (h) Hair salons, unless by appointment to one individual at a time;
- (i) Motorized garden tool repair, such as, but not limited to, lawnmowers, chainsaws, and leaf blowers;
- (j) Massage parlors and the business of arranging massages at an off-site location;
- (k) Pest control;
- (l) Painting of vehicles, trailers, boats, and like vehicles/vessels;
- (m) Photo developing;
- (n) Real estate or brokerage offices;

- (o) Upholstery and furniture repair;
- (p) Vehicle-related uses such as, but not limited to, the cleaning, dismantling, embellishment, installation, manufacture, repair or service, sale, lease, or rental, and towing of vehicles. The dispatching of vehicles such as limousines, taxicabs, and ambulances is allowed as a home business so long as those vehicles need not regularly come into the vicinity of the subject residence;
- (q) Welding;
- (r) Any uses which require a hazardous materials permit from the Menlo Park Fire Protection District; and
- (s) Any other uses as determined by the director of planning to be inappropriate as a home business.

Section 6294. - Determination of acceptability for a home business permit.

The director of planning shall be responsible for reviewing any use that is claimed to meet the standards set forth in this Ordinance, to qualify a use as a home business, and to make a determination for permit issuance within twenty-one (21) days (notwithstanding any extension of that time as consented to by user or proposed user) of receipt of the notice of use and any information and documentation requested by the director of planning for review in making the determination whether or not the use qualifies as a home business.

The director of planning may require the user or proposed user to submit to the director of planning information and documentation from which the determination can be made. If the information or documentation considered by the director of planning is false or incorrect, the determination, at option of the director of planning, is a nullity of no force or effect. The determination of the director of planning may be conditioned as deemed necessary to secure the purposes of this Ordinance, including receipt of such evidence satisfactory to the director of planning that such conditions will be complied with so that the use of the dwelling will not expand into other than a home business.

No business license shall be issued for a home business and no use shall be made of a dwelling as a home business for five business days after a determination is rendered or deemed rendered or while an appeal is pending before the city manager or city council.

(Ord. No. 284, § 4, 3-2-2004)

Section 6295. - Appeal procedures.

Any appeal of the decision of the director of planning pertaining to a home business permit shall follow the appeal procedures as set forth in Chapter 30 of the Zoning Regulations.

(Ord. No. 284, § 5, 3-2-2004)

Chapter notes:

(Chapter 19 - Added by Ordinance No. 163 - February 7, 1994)

(Sections 6291(c) and 6292(u) - Added by Ordinance No. 194 - February 20, 1996)

CHAPTER 20. - "S" DISTRICTS (COMBINING DISTRICTS)

Section 6300. - Regulations for "S" districts.

In any district with which is combined any "S" district, the following regulations as specified for the respective "S" districts shall apply:

Minimum Building Site			Minimum Setback Required					
District	Average Width (ft.)	Minimum Area (sq. ft.)	Front (ft.)	Side (ft.)	Rear (ft.)	Maximum Stories	Height Feet	Maximum Coverage Permitted (%)
S-1	50	5,000	20	5	20	3	36	50
S-2	50	5,000	20	5	20	3	36	50
S-3	50	5,000	20	5	20	3	36	50
S-4	50	5,000	20	5	20	3	36	50
S-5	50	5,000	20	5	20	3	36	50
S-6	50	5,000	20	5	20	3	36	50
S-7	50	5,000	20	5	20	3	36	50
S-8	50	7,500	20	5	20	3	36	40
S-9	50	10,000	20	10	20	3	36	30
S-10	75	20,000	20	10	20	3	36	25

Section 6301. - [Insufficient right-of-way.]

When any parcel which meets the minimum lot size for the zoning district in which it is located fronts upon a street having insufficient right-of-way for the construction of city standard street improvements, said parcel shall continue to be a legal building site after the dedication or acquisition of the necessary additional right-of-way; provided, that, the area reduction does not exceed fifteen (15) percent of the original parcel area; and further provided, that any building placed upon said parcel subsequent to said dedication shall maintain the front, side and rear yard setbacks required in said zoning district.

CHAPTER 22. - GENERAL PROVISIONS AND EXCEPTIONS

ARTICLE 1. - USE: GENERAL PROVISIONS AND EXCEPTIONS AFFECTING ALL ZONING DISTRICTS

Section 6400. - [Accessory uses.]

The following accessory uses, in addition to those hereinbefore specified, shall be permitted in any "R" District, provided that such accessory uses do not alter the character of the premises in respect to their use for the purposes permitted in such respective districts.

- A. The renting of rooms and/or the providing of table board in a dwelling as an incidental use to that of its occupancy as a dwelling of the character permitted in the respective district, but not to the extent of constituting a hotel as defined in this part, unless permitted in the district.
- B. The installation and operation of necessary facilities and equipment in connection with such schools, colleges, universities, hospitals and other institutions as are permitted in the respective districts.
- C. Recreation, refreshment and service buildings in public parks and playgrounds.
- D.
 - 1. The parking of not more than one house trailer for a period not to exceed more than two weeks in any one-year period.
 - 2. The storage of not more than one house trailer within a completely enclosed building so located as to conform with all provisions of this part.
- E. Real estate sales offices in garages of subdivision model homes subject to adopted policy standards.
- F. In addition to any "R" District, as set forth above, transitional housing (as defined in Section 6102.48.2) and supportive housing (as defined by Section 6102.48.1) are permitted in all zoning districts in which residential uses are permitted, including: "OR," "PUD," and "C-1." While "COSC" and "C-2" zoning districts allow residential uses, such uses are only permitted by a use permit. The requirement of obtaining a use permit for such uses shall also apply to transitional housing and supportive housing in these two zoning districts.

(Ord. No. 388, § 2(B), 3-17-2015)

Section 6401. - [Commercial and industrial uses.]

All commercial and industrial uses conducted in "C-1," "C-2," "M-1" or "M-2" Districts shall be conducted entirely within an enclosed structure unless a use permit is obtained under the provisions of Chapter 24 of this part for the conducting of such use wholly or in part outside of such structure.

ARTICLE 2. - HEIGHT: GENERAL PROVISIONS AND EXCEPTIONS

Section 6402. - [Height limitations.]

Public and semi-public buildings, schools, churches, hospitals and other institutions may be erected to a height not exceeding seventy-five (75) feet; provided that the front, rear and side yards shall be increased one foot for each one foot which such building exceeds the height limit hereinbefore established for the district in which they are located.

Section 6403. - [Additional story permitted.]

Where the average slope of a lot is greater than a one foot rise or fall in seven feet distance from the established street grade at the front lot line, one story in addition to the number permitted in the district in which said lot is situated shall be permitted on the downhill side of any building; provided that the height of the building shall not be increased above the limit specified for such district.

Section 6404. - [Permit for exceeding height of building.]

Upon the securing of a use permit as provided in Chapter 24 of this part any building may be erected to a height exceeding that hereinbefore specified, provided that the total floor area of such building shall not exceed that possible for a building in such respective district erected within the height limit hereinbefore specified for such district.

Section 6405. - [Permit for exceeding height of tower, gables, spires, penthouses, etc.]

Upon the securing of a use permit as provided in Chapter 24 of this part, towers, radio towers, television towers, gables, spires, penthouses, scenery lofts, cupolas, water towers and tanks and similar structures and necessary mechanical appurtenances may be built and used to a greater height than the limit established for the district in which the building or structure is located; provided that no such exception shall cover, at any level, more than fifteen (15) percent in area of the lot, nor have an area at the base greater than one thousand six hundred (1,600) square feet; provided, further, that no tower, gable, spire, or similar structure shall be used for sleeping or eating quarters or for any commercial purpose other than such as may be incidental to the permitted uses of the main building; and provided, further, that no building or structure in any district except an "M-2" District shall ever exceed a maximum height of one hundred fifty (150) feet.

ARTICLE 3. - YARDS: GENERAL PROVISIONS AND EXCEPTIONS

Section 6406. - [Computing front yard dimensions.]

For the purpose of computing front yard dimensions the measurement shall be taken from the nearest point of the front wall of the building to the street line; provided, however, that if an official plan line has been established for the street, then the measurement shall be taken from the nearest point of the front wall of the building to such official plan line; except that the certain architectural features hereinafter enumerated shall not be considered in making such measurements:

- (a) Cornices, canopies, eaves, chimneys, or any other architectural features may extend into said front, side, or rear yard, a distance not exceeding two feet, provided that no such architectural feature shall extend to within two feet of any side or rear lot line.
- (b) Fire escapes may extend into said front, side or rear yard a distance not exceeding four feet.
- (c) A stairway, landing place or uncovered porch may extend into said front yards a distance not exceeding six feet and into said side or rear yard a distance not exceeding three feet and providing that:
 - (1) Such landing place or uncovered porch shall have its floor no higher than the entrance floor of the building.
 - (2) A railing no higher than forty-two (42) inches may be placed around such landing place or uncovered porch.
 - (3) Such stairway, landing place or porch is unroofed and unenclosed above and below.
 - (4) Such stairway, landing place or uncovered porch shall not reduce the effective side yard clearance to a distance less than three feet.
- (d) A covered porch structure, one story in height, open on the street side and at least one other side may project five feet into the required setback. If a covered porch is incorporated into the design of a single-family residence, such that a street facing attached garage wall/door is setback a minimum of five feet from the front of the porch, the street facing garage wall/door may be set back a minimum of twenty (20) feet from the front property line.
- (e) A legal parcel, meeting the definition thereof as set forth in Section 7009(53) of the Subdivision Regulations and which has less than one hundred (100) feet of lot depth, the rear yard shall be twenty (20) percent of the average lot depth but in no case shall it be less than twelve (12) feet.

(Ord. No. 344A, § 3, 7-19-2011)

Section 6407. - [Front yard depths.]

In any "R" District where twenty-five (25) percent or more of the lots in any block and located in the same district, exclusive of the frontage along the side of a corner lot, has been improved with buildings at the time of the passage of this part, and the front yards on such lots vary in depth to an extent not greater than six feet, then the required front yard depth for such district shall be disregarded in such block and in lieu thereof the front yard required on each lot in said block shall be of a depth not less than the average depth of the front yards on the lots on which are located such existing buildings, to a maximum of fifty (50) feet.

Section 6407.1. - [Reduction of the front yard setback.]

The planning commission, may by use permit issued in accordance with Chapter 24 of this Ordinance, grant a reduction of the front yard setback to not less than five feet upon an application including not less than five contiguous lots, provided that at least one uncovered off-street parking space is provided in addition to each off-street parking space required by Section 6119 of this Ordinance for each lot having a setback of less than twenty (20) feet.

Section 6408. - [Front yard depth required.]

In any "R" District where a lot is situated between two lots, each of which has a main building located within twenty-five (25) feet of the side lines of the lot in question and such buildings are located nearer the street line than the depth of the front yard required for the district in which they are situated, the front yard depth required for such lot shall be not less than the average of the depths of front yards of said existing buildings.

Section 6408.1. - [Side yard of corner lot.]

In any district on any corner lot, the side yard on the street side of such corner lot shall be not less than fifty (50) percent of the minimum front yard required on the contiguous lot to the rear.

Section 6408.2. - [Front or rear facing any side lot line.]

In the event that a dwelling is so located on a lot that the front or rear thereof faces any side lot line, such dwelling shall be not less than ten (10) feet from such lot line.

Section 6408.3. - Reserved.

Editor's note— Ord. No. 380, § 7, adopted June 17, 2014, deleted § 6408.3, entitled "Two or more dwellings on one lot; passageway".

Section 6408.4. - [Two or more dwellings on one lot; building location.]

In any district in which two or more dwellings are permitted on one lot, no dwelling shall be located closer than six feet to any other dwelling or main building on the lot; provided however, that this distance shall be increased by two feet for each story by which either building exceeds two stories.

(Ord. No. 380, § 8, 6-17-2014)

Section 6408.5. - [Rear of building facing street line.]

No building shall be so located on a lot that the rear of said building faces a street line.

Section 6409. - [Accessory building is attached to the main building.]

In case an accessory building is attached to the main building, it shall be made structurally a part thereof, and shall comply in all respects with the requirements of this part applicable to the main building, except as herein otherwise provided; an accessory building, unless attached to the main building, shall not be closer than five feet to the main building.

Section 6410.1. - [One-story detached accessory building roof area.]

In any "R" District, a one-story detached accessory building of not more than one hundred twenty (120) square feet in projected roof area and less than six feet, six inches in total height may be constructed without a planning entitlement or building permit if the following conditions are met:

- (a) The accessory building does not occupy more than twenty-five (25) percent of the area of the rear yard;
- (b) The accessory building is located at least three feet from all property lines and at least six feet from any adjacent structures;
- (c) Overall lot coverage limitations for the district are not exceeded;
- (d) The accessory building is constructed of a material that is visually appealing, painted or stained (unless natural wood will weather attractively), and with a pitched roof that does not produce glare;
- (e) The accessory building is built to the specifications of the Uniform Building Code as well as any other applicable codes in force in the city and state;
- (f) If the accessory building is proposed on a corner lot, the building does not encroach upon the exterior side yard; and
- (g) The accessory building is not proposed in any yard other than the rear yard, unless approved by the director of planning.

Section 6410.2 - [Same—One-story detached accessory building roof area.]

In any "R" District, a one-story detached accessory building of more than one hundred twenty (120) square feet in projected roof area and less than six feet, six inches in total height may be constructed having obtained administrative planning approval if the following conditions are met:

- (a) The accessory building does not occupy more than twenty-five (25) percent of the area of the front or rear yard;
- (b) The accessory building is located at least three feet from the rear property line, twenty (20) feet from the front property line, three feet from side property lines, and at least six feet from any adjacent structures;
- (c) The accessory building has a projected roof area of less than one thousand (1,000) square feet;
- (d) Overall lot coverage limitations for the district are not exceeded;
- (e) The accessory building is constructed of a material that is visually appealing, painted or stained, fully enclosed, and with a hip or other approved roof that does not produce glare, and of a compatible exterior appearance with the principal structure of the premises;
- (f) The applicant has submitted plans to the building official and has received a building permit to proceed with construction; and
- (g) If the accessory building is proposed on a corner lot, the building does not encroach upon the exterior side yard.

Section 6410.3. - [Same—One-story detached accessory building roof area.]

In any "R" District, a one-story detached accessory building of more than one hundred twenty (120) square feet in projected roof area and/or more than six feet six inches in total height may be constructed having obtained administrative planning approval if the following conditions are met:

- (a) The accessory building does not occupy more than twenty-five (25) percent of the area of the front and maintains at least seven hundred fifty (750) square feet of usable area in the rear yard; otherwise, development is not allowed;
- (b) The accessory building is located at least six feet from the rear property line and there is at least seven hundred fifty (750) square feet of usable yard area, twenty (20) feet from the front property line, three feet from side property lines, and at least three feet from any adjacent structures;
- (c) The height of the accessory building does not exceed fifteen (15) feet;
- (d) The accessory building has a projected roof area of less than one thousand (1,000) square feet;
- (e) Overall lot coverage limitations for the district are not exceeded;
- (f) The accessory building is constructed of a material that is visually appealing, painted or stained (unless natural wood will weather attractively), fully enclosed, with a hip or other approved roof that is of a material that does not produce glare (e.g., composition shingle, shake, etc.), and of a compatible exterior appearance with the principal structure of the premises;
- (g) The applicant has submitted plans to the building official and has received a building permit to proceed with construction; and
- (h) If the accessory building is proposed on a corner lot, the building does not encroach upon the exterior side yard.

(Ord. No. 380, § 9, 6-17-2014)

Section 6410.4. - [Same—One-story detached accessory building roof area.]

In any "R" District, a one-story detached accessory building must be less than one thousand (1,000) square feet in projected roof area.

(Ord. No. 380, § 10, 6-17-2014)

Section 6411. - [Detached accessory buildings.]

Detached accessory buildings shall conform to the following additional regulations as to their location upon the parcel.

- (a) In the case of an interior lot abutting upon one street, no detached accessory building shall be erected or altered so as to encroach upon the front half of such lot.
- (b) In the case of an interior lot abutting upon two or more streets, no accessory building shall be erected or altered so as to encroach upon the one-fourth of the lot nearest either street.
- (c) In the case of a reversed corner lot, no accessory building shall be erected or altered so as to encroach on the area between such street and lines drawn approximately parallel to such streets, respectively, in such a manner that each of such lines divides the lot into two equal areas.
- (d) In the case of other corner lots, no accessory building shall be erected or altered so as to be closer to any street side lot line than a distance equal to the width of a side yard required for this lot.

- (e) No detached accessory building shall be closer to the side lot line of the front one-half of any adjacent lot than one-half the width of the side yard required for such adjacent lot; provided, however, that no accessory building shall be less than five feet from such side lot line.
- (f) Notwithstanding any requirements in this article, the foregoing rules shall not require any detached accessory building to be more than seventy-five (75) feet from any street line bounding the lot.
- (g) No natural gas-fueled or electrical heating or air conditioning apparatus, pump, plumbing, or other mechanical equipment may be installed within any accessory building (with the exception of a single wash basin and/or plumbing required for a washing machine), unless otherwise approved by the director of planning.

Section 6412. - [Fences, walls and hedges.]

Fences, walls and hedges shall be subject to the following regulations, except as provided in Section 6412.1:

- (a) Fences, walls, and hedges not exceeding four feet in height may occupy any front yard area.
- (b) Fences, walls, and hedges not exceeding six feet in height may occupy any side or rear yard area, provided:
 - (1) That they do not extend into any required front yard.
 - (2) That, in the case of a corner lot, they do not extend into the side yard required along a side street or into that portion of the rear yard abutting such side street which is equal to the width of the side yard required on said side street.
- (c) On any parcel of land having a street frontage of one hundred (100) feet or more, fences, hedges or walls not exceeding six feet in height may be erected in any part of the yard area, except as limited by Subsection (d).
- (d) On any corner lot, the maximum height of fences, walls, hedges, and growth located within fifty (50) feet of the intersected street lines shall not exceed four feet in height; provided that nothing in this section shall prevent any fence, wall, or hedge from occupying any portion of the lot area that a main residence may occupy under the terms of this part.
- (e) Where trees are located within fifty (50) feet on the intersected street lines, the main trunks of such trees shall be trimmed free of branches to a height of seven and one-half (7½) feet above the curb grade.

Section 6412.1. - [Abrupt shift in the height of the land at the boundary line.]

With regard to the height limits set out in Section 6412, whenever there exists an abrupt shift in the height of the land at the boundary line between two different property owners, the lower owner may erect a fence, wall or hedge on the boundary to a height limit set out in Section 6412, and in no event more than twelve (12) feet high.

Section 6413. - Animals.

The provisions of this part shall not apply to domestic animals less than six months old.

Section 6414. - [Electric or luminous signs containing red or green colors.]

No electric or luminous signs containing red or green colors shall be erected within one hundred fifty (150) feet of an intersection containing stop lights without securing a use permit as specified in Chapter 24 of this part.

ARTICLE 4. - TREE REGULATIONS

Section 6420. - Findings; purpose of article.

The city council finds that the preservation of native and ornamental trees is necessary for the health, safety and welfare of the residents of the city; that such trees preserve scenic beauty, prevent erosion of topsoil, protect against flood hazards, counteract pollutants in the air, and maintain the climatic balance and decrease wind velocities. It is the intent of this article to establish regulations for the installation, maintenance, preservation and removal of trees within the city, consistent with the reasonable use of private property.

Section 6420.1. - Definition of tree.

For the purposes of this article, the word "tree" means a woody perennial plant characterized by having a main stem or trunk, or a multi-stemmed trunk system with a more or less definitely formed crown, and usually over ten (10) feet high at maturity. This definition shall not include trees planted, grown and held for sale by licensed nurseries or the first removal or transplanting of such trees pursuant to and as part of the operation of a licensed nursery business.

Section 6420.2. - Application of article.

This article shall apply to every owner of real property within the city, and to every person responsible for removing or damaging a tree regardless of whether such person is engaged in a tree removal business.

Section 6420.3. - Removal of certain trees without permit.

Except as otherwise provided in Section 6420.4, it is unlawful for any person to destroy or remove or cause to be destroyed or removed, any protected tree upon any private or public property in the city without first having obtained a permit to do so issued pursuant to this article. A protected tree shall consist of any of the following:

- (a) Any tree having a main stem or trunk which measures forty (40) inches or greater in circumference at a height of twenty-four (24) inches above natural grade;
- (b) Any tree within a public street or public right-of-way, regardless of size;
- (c) Any tree that existed at the time of an approval granted under the city's subdivision or zoning ordinance and required to be preserved as part of such approval;
- (d) Any tree required to be planted as a condition of any development approval granted by the city; and
- (e) Any tree required to be planted as a replacement for an unlawfully removed tree as provided in Subsection 6420.10(a) of this article.

Section 6420.4. - Exceptions.

The permit requirement set forth in Section 6420.3 shall not apply to any of the following:

- (a) *Emergencies.* If the condition of a tree presents an immediate hazard to life or property, it may be removed without a permit on order of the city manager, the city building inspector, or the city director of planning;
- (b) *City employees.* Employees of the city may without a permit take such action with regard to trees on city-owned property as may be necessary to maintain safety;
- (c) *Public utilities.* Public utilities subject to the jurisdiction of the state public utilities commission may without a permit take such action as may be necessary to comply with the safety regulations of the commission and may be necessary to maintain a safe operation of their facilities; and

- (d) *Project approval.* Where removal of tree has been authorized as part of any development approval granted by the city, no permit shall be required for removal of such tree.

Section 6420.5. - Application for permit.

Application for a tree removal permit shall be made to the director of planning on such form as he/she may prescribe. The application shall contain the number and location of each tree to be removed, the type and approximate size of the tree, the reason for removal, and such additional information as the director may require.

Section 6420.6. - Determination on permit.

- (a) *Criteria.* Each application for a tree removal permit shall be reviewed and determined on the basis of the following criteria:
- (1) The condition of the tree with respect to disease, imminent danger of falling, proximity to existing or proposed structures, and interference with utility services;
 - (2) The necessity to remove the tree for economic or other enjoyment of the property;
 - (3) The topography of the land and the effect of the tree removal upon erosion, soil retention, and the diversion or increased flow of surface waters;
 - (4) The number, species, size and location of existing trees in the area, and the effect the removal would have upon shade, privacy impact, scenic beauty, property values and any established standards of the area; and
 - (5) The number of healthy trees the property is able to support according to good forestry practices.
- (b) *Additional recommendations.* The director of planning may refer the application to another department, commission, or person for a report and recommendation. The director may also require the applicant to furnish a written report from an independent tree expert acceptable to the director, such report to be obtained at the expense of the applicant.

Section 6420.7. - Appeal procedures.

Any appeal of the decision of the director of planning pertaining to a tree removal permit shall follow the appeal procedures as set forth in Chapter 30 of the Zoning Regulations.

(Ord. No. 284, § 6, 3-2-2004)

Section 6420.8. - No liability upon city.

Nothing in this article shall be deemed to impose any liability upon the city or upon any of its officers or employees, nor to relieve the owner or occupant of any private property from the duty to keep in safe condition any trees upon his property or upon a public right-of-way over his property.

Section 6420.9. - Setback of new construction from existing trees.

No structure or pavement shall be constructed or installed within eight feet from any tree, unless otherwise permitted by the approving authority.

Section 6420.10. - Violations; penalties.

The violation of any provision contained in this article is hereby declared to be unlawful and shall constitute an infraction and a public nuisance. In addition thereto, any person who intentionally removes or destroys any protected tree without a permit, or negligently causes the removal or destruction of any protected tree, shall be penalized as follows:

- (a) Replacing each unlawfully removed tree with three new trees or such greater number of new trees as the director of planning may determine to be necessary to provide an aesthetic quality reasonably equivalent to the unlawfully removed tree. The size, species, and condition of the replacement trees shall be subject to approval by the director of planning. All such replacement trees shall be maintained by the property owner under a five-year maintenance agreement with the city.
- (b) Where the director of planning determines that replacement trees will not provide reasonably equivalent aesthetic quality, the director shall calculate the value of the unlawfully removed tree in accordance with the latest edition of the Guide For Establishing Values of Trees and Other Plants, as prepared by the Council of Tree and Landscape Appraisers, and such value shall be the civil penalty for violation of this article in addition to the penalty prescribed by law for the commission of an infraction offense.
- (c) The violation of any provision contained in this article during the conduct by any person of a tree removal, landscaping, construction or other business in the city shall constitute grounds for revocation of any business license issued to such person.

ARTICLE 5. - SIGN REGULATIONS

Section 6421.1. - Exempt signs.

The following signs shall be allowed without a sign permit in any zoning district and shall not be included in the determination of type, number, or area of signs allowed on each parcel:

- (a) Federal, state, or local government flags, emblems, and historical markers;
- (b) Official federal, state, or local government traffic, directional, and information signs and notices issued by any court, person, or officer in performance of a public duty, or any other sign that is required to be posted by any government agency;
- (c) Temporary signs warning of construction, excavation, or similar hazards, so long as the hazard exists;
- (d) Temporary holiday decorations;
- (e) Temporary noncommercial signs not exceeding four square feet total for each property in residential zones and ten (10) square feet total for each parcel in nonresidential zones;
- (f) Temporary signs indicating that the parcel on which the sign is located is for sale, lease, or rent. Only one such sign is permitted to face on each street adjacent to the parcel. Such signs may be single or double-faced, and are limited to three square feet per face on property in residential zones and ten (10) square feet or less on property in nonresidential zones;
- (g) "No Trespassing" sign, each not more than one square foot in size placed at each corner and each entrance to a parcel and at intervals of not less than fifty (50) feet or in compliance with the requirements of law;
- (h) Parking lot and other private traffic directional signs each not exceeding four square feet in area and limited to guidance for pedestrian or vehicular traffic within the premises on which they are located;
- (i) Bulletin boards not over twenty-four (24) square feet in area and six feet in height on properties at which a legal public, charitable, or religious institution exists; and
- (j) Signs placed by public utilities to show the location of underground facilities.

Under certain circumstances, temporary signs and other exempt signs may require a building or electrical permit, as required by the uniform codes adopted by the City of East Palo Alto.

Section 6421.2. - Prohibited signs.

In addition to any sign not specifically allowed in accordance with this chapter, the following signs are prohibited:

- (a) Any sign which simulates or imitates in size, color, lettering, or design any traffic sign or signal, or which make use of words, symbols, or characters in such a manner to interfere with, mislead, or confuse pedestrian, or vehicular traffic;
- (b) Signs attached or placed adjacent to any utility pole, parking meter, traffic sign post, traffic signal or any official traffic-control device in accordance with Section 21464 of the California Vehicle Code;
- (c) Any sign placed on a street median, other than signs placed by the city, state, federal government, or local utility company, the latter only with city approval;
- (d) Any sign, except as may be required by other code or ordinance, placed or maintained so as to interfere with free ingress to or egress from any door, window, or fire escape;
- (e) Any sign that draws attention to the fact that a certain parcel is a residential care facility;
- (f) Any sign that draws attention to the fact that a home business is located on a certain parcel;
- (g) Private signs, other than permitted projecting signs or temporary signs allowed under this chapter, located on or extending over public property without a valid encroachment permit;
- (h) Sign(s) erected without the permission of the property owner, or his their agent, of the parcel on which the sign is located;
- (i) Any portable sign designed to be transported by means of wheels;
- (j) Any sign placed or painted on vehicles parked and visible from the public right-of-way, not including signage painted on vehicles used in the normal day-to-day operations of the business;
- (k) Signs made wholly or partially of highly reflective material, except energy saving reflective material, and fluorescent painted signs; and
- (l) Any sign which does not conform with the following clearance requirements from communications lines, utility lines, and power lines, notwithstanding any further restrictions adopted by the California Public Utilities Commission:

MINIMUM CLEARANCE OF SIGNS FROM CONDUCTORS

Vertical Clearance	Less Than 750 Volts	Greater Than or Equal To 750 Volts
Above Sign	3 feet	8 feet
Below Sign	3 feet	Not allowed
Horizontal Clearance		
Above Sign	3 feet	6 feet
Below Sign	4 feet	6 feet

Section 6421.3. - Signs on public property.

With regard to signs on public property, the following shall apply:

- (a) No commercial or noncommercial sign, whether temporary or permanent shall be placed upon any public property or within any public right-of-way, or upon or attached to any structure, pole, post, tree, shrub, wire, or other object located within any public right-of-way; and
- (b) The prohibition in Subsection (a) of this section shall not apply to signs installed upon public property by the public agency owning or in control of such property.

Section 6421.4. - Temporary signs on private property.

With regard to temporary signs on private property, the following shall apply:

- (a) *General restrictions.* No temporary sign shall be erected, installed or maintained in any zoning district in the city, except as authorized and in conformity with the provisions of this section and in compliance with the following restrictions:
 - 1. No temporary sign shall be placed upon any private property without the prior consent of the property owner or the person in lawful possession of the property;
 - 2. No temporary sign shall be placed upon the roof of any structure;
 - 3. No temporary sign shall be illuminated;
 - 4. No temporary sign shall be erected to overhang any street, sidewalk, or other public property;
 - 5. No temporary sign shall be erected in a manner or place that will obstruct a motorist's line of sight or otherwise constitute a safety hazard for vehicular or pedestrian traffic upon any street, sidewalk, or right-of-way; and
 - 6. Every temporary sign shall contain either on the face or the reverse side thereof a legibly printed identification of the name, address, and telephone number of the sign owner who is responsible for the posting and removal of the sign.
- (b) *Real estate signs.* In addition to the general restrictions set forth in Subsection (a) of this section, all real estate signs shall comply with the following specific regulations:
 - 1. In any single-family, duplex, or multifamily zoning district, one temporary real estate sign, not exceeding six square feet in area, may be erected and maintained upon the property being offered for sale or rental. If the sign is freestanding, it shall not exceed four feet in height;
 - 2. In any nonresidential zoning district, one temporary real estate sign, not exceeding twenty-four (24) square feet in area, may be erected and maintained upon the property being offered for sale or rental; provided, however, if the site is a corner lot or has a street frontage in excess of one hundred fifty (150) feet, a second real estate sign not exceeding twelve (12) square feet in area, may be erected upon issuance of a permit for such additional sign by the director of planning. If the sign is freestanding, it shall not exceed eight feet in height;
 - 3. No real estate sign may be erected for a period of time in excess of twelve (12) months, except that a permit may be issued by the director authorizing a real estate sign to be maintained for such longer duration, and subject to such conditions, as may be specified therein; and

4. Notwithstanding the foregoing, where a planned unit development permit is granted pursuant to Chapter 9 of the Zoning Ordinance, the planning commission may approve, as part of such permit, a comprehensive sign program for the entire project that includes a specification of the number, size, design, location, period of time, and other requirements for the posting of temporary real estate signs within the development.
- (c) *Subdivision signs.* In any residential zoning district, temporary subdivision signs shall be permitted, provided they conform with the general restrictions set forth in Subsection (a) of this section and the following additional regulations:
1. One sign, not exceeding twenty-four (24) square feet in area, advertising a subdivision, may be erected or displayed at each entrance to the subdivision;
 2. A sign, not exceeding six square feet in area, advertising a model home, may be erected or displayed on the site of each model home in a subdivision;
 3. No subdivision sign authorized by Subsections (c)1. or 2. above shall exceed four feet in height;
 4. In the case of a subdivision having five or more lots, a reasonable number of ornamental flags or streamers may be erected at each entrance to the subdivision and along the boundaries of the project adjacent to public streets. The height of the pole or other support structure for the ornamental flag or streamer shall not exceed the height limit for the zoning district in which the property is located; and
 5. A sign permit from the planning director shall be required for any of the temporary, subdivision signs, flags or streamers authorized by this section. Such permit may be issued at any time after recordation of the final subdivision map, and shall be for a term not exceeding one year. The signs, ornamental flags and streamers shall then be removed unless, prior to the expiration of one year, renewal of the permit for a period of not more than one additional year shall be approved by the director of planning.
- (d) *Construction signs.* A temporary construction sign may be permitted in any district so long as it conforms with the general restrictions set forth in Subsection (a) of this section and the following additional regulations:
1. The sign shall be located on the same site as the construction project. A freestanding sign may be permitted;
 2. No more than one sign having an area not exceeding fifteen (15) square feet may be erected or displayed on the site, and where the development consists of a residential subdivision where a temporary on-tract subdivision sign would be permitted, then no temporary construction sign shall be permitted; and
 3. A sign permit from the planning director shall be required for the temporary construction sign. Such permit may be issued at any time on or after issuance of the building permit for the building or structure in question. The sign permit shall expire six months following the date on which such permit was issued or upon the sooner completion of construction. The sign shall be removed on expiration of the permit unless prior to expiration the sign permit is renewed on approval of the director of planning, which renewal shall in no event be for a period in excess of an additional six months. The sign permit shall not thereafter be further renewed.
- (e) *Grand opening signs.* In any commercial zoning district, temporary grand opening signs or banners to announce the commencement of a new business establishment shall be permitted, provided they conform with the general restrictions set forth in Subsection (a) of this section and the following additional regulations:
1. The grand opening sign or banner shall not exceed twenty (20) square feet in area;
 2. The grand opening sign or banner must be erected on the same site as the business establishment; and

3. The grand opening sign or banner shall not be displayed for more than thirty (30) days prior to, or more than thirty (30) days from and after, the date on which the establishment opens for business.
- (f) *Noncommercial signs.* Temporary noncommercial signs may be erected within any zoning district, provided they conform with the general restrictions set forth in Subsection (a) of this section and the following additional regulations:
1. No freestanding sign shall exceed an area of ten (10) square feet or four feet in height; and
 2. A noncommercial sign that relates to a specific event shall be removed within five calendar days after the occurrence of such event.
- (g) *Special event signs.* Pursuant to the temporary use permit section of the Use Permit Ordinance, Chapter 24, the installation of temporary signs, banners, or other advertising pertaining to a community-wide civic event, activity, or observation conducted or sponsored by the city, such as a fair, parade, or commemorative day or week.

Section 6421.5. - Signs requiring approval of the planning commission.

All signs requiring a sign permit pursuant to this chapter shall be reviewed by the director of planning or his/her agent. However, the following signs shall require approval of the planning commission:

- (a) Signs consisting of or containing any moving, rotating, flashing, or otherwise animated light or component;
- (b) Any individual sign or combination of all signs on anyone parcel, which exceeds the height or area limitations of the signs standards contained within this section for the zoning district in which the property is located;
- (c) New off-premises signs, including outdoor advertising structures, i.e., billboards; and/or
- (d) Any other visual devise which does not, in the discretion of the director of planning, comply with the purpose of this chapter or the intended interpretation of these standards.

Section 6421.6. - Signs allowed on private property without permits and standards therefore.

Signs shall be allowed on private property in accordance with, and only in accordance with, attached Sign Table A (Appendix 1). If the letter "P" appears for a sign type in a column, such sign is allowed without prior permit approval in the zoning districts represented by that column. If the letter "S" appears for a sign type in a column, such sign is allowed only with prior permit approval in the zoning districts represented by that column. Special conditions may apply in some cases and planning commission approval may be required as specified in Section 6421.5 of this chapter. If the letter "N" appears for a sign type in a column, such sign is not allowed in the zoning districts represented by that column.

Although permitted under the previous paragraph (or conditionally permitted by Section 6421.5 of this chapter), a sign designated by an "S" or a "P" in Sign Table A shall be allowed only if:

- (a) The sum of the area of all building and freestanding signs on the parcel conforms with the maximum permitted sign area as determined by the formula for the zoning district in which the parcel is located as specified in attached Sign Table B (Appendix 1);
- (b) The size, location and number of signs on the parcel conform with the requirements of attached Sign Table C (Appendix 1), which establishes permitted sign dimensions by sign type, and with any additional limitations listed in attached Sign Table A; and
- (c) The characteristics of the sign conform with the limitations of attached Sign Table D (Appendix 1), Permitted Sign Characteristics, and with any additional limitations on characteristics listed in attached Sign Table A.

The standards contained within the tables discussed above are minimum standards and the director of planning shall retain the right to make a reasonable adjustment to those standards as particular circumstances and conditions related to the public health, safety and welfare warrant.

Section 6421.7. - Sign permit required.

Any person, business, or property owner desiring to construct, maintain, or display a sign for which a permit is required shall submit an application to the planning division. Such application shall include plans, drawings, and descriptive material sufficient to depict the sign proposal as required in the subsequent sections so as to enable evaluation of the proposals conformance with this chapter. Authorization of the property owner shall be required as a prerequisite to the planning division accepting the application as complete.

Section 6421.8. - Master signage plan required.

No permit shall be issued for an individual sign requiring a permit unless and until a master signage plan for the subject parcel or parcels on which the sign will be erected has been submitted to the director of planning and approved by the director as conforming with this section. The requirement for a master signage plan shall apply to new commercial and industrial developments consisting of one or more parcels, and to signs proposed on parcels (buildings) for which a use permit or other discretionary entitlement is sought. The requirements for a master signage plan shall not apply to any existing parcel or parcels already entitled signs by an approved common signage plan that meets the provisions of this section.

Section 6421.9. - Optional common signage plan.

If the owners of two or more contiguous (disregarding intervening streets and alleys) parcels or the owner of a single lot with more than one existing buildings (not including any accessory structure) file with the planning division for such parcels a common signage plan conforming with the provisions of this section, a twenty-five (25) percent increase in the total sign area shall be allowed for each parcel. This bonus shall be allocated within each parcel as the owner(s) elect. The provisions of the common signage plan bonus shall not be construed to be applicable to parcels on which master signage plan is required, i.e., new commercial and industrial developments, or parcels (buildings) for which a use permit or other discretionary entitlement is sought, unless the common signage plan is submitted by more than one property owner.

Section 6421.10. - General provisions for application for sign permit, master signage plan, and/or common sign.

With regard to a sign permit application, or application for master signage plan and/or common signage plan, the following provisions shall apply:

- (a) *Application material.* For any parcel on which the owner(s) propose(s) to erect one or more signs requiring a permit, unless such a parcel is included in an existing common signage plan, the owner(s) shall submit to the director of planning a master signage plan containing the following:
 1. An accurate plot plan of the subject property, of such a quality and at such a scale as the director may reasonably require;
 2. Location of buildings, parking lots, driveways, curb cuts and landscaped areas on the subject parcel and names of adjacent streets and other applicable uses;
 3. Computation of the maximum total sign area, the maximum area for individual signs, the height of signs and the number of freestanding signs allowed on the subject property included in the proposed plan under this section;
 4. Drawing(s) depicting the lettering or graphic style, lighting associated with, materials, and sign proportions (scaled) of each proposed sign; and
 5. An accurate indication on the plot plan of the proposed location of each present and future sign of any type, as well as scaled elevations depicting the proposed size, location, and content of each present and future sign.

- (b) *Showing window signs on common or master signage plan.* A master or common signage plan including window signs shall indicate in elevation(s) submitted, the areas of the windows to be covered by window signs and the general type of window signs (e.g., paper affixed to window, painted, etched on glass, or some other material hung inside window) and need not specify the exact dimension or nature of every window sign although a total window sign area shall be indicated for purposes of calculating total permitted sign area. That total window sign area shall not exceed twenty-five (25) percent of the window area of all windows which face a public street;
- (c) *Limit on number of freestanding signs under common signage plan.* The common signage plan for all parcels with multiple uses or multiple users, shall limit the number of freestanding signs to a total of one for each street on which the parcels included in the plan have frontage and shall provide for shared or common usage of such signs;
- (d) *Other provisions of master or common signage plans.* The master or common signage plan may contain such other restrictions as the owners of the parcels may reasonably determine or that the director of planning may reasonably require;
- (e) *Consent.* The master or common signage plan shall be signed by all owners or their authorized agents in such a form as the director shall require;
- (f) *Procedures.* A master or common signage plan shall be included in any development plan, site plan, planned unit development plan, or other official plan required by the city for the proposed development or conditional use permit, and shall be processed simultaneously with such other plan or permit application;
- (g) *Amendment.* A master or common signage plan may be amended by filing a new master or common signage plan that conforms with all requirements of the zoning ordinance then in effect;
- (h) *Existing signs not conforming to common signage plan.* If any new or amended common signage plan is filed for a parcel on which existing signs are located, it shall include a schedule for bringing into conformance, within three years, all signs not conforming to the proposed amended plan or the requirements of this chapter in effect on the date of submission; and
- (i) *Binding effect.* After approval of master or common signage plan, no sign shall be erected, placed, painted, or maintained, except in conformance with such plan, and such plan may be enforced the same way as any provision of this chapter. In case of any conflict between the provisions of such a plan and any other provision of this chapter, the provisions of this chapter shall control.

Section 6421.11. - Computation of sign area.

With regard to the computation of sign area for individual signs, multifaced signs, sign height, and maximum total permitted sign area for a subject parcel, the following methodologies shall apply:

- (a) *Computation of area of individual signs.* The area of a sign face (which is also the sign area of a wall sign or other sign with only one face) shall be computed by means of the smallest square, circle, rectangle, triangle, or combination thereof that will encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color forming an integral part of the background of the display or used to differentiate the sign from the backdrop or structure against which it is placed, but not including any supporting framework, bracing, or decorative fence or wall when such fence or wall otherwise meets zoning ordinance regulations and is clearly incidental to the display itself;
- (b) *Computation of area of multi-faced signs.* The sign area for a sign with more than one face shall be computed by adding together the area of all sign faces visible from any one point. When two identical signs are placed back to back so that both faces cannot be viewed from any point at the same time, and when such sign faces are part of the same sign structure and are not more than forty-two (42) inches apart, the sign area shall be computed by the measurement of one of the faces;

- (c) *Computation of height.* The height of a sign shall be computed as the distance from the base of the sign at normal grade to the top of the highest attached component of the sign. "Normal" grade shall be construed to be the lower of: (1) existing grade prior to construction; or (2) the newly established grade after construction, exclusive of any filling, berming, mounding, or excavation solely for the purpose of locating the sign. In cases where the normal grade cannot be determined, sign height shall be computed on the assumption that the elevation of the normal grade at the base of the sign is equal to the elevation of the nearest point of the crown of a public street or the grade of land at the principal entrance to the principle structure on the subject property, whichever is lower;
- (d) *Computation of maximum total permitted sign area for subject parcel.* The permitted sum of the area of all individual signs on the subject parcel shall be computed by applying the formula contained in Sign Table B, Maximum Total Sign Area, to the lot frontage, building frontage, or wall area, as appropriate, for the zoning district in which the subject property is located. Lots fronting two or more streets are allowed the permitted sign area for each street frontage. However, the total sign area that is oriented toward a particular street may not exceed the portion of the lot's total sign area allocation that is derived from the lot, building, or wall area frontage on that street; and
- (e) For purposes of calculating any of the above for a sign within the mixed use O/R (Office Residential) zoning district, the standards for the O (Office) zoning district shall apply.

Section 6421.12. - Sign design criteria.

With regard to general sign design criteria, the following criteria shall serve as design guidelines for all signs placed or erected in the city:

- (a) When more than one sign is permitted for the same activity, all signs shall be coordinated with respect to color, letter style, illumination, and other graphic features;
- (b) In multiple owner/tenant occupancies, the various signs required for identification of different activities shall be coordinated with respect to placement on the building facade, legibility, and illumination;
- (c) Monument signs placed on parcels on street corners shall not impede adequate and safe view of motorists through and/or around the street corner;
- (d) All signs shall be considered an architectural and site plan feature of any existing and/or proposed building or development, and as such, shall be coordinated in size, height, color, illumination, location, graphic design, and finish detailing with the building(s), landscaping, area lighting, and vehicular and pedestrian circulation;
- (e) Where different uses are permitted side by side, signs permitted for one property or tenancy shall not adversely affect the identification and reasonable use of the neighboring parcel or tenancy;
- (f) In general, product, price, or changeable copy area of any freestanding portable sign on a property shall occupy no more than one-fourth the permitted sign area;
- (g) Where signs are to be placed near a residential use, sign location and illumination shall be adjusted for minimum impact to the residential use. The director of planning shall retain the right to require reasonable adjustment for size and height to ensure minimum impact to the residential use; and
- (h) The distraction of motorist attention due to any moving, rotating, flashing, or otherwise animated light or component associated with a sign shall be minimized by requiring adequate separation between such signs along any street frontage and at intersections. Such signs may not be permitted should the planning commission make the finding that the sign as proposed is inappropriate for the site due to its proximity to the street, other similar signs, or a residential zoning district, or if the commission makes the fining and determination (and citing its rationale

in making such a determination) that the sign would have a negative aesthetic impact on the surrounding zoning district.

Section 6421.13. - Quality of materials and workmanship.

All signs shall be constructed in a workmanship manner of durable materials intended to provide long life, ease of maintenance, high quality appearance, and clearly legible information for the sign user and public. The director of planning and/or the planning commission shall retain the right to require that a licensed sign contractor(s) design, build, and/or erect the sign if the value, location, and/or visual impact of the sign warrants such a requirement.

Section 6421.14. - Maintenance and repair.

Every sign shall be maintained in a safe, presentable, and sound structural condition at all times. The replacement of defective parts, painting, repainting, cleaning, and other acts required for the maintenance of said sign shall be done in a timely manner. The director of planning shall require compliance with all standards of this chapter. If the sign is not constructed or maintained so as to comply with the requirements of this chapter, the director of planning shall require its removal in accordance with Subsection 6421.18(c) of this chapter.

Section 6421.15. - Abandoned signs.

Except as otherwise provided in this chapter, any on-premises sign remaining in place or not maintained for a period of ninety (90) calendar days which no longer advertises or identifies an ongoing business, product or service available on the parcel where the display is located, or any sign which pertains to a time, event, or purpose which no longer applies, shall be deemed to have been abandoned. An abandoned sign is prohibited and shall be removed or painted over by the owner of the sign, (or the) owner of the property, or the director of planning, as provided for in Subsection 6421.18(c) of this chapter.

Section 6421.16. - Dangerous and/or defective signs.

No business, sign, or property owner shall maintain or permit to be maintained on any business or property maintained by him/her any sign which is in a dangerous or defective condition. Any such sign shall be removed or repaired by the owner of the sign, (or the) owner of the property, or the director of planning, as provided for in Subsection 6421.18(c) of this chapter.

Section 6421.17. - Violations.

Any of the following shall constitute a violation of this Ordinance and shall be subject to the enforcement remedies and penalties provided by this Ordinance and/or by state law:

- (a) To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the zoning district on which the sign is located;
- (b) To post, install, create, erect, and maintain any sign requiring a permit without such a permit;
- (c) To fail to remove any sign that is installed, created, erected, or maintained in violation of this chapter, or for which the sign permit has lapsed (if that permit has an expiration date); or
- (d) To continue any such violation. Each such calendar day of continued violation shall be considered a separate violation when applying the penalty portions of the sign ordinance.

Section 6421.18. - Enforcement and remedies.

- (a) The director of public works, the planning director and any police officer or code enforcement officer shall have concurrent authority to enforce the provisions of this chapter.
- (b) If any sign is posted, installed, erected or maintained in violation of any restriction contained in this chapter, any person having authority to enforce this article or his representatives may remove such sign upon giving twenty-four (24) hours prior notice of such violation and intended removal to the

sign owner; provided, however, if the sign owner cannot be ascertained or found, or if the sign constitutes an immediate and substantial hazard to the public health or safety, the sign may be summarily removed;

- (c) The sign owner shall be responsible for payment of all removal costs, or an administrative penalty to be established by resolution of the city council for each sign removed by the city. Any person desiring to contest such payment may request a hearing before the city manager, who is authorized to waive the payment if he determines that the sign did not violate any provisions of this article; and
- (d) Any sign removed pursuant to Subsection (b) of this section shall be retained for a period of five calendar days, during which the sign owner may retrieve the sign upon payment of the removal costs or administrative penalty in accordance with Subsection (c) of this section. Any sign not retrieved within such five-day period shall conclusively be deemed to have been abandoned by the owner thereof and may be destroyed or otherwise disposed of by the city. Owners of signs painted on the exterior of a building or other structure and abated by the city shall in no way be due to retribution, financial or otherwise.

(Ord. No. 284, § 10, 3-2-2004)

Section 6421.19. - Director of construction services determination of need for building permits.

Sign permit applications shall be routed to the director of construction services. When, in his/her determination, a separate building, electrical, or other permit is required, the applicant shall be notified and the sign permit shall not be issued until such other permits are obtained from the construction services division. This chapter shall in no way infer that signs which do not require a sign permit from the planning division are not required to have a building permit. It shall be the sole discretion of the director of construction services, utilizing the uniform codes adopted by the city, as to what signs do and do not require building permits.

Section 6421.20. - Application—Determination.

Within fifteen (15) business days of receiving an application (with any applicable fees required by resolution of the city council) that has been deemed complete by the director of planning for a sign permit which is not contingent upon action by the planning commission or the issuance of other permits (e.g., building permits), the director of planning shall in writing approve, conditionally approve, or deny the application. The director may impose only such conditions as will assure compliance with the provisions of this chapter.

Section 6421.25. - Appeal procedure.

Any appeal of the decision of the city manager pertaining to the payment of removal costs or an administrative penalty shall follow the appeal procedure as set forth in Chapter 30 of the Zoning Regulations.

(Ord. No. 284, § 11, 3-2-2004)

Section 6422. - Street and drainage improvements; administrative findings; reservation of authority to require dedications for private property for public right-of-way; and appeals.

- a. Upon application to the city for development of any parcel of land within the city abutting a street or containing a watercourse, such application shall be referred to the city engineer for a determination of what street and drainage impact improvements are required in connection with and directly attributable to said application. The city engineer may in his/her discretion also require the dedication of private property for public right-of-way.
- b. For the purpose of this section, development means any of the following:

1. The construction of any structure for human use or occupancy onto a previously unoccupied space;
 2. The moving of any structure for human use or occupancy onto a previously unoccupied space;
 3. The enlargement, modification or reconstruction of any existing building or any parcel of land in which the new habitable space created on reconstructed is more than fifty (50) percent of the existing habitable floor space; or
 4. Subdivisions.
- c. Upon review of the development application the city engineer may require installation of improvements as specified below, if the city engineer makes all of the following findings in a written determination:
1. The public welfare would be materially affected if such improvements are not installed.
 2. The improvements are necessary to accommodate the increased stormwater and traffic burdens occasioned by the development.
 3. The increased stormwater and traffic burdens are specifically attributable to the development and should be borne by the development rather than the general public.
 4. The installation of such improvements are consistent with and immediately adjacent to existing improvements such as sidewalks, curbs and gutters, or the installation of such would substantially enhance drainage or pedestrian safety on the street segment.
- d. The city engineer may, in his/her discretion, require any or all of the following improvements:
1. Widening and paving the adjacent street at the location of abutting property and the installation of sidewalks, curbs, gutters, driveways, storm drainage facilities, street lighting, street trees and related surveying, testing, plans, construction staking and inspection to the that parcels about subject streets.
 2. General street specifications, whether specific to a particular street or general specifications in the absence of street specific specifications, are as follows:
 - i. Concrete curb and gutter, five feet wide concrete sidewalk,
 - ii. Concrete driveway approach,
 - iii. Street lighting (based on an average spacing of two hundred (200) feet on each side of the street),
 - iv. Street trees (one per lot or one per twenty-five (25) feet of frontage, exclusive of driveways, whichever is greater),
 - v. Street pavement (consisting of sixteen (16) feet wide street base) and pavement (measured from the lip of gutter, and designed to carry a traffic load based on a "traffic index" of six and transitions from improved frontage to adjacent less improved frontage).
 3. Storm drainage facilities specific to the location of the site will be installed prior to occupancy thereof.
 4. Plans for such street improvements and storm drainage facilities will be based on a topographic survey by a licensed surveyor, soil testing by a legally qualified soils expert and be prepared by a legally qualified soils expert and be prepared by a registered civil engineer and approved by the city engineer, pursuant to the city's encroachment ordinance and fee schedule associated therewith. The city engineer may waive requirements for topographic surveys, soil testing and/or plans if he/she finds that existing available information and/or plans sufficient for the design and construction of the improvements.
- e. The city engineer may in his/her discretion, require any or all of the following dedications, if the city engineer makes a written determination:

1. If the portions(s) of a street or streets upon which the parcel fronts has a centerline to right-of-way width of thirty (30) feet for a local two-lane collector, forty (40) feet for a four-lane undivided collector, or fifty (50) feet for a four-lane divided collector, as identified in the circulation element of the East Palo Alto General Plan, together with corner radii at street intersections, such additional right-of-way widths and radii shall be irrevocably offered for dedication to the city. If an existing street has a centerline to right-of-way of less than thirty (30) feet, the original dedication shall preserve the current alignment of the right-of-way, unless an official plan line has been adopted by the city council establishing a different right-of-way line.
 2. If additional public utility easements are necessary to encompass utility facilities (to be installed for the benefit of the applicant or for the benefit of nearby properties), such easements shall be irrevocably offered for dedication to the city.
 3. If additional storm drainage easements are necessary to encompass storm drainage facilities (to be installed for the benefit of the applicant or for the benefit of nearby properties), such easements shall be irrevocably offered for dedication to the city.
- f. The city engineer's written determination may be appealed to the planning commission in the same fashion and pursuant to the appeal procedures of administrative decisions as set forth in Chapter 30, Sections 6581.1 of the Zoning Regulations.

(Ord. No. 288, § 1, 11-16-2004)

ARTICLE 6. - PRELIMINARY APPLICATION REQUIREMENTS

Section 6423. - Purpose and intent.

The purpose of the preliminary application (pre-app) is to allow the planning division to work with the applicant and coordinate an internal review of major and complex applications. This process is intended to provide feedback to the applicant early in the process by helping applicants understand the approval process, identifying potential issues to be addressed, and facilitating community outreach.

The pre-app is not intended to be a comprehensive review of the project, does not result in any approvals, and is not appealable. The outcome of the pre-app process is a comprehensive letter describing the approval process, summarizing major planning concerns and issues noted during internal review and a fee estimate. The fee estimate for the project application may differ from the pre-app estimate.

(Ord. No. 400, § 1, 10-18-2016)

Section 6423.1. - Applicability.

A pre-app is required for the following types of major and/or complex projects:

A. *Major projects:*

1. New commercial construction - Any structure greater than fifty thousand (50,000) square feet.
2. New residential construction - Any project proposing twenty (20) or more new dwelling units.
3. Existing nonresidential structures - An addition to any structure greater than twenty-five thousand (25,000) square feet.
4. Existing structure - Rehabilitation, alteration, or addition to more than twenty-five (25) percent of an existing multi-family structure with five or more units.

5. Existing structure - Any project that seeks to remove one or more price controlled housing units covered under the city's rent stabilization and just cause for eviction ordinance.
 6. Existing structure - Any project that would demolish a deed restricted affordable housing unit.
 7. Any project with a development agreement.
- B. *Complex projects:*
1. Planned community permit;
 2. Planned unit development;
 3. Zoning text amendment;
 4. Zoning change;
 5. General plan amendment;
 6. Projects with mandatory environmental impact reports;
 7. Schools;
 8. Conditional use permit (subject to determination by the planning manager);
 9. ABC license new request and modification (notification shall be six hundred (600) feet from the project site).
- C. *Planning manager discretion:* The planning manager shall have the discretion to require a major or complex pre-app process for any project that is in the public interest and to require the applicant to prepare a fiscal impact analysis as part of the process.

(Ord. No. 400, § 1, 10-18-2016)

Section 6423.2. - Planning commission study session and community.

- A. All pre-app projects are required to provide neighborhood notification and a minimum of one planning commission study session to discuss the proposed project and to document community concerns.
- B. The planning manager has the discretion to require community meetings prior to the planning commission study session. The planning manager may require additional meetings if additional meetings will be beneficial to the community.
- C. Within fifteen (15) calendar days of the planning commission study session, any member of the city council may request a study session with the city council.

(Ord. No. 400, § 1, 10-18-2016)

Section 6423.3. - Notice and meeting requirements.

- A. *Notices:*
 1. All property owners within three hundred (300) feet of the project and interested community groups must be notified of the pre-app by way of a written notice describing the project and inviting them to the community meeting, planning commission study session, and/or other community meetings to discuss the project. Notices must be published as an ad in the local daily newspaper and eight-inch by eleven and one-half-inch notices posted on city bulletin boards. New alcohol sales or modifications to existing liquor licenses require in addition, noticing within a six hundred-foot radius from the site.

2. The applicant is responsible for sending out the meeting notice based upon a mailing list and notice template provided by the city. Required notice shall include:
 - a. Project site map;
 - b. Project description; and
 - c. Date, time and location of the meeting(s).
3. In addition, the notice must be:
 - a. Approved by planning manager or designee;
 - b. Sent out, published or posted according to planning division guidelines, at least fourteen (14) days prior to the meeting; and
 - c. Mailed by USPS using a certificate of mailing (Form 3788), or another form of registered mail with proof of mailing provided to staff.

B. *Community meeting:*

1. The applicant is responsible for arranging the community meeting venue.
2. Attendees should be requested to sign in, and provide contact information, if further contact desired.
3. Applicant shall document questions from the community and the responses to the questions.
4. Meetings shall occur at a publicly accessible venue within the city, preferably at the project site or within a one mile radius of the site.
5. Weeknight meetings shall occur between 6:00 p.m. and 9:00 p.m.
6. Weekend meetings shall occur between 10:00 a.m. and 9:00 p.m.
7. The applicant is responsible for presenting the project to the community.
8. The planning manager may require additional meetings if additional meetings will be beneficial to the community.

(Ord. No. 400, § 1, 10-18-2016)

Section 6423.4. - Preliminary application letter and formal submittal.

- A. Within thirty (30) days of outreach completion, the planning division will send to the applicant a letter summarizing major project concerns, a description of the approval process, other issues noted during internal review, and a fee estimate.
- B. A formal project submittal will be accepted only after the pre-app letter has been issued. The submittal should address the matters discussed in the pre-app letter, as well as comply with all application submittal requirements.
- C. Comments in the letter, excluding the fee estimates, are in effect for one year from the date of the letter.
 1. If a formal application is not submitted within one year, a new pre-app will be required before project submittal.
 2. The requirement for a new pre-app may be waived by the planning manager on a case-by-case basis.
 3. A new pre-app may be required by the planning manager within the one-year period if it is determined that the formal submittal is significantly different from the pre-app submittal.

(Ord. No. 400, § 1, 10-18-2016)

Chapter notes:

(Article 4 - Added by Ordinance No. 105 - July 17, 1989)

(Section 6406(d) - Added by Ordinance No. 245 - October 2, 2000)

(Sections 6410.1 through 6410.4 - Amended by Ordinance No. 181 - December 5, 1994)

(Sections 6411(g) Added by Ordinance No. 181 - December 5, 1994)

CHAPTER 22.5. - SECOND DWELLING UNITS^[6]

Footnotes:

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Editor's note— Ord. No. 407, Exh. A, adopted Jan. 17, 2017, amended Ch. 22.5 in its entirety to read as herein set out. Former 22.5, §§ 6425—6442, was entitled "Second Dwelling Units", and derived from: Ord. No. 114, adopted Jan. 8, 1990; Ord. of Mar. 4, 1996; Ord. No. 274, § 1, adopted July 1, 2003; Ord. No. 284, §§ 12, 13, adopted Mar. 2, 2004; Ord. No. 344, § 3, adopted July 19, 2011; and Ord. No. 380, § 11, adopted June 17, 2014.

Section 6425. - Purpose of chapter.

The purposes of this chapter are:

- (a) To increase the supply of affordable housing by allowing accessory dwelling units (also known as second units) in conformance with Government Code Section 65852.2 to be established on lots zoned for single-family or multiple-family dwellings and containing a single-family dwelling;
- (b) To establish standards for the development and occupancy of accessory dwelling units to ensure that they are compatible with neighboring uses and structures, adequately equipped with public utility services, do not result in negative traffic or public safety impacts, and are safe for human occupancy; and
- (c) To restrict or prohibit accessory dwelling units which create unreasonable traffic, safety, privacy or other adverse impacts, and to prevent adverse impacts on any real property listed in the California Register of Historic Places.

(Ord. No. 407, Exh. A), 1-17-2017)

Section 6426. - Definition.

Accessory dwelling unit. The term "accessory dwelling unit," or "accessory unit" as used in this chapter, means a separate dwelling unit providing complete independent living facilities for one or more persons containing living, sleeping, kitchen and sanitation facilities which are defined as a partial bathroom (a water closet, sink or a toilet) or a full bathroom (water closet, sink and a toilet). An existing single-family residence may be converted to an accessory unit in conjunction with the development of a new main dwelling unit on the site and in conformity with the development standards for a new accessory unit as set forth in Section 6429 of this chapter. Subject to the restrictions contained in this chapter, an accessory unit may be either attached to, or detached from or incorporated into the main dwelling unit. An accessory dwelling unit also includes an efficiency unit, as defined in Health and Safety Code Section 17958.1 and a manufactured home, as defined in Health and Safety Code Section 18007.

(Ord. No. 407, Exh. A), 1-17-2017)

Section 6428. - One accessory unit per site; no separate sale.

Only one accessory dwelling unit shall be permitted on any one site. The unit shall not be sold separately from the primary residence, nor rented for a term of less than thirty (30) days.

(Ord. No. 407, Exh. A), 1-17-2017)

Section 6429. - Development standards.

Except as otherwise provided in Section 6432, each accessory dwelling unit shall comply with all of the following development standards:

- (a) *Zoning.* The lot is within a single-family or multiple-family zoning district and already contains one legally created single-family dwelling.
- (b) *Density.* The accessory unit shall be deemed to comply with the density allowed in the General Plan Land Use Element Map and shall not be considered to exceed the allowable density for the lot upon which it is located.
- (c) *Lot size.* If the accessory unit is attached to the main dwelling or incorporated within the main dwelling, the site area of the lot upon which the accessory unit is located shall be not less than five thousand five hundred (5,500) square feet. If the accessory unit is detached from the main dwelling, the lot upon which the accessory unit is located shall be not less than seven thousand five hundred (7,500) square feet.
- (d) *Unit size.* The floor area of an attached accessory unit shall not exceed fifty (50) percent of the living area (interior habitable area) of the existing single-family dwelling, not including the garage, if any. In no instance shall an attached accessory unit exceed one thousand (1,000) square feet. Detached accessory units shall be no more than seven hundred (700) square feet, except that unit size may be increased by one square foot for each ten (10) square feet of lot area in excess of six thousand five hundred (6,500) square feet, up to a maximum of one thousand (1,000) square feet. Total floor area of the main dwelling and the accessory unit shall not exceed the permissible floor area or lot coverage for the underlying zoning district.
- (e) *Building codes.* The accessory unit shall comply with applicable building, health and fire codes. No passageway (pathway unobstructed to the sky extending from a street to an entrance of the accessory unit) shall be required in conjunction with the construction of an accessory dwelling unit. Accessory units shall not be required to provide fire sprinklers if fire sprinklers are not required for the primary residence.
- (f) *Open space.* A minimum of seven hundred fifty (750) square feet of open space shall be maintained on the lot.
- (g) *Parking.*
 - (1) *Requirements:* A minimum of one uncovered off-street parking space shall be provided for the accessory unit in addition to the off-street parking spaces required for the main dwelling. The parking space may be provided in an existing driveway or by tandem parking, unless a specific finding is made that such parking is not feasible due to specific site, topographical or fire and life safety conditions.
 - (2) *Exceptions to the parking requirements:* No parking standards shall be imposed if:
 - (a) The accessory dwelling unit is located within one-quarter mile of a public transit corridor as defined in Health and Safety Code Section 50093.5.
 - (b) The accessory dwelling unit is located within an architecturally and historically significant historic district.

- (c) The accessory dwelling unit is part of the existing primary residence or an existing accessory structure.
 - (d) When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
 - (e) Where there is a car share vehicle located within one block of the accessory dwelling unit.
- (h) *Water and sewer.*
- (1) The accessory dwelling unit shall not be required to install a new or separate utility connection directly between the unit and the utility and shall not be considered new residential uses for the purposes of calculating connection fees or capacity charges if it meets the following requirements: the unit is: (a) contained within the existing space of a single-family residence or an existing legally-constructed accessory structure, (b) has independent exterior access from the existing residence, and (c) the side and rear setbacks are sufficient for fire safety.
 - (2) All other accessory dwelling units are required to have new or separate utility connection directly between the accessory dwelling unit and the utility. The connection may be subject to a connection fee or capacity charge. Any fee or charge shall be proportionate to the burden upon the water or sewer system of the proposed accessory dwelling unit, based on unit size or the number of plumbing fixtures. The fee or charge shall not exceed the reasonable cost of providing this service.
- (i) *Access.* The accessory unit shall be served by the same driveway access to the street as the existing main dwelling.
 - (j) *Common entrance.* If the accessory dwelling unit is attached to the main dwelling, both the accessory unit and the main dwelling unit must be served by a common entrance or a separate entrance to the accessory unit must be located on the side or at the rear of the main dwelling.
 - (k) *ADUs in existing structures.* Prior to submitting an application for review, a proposal for an ADU within an existing structure must receive a zoning clearance letter from the planning division. The planning director shall ministerially approve an application for a building permit to create within a single-family residential zone one accessory dwelling unit per single-family lot if the unit is: (1) contained within the existing space of a single-family residence or existing legally-constructed accessory structure, (2) has independent exterior access from the existing residence, and (3) the side and rear setbacks are sufficient for fire safety.
 - (l) *Setback for garage conversion.* No setback shall be required for an existing garage that is converted to an accessory dwelling unit, and a setback of no more than five feet from the side and rear lot lines shall be required for an accessory dwelling unit that is constructed above a garage.
 - (m) *Setbacks for detached units.* Detached units shall be setback six feet from the rear property line and existing house. Said units shall also be three feet from side property lines for interior lots. The street side property line for a second unit on a corner lot shall be a minimum of twelve (12) feet.

(Ord. No. 407, Exh. A), 1-17-2017)

Section 6430. - Occupancy restrictions.

- (a) Either the existing main dwelling or the accessory unit shall be occupied as the principal place of residence of the record owner of the lot. In the case of ownership by a corporation, partnership, trust or association, either the main dwelling or the accessory unit shall be the place of residence of an officer, director or shareholder of the corporation, a partner in the partnership, a trustor, trustee or beneficiary of the trust, a member of the association, or an employee of any such organization.

- (b) The accessory unit may not be occupied by more than three people as permanent living quarters, unless otherwise approved by the planning commission pursuant to Section 6432 of this chapter.
- (c) This section shall apply to either a new or existing accessory unit for which a permit is granted pursuant to this chapter.

(Ord. No. 407, Exh. A), 1-17-2017)

Section 6431. - Accessory dwelling unit permit required.

Review of an application for an accessory dwelling unit permit application for compliance with the development standards set forth in Sections 6429 and 6430 of this chapter is ministerial in nature and requires approval by the planning director. A determination about compliance with standards shall be made within one hundred twenty (120) days of the determination that the application submittal is complete.

- (a) *Contents of application.* An application for an accessory unit permit shall be filed with the planning director on such form as the director shall prescribe. The application shall be accompanied by information required by the planning director, including but not limited to the following:
 - (1) An accurate scale drawing of the site showing lot size, streets, property lines, the location of all existing and proposed structures, the location of all existing and proposed off-street parking spaces and driveways, including permeable pavers or open-cell concrete blocks, on the site, and the location of existing trees and landscaping;
 - (2) Floor plan and elevations of existing and proposed structures, including a calculation of the floor area and coverage of each and all structures and the floor area of the accessory unit;
 - (3) A boundary survey of the lot on which the accessory unit is proposed showing all existing and proposed structures, parking spaces, driveways, including permeable pavers or open-cell concrete blocks, and paved surfaces.
- (b) *Processing fee.* A processing fee established by resolution by the city council shall be paid to the city at the time of filing the application for an accessory unit permit.

(Ord. No. 407, Exh. A), 1-17-2017)

Section 6432. - Modification of standards.

The planning commission may modify any of the development standards set forth in Sections 6429 and 6430 of this chapter if the commission determines that such modification will better achieve the purposes and objectives of this chapter and provided the commission is able to make all of the findings required for issuance of an accessory unit use permit as prescribed in Section 6433 of this chapter.

The planning commission shall have authority to waive or modify the occupancy restrictions set forth in Subsections (a) or (b) of Section 6430, or both such restrictions, if the commission determines that, by reason of special circumstances in a particular case, the application of such restrictions will result in extreme hardship upon the owner or occupant of the property. The planning commission may impose such conditions as it deems necessary or appropriate in order to mitigate any actual or potential adverse impacts from the granting of a waiver or modification hereunder.

(Ord. No. 407, Exh. A), 1-17-2017)

Section 6433. - Use permit required.

Accessory unit application to waive or modify the development standards set forth in Sections 6429 and 6430 of this chapter requires approval by the planning commission of a use permit pursuant to the provisions of Chapter 24 and the Zoning Regulations.

(Ord. No. 407, Exh. A), 1-17-2017)

Section 6434. - Findings required for issuance of a use permit.

Except as otherwise provided in Section 6438, the planning commission may grant an application for an accessory unit use permit as applied for or in modified form, if, on the basis of the application and the evidence submitted, the commission makes all of the following findings:

- (a) The proposed accessory unit will not unreasonably interfere with the privacy otherwise available to residents of adjoining properties;
- (b) The proposed accessory unit is designed to be compatible with the exterior appearance and character of the existing main dwelling;
- (c) The proposed accessory unit is designed to be compatible with the existing neighborhood in terms of form, bulk, height, material and landscaping; and
- (d) The proposed accessory unit will not cause unreasonable noise, traffic congestion, parking congestion, or overload existing public facilities or utilities.

(Ord. No. 407, Exh. A), 1-17-2017)

Section 6435. - Duration of use permit.

An accessory unit use permit may be granted for a specified period of time, with or without the right to apply for extensions, or may be allowed to continue indefinitely for so long as the holder of such use permit complies with the applicable restrictions and standards contained in this chapter and the conditions of approval of the use permit. Such use permit shall run with the land and the conditions of approval thereof shall be binding upon all successive owners of the property on which the accessory unit is located for so long as the use permit remains in effect.

(Ord. No. 407, Exh. A), 1-17-2017)

Section 6436. - Determination of compliance.

The planning director may at any time, either upon director initiative or when instructed by the planning commission to do so, request the holder of an accessory unit permit or use permit to certify that such holder has complied and continues to comply with all of the applicable standards and restrictions of this chapter and all conditions as set forth in the accessory unit permit or use permit. The planning director may request the holder to furnish such information and documents as the director deems necessary in order to verify the truth or accuracy of any statements contained in the certification.

(Ord. No. 407, Exh. A), 1-17-2017)

Section 6437. - Recordation of use permit.

The original accessory unit use permit shall be recorded in the office of the Recorder for San Mateo County. All of the restrictions and conditions applicable to such use permit shall be set forth therein, including the occupancy restrictions described in Section 6430.

(Ord. No. 407, Exh. A), 1-17-2017)

Section 6438. - Revocation of use permit.

In addition to the grounds for revocation of a use permit as set forth in Section 6505 of the Zoning Regulations, the planning commission may revoke any use permit for an accessory unit upon a finding that:

- (a) The holder of the use permit has violated any of the conditions set forth therein; or
- (b) The holder of the use permit has failed to provide a certification of compliance after being requested to do so in accordance with Section 6536; or
- (c) The owner of the property has failed to establish the accessory unit within a reasonable time after the granting of the use permit: or
- (d) The accessory unit has been eliminated through alteration of the structure in which such unit was contained; or
- (e) Either of the findings required under paragraph (c) of this section can no longer be made.

(Ord. No. 407, Exh. A), 1-17-2017)

Section 6439. - Legalization of existing accessory units.

- (a) *Purpose of section.* It is in the public interest that all residents of the city live in safe, sanitary housing conditions. Accessory units currently exist which were created prior to the adoption of this chapter. In order to encourage the legitimization of such units under the law, the owners of property on which accessory units are located should be encouraged to legalize such units provided the units are determined to be both safe and sanitary for continued human occupancy. Conversely, if existing accessory units are not safe and sanitary for continued human occupancy, the city has the responsibility to either ensure they are made both safe and sanitary or their use for human occupancy is discontinued. The purpose of this section is to establish special procedures and standards for legalization of existing accessory units that are or can be made fit for human occupancy.
- (b) *Scope of section.* This section shall apply only to accessory units established prior to January 8, 1990 within a structure for which a building permit was issued, or otherwise was lawfully constructed, and which complied with any applicable zoning or development standards in force at the time of construction. Any accessory unit established from and after January 8, 1990 shall be deemed a new unit subject to the development standards contained in Section 6429 of this chapter.
- (c) *Contents of application.* Application for an administrative use permit to legalize an existing accessory unit shall be filed with the planning director on such form as he shall prescribe. The application shall be accompanied by the following:
 - (1) An accurate scale drawing of the site showing streets, property lines, the location of all existing and proposed structures, the location of all off-street parking spaces and driveways on the site, and the location of existing trees and landscaping;
 - (2) Floor plan and elevations of existing and proposed structures, including a calculation of the floor area of each structure;
 - (3) Inspection report by an independent contractor, as required under Section 6432 of this chapter;
 - (4) The name of each occupant of the accessory unit, if any, together with a copy of any written lease or rental agreement between the owner and such occupant;

- (5) A list of the names and addresses of all persons owning property immediately adjacent to the site, as shown by the latest available assessment roll of the County of San Mateo or as otherwise known to the applicant;
 - (6) If the accessory unit is served by a septic system, a description thereof together with a drawing showing the location of the septic tank and leach field on the site; and
 - (7) Evidence of the date on which the accessory unit was established, in form and substance satisfactory to the planning director.
- (d) *Processing fee.* A processing fee shall be paid to the city at the time of filing the application for an administrative use permit. If the application is voluntarily filed by the property owner prior to July 1, 1990, the fee shall be fifty (50) percent of the amount then charged as the normal accessory unit use permit application fee. If the application is filed in response to a written notice from the city to do so, or is filed at any time after July 1, 1990, the fee shall be the amount then charged as the normal accessory unit use permit application fee.
- (e) *Procedure.* Upon the filing of an application for an administrative use permit to legalize an existing accessory unit, the following procedure shall be followed:
- (1) The planning director shall send a written notice of the application to each of the adjacent property owners as shown by the latest available assessment roll of the County of San Mateo. The notice shall advise such property owners that a written protest or request for an administrative hearing, or both, may be filed with the planning director within ten (10) days from the date of the notice.
 - (2) If any written protests are filed by adjacent property owners within the time prescribed in the notice but no request for hearing is made, the planning director shall consider such protests in determining whether to approve, conditionally approve or deny the application and shall render his decision thereon without conducting an administrative hearing.
 - (3) If a request for an administrative hearing is received within the time prescribed in the notice, the planning director shall fix a time and place for the conduct of such hearing and shall give written notice thereof to the applicant and the person or persons requesting the hearing. Upon the conclusion of the hearing, the director shall either approve, conditionally approve or deny the application and shall furnish a copy of his decision to the applicant and the person or persons who requested the hearing.
- (f) *Standards.* Existing accessory units shall comply with the following standards:
- (1) In lieu of compliance with the Uniform Building Code, the accessory unit shall comply with the Uniform Housing Code as adopted by the city and shall otherwise comply with applicable health and fire codes;
 - (2) Where the accessory unit is served by a septic tank and sanitary sewer service is not available for connection by such unit, the septic system shall be inspected and approved by the county health department. In addition, the applicant shall execute and record a deferred improvement agreement wherein the applicant and his successors will be obligated to connect the accessory unit, and the main dwelling if also served by a septic system, to a sanitary sewer whenever the same becomes available and to pay his proportionate share of the installation cost; and
 - (3) The accessory unit shall comply with such other standards which, in the judgment of the planning director, are necessary or appropriate to mitigate adverse impacts on adjacent properties.
- (g) *Findings.* The planning director may grant the application for a an administrative use permit to legalize an existing accessory unit as applied for or in modified form if, on the basis of the application and the evidence submitted, the planning director makes all of the following findings:
- (1) The accessory unit complies with the provisions of the Uniform Housing Code and applicable provisions of the health and fire codes;

- (2) The accessory unit is compatible with the exterior appearance and nature of the existing main dwelling on the site; and
- (3) The accessory unit does not unreasonably interfere with the privacy otherwise available to the residents of adjacent properties.
- (h) *Disqualified existing units.* Any accessory unit established prior to January 8, 1990, which does not qualify for legalization under this section by reason of not having been lawfully constructed, shall be deemed a new unit subject to the provisions of this chapter.
- (i) *Burden of proof.* Wherever in this section the legalization of an existing accessory unit or the occupancy thereof depends upon the establishment of any event occurring on or before a specified date, the burden of proof shall be upon the applicant.

(Ord. No. 407, Exh. A), 1-17-2017)

Section 6440. - Inspections.

- (a) Where the application is for legalization of an existing accessory unit or approval of a proposed unit to be attached to the main dwelling, an inspection of the property shall be conducted to determine that the existing accessory unit, and any main dwelling to which an accessory unit will be attached by a common wall, will comply with all applicable building, health, fire and zoning codes. If an administrative use permit is granted, a further inspection to determine such compliance shall be conducted after any construction or alteration work is completed. Such inspections shall be performed by the city or by an independent contractor retained by the city for such purpose, and the cost thereof shall be paid by the applicant.
- (b) The inspections to be conducted pursuant to this section shall not constitute an assumption by the city, or by anyone acting in its behalf, of any liability with respect to the physical condition of the property, nor shall the issuance of an accessory unit an administrative use permit constitute a representation or warranty by the city to the owner of the property or any other person that such property fully complies with all applicable building, health and fire codes.

(Ord. No. 407, Exh. A), 1-17-2017)

Section 6441. - Illegal accessory units.

The establishment or continuance of an accessory unit without a permit as required under this chapter is hereby declared to be unlawful and shall constitute a misdemeanor and a public nuisance. Any violation of this chapter shall be subject to the penalties as prescribed in Chapter 31 of the Zoning Regulations.

(Ord. No. 407, Exh. A), 1-17-2017)

Section 6442. - Appeal procedure.

Any appeal of the decision of the director of planning or the planning commission pertaining to an accessory unit application shall follow the appeal procedure as set forth in Chapter 30 of the Zoning Regulations.

(Ord. No. 407, Exh. A), 1-17-2017)

CHAPTER 22.6. - REGULATIONS FOR GUEST HOUSES

Section 6445. - Purpose.

This chapter is included in the zoning ordinance for the following purposes:

- (a) To provide an additional housing type, as encouraged by the housing element, which might assist in reducing the chronic overcrowding that exists in East Palo Alto; and
- (b) To establish the regulations, standards and circumstances under which sleeping facilities not integral to the main dwelling may be established. Such facilities are intended for limited sleeping and living purposes, but not for independent living purposes, permanent residential use, or rental purposes.

(Ord. No. 380, § 12, 6-17-2014)

Section 6446. - Guest house regulations.

- (a) Upon submittal of an application for a guest house, a written notice of the application shall be sent to each of the adjacent property owners as shown by the latest assessment roll of the County of San Mateo.
- (b) The following regulations are applicable in all zoning districts which allow guest houses:
 - (1) The guest house shall be a permanent detached structure or an attached structure lacking internal circulation with the main residence. The guest house shall be clearly subordinate and incidental to a main residence on the same building site. Subsequent subdivisions which divide a main residence from a guest house shall not be permitted.
 - (2) The guest house shall be designed in such a manner as to be visually consistent and compatible with the main residence on-site and other residences in the area.
 - (3) Only one guest house shall be allowed per lot.
 - (4) Guest houses shall share the same utilities with the main residence, unless prohibited by public health requirements or local codes. No stubbing of gas, water or sewer lines shall be permitted.
 - (5) Detached guest houses shall be located in close proximity to the principal residence.
 - (6) The guest house shall be considered a bedroom and subject to the off-street parking requirements contained in Section 6119 of the Zoning Code.
 - (7) Guest houses shall not exceed six hundred (600) square feet of floor area.
 - (8) Height of the guest house shall not exceed fifteen (15) feet nor be more than one story.
 - (9) The guest house may include a living and sleeping area but shall not include a kitchen or cooking facilities. The prohibition regarding kitchen and cooking facilities includes stoves, utility or kitchen sinks, garbage disposals, microwave ovens, and toaster ovens.
 - (10) Bathrooms in compliance with the California Building Code are expressly permitted.
 - (11) There shall be a maximum of six linear feet of counter space, excluding counter space in a bathroom. There shall be a maximum of eight square feet of cabinet space, excluding clothes closets.
 - (12) Guest houses shall not be separately rented, let or leased, either for direct or indirect compensation.
 - (13) Prior to the issuance of permits for guest house construction, or for use of an existing structure as a guest house, a deed restriction shall be recorded stating the regulations applicable to the guest house, including that the guest house shall not be separately rented, let or leased from the main residence and shall not have cooking or kitchen facilities.

- (c) An annual inspection of approved guest houses shall be required. The annual inspection shall require payment of an hourly inspection fee in accordance with the city's master fee schedule. If it is determined that a kitchen or other modifications are made to the approved guest houses in violation of the city's ordinances the applicant shall be assessed double fees for removal and repair related to unpermitted construction.

(Ord. No. 380, § 12, 6-17-2014)

CHAPTER 24. - USE PERMITS

Section 6500. - When may be issued.

Use permits, conditional use permits, revocable use permits, and use permits valid for a term of one year, may be issued for any of the following:

- (a) Any of the uses or purposes for which such permits are required or permitted by the provisions of this part.
- (b) Location of electric power, gas, water and oil lines; public utility or public service uses or public buildings in any district when found to be necessary for the public health, safety, convenience or welfare, except that a use permit shall not be required for local distribution lines.
- (c) Location of the following uses in any district when found to be necessary for the public health, safety, convenience or welfare:
 - (1) Airport.
 - (2) Cemetery.
 - (3) Hospital.
 - (4) Rest home.
 - (5) Sanitorium.
 - (6) Institution of a philanthropic or charitable nature.
 - (7) Topsoil sites subject to the provisions of Section 6502.
 - (8) Waste disposal sites and large collection facilities for recyclable materials.
 - (9) Directional signs subject to standards as established by the planning commission.
 - (10) Golf courses.
 - (11) Small boat harbors with related facilities.
 - (12) The keeping of domestic livestock or farm animals in conjunction with 4-H or similar projects on parcels of land not less than one acre in size.
 - (13) Roadside stand, for a period of one year, subject to annual review and reapplication, in a district where it is not otherwise permitted, not to exceed four hundred (400) square feet in floor area for the sale of agricultural products grown on the premises, or elsewhere within San Mateo County by the operator or members of his immediate family, provided the following findings can be made:
 - (a) That the use is not in conflict with the General Plan.
 - (b) That the character of the surrounding area will not be adversely affected by the stand itself or by its secondary impacts.
 - (c) That there are exceptional circumstances requiring the placement of the stand in the district in question rather than in a C-1, or C-2 District.

- (14) Carnivals, rodeos, motorcross race tracks, and other special purpose land uses deemed by the planning commission to be substantially similar.
- (d) Uses in historic structures. Location of uses not allowed by the zoning district regulations but determined by the planning commission to be compatible in structures listed in the National Register of Historic Places, County List of Historic Landmarks, or other similar registry.
 - (1) The planning commission shall make the following findings prior to approving any permit:
 - (a) The use will contribute to the preservation of the historic landmark;
 - (b) The use is compatible with the design of the structure and will not require alterations which will destroy or alter its historic character;
 - (c) The use is compatible with surrounding land use and the character of the area;
 - (d) It is demonstrated that the impacts of the use on the surrounding area, including noise and traffic, can be mitigated; and
 - (e) The use is not detrimental to the public health, safety, or welfare.

Section 6502. - Topsoil sites.

- (a) Topsoil sites may be operated in any portion of the city subject to the securing of an annual use permit and subject to the posting of a corporate surety bond, the amount to be determined by the city engineer and approved by the planning commission for the faithful performance of the conditions of the permit.
- (b) General regulations for topsoil sites.
 - (1) *Erosion control:*
 - (a) The depth of topsoil left on the site shall comply with the conditions of each permit.
 - (b) Topsoil shall not be removed from slopes steeper than those specified in any permit.
 - (c) The topsoil site shall be graded smooth and left in a neat condition. Cut slopes and spoil banks shall not be allowed to remain.
 - (d) As directed by the planning commission, the topsoil site shall be fertilized, mulched, and reseeded so as to establish a firm cover of grass or other vegetation sufficient to prevent erosion. Said cover shall be established within time limits specified in each permit.
 - (e) All surface drainage existing or developing by or through the topsoil site shall be controlled by dikes, barriers, or drainage structures to prevent any silt, erosional debris, or other loose material from filling any existing drainage course or encroaching on state or city roads or private property. All provisions to control natural drainage or floodwater shall meet with the approval of the city engineer.
 - (2) *Drainage of premises.* The finished excavation shall, in all cases, be graded in such a manner as to prevent the accumulation of stormwaters or natural seepage.
 - (3) *Maintenance and operation:*
 - (a) The premises of the topsoil site shall be maintained at all times in a neat and orderly manner.
 - (b) The operation of the topsoil site shall be conducted in such a manner as to obviate excessive dust and noise. The operator shall maintain haulage roads in a dust-free condition providing such surfacing or other treatment deemed necessary by the planning commission.

Section 6503. - Procedure.

Applications for any use permit permissible under the provisions of this chapter, except as otherwise provided for quarry and topsoil sites, shall be made in writing to the planning commission on forms provided by the director of planning. Applications shall be signed and verified by the owner of the land involved or by his authorized agent and shall be accompanied by a plan of the proposed development. If application is made by a person other than the owner, written authorization to act on behalf of the owner shall be submitted with such application. Applications may also be made on behalf of one who is or will be plaintiff in an action in eminent domain to acquire the premises involved.

Upon receipt of any such application, the planning commission may hold a public hearing or public hearings thereon, if it deems such hearings necessary. If a hearing or hearings are held, notice shall be given by:

- (a) One publication in a newspaper of general circulation in the city, within ten (10) days next preceding the date of said hearing;
- (b) Posting notices in the same manner as set forth in Chapter 27 for a proposed amendment; or
- (c) Mailing a postal card notice not less than ten (10) days prior to the date of the hearing to the owners of property, as shown on the last equalized assessment roll, within three hundred (300) feet of the exterior limits of the property or properties which is the subject of the application for the use permit.

At such hearings the applicant may present testimony and other evidence in support of this application, and other interested persons may be heard and/or present evidence on the matter.

In order to grant the use permit as applied for or conditioned the findings of the planning commission must include that the establishment maintenance and/or conducting of the use will not under the circumstances of the particular case, be detrimental to the public welfare injurious to property or improvements in said neighborhood.

In approving the granting of any use permit, the planning commission shall designate such conditions in connection therewith, as will, in its opinion, secure substantially the objectives of this part as to light, air and the public health, safety, morals, convenience and general welfare. Such commission shall require such evidence and guarantees, including bonds, as it may deem to be necessary to obtain compliance with the conditions designated in connection therewith.

In any case where a bond to secure the faithful performance of conditions designated by the planning commission has been posted, and the commission has reasonable grounds for believing that the conditions of said bond have not been complied with, the commission may hold a hearing to determine whether there has been a noncompliance with the conditions or any part of them. Notice of the time and place of such hearing shall be served upon the person posting said bond by registered mail or by personal service at least ten (10) days prior to the date set for said hearing. If at said hearing the commission finds that the conditions of the bond or any part of them have not been complied with, it may declare all or part of said bond forfeited. In the event the determination is to declare all or part of said bond forfeited, the person posting said bond may appeal said decision to the city council in the same manner as provided for appeals taken on the application or revocation of use permits. When such forfeiture has been declared and the determination has become final by failure to file an appeal within the time prescribed or otherwise, the planning commission may request that the city attorney take the steps necessary to make such forfeiture effective.

Section 6503.1. - Expiration and extension of use permits.

- (a) Every use permit granted prior to June 1, 1992 which is not subject to a stated expiration date shall automatically expire on December 31, 1992 unless, prior to such expiration date, either of the following circumstances shall have occurred:
 - (1) The use which is the subject of the permit is established and operating on the site; or
 - (2) If construction of any improvements is required for establishment of the use, a building permit shall have been issued for such improvements and construction thereof shall have commenced and is being prosecuted diligently toward completion.

The expiration date specified in this paragraph shall apply to any use permit issued by the city prior to June 1, 1992, and any use permit issued by the County of San Mateo prior to the incorporation of the city, where such use permit is still outstanding as of June 1, 1992 with no stated or applicable expiration date.

- (b) Every use permit granted pursuant to this chapter from and after June 1, 1992 shall automatically expire twelve (12) months after the date on which the approval of such use permit became effective unless, prior to such expiration date, a building permit is issued for the improvements which are the subject of the use permit and construction of such improvements is commenced and prosecuted diligently toward completion, or, if no construction is required, the use is established and operating on the site.
- (c) The expiration dates set forth in Subsections (a) and (b) of this section may be extended by the planning commission for a period or periods of time not exceeding a total of twelve (12) months, in accordance with the following procedure:
 - (1) The application for extension shall be filed prior to the expiration date, and shall be accompanied by the payment of a processing fee in such amount as established from time to time by resolution of the city council;
 - (2) A public hearing shall be conducted on the application for extension and notice thereof shall be given by publication and mailing in the same manner as prescribed in Subsections (a) and (c) of Section 6503;
 - (3) The planning commission may grant the extension if it finds and determines that the proposed use, and the conditions under which it would be operated or maintained, will not be detrimental to the public health, safety or welfare, or materially injurious to properties or in the vicinity;
 - (4) Notwithstanding any other provision of this section, a use permit granted prior to June 1, 1989, which is not subject to a stated expiration date, may not be extended beyond December 31, 1993.

Extension of a use permit is not a matter of right and the planning commission may deny the application or grant the same subject to conditions.

Section 6504. - Appeal procedures.

Any appeal of the decision of the planning commission pertaining to a use permit shall follow the appeal procedures as set forth in Chapter 30 of the Zoning Regulations.

(Ord. No. 284, § 7, 3-2-2004)

Section 6505. - Revocation of use permits.

- (a) In the event any person, firm, or corporation holding a use permit for any of the uses or purposes for which such permits are required or permitted by the terms of this part, or any other law or ordinance, shall fail to make any use of said permit for a period of one year after the granting of said permit, or shall violate the terms of the use permit, or shall conduct or carry on said use in such a manner as to materially affect adversely the health, welfare, or safety of persons residing, or working in the neighborhood of the property of the said permittee, or shall conduct or carry on said use so that the said use is materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, the planning commission shall revoke or suspend said use permit.
- (b) Procedure for revoking use permit. No use permit shall be revoked or suspended until a hearing is held by the planning commission. Written notice of such hearing shall be served upon the permittee, either personally or by registered mail, and shall state:
 - (1) The grounds for complaint or reasons for the revocation or suspension, in clear and concise language.

- (2) The time when, and the place where, such hearing is to be held. Such notice shall be served by registered mail or personal service on the permittee at least five days prior to the date set for said hearing. At any such hearing the permittee shall be given an opportunity to be heard and defend himself, and he may call witnesses and present evidence in his behalf. Upon conclusion of such hearing, the planning commission shall determine whether or not the permit shall be suspended or revoked.

(Ord. No. 284, § 14, 3-2-2004)

Section 6505.1. - Appeal procedures.

Any appeal of the decision of the planning commission pertaining to the revocation for a use permit shall follow the appeal procedures as set forth in Chapter 30 of the Zoning Regulations.

(Ord. No. 284, § 15, 3-2-2004)

Section 6506. - Sale of alcoholic beverages.

- (a) The regulations set forth in this section shall be applied to use permits for establishments engaged in the sale of any alcoholic beverage, whether for on-site or off-site consumption. In the event of any conflict or inconsistency between the provisions of this section and any other provisions of this chapter, the provisions of this section shall be controlling.
- (b) In addition to the documents normally required to be submitted as part of an application for a use permit, any application for a use permit to engage in the sale of alcoholic beverages shall also be accompanied by an operation and maintenance plan describing the manner in which the applicant intends to conduct his business, which shall specifically include the following items:
 - (1) Days of the week and hours of the day during which the establishment will be open for business;
 - (2) Hours of the day during which alcoholic beverages will be sold, if different from the hours of the day during which the establishment will be open for business;
 - (3) Steps to be taken by the applicant to insure that alcoholic beverages will not be sold to minors;
 - (4) Arrangements made by the applicant for clean-up and removal of trash from the premises and from any adjacent public sidewalks, streets, parking areas or other rights-of-way; and
 - (5) Security arrangements made by the applicant to prevent loitering and consumption of alcoholic beverages outside of the premises.
- (c) A public hearing shall be conducted on every application for a use permit to engage in the sale of alcoholic beverages. Notice of the time and place of the public hearing shall be given in the following manner:
 - (1) A notice shall be mailed, postage prepaid, not less than ten (10) nor more than thirty (30) days prior to the date of the hearing, to the applicant and to all persons whose names appear on the latest available assessment roll of the county as owning property within three hundred (300) feet of the boundaries of the site where the establishment is located; and
 - (2) A notice shall be published once in a newspaper having general circulation in the city not later than ten (10) days prior to the date of the hearing.
- (d) No use permit to engage in the sale of alcoholic beverages shall be granted unless the planning commission, or the city council on appeal, finds and determines that the proposed location for the sale of alcoholic beverages and the conditions under which the activity will be operated will not be detrimental to the public health, safety or welfare, or materially injurious to properties or other uses in the vicinity.

- (e) The planning commission may impose such conditions upon the issuance of the use permit it deems necessary or appropriate under the circumstances, including, but not limited to, the following:
 - (1) Limitation upon the hours of the day during which alcoholic beverages can be sold;
 - (2) Requirement for special trash collection service; and/or
 - (3) Requirement for special security arrangements; provided however, the cost thereof shall not impose an unreasonable economic hardship upon the proprietor of the establishment.
- (f) A use permit for the sale of alcoholic beverages may be subject to periodic review by the planning commission for the purpose of determining whether the permit holder has complied with all of the conditions and requirements of the permit. Nothing herein shall prevent the commission from initiating a review of the use permit at any time, pursuant to Subsection (g) of this section.
- (g) The planning commission shall, in all cases, retain continuing jurisdiction over each use permit and may at any time, either on its own initiative or in response to an application or request to do so, modify or delete any conditions of the use permit or impose any new conditions if the commission determines that such action is necessary in order to preserve the public health, safety or welfare, or to prevent the creation or continuance of a public nuisance. The use permit may be revoked upon a determination by the commission, following the conduct of a noticed public hearing, that the holder of the permit has failed to comply with any condition thereof after being afforded a reasonable opportunity to do so.

(Ord. No. 284, § 16, 3-2-2004)

Section 6506.1. - Appeal procedures.

Any appeal of the decision of the planning commission pertaining to a use permit for sale of alcoholic beverages shall follow the appeal procedures as set forth in Chapter 30 of the Zoning Regulations.

(Ord. No. 284, § 17, 3-2-2004)

Chapter notes:

(Sections 6500(c)(14) - Added by Ordinance No. 34 - May 7, 1984)

(Section 6506 - Added by Ordinance No. 131 - April 1, 1991)

(Section 6503.1 - Added by Ordinance No. 146 - July 20, 1992)

CHAPTER 24.1. - EMERGENCY SHELTERS^[7]

Footnotes:

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Editor's note— Ord. No. 361 § 2, adopted Oct. 1, 2013, set out provisions intended for use as § 6445. To avoid duplication of section numbers and to preserve the style of this Code, with the consent of the city and at the editor's discretion, these provisions have been included as § Ch. 24.1 § 6507.

Section 6507. - Emergency shelter development standards.

Each emergency shelter shall comply with all of the following development standards before the use will be approved by the planning director within the applicable zoning district:

- (a) *Property development standards.* The shelter for the homeless shall conform to all property development standards of the applicable zoning district, except as modified by these performance standards.
- (b) *Maximum number of persons/beds.* The shelter for the homeless shall contain a maximum of sixty (60) beds and shall serve no more than sixty (60) homeless persons.
- (c) *Off-street parking.* One space for each two employees on the largest shift, but no less than one space for each two thousand (2,000) square feet of floor area.
- (d) *Exterior/interior waiting areas.* Shelters shall provide ten (10) square feet of interior waiting and client intake space per bed. In addition, there shall be one office cubicle for each twenty (20) beds.
- (e) *Private outdoor open space.* A patio or other private gathering area for employees and/or shelter residents shall be provided, screened from public view to the satisfaction of the planning manager.
- (f) *Proximity to other shelters.* No shelter shall be located within three hundred (300) feet of another shelter.
- (g) *Length of stay.* Temporary shelter shall be provided for no more than sixty (60) consecutive days. Extensions up to a total stay of one hundred eighty (180) consecutive days may be provided if no alternative housing is available. Extensions shall be recommended by a physician or a qualified representative.
- (h) *Lighting.* The applicant shall submit a lighting plan showing all parking lot and exterior building lighting, including details on standard design, coverage and intensity for review and approval by the planning director prior to issuance of any building permits.
- (i) *Security.* A security plan shall be submitted to the planning director for review by the police department to ensure crime prevention through environmental design (CPTED) principles are incorporated into the project.
- (j) *Management plan.* Operators of homeless shelters in East Palo Alto shall be required to submit a management plan as identified by the planning director or his designee.

(Ord. No. 361, § 2, 10-1-2013)

CHAPTER 24.2. - LARGE FAMILY DAY CARE HOMES

Section 6510. - Requirement for special permit; exemptions.

- (a) No person shall establish or operate a large family day care home, as defined in Section 1596.78(a) of the Health and Safety Code, in any residential zoning district, unless a special permit for such facility is granted by the planning commission pursuant to this Chapter 24.2.
- (b) The requirement for a special permit set forth in Subsection (a) of this section shall not apply to any large family day care home duly licensed as such by the state prior to October 19, 1992, and designated as a permitted use under Subsections 6161(g), 6171(h) or 6181(h) of the Zoning Ordinance.

Section 6510.1. - Application for permit; waiver of fees and costs.

- (a) Application for a special permit shall be filed with the director of planning on such form as he or she shall prescribe. The application shall include the following information:
 - (1) A scale drawing of any structural alterations or improvements being made to the premises for the purpose of operating the day care facility;

- (2) A drawing of the site and the residential structure, generally showing the size, dimensions and location of the interior and exterior areas to be utilized for operation of the day care facility, including the location and number of on-site parking spaces and the street access for drop-off and pick-up of children. The drawing need not be to scale, except as otherwise required under Subsection (1) above, but shall have a reasonable degree of accuracy and shall contain such detail as may be requested by the director of planning;
 - (3) Color photographs of the premises, showing all interior and exterior areas to be itemized for operation of the day care facility;
 - (4) A general description of the manner in which the day care facility will be operated, including the maximum number and range of ages of children for whom day care will be provided, the days of the week and hours of the day during which the facility will be operated, the number of persons providing day care services and designation as to whether such persons are residents of the home; and
 - (5) Such additional information or exhibits as may be required by the director of planning in order to evaluate the application and the potential impact of the facility upon the neighborhood.
- (b) In recognition of the community need for child day care services and the limited financial resources available to the local providers of such services, no fees or charges shall be imposed for the filing and processing of the application for a special permit, including, but not limited to, filing fees, environmental assessment fees, noticing costs, or inspection fees.

Section 6510.2. - Inspection of premises.

After the application has been deemed by the director of planning to be complete, the director shall cause an inspection of the premises to be made to determine whether the same complies with applicable building code requirements for single-family residences and any special fire and life safety standards for large family day care homes as may be adopted by the state fire marshal pursuant to Section 1597.46(d) of the Health and Safety Code.

Section 6510.3. - Public hearing by planning commission.

The planning commission shall conduct a public hearing on the application for a special use permit. Notice of the public hearing shall be given not less than ten (10) days nor more than thirty (30) days prior to the date of the hearing by mailing, postage prepaid, a notice of the time and place of the hearing to the applicant to all persons whose names appear on the latest available assessment roll of the county as owning property adjoining or immediately across the street from the site where the facility will be operated. Notice of the public hearing shall also be published once in a newspaper having general circulation in the city not later than ten (10) days prior to the date of the hearing.

Section 6510.4. - Findings required for issuance of special permit.

The planning commission may grant a special use permit for a large family day care home if the commission finds and determines that:

- (a) The facility will not create adverse traffic or noise impacts upon the neighborhood; and
- (b) The facility will comply with all applicable building, fire and life safety requirements and regulations.

Section 6510.5. - Action by planning commission; required condition.

- (a) The planning commission may either grant or deny the application for a special use permit. If granted, the permit may be subject to such conditions as imposed by the planning commission, including, but not limited to, restrictions on the hours of operation, the scheduling of outdoor activities, and the number of children for whom day care services are being provided. The permit may also be granted for a limited period of time or subject to periodic review by the planning commission; and

- (b) Every special use permit granted by the planning commission shall be subject to the express condition that the permit shall not become effective until the applicant is duly licensed by the state pursuant to Division 2, Chapter 3.6 of the Health and Safety Code (commencing with Section 1597.30) to operate a large family day care home at the subject property. The holder of the special use permit shall furnish to the director of planning a copy of the application submitted to the state and a copy of the final determination made by the state thereon. If the application is denied by the state, the special use permit granted pursuant to this chapter shall, without further action by the city, automatically become null and void.

Section 6510.6. - Expiration of special permit; extensions.

- (a) A special use permit granted pursuant to this chapter shall expire twelve (12) months from the date on which the approval of the permit became effective unless, prior to such expiration date, the day care facility is established and operating on the site.
- (b) The expiration date set forth in Subsection (a) of this section may be extended by the planning commission for a period or periods of time not exceeding a total of twenty-four (24) months. Application for extension shall be filed prior to the expiration date. No fees or costs shall be imposed for the filing and processing of such application. A public hearing shall be conducted on the application for extension and notice thereof shall be given in the same manner as prescribed in Section 6510.3 of this chapter. Extension of a special use permit is not a matter of right and the planning commission may deny the application or grant the same subject to conditions.

Section 6510.7. - Continuing jurisdiction of planning commission.

The planning commission shall, in all cases, retain continuing jurisdiction over each special use permit granted hereunder and may, at any time, either on its own initiative or in response to an application or request to do so, modify or delete any conditions of the permit or impose any new conditions if the commission determines that such action is necessary in order to mitigate any adverse impacts that may be created from the operation of the day care facility.

Chapter notes:

(Chapter 24.2 - Added by Ordinance No. 149 - October 5, 1992)

CHAPTER 24.3. - RESIDENTIAL CARE FACILITIES

Section 6515.1. - Purposes of chapter.

- (a) To preserve the residential character of East Palo Alto's neighborhoods as contemplated in the city's adopted General Plan; and
- (b) To dissuade the over-concentration of residential care facilities within individual neighborhoods or within certain parts of the city; and
- (c) To provide reasonable accommodations for the needs of persons with various disabilities seeking a humane and non-institutional environment.

Section 6515.2. - Applicability and scope of chapter.

This Ordinance shall apply to existing or proposed residential care facilities (including single-family attached or detached dwellings, duplexes, apartments, or mobile homes) within residential zoning districts (excluding residential care facilities that are exempt per Section 6515.3 of this Ordinance) that meet the existing definition for a residential care facilities in City of East Palo Alto Zoning Ordinance and but not limited to, the following:

- (a) A building or portion thereof designed or used for the purpose of providing twenty-four (24) hours per day, non-medical residential living accommodations in exchange for the payment of money or other consideration, where the duration of tenancy is determined in whole or in part,

by the individual resident's participation in group or individual activities such as counseling, recovery planning, medical or therapeutic assistance; and

- (b) "Residential care facility" includes but is not limited to, health facilities as defined in the California Health and Safety Code (H&SC) Section 1250 et seq., community care facilities (H&SC Section 1500 et seq.), and alcoholism or drug abuse recovery or treatment facilities (H&SC Section 11384.11), and other similar care facilities.

As noted above, the provisions of this Ordinance shall apply to existing residential care facilities, i.e., no residential care facility in existence at the time of passage of this Ordinance shall be considered exempt from the provisions of this Ordinance as applicable. Any such facility shall comply with this Ordinance by July 7, 1994.

Section 6515.3. - Non-applicability.

This Ordinance shall not apply to residential care facilities consisting of six or fewer residents, not including any provider or provider's family or staff, provided the facility is licensed by the appropriate state or city agency or department and provided that:

- (a) No sign which calls attention to the fact that the property is a residential care facility be posted; and
- (b) Any other requirements of the base residential district are met.

Residential care facilities (whether licensed or not) consisting of seven or more residents, not including any provider or provider's family or staff, shall be subject to all provisions of this Ordinance.

Section 6515.4. - Requirements of a use permit for residential care facilities and applicability of other regulations to such.

In all residential zoning districts, a residential care facility may be permitted as a conditional use, subject to the applicant acquiring a use permit. All residential care facilities shall be subject to all zoning, subdivision housing and building regulations, and codes applicable to the respective district in addition to any building or housing regulations and codes to the respective district in addition to any building or housing regulations and codes expressly applicable to residential care facilities, particularly building and fire safety requirements. No privately created covenant, equitable servitude or other contract or agreement shall be used as the basis of denial of permission to operate a facility or residence otherwise in compliance with this Ordinance.

Section 6515.5. - Standards for residential care facilities.

Residential care facilities (whether licensed or not) for seven or more, or those unlicensed facilities for six or fewer, not including any provider or provider's family or staff are subject to the requirements of the base residential district, as well as the following standards which have been established to preserve the neighborhood character of which the dwelling engaged in residential care is a part:

- (a) Applicable requirements of the Uniform Building, Housing, and Fire Codes shall be met;
- (b) No sign which calls attention to the fact that the property is a residential care facility shall be posted;
- (c) A residential care facility for six or more residents shall not be allowed to locate within five hundred (500) feet of the boundaries of a parcel with any residential care facilities (whether that facility be licensed or unlicensed, with six or fewer residents or seven or more);
- (d) A residential care facility for ten (10) or more residents shall not be located within seven hundred fifty (750) feet of the boundaries of a parcel with another such facility consisting of ten (10) or more residents, nor within five hundred (500) feet of the boundaries of a parcel with a residential care facility of more than six residents; and

- (e) An application for a use permit for a residential care facility, as required by this Ordinance, shall be accompanied by a signed statement to the effect that the applicant has reviewed the permit records of the city and either those records show no permitted residential care facility within the prescribed distances or that the applicant is requesting a waiver of the distance requirement. If the applicant requests a waiver of the distance requirement, the director of planning shall refer such a request to the planning commission for action. The planning commission shall base its decision on the actual distances involved, the overall number of residential care facilities in the neighborhood, the anticipated needs of the residents of the existing and proposed facilities, and any other factors the commission shall deem relevant; and

Furthermore,

- (f) A use permit for a residential care facility may be subject to periodic review by the planning commission for the purpose of determining whether the permit holder has complied with all the conditions and requirements of the permit. Nothing herein shall prevent the commission from initiating a review of the use permit at any time, pursuant to Subsection (g) of this section; and
- (g) The planning commission shall, in all cases, retain continuing jurisdiction over each use permit and may at any time, either on its own initiative or in response to an application or a request to do so, modify or delete any conditions of the use permit or impose any new condition if the commission determines that such action is necessary in order to preserve the public health, safety, or welfare, or to prevent the creation or continuance of public nuisance. The use permit may be revoked upon a determination of the commission, following the conduct of a noticed public hearing, that the holder of the permit has failed to comply with any condition thereof after being afforded a reasonable opportunity to do so. Such a revocation may be appealed to the city council as provided in the East Palo Alto Zoning Ordinance.

(Ord. No. 284, § 20, 3-2-2004; Ord. No. 344G, § 1, 7-19-2011)

Section 6515.6. - Appeal procedures.

Any appeal of the decision of the planning commission pertaining to a use permit for residential care facilities shall follow the appeal procedures as set forth in Chapter 30 of the Zoning Regulations.

(Ord. No. 284, § 21, 3-2-2004)

Chapter notes:

(Chapter 24.3 - Added by Ordinance No. 170 - May 17, 1994)

CHAPTER 24.4. - TEMPORARY USES OF PRIVATE PROPERTY

Section 6516. - Permitted uses.

- (a) The following temporary uses may be permitted or conditionally permitted, subject to the issuance of a temporary use permit by the planning director:
 - (1) Christmas tree, pumpkin retail sales lot, or the sales of other seasonal agricultural products, including appurtenant temporary security or storage trailers;
 - (2) Car washes;
 - (3) Arts and crafts exhibitions or shows;
 - (4) Carnivals;
 - (5) Petting zoos;
 - (6) Flea markets;

- (7) Parking lot sales, including food services;
 - (8) Fundraising events by nonprofit organizations, including food service;
 - (9) Civic promotional events;
 - (10) Religious or cultural festivals, including food service;
 - (11) On- or off-site contractors' construction yards or sales office in conjunction with an approved construction project and a valid building permit. The permit may be granted for up to three hundred sixty-five (365) days, subject to compliance with Subsection 6516(d)(6) of this Ordinance;
 - (12) Trailer, coach, or mobile home as a temporary work site for employees of a business during construction or remodeling of a permanent commercial or industrial structure when a valid building permit is in force. The permit may be granted for up to three hundred sixty-five (365) days, subject to compliance with Subsection 6516(d)(6) of this Ordinance; and
 - (13) Similar temporary uses for such periods and purposes, which, in the opinion of the planning director, are compatible with the zoning district and surrounding land uses.
- (b) The following time durations of the uses listed in Subsection 6516(a) shall be permitted:
- (1) Temporary uses shall last for a period not to exceed six days in any thirty (30) day period (those days may be consecutive), unless the provisions of Subsection 6516(b)(4) have been complied with;
 - (2) Christmas tree, pumpkin retail sales lot, or the sales of other seasonal agricultural products, including appurtenant temporary security or storage trailers for such, shall last for a period not to exceed forty-five (45) days in any three hundred sixty-five (365) day period (those days may be consecutive);
 - (3) No temporary use permit shall be issued if another temporary use has occurred on the subject property within the previous sixty (60) days (whether by the same applicant or otherwise);
 - (4) Applications for temporary uses (other than the uses specified in Subsections 6516(a)(1) or (b)(2), above) that are proposed to last more than six days (but not more than forty-five (45) days) or those proposed for a period of more than fifteen (15) consecutive days, shall be accompanied by a letter(s), signed by the property owner(s) of each property within three hundred (300) feet of the property on which the temporary use is proposed, as specified by Subsection 6516(d)(6) of this Ordinance; and
 - (5) Applications for any use of property that are proposed to last more than forty-five (45) days shall be heard by the planning commission, unless specifically permitted otherwise in Subsection 6516(a).
- (c) *Development standards.* Standards for parking, automobile and delivery truck ingress and egress, building setbacks, heights, landscaping requirements, and other building and property development standards that apply to the category of use or the zone district of the subject property shall be used as a guide for determining the appropriate development standards for temporary uses. However, the temporary use permit may authorize variation from the specific requirements as may be appropriate, so long as variations do not negatively impact adjoining properties to an unacceptable level. The planning director is hereby expressly authorized to require that any temporary parking or driveway areas associated with a temporary use that are not paved, or the existing surface will clearly not accommodate parking or movement of vehicles, at the time of application be required to have a minimum of six inches of Class Two base rock, meet compaction and apply surface material as determined by the director of construction services.
- (d) *A temporary use permit application* shall be made on a form prescribed by the planning director and filed with the planning division of the community development department. The application form shall be accompanied by all of the following:
- (1) A filing fee as hereafter established by resolution of the city council;

- (2) Sketches or drawings of sufficient size and clarity to show without further explanation the following: size and location of the property, location of the adjacent street(s), location and size of all permanent structures on the site, location of structures on adjacent lots, location and number of parking spaces and location of any temporary fences, signs, lights, speakers, buildings or other structures to be installed as part of the temporary use;
 - (3) A letter by the applicant stating the products or services to be provided, the days and hours of operation, dates that the temporary use will be on the site, number of people staffing the use during operation, anticipated number of people using the facility during commercial operation, and any other such information as may be deemed necessary by the planning director to examine the impact of the proposed use upon the community or on adjacent uses;
 - (4) A letter by the subject property owner(s), if other than the applicant, stating that the uses contemplated by the applicant will be undertaken with the permission of that (those) property owner(s);
 - (5) A letter by the applicant, addressed to the city attorney, stating that the applicant shall hold harmless the city, its officers, agents, and employees from any liability or claims for damages due to the injury of any person, loss of life, or damage to property caused by, or arising out of activities authorized by a temporary use permit;
 - (6) When required by Subsection 6516(b)(4), a letter(s), signed by the property owner(s) of each property within three hundred (300) feet of the property on which the temporary use is proposed shall be submitted to the planning director. The letter shall describe the proposed use and dates and times of operation, and that the abutting property owner's (s') agreement to the operation of the temporary use as described. Applications for which the applicant is unable to obtain such letters from all abutting property owners may be converted to standard conditional use permit where the use is permitted by the applicable zoning district; and
 - (7) A security deposit as required by Subsection (g) of this section, for the purpose of defraying any cost of site clean-up by the City of East Palo Alto in the event the applicant fails to leave the property clean and free of debris associated with the approved temporary use.
- (e) *Action by the planning director.* A temporary use permit may be approved, modified, conditioned or denied by the planning director. A temporary use permit shall also be referred as needed to the chief of police, fire marshal, building official, environmental health official, public works director, or their agents, for approval, modification, conditions, or denial pursuant to their respective entitlements and regulations.

The planning director may approve, or conditionally approve, a temporary use permit application, only when the planning director finds the following to be fact:

- (1) That the establishment, maintenance, or operation of the use applied for will, under circumstances of the particular case, be beneficial to the neighborhood and the community;
 - (2) That the establishment, maintenance, or operation of the use applied for and conditionally approved will not, under the circumstances of the particular case, be detrimental or injurious to property and improvements in the neighborhood or the general welfare of the City of East Palo Alto; and
 - (3) Given the temporary nature of the use applied for, the proposed use is consistent with the intent of the East Palo Alto Zoning Ordinance, General Plan, and applicable redevelopment or specific plans.
- (f) *Condition of site following temporary use.* Each site occupied by a temporary use shall be cleared of temporary structures, debris, litter, and any other evidence of the temporary use upon completion or removal of the use and shall thereafter be used pursuant to the provisions of this Code.
- (g) *Deposit required.* A security deposit shall be placed in the care of the planning division prior to initiation of any proposed temporary use for the purpose of defraying any cost of site clean-up by the City of East Palo Alto in the event the applicant fails to leave the property clean and free of debris

associated with the approved temporary use. The amount of the security deposit shall be adopted and amended by resolution of the city council.

Chapter notes:

(Chapter 24.4 - Amended by Ordinance 161 - February 23, 1996)

CHAPTER 24.5. - PUBLIC UTILITY ANTENNA AND SATELLITE DISHES

Section 6518.1. - Purpose.

The purpose of this section is to provide locational, design and screening criteria to minimize the potential health, safety and aesthetic impacts of communication antennas and other public utility facilities. Furthermore, the city finds it necessary to address standards for parabolic satellite dish type antennas in all zoning districts within the city.

Section 6518.2. - Applicability.

This section identifies general regulations applicable city-wide for the location, design and screening of all communication antenna facilities including satellite, cellular, PCS, paging and other wireless communication technologies that require granting of licenses from the Federal Communications Commission and/or the public utilities commission. Satellite dish antennas that are five feet or smaller in diameter shall be subject to the special recognition regulations in this section.

Section 6518.3. - Permitted uses—Special recognition.

The following parabolic satellite dishes are allowable in any district except Resource Management (RM) and Community Open Space (COSC) only when the following items are met. Any satellite dish antenna proposal which does not meet all the following criteria, including but not limited to, pole or roof-mounted dish or dish diameter exceeding five feet or any combination, is subject to the requirements and issuance of an administrative use permit as described in Section 6500.04.

- (a) Ground-mounted satellite dish antennas with a maximum diameter of five feet not to exceed a maximum installed, temporary or permanent, height of eight feet.
- (b) Any ground, pole or roof-mounted dish up to twenty-four (24) inches in diameter, may be installed in any side or rear yard. Pole may be eighteen (18) feet high or no higher than the roof ridge line.

Section 6518.4. - Administrative uses—(Minor).

The following uses are subject to administrative use permit and associated review. Application requirements shall be the same as that of a conditional use permit (Chapter 24) application except six (only) full size plan sets are required. A permit may be granted by the planning director if:

- (a) Satellite dish antennas up to ten (10) feet in diameter and exceed height limits set forth by Section 6500.03;
- (b) Building-mounted antennas and associated equipment rooms are permitted in all Commercial (C-1, C-2 and OR) and Industrial (M-1, M-2 and MB) zoning districts provided that both the antennas and the equipment room comply with the regulations set forth by this section and the underlying zoning;
 - (1) The associated equipment rooms may be located in either an interior space in the existing building or in an attached or detached exterior building. Exterior equipment buildings constructed on-premises shall be architecturally similar to the existing building or portray architecture significant to a specific area (i.e., town entrance or historic area).
- (c) Co-locational wireless antennas;

- (d) Public utility antennas and/or related facilities are not allowed in residential districts.

Section 6518.5. - Conditional uses—(Major).

The following uses require issuance of a conditional use permit pursuant to Chapter 24 of these Zoning Regulations and submittal requirements plus photographs from surrounding areas with a locational map identifying where the photographs were taken. A conditional use permit may be granted by the planning commission if:

- (a) Satellite dish antennas that exceed ten (10) feet in diameter in any zoning district.
- (b) Support structure-mounted antennas and associated equipment rooms (i.e., monopoles, lattice towers, etc.), are allowed with a conditional use permit in all Commercial (C-1, C-2 and OR) and Industrial (M-1, M-2 and MB) zoning districts provided that both the antennas and the equipment room comply with the regulations set forth by this section and the underlying zoning.
 - (1) The associated equipment rooms may be located in either an interior space in an adjacent existing building or in a separate attached or detached exterior building. Exterior equipment buildings constructed on-premises shall be architecturally similar to the existing building or portray architecture significant to a specific area (i.e., town entrance or historic area).
- (c) Unless otherwise approved, antennas subject to this section shall be no closer to one another than one-half mile, two thousand six hundred forty (2,640) feet measured by radius.
- (d) Any public or private utility antenna or antenna structure located on city-owned land.

Section 6518.6. - General development regulations for all types of antenna utility facilities.

(a) *Satellite dishes:*

- (1) Any portion of a ground-mounted satellite dish antenna must be set back five feet from the rear and allowable side yard property lines on which it is installed. Such satellite dishes may not be installed, temporary or permanent, in the front yard or side yard setback, except that portion which is contiguous with the required rear yard setback.
- (2) Ground, roof and pole-mounted satellite dish antennas must be screened by fencing, building's or parapets that appear to be an integral part of the building, or landscaping so that no more than twenty-five (25) percent of the antenna height is visible from grade level of adjacent property and adjacent public rights-of-way.
- (3) All satellite dish antennas shall not be light reflective. Dish antennas shall not have any sign copy on them nor shall they be illuminated.

(b) *Building-mounted and co-located antennas:*

- (1) The total height of the building and the antenna shall not exceed the height limit of the underlying zoning.
- (2) Building-mounted antennas shall be screened from view if the antennas are visible to adjacent properties and adjacent public rights-of-way. Screening may not be required for omni-directional antennas, to the discretion of the planning director, if the screening device would create a greater, or more cumbersome, visual impact. Screening devices include, but are not limited to, parapets, walls, vegetation and pertinent architectural elements or combinations of these devices.
- (3) When located or co-located on a building facade, building-mounted antennas shall be painted and textured to match the existing building.

(c) *Support structure-mounted antennas:*

- (1) Support structure antennas shall be sited on a premises to minimize visual impacts to adjacent non-industrial uses and properties. Landscaping around the base and associated mechanical building may be required in combination with the above when necessary.

- (2) When applying for this type of structure, co-located antennas must be viewed as an alternative. The applicant must demonstrate that all efforts of a co-located antenna have been exhausted. Owners and other users of all support structure-mounted antenna facilities must allow other legally licensed applicants to lease space and locate an antenna on their structures whenever possible.

Section 6518.7. - Director of construction services determination of need for building permits.

All public facility utility and satellite dish antenna permit applications shall be routed to the director of construction services. When, in his/her determination, a separate building, electrical, or other permit is required the applicant shall be notified and the appropriate permit shall not be issued until such other permits are obtained from the construction services division. This chapter shall in no way infer that antennas and associated structures which do not require an administrative use or conditional use permit from the planning division are not required to have a building permit. It shall be the sole discretion of the director of construction services, utilizing the uniform codes adopted by the city, as to what antennas and associated structures do and do not require building permits.

Section 6518.8. - Application and determination.

Within fifteen (15) business days of receiving an application (with any applicable fees required by resolution of the city council) that has been deemed complete by the director of planning for a use permit which is not contingent upon action by the planning commission or the issuance of other permits (e.g., building permits), the director of planning shall in writing approve, conditionally approve, or deny the application. The director may impose only such conditions as will assure compliance with the provisions of this chapter.

Chapter notes:

(Chapter 24.5 - Amended by Ordinance No. 193 - January 22, 1996)

CHAPTER 24.7. - INTERIM USES IN RAVENSWOOD SPECIFIC PLAN AREA

Section 6524.1. - Purpose.

This chapter is included in the Zoning Ordinance for the following purposes:

- (a) To regulate existing interim uses and proposed interim uses within the Ravenswood Specific Plan (RSP) Area;
- (b) To allow the interim productive use and development of property to occur within the Ravenswood Specific Plan Area prior to full implementation of the Ravenswood Specific Plan;
- (c) To balance the implementation of the Specific Plan with the ability of landowners and business owners to engage in productive uses in the plan area during the initial and ongoing implementation of the Specific Plan; and
- (d) To facilitate the implementation of the Specific Plan land use vision by providing for a transition between existing land uses and future uses contemplated by the Specific Plan.

(Ord. No. 357, § 5, 10-16-2012)

Section 6524.2. - Definitions.

In addition to the definitions set forth in the City Zoning Ordinance and within the Ravenswood Specific Plan, all of which are applicable herein, for the purposes of this chapter, the following words and phrases shall have the meanings respectively ascribed to them in this section, unless the context or the provision clearly requires otherwise:

- (a) *Community development department* refers to the Community Development Department of the City of East Palo Alto.
- (b) *Director* means the director of community development or his or her designated representative.
- (c) *Existing interim use permit* means a special use permit issued under the previous Chapter 24.1 of the City Zoning Ordinance.
- (d) *New interim use* means a use upon a site or within a building in the planning area, which has been formally deemed by the planning commission to be an acceptable interim use and where a special use permit has been issued for such use.
- (e) *Ravenswood Specific Plan* refers to the Ravenswood/4 Corners TOD Specific Plan as adopted by city council on September 4, 2012. This plan is also referred to as the RSP in this chapter.

(Ord. No. 357, § 5, 10-16-2012)

Section 6524.3. - Continuation and expiration of existing use permits.

- (a) Existing interim use permits shall be automatically extended by the director, commencing upon the effective date of this chapter and for a period of five years. This provision shall not apply to existing interim use permits issued to automobile dismantlers.
- (b) Existing interim use permits shall automatically expire at the end of the five-year period and are not subject to renewal or extension.
- (c) Nothing in this subsection precludes the filing of an administrative use permit or conditional use permit where the use is listed in Table 6-1 of the Ravenswood Specific Plan; or from requesting approval as a new interim use consistent with this chapter.

(Ord. No. 357, § 5, 10-16-2012)

Section 6524.4. - Determination of new interim use.

- (a) Uses not specifically listed in Table 6-1 of the RSP may be deemed a new interim use by the planning commission subject to the following:
 - (1) The use is proposed to be located within an existing building constructed prior to adoption of the RSP;
 - (2) The use does not require the construction of a new building or covered structure or expansion of an existing building or covered structure;
 - (3) The planning commission has received a written request and has subsequently deemed the use an appropriate interim use based on all the following findings:
 - (a) The use will not be detrimental to the long-term success of the implementation of the RSP; and
 - (b) The use will provide employment, services or other public benefits to the city and its residents; and
 - (c) The use does not require the construction or expansion of a building or covered structure; and
 - (d) The use, by its nature, will not be detrimental to the public health, safety and welfare and/or contradictory to the goals and objectives of the General Plan and Specific Plan.
- (b) A new interim use shall not be established or commenced without first obtaining a special use permit (SUP). The initial term of the SUP shall be three years and no time extension shall exceed a total of two years.

(Ord. No. 357, § 5, 10-16-2012)

Section 6524.5. - Submission for new interim use determination.

- (a) Any person or persons requesting consideration by the planning commission as a new interim use shall file their written request to the planning commission on a form provided by the community development department.
- (b) The applicant shall, in addition to the application form, submit the following:
 - (1) A detailed description of the proposed use;
 - (2) A description of any existing uses and structures on the site and the extent to which the same will be altered, improved or eliminated;
 - (3) The period of time being requested for the interim use;
 - (4) Justification as to how the proposed use is consistent with the required findings contained in Subsection 6524.4(a)(3);
 - (5) Other information as may be deemed necessary by the director.
- (c) The application shall be accompanied by the payment of a processing fee, in such amount as established from time to time by resolution of the city council.

(Ord. No. 357, § 5, 10-16-2012)

Section 6524.6. - Appeals.

An aggrieved person with standing may appeal the planning commission's decision in accordance with Chapter 30 of the Zoning Ordinance.

(Ord. No. 357, § 5, 10-16-2012)

CHAPTER 24.8. - AUTOMOBILE DISMANTLING

Section 6527.1. - Special use permit for automobile dismantling and/or automobile wrecking; permits required; administration of regulations.

- (a) No person shall carry on the business of an auto dismantling establishment without first obtaining a permit therefore pursuant to this chapter. Auto dismantling includes automobile dismantling, and/or automobile wrecking.
- (b) The community development director shall be responsible for administering the regulations set forth in this chapter with respect to all applications and proceedings involving the issuance or denial, renewal, modification, suspension, revocation or enforcement of any permit for an auto wrecking establishment.
- (c) The city manager, and his or her designee, shall have the authority to enforce the provisions of this chapter.

(Ord. No. 357, § 6, 10-16-2012)

Section 6527.2. - Application for permit.

The application for a permit shall be submitted to the community development department on such form as he/she may prescribe. The application shall be accompanied by all documents normally required for a use permit granted pursuant to Chapter 24 of the Zoning Ordinance, including an accurate site plan showing the exterior boundaries of the property and the location of all buildings and other structures existing or proposed. The application shall also be accompanied by a report, prepared by an environmental engineer or other qualified person, showing the results of an investigation of the property to determine whether any portion thereof has been contaminated with toxic or hazardous materials, and if so, the measures required to eliminate such contamination, including any clean-up plan or program within the jurisdiction of any other governmental agencies.

(Ord. No. 357, § 6, 10-16-2012)

Section 6527.3. - Granting of permit; annual renewal; conditions.

- (a) The planning commission may grant the permit if it finds that the auto wrecking establishment will not be detrimental to the public health, safety or welfare, and will be conducted in accordance with the requirements of this chapter, and any other applicable city ordinance or state laws.
- (b) If granted, the permit shall be issued for an initial period of one year. Thereafter, the permit shall be reviewed annually by the planning commission to determine whether the permittee has complied with all of the conditions and requirements of the permit and has otherwise complied with all applicable city ordinances and state laws, rules and regulations, including, but not limited to, all regulations pertaining to the storage and disposal of hazardous materials. If the commission finds that the permittee has satisfactorily complied with all such conditions and requirements the commission may extend the permit for an additional one-year term.
- (c) The permit may be issued subject to such conditions as imposed by the planning commission. Every permit shall require the auto wrecking establishment to participate in the city's nuisance abatement program for removal of abandoned, wrecked and dismantled vehicles, at no cost to the city, such participation constituting the public benefit and aesthetic contribution to the community by establishments that otherwise would be regarded as undesirable land uses.
- (d) If the site contains any area of contamination from toxic or hazardous materials, as shown by the report submitted in accordance with Section 6507.2, the permit shall contain a condition requiring a clean-up of such contamination within a specified period of time, in accordance with a clean-up plan approved by the planning commission and any other governmental agency responsible for supervising the establishment and implementation of such plan.
- (e) The planning commission shall in all cases retain continuing jurisdiction over each permit and may at any time, either on its own initiative or in response to an application or request to do so, modify or delete any conditions of a permit or impose any new conditions if the commission determines that such action is necessary in order to preserve the public health, safety or welfare, or to prevent the creation or continuance of a public nuisance.
- (f) Any decision of the planning commission under this chapter may be appealed to the city council by the applicant or by any interested person, in accordance with Chapter 30 of the Zoning Ordinance.
- (g) Notwithstanding any other provision of this chapter, in the event of any sale or other transfer of ownership of an auto wrecking establishment, or in the event any auto wrecking establishment discontinues the conduct of its business for ninety (90) consecutive days, then the permit granted to such establishment pursuant to this chapter, together with the use permits granted pursuant to Chapters 24 and Chapter 24.7 of the Zoning Ordinance, shall automatically terminate and have no further force or effect.

(Ord. No. 357, § 6, 10-16-2012)

CHAPTER 25. - VARIANCES

Section 6530. - Purpose.

The purpose of a variance is to allow, under special circumstances, development to vary from the requirements of the Zoning Regulations when strict enforcement would: (1) make it difficult to develop a parcel, (2) cause unnecessary hardships to the landowner, or (3) result in inconsistencies with the general purposes of the Zoning Regulations.

Section 6531. - General provisions.

Variances are permitted when one or more of the following conditions exist: (1) development is proposed on an existing legal parcel zoned R-1, which is three thousand five hundred (3,500) square feet or less in area and/or thirty-five (35) feet or less in width; (2) the proposed development varies from minimum yard, maximum building height or maximum lot coverage requirements; or (3) the proposed development varies from any other specific requirements of the Zoning Ordinance.

Variances may not be granted to allow a use, activity or an increased number of dwelling units which are not permitted by the Zoning Regulations.

Section 6532. - Procedure.

- (a) *Applications.* Applications for a variance must be made in writing to the planning division. Applications must be signed and verified by the landowner or an authorized agent who must submit written authorization to act on behalf of the landowner. Applications must include all information required on the application forms on file in the planning division.
- (b) *Public hearing.*
 - (1) The planning commission must hold at least one public hearing to consider applications for all variances. At least ten (10) calendar days prior to the public hearing, the director of planning must mail a notice of the public hearing to: (1) the owner of the property for which the application is proposed, the owner's authorized agent if any, and the applicant if different from the owner; (2) all landowners who own property, as shown on the last equalized assessment roll, within five hundred (500) feet of the exterior limits of the property for which the application is proposed; and (3) all local agencies expected to provide water, sewerage, roads, schools or other essential services to the property when ability to provide those facilities and services may be significantly affected.
 - (2) In addition, the notice must be published in at least one newspaper of general circulation within the city at least ten (10) calendar days prior to the hearing or posted within the city at least ten (10) calendar days prior to the hearing in three public places, one of which must be in a public place directly affected by the application. If the number of landowners who must be noticed is greater than one thousand (1,000), the director of planning may, instead of individual notice, place a display advertisement of at least one-eighth page in at least one newspaper of general circulation within the city at least ten (10) calendar days prior to the hearing.

Section 6533. - Conditions.

When approving a variance, the planning commission may place as many conditions on the variance as necessary in order to ensure public safety, health, and welfare and to allow the planning commission to make required findings.

Section 6534. - Findings.

In order to approve an application, the planning commission must make all of the following findings:

- (a) The parcel's location, size, shape, topography and/or other physical conditions vary substantially from those of other parcels in the same zoning district or vicinity.
- (b) Without the variance, the landowner would be denied the rights and privileges that are enjoyed by other landowners in the same zoning district or vicinity.

- (c) The variance does not grant the landowner a special privilege which is inconsistent with the restrictions placed on other parcels in the same zoning district or vicinity.
- (d) The variance authorizes only uses or activities which are permitted by the zoning district.
- (e) The variance is consistent with the objectives of the General Plan and the Zoning Ordinance.

Section 6535. - Appeal procedures.

Any appeal of the decision of the planning commission pertaining to a variance shall follow the appeal procedures as set forth in Chapter 30 of the Zoning Regulations.

(Ord. No. 284, § 8, 3-2-2004)

Section 6536. - Expiration and expansion of variances.

- (a) Every variance granted pursuant to this chapter from and after June 1, 1992, shall automatically expire twelve (12) months after the date on which the approval of such variance became effective unless, prior to such expiration date, a building permit is issued and construction is commenced and prosecuted diligently toward completion on the site or structure which is the subject of the variance, or, if no construction is required, a certificate of occupancy is issued for such site or structure.
- (b) The expiration date of a variance may be extended by the planning commission for a period or periods of time not exceeding a total of twenty-four (24) months, in accordance with the following procedure:
 - (1) The application for extension shall be filed prior to the expiration date, and shall be accompanied by the payment of a processing fee in such amount as established from time to time by resolution of the city council;
 - (2) A public hearing shall be conducted on the application for extension and notice thereof shall be mailed at least ten (10) days prior to the hearing to all persons shown on the last equalized assessment roll as owning within three hundred (300) feet of the exterior boundaries of the site which is the subject of the variance. Notice shall also be published once in newspaper having general circulation within the city at least ten (10) days prior to the date of the hearing;
 - (3) The planning commission may grant the extension if it is able to make all of the findings required for the granting of a variance as set forth in Section 6534 of this chapter; and
 - (4) Extension of a variance is not a matter of right and the planning commission may deny the application or grant the same subject to conditions.

Section 6537. - Revocation.

The planning commission and/or city council may revoke an approved variance following the procedure specified in Section 6505 if the terms and conditions of approval are violated.

Chapter notes:

(Sections 6536 - Amended by Ordinance No. 146 - July 6, 1992)

CHAPTER 26. - DESIGN REVIEW; SINGLE-FAMILY DWELLINGS

Section 6540. - Purposes of chapter.

The purpose of this chapter is to establish standards and procedures to be followed with respect to the design review of single-family dwellings and certain accessory structures to ensure that new development occurs in a manner which is consistent with the objectives of the Zoning Ordinance.

Section 6541. - Requirement for design review.

In each of the following cases, no building permit shall be issued for the construction or expansion of a single-family main structure or accessory structure in any R-1 district until such structure has received design review approval by the planning commission pursuant to this chapter:

- (a) Any new single-family dwelling to be constructed as the main structure on the site;
- (b) Any conversion of an existing single-story main or accessory structure to a multi-story structure, except where such conversion does not result in any exterior modifications to the existing structure beyond the installation of skylights in the roof;
- (c) Whenever design review is specifically required under the terms or conditions of any tentative or final subdivision map, use permit or variance approval;
- (d) Whenever the development proposal requires the issuance of a use permit or the granting of a variance pursuant to this Ordinance; or
- (e) Whenever, in the opinion of the director of planning, the development proposal may be incompatible with the neighborhood, or may create a perception of excessive mass or bulk, or may unreasonably interfere with light and air enjoyed by adjacent properties, or may result in excessive intensification of the use or development of the site.

Section 6542. - Public hearing.

A public hearing on the application for design review approval under this chapter shall be required. Notice of the public hearing shall be given not less than ten (10) days nor more than thirty (30) days prior to the date of the hearing by mailing, postage prepaid, a notice of the time and place of the hearing to the applicant, and to all persons whose names appear on the latest available assessment roll of the county as owning property immediately adjacent to or across the street from the boundaries of the site which is the subject of the application. Notice of the public hearing shall also be published once in a newspaper having general circulation in the city not later than ten (10) days prior to the date of the hearing.

Section 6543. - Application requirements.

- (a) Application for design review approval shall be filed with the director of planning on such form as he or she shall prescribe. The application shall include the following exhibits:
 - (1) Site plan drawn to scale, showing property lines, easements and dimensions, structure setbacks, location of all existing and proposed improvements, location of all existing landscaping, and, when required by the director of planning, topographic contours at intervals of not less than five feet;
 - (2) Building plans drawn to scale, showing all exterior elevations and interior floor plans. The plans must include a specification of exterior building materials and color samples. Where the project is the construction of an addition to an existing structure, the plans shall clearly delineate the existing portions of the building;
 - (3) Drainage plans, when required by the director of planning;
 - (4) Landscape plan and method of irrigation; and
 - (5) Such additional exhibits or information as may be required by the director of planning.

Site plans and building plans shall be prepared by a licensed architect, engineer, building designer or contractor, unless otherwise approved by the director of planning. All exhibits submitted with the design review application shall be dated and signed by the person preparing the exhibit. Copies of all plans to be submitted shall consist of four sets drawn on sheets eighteen (18) inches by twenty-eight (28) inches in size and twenty (20) reduced sets on sheets eleven (11) inches by seventeen (17) inches in size. All plans shall be drawn to a scale acceptable to the director of planning.

- (b) The application shall be accompanied by the payment of a processing fee, in such amount as established from time to time by the city.

Section 6544. - Design review findings.

The planning commission shall not grant design review approval unless it is able to make all of the following findings:

- (a) *Compatibility*. The proposed structure will be compatible with existing residential structures in the immediate neighborhood and within the same zoning district;
- (b) *Perception of mass and bulk*. The proposed structure, in relation to the site and the immediate neighborhood, has been designed to avoid a perception of excessive mass or bulk; and
- (c) *Interference with light and air*. The proposed structure will not unreasonably interfere with the light and air enjoyed by adjacent properties or the ability of adjacent properties to utilize solar energy.

Section 6545. - Expiration and extension of design review approval.

- (a) Design review approvals granted pursuant to this chapter shall expire twelve (12) months from the date on which the approval became effective, unless prior to such expiration date a building permit is issued for the improvements which are the subject of the design review approval and construction of such improvements is commenced and prosecuted diligently toward completion or a certificate of occupancy is issued for such improvements.
- (b) Design review approvals may be extended for a period or periods of time not exceeding a total of twenty-four (24) months, in accordance with the following procedure:
 - (1) The application for extension shall be filed prior to the expiration date, and shall be accompanied by the payment of a processing fee in such amount as established from time to time by resolution of the city council;
 - (2) A public hearing shall be conducted on the application for extension and notice thereof shall be given in the same manner as prescribed in Section 6542 of this chapter;
 - (3) The planning commission may grant the extension if it is able to make all of the findings required for the granting of design review approval, as set forth in Section 6544 of this chapter;
 - (4) Notwithstanding any other provision of this section a design review approval granted prior to June 1, 1989, which is not subject to a stated expiration date, may not be extended beyond December 31, 1993; and
 - (5) Extension of design review approval is not a matter of right and the planning commission may deny the application or grant the same subject to conditions.

Every design review approval granted prior to June 1, 1992 which is not subject to an expiration date, either stated therein or prescribed by the zoning regulations in effect as of the time the design review approval was granted, shall automatically expire on December 31, 1992 unless, prior to such date, a building permit is issued for the improvements which are the subject of the design review approval and construction of such improvements is commenced and prosecuted diligently toward completion, or, if no construction is required, a certificate of occupancy is issued for such improvements. The expiration date specific in this paragraph shall apply to any design review approval granted hereunder by the city prior to June 1, 1992, and any design review approval granted hereunder by the County of San Mateo prior to the incorporation of the city, where such design review approval is still outstanding as of June 1, 1992 with no applicable expiration date. The expiration date specified herein may be extended by the planning commission for the period of time and in accordance with the procedure set forth in Subsection (b) of this section.

Section 6546. - Appeal procedures.

Any appeal of the decision of the director of planning or the planning commission pertaining to a design review application shall follow the appeal procedures as set forth in Chapter 30 of the Zoning Regulations.

(Ord. No. 284, § 22, 3-2-2004)

Chapter notes:

(Chapter 26 - Added by Ordinance No. 125 - September 17, 1990)

CHAPTER 27. - AMENDMENTS

Section 6550. - Amendments procedures.

This part may be amended by changing the boundaries of districts or by changing any other provisions hereof whenever the public necessity and convenience and the general welfare require such amendment, by following the procedure specified in this chapter. Amendments may be proposed by:

- (a) City council; or by
- (b) Direction of the planning commission;
- (c) Initiation of the director of planning;
- (d) The filing of an application with the planning division by property owners or their duly authorized agents, or a plaintiff in an action in eminent domain for amendments to this part involving their property or property to be acquired by the plaintiff in an action in eminent domain. Upon receipt of a direction or an application, or by his own initiation, the director of planning shall set a date of hearing thereof. For any amendment to this title that changes any property from one zone to another or imposes any regulation listed in Government Code Section 65850 not previously imposed, or which removes or modifies any regulation listed in Government Code Section 65850 previously imposed, the director of planning shall give notice as set forth in Sections 6551(a) and (b), and the amendment shall be adopted pursuant to the provisions of Sections 6552 through 6556 inclusive. Any other amendment to this title may be adopted as other ordinances are adopted.

(Ord. No. 324, § 4, 8-3-2009)

Section 6551. - Hearing date.

Upon receipt of a direction, or an application, or by his own initiation, the director of planning shall set a date of hearing thereof and give notice thereof by at least one publication in a newspaper of general circulation in the city at least ten (10) days before the hearing and may give additional notice by either one or both of the following means when the amendment involves reclassification of the property:

- (a) Posting public notices of the proposed amendment not less than ten (10) days prior to the date of the first of such hearings. Such notices shall be placed not more than five hundred (500) feet apart along each and every street upon which the property proposed to be reclassified abuts and such posting shall extend along said street or streets a distance of not less than five hundred (500) feet from the exterior limits of such property or properties as are proposed for reclassification. Such notice shall consist of the words, "Notice of proposed change of Land Use District" printed or lettered in plain type or letters not less than one inch in height, and in addition thereto, there shall be a statement in smaller type setting forth a description of the property involved in the proposed change of district, the time and place at which the public hearings on the proposed change will be held, and other information which the planning commission may deem to be necessary; and by

- (b) Mailing a postal card notice not less than ten (10) days prior to the date of such hearing to the owner or owners of all property within the posting area above defined, as said property owners are should on the last equalized assessment roll of the county.

Any failure to post public notices or to mail postal card notices as aforesaid shall not invalidate any proceedings taken for the amendment of this part.

The planning commission may hold such additional hearings as it may deem necessary.

Section 6552. - Planning commission report.

Following the aforesaid hearing or hearings the planning commission shall make a report of its findings, summaries of hearings, and recommendations with respect to the proposed amendment and shall file with the city council such report within thirty (30) days from the final hearing thereon.

Section 6553. - Proposed amendment hearing.

The city council may hold one or more public hearings upon the proposed amendment and before adopting the proposed amendment shall hold at least one public hearing thereon, notice of which shall be published at least once in a newspaper of general circulation in the city at least ten (10) days before the hearing.

At the conclusion of such hearing the city council, if it so determines, may adopt an ordinance amending this part in accordance with the proposal of the planning commission. The city council may not make a change in any proposed amendment by the planning commission until the proposed change has been referred to the planning commission for a report and such report received.

Section 6554. - Council intent to amend.

The city council may declare its own intention to amend this plan when it deems it to be for the public interest, but shall not adopt an amendatory ordinance until it shall have first referred such proposal to the planning commission for a report. Before making a report the planning commission shall hold at least one public hearing in the same manner as heretofore prescribed. The failure of the planning commission to make such report within forty (40) days after the reference to it shall be deemed an approval of the proposed change.

Upon receipt of such report or the expiration of time above-mentioned the planning commission may proceed to hold a hearing as provided in Section 6553, at the conclusion of which it may adopt an ordinance amending this part.

Section 6555. - Decision.

The decision of the city council shall be rendered within ninety (90) days after the receipt of a report and recommendation from the planning commission.

Section 6556. - Abandon proceedings for an amendment.

Upon the consent of the planning commission, any petition for an amendment may be withdrawn upon the written application of a majority of all the persons who signed such petition. The city councilor, the planning commission, as the case may be, by resolution, abandon any proceedings for an amendment initiated by its own resolution of intention; provided that such abandonment may be made only when such proceedings are before such body for consideration and provided that any hearing of which public notice has been given shall be held.

CHAPTER 28. - ARCHITECTURAL SUPERVISION

Section 6560. - Requirement for design review approval.

- (a) In each of the following cases, no building permit shall be issued until the proposed improvements have received design review approval by the planning commission pursuant to this chapter:
- (1) Any new main structure, or any expansion over five hundred (500) square feet to an existing structure, located within a Multifamily Residential (R-3 or R-M), Office/Residential (OR), Office (O), Commercial (C), Industrial (M), or Industrial Buffer (M-B) zoning district; and
 - (2) Any structure, except a single-family dwelling or accessory structure, having a gross floor area of one thousand (1,000) square feet or greater, located within a Single-Family (R-1), Duplex (R-2), Open Space (COSC) or Resource Management (R-M) district.
 - (3) Any substantial structural or architectural facade work to an existing structure as seen from any public right-of-way, located within a Multifamily Residential (R-M), Office/Residential (OR), Office (O), Commercial (C), Industrial (M), or Industrial Buffer (M-B) zoning district;
 - (4) Any and all public telephones, newspaper racks, or other permanent structures, attached or unattached from a structure located within a Multifamily Residential (R-M), Office/Residential (OR), Office (O), Commercial (C), Industrial (M), or Industrial Buffer (M-B) zoning district.
- (b) The application for design review approval shall be filed with the planning director on such form as he shall prescribe. The application shall include the following exhibits:
- (1) A site plan drawn to scale showing property lines, easements dimensions, and the proposed layout of all structures and improvements including, where appropriate, driveways, parking and loading areas, pedestrian walks, and landscaped areas. The site plan shall indicate the locations of entrances and exits and the direction of traffic flow into and out of parking and loading areas, the location and dimension of each parking and loading space, and areas for turning and maneuvering vehicles;
 - (2) A scale drawing of the proposed structures as they will appear upon completion, showing all exterior elevations, surface materials, and colors. Such drawing shall be prepared and signed by a licensed architect or engineer;
 - (3) A drawing indicating the design, location, material, colors, and illumination of all signs to be installed as part of the development;
 - (4) A landscape plan for the site, showing the locations of existing trees proposed to be retained on the site, the location and design of landscaped areas and the varieties of plant materials to be planted therein and all other landscape features;
 - (5) Such additional exhibits or information as may be required by the planning director or the planning commission.
- (c) The application shall be accompanied by the payment of a processing fee in such amount as established from time to time by resolution of the city council.

Section 6561. - Approval of application plans.

Such drawings or sketches shall be considered by the planning commission or its staff an endeavor to provide that such buildings, structures and other improvements shall be so designed and constructed that they will not be of unsightly, undesirable or obnoxious appearance to the extent that they will hinder the orderly and harmonious development of the city, impair the desirability of residence, investment or occupation in the city as appearing to travelers passing through or traveling in the city, limit the opportunity to attain the optimum use and value of land and improvements, impair the desirability of living conditions in the same or adjacent residential areas, and/or otherwise adversely affect the general prosperity and welfare. To this end, the planning commission shall suggest any changes in the plans of such proposed buildings, structures and other improvements as it may deem to be necessary to accomplish the purposes of this chapter, and shall not approve any such plans until it is satisfied that such purposes will be accomplished thereby.

Section 6562. - No permit until plans approved.

No permit, as provided herein, shall be issued unless the plans filed with the application therefore as required in this chapter shall first have been approved by the planning commission. Upon such approval, the director of construction services shall issue such permit, provided all other provisions of law have been complied with. Every drawing or sketch filed under the provisions of this chapter shall become the property of the commission.

Section 6563. - Design review approval expiration date.

- (a) Every design review approval granted pursuant to this chapter prior to June 1, 1992 which is not subject to a stated expiration date shall automatically expire on December 31, 1992 unless, prior to such expiration date, a building permit is issued for the improvements which are subject of the design review approval and construction of such improvements is commenced and prosecuted diligently toward completion, or, if no construction is required, a certificate of occupancy is issued for such improvements. The expiration date specified in this section shall apply to any design review approval granted hereunder by the city prior to June 1, 1992, and any design review approval granted hereunder by the County of San Mateo prior to the incorporation of the city, where such design review approval is still outstanding as of June 1, 1992 with no applicable expiration date;
- (b) Every design review approval granted pursuant to this chapter from and after June 1, 1992 shall automatically expire twelve (12) months after the date on which the approval became effective unless, prior to such expiration date, a building permit is issued for the improvements which are the subject of the design review approval and construction of such improvements is commenced and prosecuted diligently toward completion, or, if no construction is required, a certificate of occupancy is issued for such improvements; and
- (c) The expiration dates set forth in Subsections (a) and (b) of this section may be extended by the planning commission for a period or periods of time not exceeding a total of twenty-four (24) months, in accordance with the following procedure:
 - (1) The application for extension shall be filed prior to the expiration date, and shall be accompanied by the payment of a processing fee in such amount as established from time to time by resolution of the city council;
 - (2) A public hearing shall be conducted on the application for extension and notice thereof shall be mailed at least ten (10) days prior to the hearing to all persons shown on the last equalized assessment roll as owning property within three hundred (300) feet of the exterior boundaries of the site which is the subject of the design review approval. Notice shall also be published once in a newspaper having general circulation within the city at least ten (10) days prior to the date of the hearing;
 - (3) The planning commission may grant the extension if it is able to make all of the findings required for the granting of design review approval as set forth in Section 6541 of this chapter;
 - (4) Notwithstanding any other provision of this section a design review approval granted prior to June 1, 1989, which is not subject to a stated expiration date, may not be extended beyond December 31, 1993; and
 - (5) Extension of a design review approval is not a matter of right and the planning commission may deny the application or grant the same subject to conditions.

Section 6564. - Appeal procedures.

Any appeal of the decision of the director of planning pertaining to a design review approval shall follow the appeal procedures as set forth in Chapter 30 of the Zoning Regulations.

(Ord. No. 284, § 22, 3-2-2004)

Chapter notes:

(Section 6565.63 - Added by Ordinance No. 146 - July 6, 1992)

(Section 6560 - Amended by Ordinance No. 147 - June 1, 1992)

(Sections 6560(a)(3) and 6560(a)(4) - Amended by Urgency Ordinance No. 198 - March 4, 1996)

CHAPTER 29. - PLANNED COMMUNITY PERMITS

Section 6570. - Purposes of chapter.

It is the purpose of the planned community permit, hereinafter in this chapter referred to as "PC permit," to facilitate the creative development of land by allowing certain zoning standards to be modified, without the granting of a variance, where such modification will better promote the land use and design objectives of the city, including the following:

- (a) To encourage the comprehensive master planning of land development in order to achieve an integrated and harmonious relationship between all elements of the project;
- (b) To encourage imaginative and innovative planning solutions and variety of design;
- (c) To encourage the creation and preservation of open space as part of the development process; and
- (d) To provide a more desirable living or working environment.

Section 6571. - Applicability and scope of chapter.

- (a) The PC permit may be granted in conjunction with any tentative subdivision map approval, or in conjunction with any use permit or design review approval for a development project located within any zoning district of the city, except the PUD district;
- (b) The issuance of a PC permit is not a matter of right and the planning commission may deny a PC permit or impose conditions upon the granting thereof if it finds that the proposed modification of any zoning standard will adversely affect existing or anticipated uses in the immediate neighborhood or will adversely affect surrounding properties or the occupants thereof;
- (c) The PC permit shall not authorize any modification of the designated permitted or conditional uses that may be established on a site, nor shall the PC permit authorize any modification of the maximum density of development allowed for the entire site that is the subject of the permit. If the density on one portion of the site is increased in order to achieve a lower density on another portion of the same site, the PC permit shall expressly prohibit any increase in density with respect to the lower portion and such restriction shall be recorded in the office of the county recorder as a covenant running with the land.

Section 6572. - Modification of development standards; criteria.

- (a) A PC permit may authorize a modification or exemption from any or all of the following zoning standards, but only to the extent expressly stipulated under the terms of the PC permit:
 - (1) Site area;
 - (2) Distance between structures;
 - (3) Site frontage, width or depth;
 - (4) Site coverage;
 - (5) Setbacks for front, side or rear yards; and/or
 - (6) Structure height.
- (b) The modification of zoning standards shall be guided by the following criteria:

- (1) Average lot sizes may be used upon the subdivision of land and individual lots may be created having less than the minimum site area required by the district regulations; provided, however, where any lot is reduced in size below the minimum site area, an amount of usable land equal to such reduction shall be dedicated as permanent open space on one or more of the other lots within the same subdivision;
- (2) Where any setback is reduced below the minimum required under the district regulations, a corresponding increase shall be made in one of the other setbacks for the same structure;
- (3) Where a structure is allowed to have a height in excess of the maximum for the district, the planning commission may require an increase in any or all of the setbacks for such structure; and
- (4) No reduction in lot size or setback shall result in a reduction in the minimum amount of open space required by the district regulations to be established for the entire development. The open space areas may be distributed throughout the development in such manner as approved by the planning commission.

Section 6573. - Application for permit; fee; public hearing.

- (a) Application for a PC permit shall be filed with the director of planning on such forms as he or she shall prescribe. The application shall be based upon, and shall incorporate by reference, all of the plans, drawings, and other documents submitted to the director of planning as part of the related application for subdivision or development of the property. The director of planning may require such additional information, plans, drawings, and documents as he deems necessary in order to process the application for a PC permit;
- (b) The application shall be accompanied by the payment of a processing fee, in such amount as established from time to time by resolution of the city council; and
- (c) The planning commission shall conduct a public hearing on the application for a PC permit. Notice of the public hearing shall be given in the same manner as prescribed for the related subdivision or zoning application which is being processed concurrently with the application for the PC permit.

Section 6574. - Findings required for issuance of permit.

The planning commission may grant a PC permit as applied for or in modified form if, on the basis of the application and the evidence submitted, the commission makes all of the following findings:

- (a) The proposed project complies with the city's General Plan in terms of land use and density of development;
- (b) The modification of zoning standards will result in planning or land use benefits that would not be provided by a strict application of the district regulations; and
- (c) The modification of zoning standards will not be detrimental to the public health, safety or general welfare.

Section 6575. - Expiration of permit; extensions.

PC permits issued pursuant to this chapter shall have the same expiration date, and may be extended in accordance with the same procedure and for the same period or periods of time, as the related subdivision or zoning approval which is granted concurrently with the PC permit.

Section 6576. - Modification of permit.

Minor changes in the development plan authorized by the PC permit may be made by the director of planning if required by engineering or other circumstances not foreseen at the time the PC permit was granted, and provided the change does not cause any of the following:

- (a) A change in the use or character of the development;

- (b) An increase in the overall density or intensity of development; and/or
- (c) A reduction or change in the amount or character of required open space or landscaped areas.

Except as set forth above, any change in the development plan shall require approval by the planning commission.

Section 6577. - Appeal procedures.

Any appeal of the decision of the director of planning or the planning commission pertaining to a PC permit shall follow the appeal procedures as set forth in Chapter 30 of the Zoning Regulations.

(Ord. No. 284, § 9, 3-2-2004)

Chapter notes:

(Chapter 29 - Added by Ordinance No. 128 - January 22, 1990)

CHAPTER 29.5. - CONDOMINIUM CONVERSIONS

Section 6578. - Purpose.

The purpose of this chapter is to set forth the requirements for processing an application for conversion of an apartment building to a condominium, assuming the threshold requirements for a conversion, as set forth in Municipal Code Chapter 14.20, are met.

(Ord. No. 355, § 2, 7-3-2012)

Section 6578.1. - Use permit and maps required.

A use permit and tentative map or parcel map approved by the planning commission are required for all condominium conversion applications and must be applied for on the forms required by the department of community development. An application fee, as established by the city council, must be paid before any processing commences.

(Ord. No. 355, § 2, 7-3-2012)

Section 6578.2. - Application requirements.

- A. All condominium projects shall conform to the requirements of the residential district in which the project is located. In addition, all projects, including conversion of multiple residential structures to condominiums, shall conform to the following standards, except as noted. In granting a use permit, the planning commission may impose reasonable conditions to assure that a project complies with the required standards.
- B. A site plan drawn to scale that includes, but is not limited to, lot lines, property dimensions, easements, setbacks, and location of all structures, including streets and parking elements.
- C. A landscape plan drawn to scale that includes, but is not limited to trees and tree clusters, shrub groupings, lawn and groundcover areas, special paving, hardscape and site furnishings, and a description of the condition of various elements.
- D. Building elevation drawings drawn to scale that include, but are not limited to, specifying all materials, details and features for all building sides.
- E. A statement regarding the current ownership of all improvements and underlying land.

- F. A property report prepared by a registered engineer or licensed qualified contractor, describing the physical condition and estimated remaining useful life of each of the various elements of the project proposed for conversion, including the following: building foundations, roofs, walls, sound insulation, mechanical, electrical and plumbing systems, onsite utilities, heating and air conditioning systems, earthquake and fire protection systems, together with recommendations relating thereto in order to assure their continued useful life for a minimum of ten (10) years.
 - 1. A description of the structural condition of each element of the property, including foundation, braced walls, roofing and roofing structure, electrical, plumbing, utilities, ceiling, windows, recreational facilities, mechanical equipment, parking facilities, and appliances.
 - 2. Information when each element was constructed or installed, and/or last replaced, the approximate date when each element will require replacement, and the cost of replacing each element.
 - 3. Identification of each known defective or unsafe element as well as proposed corrective measures to be employed.
- G. A structural pest control report prepared within sixty (60) days of the date of application by a licensed structural pest control operator, pursuant to Sections 8516 et seq., of the California Business and Professions Code, or successor section.
- H. Information regarding any known soil and geologic conditions, including soil deposits, rock formations, faults, groundwater and landslides in the vicinity of the project, a statement regarding any known evidence of soils problems relating to each element, and reference to any previous soils report for the site with copy of same.
- I. A qualified engineer's report on the condition of, and any repairs required to all paved areas and all drainage systems within the project.
- J. Sound transmission control details that include sections of the types of wall, floor, and ceiling construction that would be used in both common and interior partition walls, and published data from a recognized and approved testing laboratory or a statement from a licensed acoustical engineer as to the STC (sound transmission class) and ISI (impact sound insulation) of the proposed type of construction. Prior to approval of the tentative or parcel map, a compliance statement signed by a certified sound engineer shall be submitted to the building division.
- K. A statement of repairs and improvements to be made by the applicant necessary to refurbish and restore the project to achieve a high degree of appearance, quality and safety.
- L. A proposed budget for the maintenance and operation of common facilities, plus minimum reserves, including the estimated costs to the owner of each unit, projected over a five year period. The budget shall be reviewed or prepared by a professional management firm familiar with the costs of similar properties, or by other qualified professional, and that firm or person shall provide a statement of recommendations on the budget, together with a statement of professional qualifications.
- M. A rental rate history report which shall include, but not be limited to:
 - 1. Name, address, age and length of occupancy of every tenant and occupant, including children, in the project on the date of application.
 - 2. Current rents for each unit, along with the date and amount of prior rent increases for the preceding five year period.
 - 3. The monthly vacancy rate for each month during the preceding two years.
 - 4. The turnover rate for all tenants during the preceding two years.
 - 5. The percentage annual increase in maintenance and taxes occurring over the preceding five years.
- N. The approximate proposed sales price of each unit, and the pro forma budget proposed for submission to the California Real Estate Commissioner or similar estimate of projected annual operating and maintenance fees and assessments.

- O. All organizational documents. The covenants, conditions and restrictions (CC&Rs) may be submitted after the approval of the use permit and tentative or parcel map, however they must be submitted and approved prior to the recording if the final or parcel map.
- P. A copy of the application to the Department of Real Estate of the State of California for issuance of a final public report for the proposed conversion, including all attachments and exhibits thereto required by the department, pursuant to Section 11011 of the California Business and Professions Code, or successor section.
- Q. Evidence of service by mail that the written notice of intention to convert, pursuant to Government Code § 66452.9, and as required by Municipal Code Chapter 14.20, was provided to each tenant at least sixty (60) days prior to filing a formal application. All required written notices regarding the condominium conversion shall be issued in the language that the rental agreement was negotiated and may be issued in additional language(s).
- R. Evidence of additional notification of the use permit application to all tenants who occupy the property following application filing. Such evidence shall demonstrate the developer has attached a clearly worded statement to the proposed deposit/rental agreement as well as a sign prominently displayed in the business office. This notice shall conform to the form and requirements contained in Government Code section 66452.8 and as further detailed in Municipal Code Chapter 14.20.
- S. Any other information which, in the opinion of the director of community development, will assist in determining whether the proposed project will be consistent with the purposes of this chapter.

The director of community development may waive the submission of certain of the above factual items if it is demonstrated that such information is not available and cannot be obtained.

(Ord. No. 355, § 2, 7-3-2012)

Section 6578.3. - Procedures.

Under Government Code § 66426, a condominium conversion is treated as a subdivision subject to the provisions of the Subdivision Map Act, the city's subdivision regulations, and this chapter.

The director of community development shall present to the planning commission a written report prepared by staff in connection with any tentative or parcel map setting forth its compliance or noncompliance with this chapter, and any other matters affecting the subdivision and the city.

The planning commission shall conduct at least one public hearing on any tentative or parcel map. Notice of the hearing shall be given by the director of community development at least ten (10) calendar days prior to the day of the hearing to all owners and tenants. Notice shall be mailed to each tenant of the subject property and to the owners of all property within three hundred (300) feet of the property under consideration and by posting a copy of the notice at the end of each block face upon which the property fronts.

(Ord. No. 355, § 2, 7-3-2012)

Section 6578.4. - Building standards.

A. The design, improvement, construction, and repair of all condominium conversions, including all common areas, shall conform to and be in accordance with the most currently adopted requirements of all California Model Building and Fire Codes, any adopted local modifications to these codes, and any other applicable ordinances, including, but not limited to:

1. Housing Code;
2. Electrical Code;
3. Fire Code;

4. Plumbing Code;
5. Mechanical Code;
6. Swimming Pool, Spa and Hot Tub Code; and
7. Building Security Code.

B. Any existing dangerous condition that is not specifically itemized shall be corrected to the satisfaction of the building official.

(Ord. No. 355, § 2, 7-3-2012)

Section 6578.5. - Development standards.

The following minimum standards apply to all condominium conversion projects:

- A. All units shall be brought into compliance with all provisions of this chapter prior to certificate of occupancy, and shall be duly inspected to ensure compliance.
- B. All locks shall be changed prior to the issuance of the certificate of occupancy so that no master key or other keys previously used will allow entry into any unit of the project after conversion.
- C. The following shall be applicable to utility distribution systems:
 1. Gas and electric service shall be separately metered and billed for each individual lot or unit.
 2. In the case of a project in which units are not vertically separated by floor/ceiling assemblies, water service shall also be separately metered and billed for each individual lot or unit, as well as for all common facilities, the latter being billed to the association.
 3. Provision shall be made for individual shutoff valves in accessible locations, and all units shall be provided with separate water shutoff valves. There may be a master valve for each unit, or separate valves for each fixture in the unit.
 4. Electric panels shall be provided in accessible locations controlling the entire service to each unit.
- D. Site improvements and amenities. Each of the following site improvements and amenities shall be complete as of the commencement of sales or issuance of the final public report by the real estate commissioner:
 1. Storage space. Each unit shall have a minimum of two hundred (200) cubic feet of storage space that is enclosed, weather-proofed and lockable, with no less than a horizontal surface area of twenty-five (25) square feet, and an interior dimension of three and one-half feet. If the space is a reach-in type, it shall have an opening of three and one-half feet by six feet. If the space is a walk-in type, it shall have a minimum clear access opening of two and one-half feet by six and two-thirds feet. This storage space shall be in addition to guest, linen, food pantry, and clothes closets that are customarily provided in each unit.

Storage space:

 - a. May be provided in any location, but shall not be divided into multiple locations;
 - b. If located within common area, the association shall be responsible for the care and maintenance of the exterior surface of the space; and
 - c. Location shall be in areas that are safe, convenient and unobtrusive to the functional and aesthetic qualities of the project.
 2. Individual hookups shall be provided in each unit to accommodate washing machines and dryers, unless common facilities, including all new appliances, are provided on the basis of one washer and dryer for each five units or fraction thereof. Communal appliances which

are determined to be a source or potential source of vibration or noise shall be shock mounted, isolated from the floor and ceiling, or otherwise insulated in a manner to lessen the transmission of vibration or noise. All major appliances provided shall be guaranteed to operate properly for a period of one year.

3. All existing and proposed on-site utilities, including communication service and distribution facilities, and electricity service and boundary distribution lines of thirty-four and one-half (34½) kV or less, shall be placed underground to the nearest off-site pole, in a manner approved by the city engineer. All utility meters and other utility apparatus shall be concealed from public view.
4. Parking. On-site parking must comply with the Zoning Ordinance requirements for parking for multifamily dwellings. Up to five percent of the resident and guest parking ratio requirement may be waived, based upon a finding of unique circumstances of the site, location, age or occupancy of the project. In no case shall requirements for assigned resident spaces be waived.
5. The following fire prevention and building safety standards shall be met:
 - a. Developer shall demonstrate that wall and floor/ceiling assemblies comply with fire wall separation standards, as specified in the Uniform Building Code.
 - b. Developer shall demonstrate that wall and floor/ceiling assemblies conform to the sound insulation performance criteria promulgated in Title 25, California Code of Regulations, section 1092 or its successor.
 - c. A smoke detector and a carbon monoxide detector that comply with state law shall be provided in each unit.
 - d. Developer shall demonstrate that residential buildings conform to energy conservation standards promulgated in Title 24, Part 5, Article 1, California Code of Regulations, or its successor.
- E. Landscaping and irrigation. All landscaping and irrigation shall be restored or new landscaping and irrigation shall be installed to achieve a high degree of appearance and quality. Provisions shall be made for continuing maintenance of all landscaped areas.
- F. Open space. Total usable open space on a site having three or more dwelling units shall be at least two hundred (200) square feet per dwelling unit. This requirement shall be met by providing private open space, common open space, or a combination of the two.
 1. Private open space. This type of open space must:
 - a. Have minimum dimensions no less than six feet when a horizontal rectangle is inscribed within it;
 - b. Have at least two weather-proofed electrical outlets; and
 - c. Be at approximately the same level as, and immediately accessible from a room within the unit.
 2. Common open space. This type of open space must:
 - a. Have minimum dimensions of no less than ten (10) feet when a horizontal rectangle is inscribed within it;
 - b. Be open to the sky;
 - c. Be located at least fifteen (15) feet from any door or window of a dwelling unit; and
 - d. Not include driveways or parking areas.
 3. Recreational open space. In addition to the private and common open space requirements above, a project of twenty-five (25) units or more shall provide at least one element of recreational open space. For projects of one hundred (100) or more units, a multi-purpose

or recreation room shall be provided. Any recreational open space element must be located at least fifteen (15) feet from any door or window of a dwelling unit.

4. Modification of open space requirement. The open space requirements above may be modified by a supermajority of the planning commission based on findings that a project site is physically constrained, or that the quality of life accommodated by the project will not be compromised, or that residents will benefit from other amenities that are located in close proximity to the project site.
- G. Trash and recycling collection areas. Trash and recycling collection areas shall be provided within two hundred fifty (250) feet of the units they are designed to serve, and shall comply with the specifications for trash enclosures.

(Ord. No. 355, § 2, 7-3-2012)

Section 6578.6. - Special conditions of approval.

- A. The developer shall supply the homeowners' association with copies of final approved building and site plans which shall show, among other things, the actual location of major utilities and services, such as irrigation pipes and controls, utility easements, and underground wiring, before the initial meeting of the association.
- B. The developer shall provide to the homeowners' association the following minimum warranties from the date of final or parcel map approval, unless otherwise specified:
 1. *Roof and exterior finish.* A ten (10) year warranty that all roofs and exterior finishes have been repaired as is necessary to ensure weather-proof conditions.
 2. *Moisture barriers.* A ten (10) year warranty that moisture barriers are sufficient to prevent collection of moisture on the ground under the buildings.
 3. *Paved areas.* A ten (10) year warranty of a useful life for all paved areas within the project.
 4. *Swimming pools.* A ten (10) year warranty of structural soundness.
 5. *Appliances.* A one year warranty at the close of escrow on any fixed appliances appurtenant to each unit.
 6. *Condition of equipment owned in common.* A five year warranty at such time as escrow has closed on the sale of fifty-one (51) percent of the units that all appliances and mechanical equipment to be owned in common are in operable working condition. The developer shall be responsible to maintain any appliances and mechanical equipment prior to the time that fifty-one (51) percent of the units are sold.
- C. The developer shall establish the following minimum reserves prior to issuance of the first certificate of occupancy:
 1. A fund in the name of the homeowners' association that shall be earmarked for long-term reserves for capital maintenance replacement, and shall be equal to two times the estimated monthly assessment for each dwelling unit.
 2. A fund, through cash deposit or bond, equal to one thousand dollars (\$1,000.00) for each dwelling unit in the project as minimum security for the various warranties required by this chapter. Such fund shall be maintained for the maximum period of the warranties.

(Ord. No. 355, § 2, 7-3-2012)

Section 6578.7. - Content of the covenants, conditions, and restrictions (CC&Rs).

- A. Project covenants, conditions, and restrictions (CC&Rs) shall be developed, and shall be subject to review and approval by the city prior to approval of the final or parcel map. The CC&Rs shall reference by incorporation this chapter and the adopted conditions of approval, and shall be recorded in conjunction with the final or parcel map.
- B. The declaration of restrictions shall prohibit the unenclosed storage of any vehicle intended for recreation purposes, including land conveyances, vessels and aircraft, but not including attached camper bodies and motor homes not exceeding eighteen (18) feet in length, unless approved storage areas are provided.
 - 1. The declaration of restrictions shall provide for approval by the city prior to any future modification of site plans, architectural elevations, exterior materials and colors or of any of the organizational documents.
 - 2. The declaration of restrictions shall require the designation of a project manager residing in the project or maintaining an office on-site to represent the association with full powers to enforce the various provisions of such document.

(Ord. No. 355, § 2, 7-3-2012)

Section 6578.8. - Compliance with Government Code Section 66427.1.

- A. In addition to the requirements specified in this chapter and Municipal Code Chapter 14.20, the developer shall provide proof of the following tenant notification pursuant to Government Code section 66427.1 so that the required findings may be made:
 - 1. Ten (10) days written notification that an application for a public report will be, or has been, submitted to the department of real estate, and written notification that the property owner has received the public report from the department of real estate.
 - 2. Written notification to current tenants of approved conversion within ten (10) days after approval of a final map.
 - 3. One hundred eighty (180) days written notice of intent to convert prior to termination of tenancy due to the conversion or proposed conversion pursuant to Government Code section 66452.11, but not before the planning commission has approved a tentative map for the conversion.
 - 4. Notice of an exclusive right to contract with tenants for the purchase of their respective units upon the same terms and conditions that the units will be initially offered to the general public or terms more favorable to the tenant as required by this chapter.
- B. Pursuant to Government Code section 66427, the planning commission shall not refuse approval of the tentative or final map of a condominium conversion project on account of design or location of the buildings shown on the map not in violation of the provisions of this Code, or on account of the manner in which the air space is to be divided in conveying units within the condominium.

(Ord. No. 355, § 2, 7-3-2012)

Section 6578.9. - Tenant right to purchase units and extended leases.

- A. As provided in Government Code section 66427.1 or any successor statute, and as set forth in more detail in Municipal Code Chapter 14.20, the developer shall, as a condition of approval of the conversion and before offering the unit for sale to the general public, be required to provide tenants with an exclusive nontransferable right to contract for the purchase of the unit occupied by the tenant. The right shall run for a period of ninety (90) days from the date of issuance of the subdivision public report pursuant to section 11018 of the Business and Professions Code, unless the tenant gives prior written notice of his or her intention not to exercise the right. Preferential terms shall include all of the following:

1. A right of first refusal to purchase the unit. The developer's notice of right of first refusal shall include the selling price at which the unit is being offered to the public, the price reductions listed below, a complete structural engineering and property maintenance report and a set of plans detailing proposed improvements to the building(s), a draft purchase agreement and any additional purchase incentives offered by applicant. The tenant shall have a period of six months from the date the tenant receives the notice to exercise or refuse the right of first refusal to purchase. The developer shall not market the unit to the general public during the six month period.
 2. The developer shall offer to every tenant that has resided in the project for more than eighteen (18) months a price reduction of ten (10) percent from the selling price of similar units offered to the general public.
 3. Any tenant electing to purchase the unit in an as-is condition rather than with improvements similar to units that will be refurbished for sale to the general public shall receive a price reduction of five percent in addition to any other price reduction provided in this section. An "as-is condition" includes all unit improvements made in accordance with this chapter but excludes any enhanced improvements made to units offered to the public.
 4. The developer shall provide mortgage financing assistance, including providing assistance in helping tenants locate mortgage financing and complete mortgage loan applications, providing loan qualifying assistance such as identifying second mortgages, equity sharing, or other such financing mechanism and credit counseling. The developer shall provide financial assistance to reimburse any tenant's actual out of pocket expenses, in an amount not to exceed 0.25 percent of the unit's sale price, for items such as, but not limited to, loan application fees, credit report fees, and loan processing fees.
- B. Tenant purchase assistance for low and moderate income tenants shall be provided as set forth in Municipal Code Chapter 14.20.
- C. Extended leases may be required as set forth more fully in Municipal Code Chapter 14.20.

(Ord. No. 355, § 2, 7-3-2012)

Section 6578.10. - Buyer protection.

- A. The developer shall furnish each prospective purchaser of a unit a true copy of each of the following documents:
1. The use permit and all project conditions of approval issued under the provisions of this chapter;
 2. Property report;
 3. Structural pest report;
 4. Building history report;
 5. Soils report; and
 6. Statement of compliance issued by the Real Estate Department of the State of California, or its successor document relating to operating and maintenance funds during startup.
- B. The developer shall make available the following information and documents to all potential and actual buyers of units in a condominium project:
1. Copy of the approved proposed budget for maintenance and operation of common facilities, plus reserves, including the estimated monthly costs to the owner of each unit, projected over a five-year period. The budget shall be reviewed or prepared by a professional management firm familiar with costs of similar properties, or by another qualified professional, and that firm or person shall provide a statement of recommendations on the budget, together with a statement of professional qualifications;

2. All organizational documents; and
 3. Any other information which the planning commission may require to be provided.
- C. The developer shall provide each purchaser with a copy of the reports required by this chapter in their final accepted form, except information that is personal and confidential in nature to any tenant, before the purchaser executes an agreement to purchase a unit in the project, and the developer shall give the purchaser sufficient time to review the reports. A copy of the reports shall be made available at all times at the sales office.
- D. Prohibition of discrimination against prospective buyers with children. Under no circumstances shall a project approved for conversion limit sales to families or individuals without children, unless it is demonstrated that the project as designed and built is not suitable for accommodation of children.

(Ord. No. 355, § 2, 7-3-2012)

Section 6578.11. - Appeal.

Any person dissatisfied with the decision made by the planning commission may appeal to the city council. The appeal shall be processed and heard pursuant to the procedure set forth in Government Code section 66452.5.

(Ord. No. 355, § 2, 7-3-2012)

Section 6578.12. - Time limits.

- A. *Withdrawal.* If a tentative or preliminary parcel map for a subdivision to be created from a conversion is withdrawn before planning commission review, a map for subdivision cannot be submitted again for one year after the date of withdrawal.
- B. *Expiration.* If a tentative or preliminary parcel map for a subdivision to be created from a conversion which has been approved or conditionally approved by the city expires, pursuant to Government Code section 66452.6, a map for subdivision cannot be submitted again for one year after the date of expiration.
- C. *Denial.* If a tentative or preliminary parcel map for a subdivision to be created from a conversion is denied by the city, a map for subdivision cannot be submitted for one year after the date of denial.
- D. *Sale.* All rental units approved for conversion shall be offered for sale within two years of the issuance of the DRE report.

(Ord. No. 355, § 2, 7-3-2012)

CHAPTER 30. - FORM OF PETITIONS, APPLICATIONS, AND APPEALS^[8]

Footnotes:

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Editor's note— Ord. No. 284, § 2, adopted Mar. 2, 2004, repealed the former Ch. 30, §§ 6580—6583, and enacted a new Ch. 30 as set out herein. The former Ch. 30 pertained to similar subject matter and derived from: Ord. of Mar. 4, 1996.

Section 6580. - Planning commission to adopt rules.

The planning commission shall, in its rules, prescribe the form and scope of all petitions, applications, and appeals provided for in this part and of accompanying data to be furnished so as to assure the fullest practicable presentation of facts for proper consideration of the matter involved in each case and for a permanent record. Any petition for a variance, as provided in Chapter 25 of this part, or for a use permit as provided in Chapter 24 of this part, or for an amendment as provided in Chapter 27 of this part, shall include a verification by at least one of the petitioners attesting to the truth and correctness of all facts and maps presented with said petition. Such verification shall be signed before a notary public or other officer authorized to administer oaths.

(Ord. No. 284, § 2, 3-2-2004)

Section 6581. - Appeal procedure.

The appellant shall be limited to raise only those matters that have been entered into the record, and where a public hearing has been held on a matter, including the record of items which were raised during the public hearing or provided in writing during or before the close of the public hearing on the matter that is being appealed. The record consists of all reports, transcripts, minutes, correspondence, written and oral testimony at the public hearing, and any other document or evidence considered or relied upon by the director of planning, planning commission or the city council in the decision-making process.

(Ord. No. 284, § 2, 3-2-2004)

Section 6581.1. - Appeal of decision on which administrative review and approval is sought.

In the event of dissatisfaction with a decision of the director of planning on any entitlement for which administrative review is sought, be it administrative design review or otherwise, any interested party, within fifteen (15) calendar days after rendition of such decision, may appeal in writing to the planning commission. The appeal shall be accompanied by a form provided by the director of planning. The appellant shall state on the form or an attachment thereto specifically wherein it is claimed there was an error or abuse of discretion by the director of planning or wherein the decision is not supported by substantial evidence in the record. The appellant shall be limited to raise only those matters that have been entered into the record, and where a public hearing has been held on a matter, including the record of items which were raised during the public hearing or provided in writing during or before the close of the public hearing on the matter that is being appealed. The record consists of all reports, transcripts, minutes, correspondence, written and oral testimony at the public hearing, and any other document or evidence considered or relied upon by the director of planning, planning commission or the city council in the decision-making process.

The planning commission on its own motion, made at either of the next two regular meetings of the planning commission from the date that the director of planning took action on the matter which is the subject of the appeal, may consider the action of the director of planning on a discretionary application the same as if an appeal had been taken. The planning commission shall have wide discretion on the review of the action of the director of planning on a discretionary application.

The planning commission shall render its decision within forty-five (45) calendar days after the conclusion of said hearing on the appeal. The planning commission in its decision, may reverse, affirm, or modify the action of the director of planning or it may remand such a matter to the director of planning for further study or action. Failure of the planning commission to render its decision within said period shall be deemed to be an affirmance of the action of the director of planning. The decision of the planning commission on an appeal shall be a final determination on the matter.

(Ord. No. 284, § 2, 3-2-2004)

Section 6581.2. - Appeals of decision on which planning commission review and approval sought.

- (a) In the event of dissatisfaction with the decision of the planning commission on any entitlement for which planning commission review is sought, be it a use permit, variance, design review, or other such entitlement, any interested party, within fifteen (15) calendar days after rendition of such decision, may appeal in writing to the city council. The appeal shall be accompanied by a form provided by the city clerk. The appellant shall state on the form or in an attachment thereto specifically where it is claimed there was an error or abuse of discretion by the planning commission or how the decision is not supported by substantial evidence in the record. The appellant shall be limited to raising only those matters entered into the record which were raised during the public hearing or provided in writing during or before the close of the public hearing on the matter being appealed. The record consists of all reports, transcripts, minutes, correspondence, written and oral testimony at the public hearing, and any other document or evidence considered or relied upon by the director of planning, planning commission or the city council in the decision-making process.
- (b) Any member of the city council may seek to have any action of the planning commission reviewed by the full council, provided written notice of such review is filed with the city clerk within the time of the next two regular meetings of the city council from the date the planning commission took action on the matter which is the subject of the appeal. When reviewing the action of the planning commission, the city council will be reviewing the item as if an appeal had been taken. The city council shall have wide discretion on the review of the action of the planning commission.
- (c) The city council shall render its decision within forty-five (45) calendar days after the conclusion of the hearing on the appeal. The city council in its decision, may reverse, affirm, or modify the action of the planning commission or it may remand such a matter to either the director of planning or planning commission for further study or action. Failure of the city council to render its decision with said period shall be deemed to be an affirmation of the action of the planning commission.

(Ord. No. 284, § 2, 3-2-2004; Ord. No. 312, § 1, 5-20-2008)

Section 6582. - Application to be accompanied by fee.

Appeals to the planning commission or the city council shall be accompanied by a fee set by resolution of the city council to cover the cost of such of the following items as are required for the particular case: field investigation; preparation of necessary reports; preparation of site maps; mailing notices; printing and posting notices and legal publications. These fees, no part of which shall be returnable, shall be paid to the director of planning, who shall deposit them with the department of finance.

(Ord. No. 284, § 2, 3-2-2004)

Section 6583. - Fees.

The fees provided for in Section 6582 hereof as set by resolution of the city council.

(Ord. No. 284, § 2, 3-2-2004)

Section 6584. - Public hearing.

A public hearing of an appeal under this chapter shall be required. Notice of the public hearing shall be given not less than ten (10) calendar days nor more than thirty (30) calendar days prior to the date of the hearing by mailing, postage prepaid, a notice of the time and place of the hearing to the applicant, appellant, to all persons who spoke at the public hearing on the matter being appealed, to all persons who submitted written evidence prior to or during the public hearing on the matter being appealed, and to all persons whose names appear on the latest available assessment roll of the county as owning property within three hundred (300) feet of the exterior boundaries of the property which is the subject of the

appeal. Notice of the public hearing shall also be published once in a newspaper having general circulation in the city not later than ten (10) calendar days prior to the date of the hearing.

(Ord. No. 284, § 2, 3-2-2004)

CHAPTER 31. - ENFORCEMENT, LEGAL PROCEDURE, PENALTIES

Section 6590. - [Conflict with provisions—Permit null and void.]

All departments, officials, and public employees of the City of East Palo Alto which are vested with the duty or authority to issue permits or licenses shall conform to the provisions of this part and shall issue no permit or license for uses, buildings, or purposes where the same would be in conflict with the provisions of this part, and any such permit or license, if issued in conflict with the provisions of this plan, shall be null and void.

Section 6591. - [Duty of director of planning.]

It shall be the duty of the director of planning to enforce the provisions of this part pertaining to land use and the erection, construction, reconstruction, moving, conversion, alteration, or addition to any building or structure.

Section 6592. - [Enforcement.]

It shall be the duty of the director of planning and all officers of said city herein and/or otherwise charged by law with the enforcement of this part to enforce this part and all the provisions of the same.

Section 6593. - [Penalties.]

Any person, firm, or corporation, whether as principal, agent, employee, or otherwise, violating or causing or permitting the violation of any of the provisions of this part shall be guilty of a misdemeanor, and upon conviction thereof shall be punishable by a fine of not more than three hundred dollars (\$300.00) or by imprisonment in the San Mateo County Jail for a term not exceeding three months or by both such fine and imprisonment. Such person, firm, or corporation shall be deemed to be guilty of a separate offense for each and every day during which any portion of which any violation of this part is committed, continued, or permitted by such person, firm, or corporation and shall be punishable as herein provided.

Section 6594. - [Legal procedures.]

Any building or structure set up, erected, constructed, altered, enlarged, converted, moved or maintained contrary to the provisions of this part or any use of any land, building, or premises established, conducted, operated, or maintained contrary to the provisions of this part shall be and the same is hereby declared to be unlawful and a public nuisance and the city attorney may upon request of the director of planning, and shall upon request of the planning commission, commence action or proceedings for the abatement and removal and enjoinder thereof in the manner provided by law and shall take such other steps and shall apply to such courts as may have jurisdiction to grant such relief as will abate and remove such building or structure and restrain and enjoin any person from setting up, erecting, building, maintaining or using any such building or structure or using any property contrary to the provisions of this part.

Section 6595. - [Remedies.]

The remedies provided for in this part shall be cumulative and not exclusive.

CHAPTER 35. - RESERVED^[9]

Footnotes:

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Editor's note— Ord. No. 362, § 1, adopted Oct. 1, 2013, repealed Ch. 35 §§ 6820—6829, entitled "Flood Hazard Areas", which derived from an urgency ordinance dated August 8, 1988. See Chapter 15.52 of this Code of Ordinances for similar provisions.

APPENDIX 1. - SIGN TABLES

SIGN TABLE A: - PERMITTED SIGNS BY TYPE AND ZONING DISTRICT

RESIDENTIAL ZONING DISTRICTS AND INSTITUTIONAL USES						
SIGN TYPE	ALL R-1	ALL R-2	ALL R-M	INS ^a	UR	ROS
Freestanding						
Residential ^b	S	S	S	N	S	N
Other	N	N	S	S	S	S
Incidental ^d	P	P	P	P	P	P
Building						
Banner ^m	N	N	N	S	N	S
Building Marker ^f	P	P	P	P	P	P
Canopy	N	N	N	N	N	N
Identification ^e	P	P	P	P	P	P
Incidental ^d	N	N	P	P	P	P
Marquee ^h	N	N	N	N	N	N
Projecting ^h	N	N	N	N	N	N
Residential ^b	P ^c	P ^c	S ^c	N	S ^c	N
Roof	N	N	N	N	N	N

Roof, Integral	N	N	N	N	N	N
Suspended ^h	N	N	N	S	N	N
Temporary ⁱ	P	P	P	P	P	P
Wall ^l	S ^l	S ^l	S ^l	S	S ^l	S
Window ^j	N	N	N	N	N	N
Miscellaneous						
Banner ^m	N	N	N	S	N	S
Flag ^k	P	P	P	P	P	P
Portable	N	N	N	N	N	N

Table Key	
P	Allowed without a sign permit
S	Allowed only with a sign permit
N	Not allowed

Zoning District Key	
R-1	Single-Family Residential District
R-2	Two-Family Residential District
R-M	Multi-Family Residential District
UR	Urban Residential. Intended to provide opportunities for the development of single-family and multi-family homes at a moderate density. Accommodates small-lot detached single-family homes;

	attached single-family homes such as townhomes; duplexes, triplexes, and four-plexes; and multi-family apartments or condominiums.
ROS	Ravenswood Open Space. Intended to be placed on those parcels dedicated to conservation of existing open space and development of traditional parks, linear parks and other "public" spaces within the Specific Plan Area.

Footnote Key	
a	This column does not represent a zoning district. It applies to institutional uses conditionally permitted under the zoning ordinance in residential zoning districts, such as churches, large day care facilities, and schools. It does not apply to any conditionally permitted residential care facility.
b	No commercial message allowed on sign.
c	May only include name of residential subdivision or name of apartment, duplex, condominium, or townhouse project, and may not be more than eight square feet (unless otherwise allowed in Section 6421.4 of this Ordinance).
d	No commercial message of any kind allowed on sign if such message is legible from any location off the property in which the sign is located.
e	Only address and name of occupant allowed on sign.
f	May include only building name, date of construction or historical data on historic site; must be cut or etched into masonry, bronze, or similar material.
g	Not used.
h	If such a sign is suspended or projects above a public right-of-way, the issuance and continuation of a sign permit shall be conditioned on the sign owner obtaining and maintaining in force liability insurance for such a sign in such form as the Director of Community Development may reasonably from time to time determine, provided that the amount of such liability insurance shall be not less than the amount established by resolution of the City Council.
i	The provisions of Section 6421.4 of this chapter shall apply.
j	The conditions of Section 6421.10(b) of this chapter shall apply.

Residential ^b	N	N	N	S ^c	S ^c	N	N	N
Roof	N	N	N	N	N	N	N	N
Roof, Integral	S	S	N	S	S	S	N	N
Suspended ^h	S	S	N	S	S	N	N	N
Temporary ⁱ	P	P	P	P	P	P	P	P
Wall ^l	S	S	S	S	S	S	S	S
Window ^j	P	P	P	P	P	P	P	P
Miscellaneous								
Banner ^m	S	S	S	S	S	S	S	S
Flag ^k	P	P	P	P	P	P	P	P
Portable	N	N	N	N	N	N	N	N

Table Key	
P	Allowed without a sign permit
S	Allowed only with a sign permit
N	Not allowed

Zoning District Key	
C-1	Neighborhood Commercial District
C-2	General Commercial District

O&OR	Office District and Office/Residential Mixed Use District
4C	4 Corners. Intended to support an enlivened, thriving "downtown" for East Palo Alto, focused around the intersection of University Avenue and Bay Road. Accommodates multi-story mixed-use buildings that have retail stores or community facilities on the ground floor, with apartments or condominiums on upper floors.
BRC	Bay Road Central. Intended to make Bay Road a lively, inviting place that creates a strong connection between 4 Corners and Cooley Landing. Accommodates multi-story mixed-use buildings that have either retail stores or storefront-type offices on the ground floor, with apartments, condominiums, or offices on upper floors.
REC	Ravenswood Employment Center. Intended to support the development of a variety of job-creating uses, including high-quality research and development (R&D) facilities. Also accommodates businesses that produce goods, distribute merchandise, or repair equipment, provided that they do not negatively affect surrounding uses or properties.
IT	Industrial Transition. Intended to accommodate light industrial uses in areas that are near large clusters of single-family homes, while ensuring that the light industrial uses do not adversely affect nearby homes. Accommodates low-intensity manufacturing and repair businesses that do not attract large amounts of traffic.
WO	Waterfront Office. Intended to support the construction of Class A offices within the Plan Area. Accommodates professional offices and limited supporting retail or other uses.

Footnote Key	
a	This column does not represent a zoning district. It applies to institutional uses conditionally permitted under the zoning ordinance in residential zoning districts, such as churches, large day care facilities, and schools. It does not apply to any conditionally permitted residential care facility.
b	No commercial message allowed on sign.
c	May only include name of residential subdivision or name of apartment, duplex, condominium, or townhouse project, and may not be more than eight square feet (unless otherwise allowed in Section 6421.4 of this Ordinance).
d	No commercial message of any kind allowed on sign if such message is legible from any location off

	the property in which the sign is located.
e	Only address and name of occupant allowed on sign.
f	May include only building name, date of construction or historical data on historic site; must be cut or etched into masonry, bronze, or similar material.
g	Not used.
h	If such a sign is suspended or projects above a public right-of-way, the issuance and continuation of a sign permit shall be conditioned on the sign owner obtaining and maintaining in force liability insurance for such a sign in such form as the Director of Community Development may reasonably from time to time determine, provided that the amount of such liability insurance shall be not less than the amount established by resolution of the City Council.
i	The provisions of Section 6421.4 of this chapter shall apply.
j	The conditions of Section 6421.10(b) of this chapter shall apply.
k	Flags which, upon determination by the Director of Community Development, meet the definition of "flag" found at Section 6102.34.1 of the zoning ordinance, provided that such a flag shall not exceed sixty (60) square feet in area and shall not be flown from a pole the top of which is not more than forty (40) feet in height. Any sign similar to a flag not meeting the definition of "flag" shall be considered a banner sign and shall be subject to regulation as such.
l	Allowable w/valid Home Business Permit, must not exceed 2.25 square feet.
m	Banner signs may only be displayed on a temporary basis. The maximum duration of display is specified in Section 6421.4.

(Ord. No. 372, § 2, 1-7-2014)

SIGN TABLE B: - MAXIMUM TOTAL SIGN AREA PARCEL BY ZONING DISTRICT

RESIDENTIAL ZONING DISTRICTS AND INSTITUTIONAL USES						
SIGN TYPE	ALL R-1	ALL R-2	ALL R-M	INS ^a	UR	ROS
<i>The maximum total area of all signs on a parcel except incidental, building marker, identification signs,</i>						

<i>and flags^b shall not exceed the less of the following:</i>						
Maximum Number of Total Square Feet	4	8	16	16	16	32
Percentage of Ground Floor Area of Principal Building	NA	NA	NA	NA	NA	NA
Square Feet of Signage Per Linear Foot of Street Frontage	NA	NA	NA	0.2	NA	NA

COMMERCIAL, INDUSTRIAL AND MIXED-USE ZONING DISTRICTS								
SIGN TYPE	C-1	C-2	O&OR	4C	BRC	REC	IT	WO
<i>The maximum total area of all signs on a parcel except incidental, building marker, identification signs, and flags^b shall not exceed the less of the following:</i>								
Maximum Number of Total Square Feet	250	400	200	250	250	500	250	300
Percentage of Ground Floor Area of Principal Building	10%	8%	2%	10%	10%	2%	2%	3%
Square Feet of Signage Per Linear Foot of Street Frontage	2	3.5	2	2	2	NA	2	3

Footnote Key	
^a	This column does not represent a zoning district. It applies to institutional uses conditionally permitted under the zoning ordinance in residential zoning districts, such as churches, large day care facilities, and schools. It does not apply to any conditionally permitted residential care facility.
^b	Flags which, upon determination by the Director of Planning, meet the definition of "flag" found at Section 6102.34.1 of the zoning ordinance, provided that such a flag shall not exceed sixty (60) square feet in area and shall not be flown from a pole the top of which is not more than forty (40) feet in height Any sign similar to a flag not meeting the definition of "flag" shall be considered a banner sign and shall be subject to regulation as such.

Zoning District Key	
R-1	Single-Family Residential District
R-2	Two-Family Residential District
R-M	Multi-Family Residential District
UR	Urban Residential. Intended to provide opportunities for the development of single-family and multi-family homes at a moderate density. Accommodates small-lot detached single-family homes; attached single-family homes such as townhomes; duplexes, triplexes, and four-plexes; and multi-family apartments or condominiums.
ROS	Ravenswood Open Space. Intended to be placed on those parcels dedicated to conservation of existing open space and development of traditional parks, linear parks and other "public" spaces within the Specific Plan Area.
C-1	Neighborhood Commercial District
C-2	General Commercial District
O&OR	Office District and Office/Residential Mixed Use District
4C	4 Corners. Intended to support an enlivened, thriving "downtown" for East Palo Alto, focused around the intersection of University Avenue and Bay Road. Accommodates multi-story mixed-use buildings that have retail stores or community facilities on the ground floor, with apartments or condominiums on upper floors.
BRC	Bay Road Central. Intended to make Bay Road a lively, inviting place that creates a strong connection between 4 Corners and Cooley Landing. Accommodates multi-story mixed-use buildings that have either retail stores or storefront-type offices on the ground floor, with apartments, condominiums, or offices on upper floors.
REC	Ravenswood Employment Center. Intended to support the development of a variety of job-creating uses, including high-quality research and development (R&D) facilities. Also accommodates businesses that produce goods, distribute merchandise, or repair equipment, provided that they do not negatively affect surrounding uses or properties.

IT	Industrial Transition. Intended to accommodate light industrial uses in areas that are near large clusters of single-family homes, while ensuring that the light industrial uses do not adversely affect nearby homes. Accommodates low-intensity manufacturing and repair businesses that do not attract large amounts of traffic.
WO	Waterfront Office. Intended to support the construction of Class A offices within the Plan Area. Accommodates professional offices and limited supporting retail or other uses.

(Ord. No. 372, § 2, 1-7-2014)

SIGN TABLE C: - NUMBER, DIMENSIONS, AND LOCATION OF INDIVIDUAL SIGNS BY ZONING DISTRICT

RESIDENTIAL ZONING DISTRICTS AND INSTITUTIONAL USES						
SIGN TYPE	ALL R-1	ALL R-2	ALL R-M	INS^a	UR	ROS
<i>Individual signs shall not exceed the applicable maximum number, dimensions, or setbacks shown on this table</i>						
Freestanding (non-incidenta)						
Area (sq. ft.)	4	8	16	16	16	16
Height (feet)	4	4	4	6 ^b	4	6 ^b
Setback (ft.) ^{cdh}	1	1	1	1	1	1
Number permitted per parcel	1	1	NA	NA	NA	NA
Number permitted per feet of frontage	NA	NA	1 per 100	1 per 100	1 per 100	NA
Building (non-incidenta)						
Area (max. sq. ft.)	4	8	16	16	16	16
Wall Area (percent)	NA	NA	NA	10%	NA	10%
Number permitted per side of street	1	1	1	1	1	1

frontage							
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COMMERCIAL, INDUSTRIAL AND MIXED-USE ZONING DISTRICTS								
SIGN TYPE	C-1	C-2	O&OR	4C	BRC	REC	IT	WO
<i>Individual signs shall not exceed the applicable maximum number, dimensions, or setbacks shown on this table</i>								
Freestanding (non-incidenta)								
Area (sq. ft.)	40	80	60	40	40	80	25	60
Height (feet)	6 ^b	20	6	6 ^b	6 ^b	12 ^b	6 ^b	6
Setback (ft.) ^{cdh}	1	1	1	1	1 ^h	1	1	1 ^h
Number permitted per parcel	NA	NA	NA	NA	NA	NA	NA	NA
Number permitted per feet of frontage	1 per 100	1 per 100	1 per 50	1 per 100	1 per 100	1 per 100	1 per 100	1 per 50
Area (max. sq. ft.)	NA	NA	NA	NA	NA	NA	20	NA
Wall Area (percent)	10%	20%	5%	10%	10%	10%	NA	5%
Number permitted per side of street frontage	2 ^g	2 ^g	1	2 ^g	2 ^g	1	1	1

Zoning District Key	
R-1	Single-Family Residential District
R-2	Two-Family Residential District
R-M	Multi-Family Residential District

UR	Urban Residential. Intended to provide opportunities for the development of single-family and multi-family homes at a moderate density. Accommodates small-lot detached single-family homes; attached single-family homes such as townhomes; duplexes, triplexes, and four-plexes; and multi-family apartments or condominiums.
ROS	Ravenswood Open Space. Intended to be placed on those parcels dedicated to conservation of existing open space and development of traditional parks, linear parks and other "public" spaces within the Specific Plan Area.
C-1	Neighborhood Commercial District
C-2	General Commercial District
O&OR	Office District and Office/Residential Mixed Use District
4C	4 Corners. Intended to support an enlivened, thriving "downtown" for East Palo Alto, focused around the intersection of University Avenue and Bay Road. Accommodates multi-story mixed-use buildings that have retail stores or community facilities on the ground floor, with apartments or condominiums on upper floors.
BRC	Bay Road Central. Intended to make Bay Road a lively, inviting place that creates a strong connection between 4 Corners and Cooley Landing. Accommodates multi-story mixed-use buildings that have either retail stores or storefront-type offices on the ground floor, with apartments, condominiums, or offices on upper floors.
REC	Ravenswood Employment Center. Intended to support the development of a variety of job-creating uses, including high-quality research and development (R&D) facilities. Also accommodates businesses that produce goods, distribute merchandise, or repair equipment, provided that they do not negatively affect surrounding uses or properties.
IT	Industrial Transition. Intended to accommodate light industrial uses in areas that are near large clusters of single-family homes, while ensuring that the light industrial uses do not adversely affect nearby homes. Accommodates low-intensity manufacturing and repair businesses that do not attract large amounts of traffic.
WO	Waterfront Office. Intended to support the construction of Class A offices within the Plan Area. Accommodates professional offices and limited supporting retail or other uses.

Footnote Key	
a	This column does not represent a zoning district. It applies to institutional uses conditionally permitted under the zoning ordinance in residential zoning districts, such as churches, large day care facilities, and schools. It does not apply to any conditionally permitted residential care facility.
b	Monument sign required.
c	Minimum setbacks are as listed; however, in no case shall the actual sign height exceed the actual sign setback from any adjacent lot that is zoned and used for residential purposes. For example, if the sign is set back six feet from such a lot, it may be not more than six feet high.
d	In addition to the setback requirements on this table, signs shall be located such that there is at every street intersection a clear view between heights of three feet and ten (10) feet in a triangle formed by the corner and points on the curb thirty (30) feet from the intersection or entranceway.
e	Lots fronting two or more streets are allowed the permitted signage for each street frontage, but signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.
f	The percentage figure here shall mean the percentage of area of the wall of which such a sign is a part or to which each such sign is most nearly parallel
g	For multi-tenant buildings, one additional building sign is permitted for each tenant after the first.
h	The setback distance shall be measured from the public right-of-way or the public right-of-way plan line.
i	All signs in the Industrial Transition Zoning District must be oriented to face the street.

(Ord. No. 372, § 2, 1-7-2014)

SIGN TABLE D: - PERMITTED SIGN CHARACTERISTICS BY ZONING DISTRICT

RESIDENTIAL ZONING DISTRICTS AND INSTITUTIONAL USES						
SIGN TYPE	ALL R-1	ALL R-2	ALL R-M	INS ^a	UR	ROS

Animated	N	N	N	N	N	N
Changeable, Copy	N	N	N	N	N	N
Illumination, Internal	N	N	N	N	N	N
Illumination, External	N	N	S ^c	S ^c	S ^c	S ^c
Illumination, Exposed bulbs or neon	N	N	N	N	N	N

COMMERCIAL, INDUSTRIAL AND MIXED-USE ZONING DISTRICTS								
SIGN TYPE	C-1	C-2	O&OR	4C	BRC	REC	IT	WO
Animated	S ^b	S ^b	N	S ^b	S ^b	N	N	N
Changeable, Copy	S ^b	S ^b	N	S ^b	S ^b	N	N	N
Illumination, Internal	S ^c	S ^c	S	S ^c	S ^c	S ^c	S ^c	S
Illumination, External	S ^c	S ^c	S	S ^c	S ^c	S ^c	S ^c	S
Illumination, Exposed bulbs or neon	S ^b	S ^b	N	S ^b	S ^b	N	N	N

Table Key	
P	Allowed without a sign permit
S	Allowed only with a sign permit
N	Not allowed

Zoning District Key	
R-1	Single-Family Residential District
R-2	Two-Family Residential District
R-M	Multi-Family Residential District
UR	Urban Residential. Intended to provide opportunities for the development of single-family and multi-family homes at a moderate density. Accommodates small-lot detached single-family homes; attached single-family homes such as townhomes; duplexes, triplexes, and four-plexes; and multi-family apartments or condominiums.
ROS	Ravenswood Open Space. Intended to be placed on those parcels dedicated to conservation of existing open space and development of traditional parks, linear parks and other "public" spaces within the Specific Plan Area.
C-1	Neighborhood Commercial District
C-2	General Commercial District
O&OR	Office District and Office/Residential Mixed Use District
4C	4 Corners. Intended to support an enlivened, thriving "downtown" for East Palo Alto, focused around the intersection of University Avenue and Bay Road. Accommodates multi-story mixed-use buildings that have retail stores or community facilities on the ground floor, with apartments or condominiums on upper floors.
BRC	Bay Road Central. Intended to make Bay Road a lively, inviting place that creates a strong connection between 4 Corners and Cooley Landing. Accommodates multi-story mixed-use buildings that have either retail stores or storefront-type offices on the ground floor, with apartments, condominiums, or offices on upper floors.
REC	Ravenswood Employment Center. Intended to support the development of a variety of job-creating uses, including high-quality research and development (R&D) facilities. Also accommodates businesses that produce goods, distribute merchandise, or repair equipment, provided that they do not negatively affect surrounding uses or properties.
IT	Industrial Transition. Intended to accommodate light industrial uses in areas that are near large clusters of single-family homes, while ensuring that the light industrial uses do not adversely affect nearby homes. Accommodates low-intensity manufacturing and repair businesses that do

	not attract large amounts of traffic.
WO	Waterfront Office. Intended to support the construction of Class A offices within the Plan Area. Accommodates professional offices and limited supporting retail or other uses.

Footnote Key	
a	This column does not represent a zoning district. It applies to institutional uses conditionally permitted under the zoning ordinance in residential zoning districts, such as churches, large day care facilities, and schools. It does not apply to any conditionally permitted residential care facility.
b	Planning Commission approval required, per Section 6421.5 of this chapter.
c	No direct light or significant glare from the sign shall be cast into adjacent parcel that is zoned or used for residential purposes.

(Ord. No. 372, § 2, 1-7-2014)

STATUTORY REFERENCES FOR CALIFORNIA CITIES

The statutory references listed below refer the code user to state statutes relevant to California cities. They are up to date with all 2016 Regular Session laws, and Ch. 8 of 2015-2016 2nd Ex. Sess. Laws, and all propositions on 2016 ballot.

General Provisions

Code	adoption
Government Code § 50022.1 et seq.	
Ordinances	
Government Code § 36900 et seq.	
Penalties	violations
for ordinance	
Government Code §§ 36900 and 36901	
Imprisonment	
Government Code §§ 36903 and 36904	
Citations	misdemeanors
for	
Penal Code § 853.5 et seq.	
Administrative	penalties
for fines and	
Government Code § 53069.4	

Judicial review of city decisions
Code of Civil Procedure § 1094.6

Expedited judicial review of First Amendment cases
Code of Civil Procedure § 1094.8

Elections
Government Code §§ 34050 and 36503 and Elections Code §§ 1301, 9200 et seq. and 10100 et seq.

Classification of cities
Government Code § 34100 et seq.

General powers
Government Code § 37100 et seq. and Cal. Const. art. XI §§ 7, 9

Conflict of interest code
Government Code § 87100 et seq.

Eminent Domain Law
Code of Civil Procedure § 1230.010 et seq.

Administration and Personnel

City officers generally
Government Code § 36501 et seq.

Legislative body
Government Code § 36801 et seq.

Meetings
Government Code § 54950 et seq.

Mayor
Government Code § 40601 et seq.

City clerk
Government Code § 40801 et seq.

City treasurer
Government Code § 41001 et seq.

City assessor
Government Code § 41201 et seq.

Chief of police
Government Code § 41601 et seq.

City attorney
Government Code § 41801 et seq.

Alternative forms of government—City manager form of government
Government Code § 34851 et seq.

Alternative forms of government—Election of legislative body by or from districts
Government Code § 34870 et seq.

Alternative forms of government—Elective mayor
Government Code §§ 34900 et seq.

City records
 Government Code § 34090 et seq.

Removal from office
 Government Code § 3000 et seq.

Political activities of public employees
 Government Code § 3201 et seq.

Local planning agencies
 Government Code § 65100 et seq.

California Emergency Services Act
 Government Code § 8550 et seq.

Fire department
 Government Code § 38611

Peace officer standards and training
 Penal Code § 13500 et seq.

Personnel system, merit system or civil service system
 Government Code § 45000 et seq.

Retirement systems
 Government Code § 45300 et seq.

Revenue and Finance

Financial powers
 Government Code § 37200 et seq.

Transfer of tax function to county
 Government Code § 51500 et seq.

Property tax assessment, levy and collection
 Government Code § 43000 et seq.

Bradley-Burns Uniform Local Sales and Use Tax Law
 Revenue and Taxation Code § 7200 et seq.

Transient occupancy tax
 Revenue and Taxation Code § 7280 et seq.

Documentary Transfer Tax Act
 Revenue and Taxation Code § 11901 et seq.

Unclaimed property
 Civil Code § 2080 et seq.

Unclaimed money
 Government Code § 50050 et seq.

Planning and zoning fees for specific purposes
 Government Code § 66012 et seq.

Public works and public purchases
 Government Code § 4000 et seq.

Local Agency Public Construction Act
Public Contract Code § 20100 et seq.

Uniform Public Construction Cost Accounting Act
Public Contract Code § 22000 et seq.

Claims against public entities
Government Code § 900 et seq.

Development project fees
Government Code § 66000 et seq.

Business Licenses, Taxes and Regulations

Authority to license businesses
Government Code § 37101, Business and Professions Code § 16000 et seq.

Automatic checkout systems
Civil Code § 7100 et seq.

Bingo
Penal Code § 326.4 et seq.

Charitable solicitations
Business and Professions Code § 17510 et seq.

Commercial filming
Government Code § 65850.1

Community antenna TV systems
Government Code § 53066 et seq.

Gambling Control Act
Business and Professions Code § 19800 et seq.

Massage parlors
Government Code § 51030 et seq.

Private investigators
Business and Professions Code § 7512 et seq.

Taxicabs
Vehicle Code §§ 16500 et seq., 21100, 21112 and Government Code § 53075.5 et seq.

Telecommunications facilities
Government Code § 50030

Animals

Animals generally
Food and Agriculture Code § 16301 et seq.

Dogs
Government Code § 38792 and Food and Agriculture Code § 30501 et seq.

Potentially dangerous and vicious dogs
Food and Agriculture Code § 31601 et seq.

Rabies control
Health and Safety Code § 121575 et seq.

Cruelty to animals and related offenses
Penal Code §§ 596 et seq. through 600.5

Health and Safety

Garbage and refuse collection and disposal
Public Resources Code § 49300 et seq.

Nuisances and nuisance abatement
Government Code § 38771 et seq. and Penal Code § 370 et seq.

Weed and rubbish abatement
Government Code § 39501 et seq.

Littering
Penal Code §§ 374 through 374.8

Smoking—Places of employment
Labor Code § 6404.5

California Indoor Clean Air Act of 1976
Health and Safety Code § 118875 et seq.

Graffiti abatement
Government Code § 38772 and Penal Code § 594.5

Fire prevention
Health and Safety Code § 13000 et seq.

Fireworks
Health and Safety Code § 12500 et seq.

Noise control
Health and Safety Code § 46000 et seq. and Government Code § 65302(f)

Hospitals
Government Code § 37600 et seq.

Public Peace, Morals and Welfare

Crimes against religion and conscience, and other offenses against good morals
Penal Code § 302 et seq.

Obscenity
Penal Code § 311 et seq.

Material harmful to minors
Penal Code § 313 et seq.

Indecent exposure, obscene exhibitions, and bawdy and other disorderly houses
Penal Code § 314 et seq.

Crimes against the public peace
Penal Code § 403 et seq.

Vehicles and Traffic

Rules of the road
 Vehicle Code § 21000 et seq.

Local traffic rules and regulations
 Vehicle Code § 21100 et seq.

Traffic signs, signals and markings
 Vehicle Code § 21350 et seq.

Driving on right side of road, overtaking and passing
 Vehicle Code § 21650 et seq.

Right-of-way
 Vehicle Code § 21800 et seq.

Pedestrians' rights and duties
 Vehicle Code § 21949 et seq.

Turning, stopping and turning signals
 Vehicle Code § 22100 et seq.

Vehicle speed
 Vehicle Code § 22348 et seq.

Special stops required
 Vehicle Code § 22450 et seq.

Stopping, standing and parking
 Vehicle Code § 22500 et seq.

Bicycles
 Vehicle Code §§ 21200 et seq. and 39000 et seq.

Vehicle size, weight and load
 Vehicle Code § 35000 et seq.

Penalties
 Vehicle Code § 42000 et seq.

Streets, Sidewalks and Public Places

Improvement Act of 1911
 Streets and Highways Code § 5000 et seq.

Construction of sidewalks and curbs
 Streets and Highways Code § 5870 et seq.

Underground utility districts
 Streets and Highways Code § 5896.1 et seq.

Obstructions and encroachments on public ways
 Government Code § 38775

Municipal parks
 Public Resources Code § 5181 et seq.

Tree Planting Act of 1931
 Streets and Highways Code § 22000 et seq.

Landscaping and Lighting Act of 1972
Streets and Highways Code § 22500 et seq.

Charitable solicitations
Business and Professions Code § 17510 et seq.

Advertising displays
Business and Professions Code § 5229 et seq.

Public Services

Municipal water systems
Government Code § 38730 et seq.

Municipal sewers
Government Code § 38900 et seq. and Health and Safety Code § 5470 et seq.

Water wells
Water Code § 13700 et seq.

Buildings and Construction

Authority to regulate buildings and construction
Government Code §§ 38601 and 38660

State Housing Law
Health and Safety Code § 17910 et seq.

Adoption of construction codes
Health and Safety Code §§ 17922 and 17958

California Building Standards Law
Health and Safety Code § 18901 et seq.

Mobilehome Parks Act
Health and Safety Code § 18200 et seq.

Signs
Government Code §§ 38774 and 65850; Business and Professions Code § 5200 et seq.

Inspection warrants
Code of Civil Procedure § 1822.50 et seq.

Development fees
Government Code § 66000 et seq.

Subdivisions

Subdivision Map Act
Government Code § 66410 et seq.

Zoning

Planning and Zoning Law
Government Code § 65000 et seq.

Local authority to regulate land use
Government Code § 65850

Local zoning administration
Government Code § 65900 et seq.

Open-space zoning
Government Code § 65910 et seq.

Family day care homes
Health and Safety Code § 1597.30 et seq.

Environmental Protection

California Environmental Quality Act
Public Resources Code § 21000 et seq.

California Noise Control Act of 1973
Health and Safety Code § 46000 et seq.

CROSS-REFERENCE TABLE

This table provides users with the legislative history and the current disposition of the sections in the Municipal Code of the City of East Palo Alto, 1987.

Thus, prior code Section 1-2.102 was derived from Ordinance No. 1-83 and appears in this Code as Section 1.12.020

The legislative history information was derived from the Municipal Code of the City of East Palo Alto, 1987, with amendments to and including Ordinance No. 86-87, passed March 2, 1987.

Prior Code §	Ordinance History	Herein
1-1.101	Ord. No. 1-83, 7-1-83	Not codified
1-1.102	Ord. No. 1-83, 7-1-83	Not codified
1-1.103	Ord. No. 1-83, 7-1-83	Not codified
1-1.104	Ord. No. 1-83, 7-1-83	Not codified
1-1.105	Ord. No. 1-83, 7-1-83	Not codified
1-1.106	Ord. No. 1-83, 7-1-83	Not codified
1-1.107	Ord. No. 1-83, 7-1-83	Not codified
1-1.108	Ord. No. 1-83, 7-1-83	Not codified
1-1.109	Ord. No. 1-83, 7-1-83	Not codified

1-2.101	Ord. 1-83, 7-1-83, as amended by Ord. No. 64-85, 10-21-85, as amended by Ord. No. 73-86, 2-18-86	1.12.010
1-2.102	Ord. No. 1-83, 7-1-83	1.12.020
1-2.103	Ord. No. 1-83, 7-1-83	1.12.030
1-2.104	Ord. No. 1-83, 7-1-83	1.12.040
1-2.105	Ord. No. 6-83, 7-1-83	1.12.050
1-2.106		1.12.060
1-3.101	Ord. No. 1-83, 7-1-83	1.04.010
1-3.102	Ord. No. 1-83, 7-1-83	1.04.030
1-3.103	Ord. No. 1-83, 7-1-83	1.04.040
1-3.104	Ord. No. 1-83, 7-1-83	1.04.050
1-3.105	Ord. No. 1-83, 7-1-83	1.04.060
1-3.106	Ord. No. 1-83, 7-1-83	1.04.020
1-4.101	Ord. No. 1-83, 7-1-83	1.08.010
1-4.102	Ord. No. 1-83, 7-1-83	1.08.020
1-4.103	Ord. No. 1-83, 7-1-83	1.08.030
1-4.104	Ord. No. 1-83, 7-1-83	1.08.040
1-4.105	Ord. No. 1-83, 7-1-83	1.08.050
1-4.106	Ord. No. 1-83, 7-1-83	1.08.060
1-4.107	Ord. No. 1-83, 7-1-83	1.08.070
1-4.108	Ord. No. 1-83, 7-1-83	1.08.080

1-4.109	Ord. No. 1-83, 7-1-83	1.08.090
1-4.110	Ord. No. 1-83, 7-1-83	1.08.100
1-4.111	Ord. No. 1-83, 7-1-83	1.08.110
2-1.101	Ord. No. 1-83, 7-1-83	2.04.010
2-1.201	Ord. No. 1-83, 7-1-83	2.04.020
2-1.202	Ord. No. 1-83, 7-1-83	2.04.030
2-1.301	Ord. No. 1-83, 7-1-83	2.04.040
2-1.302	Ord. No. 1-83, 7-1-83	2.04.050
2-1.303	Ord. No. 1-83, 7-1-83	2.04.060
2-1.401	Ord. No. 1-83, 7-1-83	2.04.070
2-1.501	Ord. No. 1-83, 7-1-83	2.04.080
2-1.502	Ord. No. 1-83, 7-1-83	2.04.090
2-1.503	Ord. No. 1-83, 7-1-83	2.04.100
2-1.601	Adopted by Ord. No. 56-85, 4-1-85	Repealed by 183
2-1.602	Adopted by Ord. No. 56-85, 4-1-85	Repealed by 183
2-1.603	Adopted by Ord. No. 56-85, 4-1-85	Repealed by 183
2-1.604	Adopted by Ord. No. 56-85, 4-1-85	Repealed by 183
2-1.605	Adopted by Ord. No. 56-85, 4-1-85	Repealed by 183

2-1.606	Adopted by Ord. No. 56-85, 4-1-85	Repealed by 183
2-1.607	Adopted by Ord. No. 56-85, 4-1-85	Repealed by 183
2-1.608	Adopted by Ord. No. 56-85, 4-1-85	Repealed by 183
2-1.609	Adopted by Ord. No. 56-85, 4-1-85	Repealed by 183
2-1.610	Adopted by Ord. No. 56-85, 4-1-85	Repealed by 183
2-1.611	Adopted by Ord. No. 56-85, 4-1-85	Repealed by 183
2-1.612	Adopted by Ord. No. 56-85, 4-1-85	Repealed by 183
2-1.613	Adopted by Ord. No. 56-85, 4-1-85	Repealed by 183
2-1.614	Adopted by Ord. No. 56-85, 4-1-85	Repealed by 183
2-2.101	Ord. No. 4-83, 7-1-83	2.08.010
2-2.102	Ord. No. 4-83, 7-1-83	2.08.020
2-2.103	Ord. No. 1-83, 7-1-83	2.08.030
2-2.104	Ord. No. 1-83, 7-1-83	2.08.040
2-2.105	Ord. No. 1-83, 7-1-83	2.08.050
2-2.106	Ord. No. 1-83, 7-1-83	2.08.060
2-2.107	Ord. No. 1-83, 7-1-83	2.08.070

2-2.108	Ord. No. 1-83, 7-1-83	2.08.080
2-2.109	Ord. No. 1-83, 7-1-83	2.08.090
2-2.110	Ord. No. 1-83, 7-1-83	2.08.100
2-2.111	Ord. No. 1-83, 7-1-83	2.08.110
2-2.112	Ord. No. 1-83, 7-1-83	2.08.120
2-2.113	Ord. No. 1-83, 7-1-83	2.08.130
2-2.114	Ord. No. 1-83, 7-1-83	2.08.140
2-2.201	Ord. No. 8-83, 7-1-83, as amended by Ord. No. 57-85, 4-1-85 and Ord. No. 75-86 3-31-86	2.08.150
2-2.301	Ord. No. 1-83, 7-1-83	2.08.160
2-2.302	Ord. No. 1-83, 7-1-83	2.08.170
2-2.303	Ord. No. 1-83, 7-1-83	2.08.180
2-3.101	Ord. No. 13-83, 11-21-83	2.12.010
2-3.102	Ord. No. 13-83, 11-21-83	2.12.020
2-3.103	Ord. No. 13-83, 11-21-83	2.12.030
2-3.104	Ord. No. 13-83, 11-21-83	2.12.040
2-3.105	Ord. No. 13-83, 11-21-83	2.12.050
2-3.106	Ord. No. 13-83, 11-21-83	2.12.060
2-3.107	Ord. No. 13-83, 11-21-83, as amended by Ord. No. 46-84, 10-8-84 and Ord. No. 83-87, 3-2-87	2.12.070
2-3.108	Ord. No. 13-83, 11-21-83	2.12.080
2-3.109	Ord. No. 13-83, 11-21-83, as amended by Ord. No. 46-84, 10-8-84	2.12.090

2-3.110	Ord. No. 13-83, 11-21-83	2.12.100
2-3.111	Ord. No. 13-83, 11-21-83	2.12.110
2-3.112	Ord. No. 13-83, 11-21-83	2.12.120
2-3.113	Ord. No. 13-83, 11-21-83	2.12.130
2-3.114	Ord. No. 13-83, 11-21-83	Repealed by 130
2-3.115	Ord. No. 13-83, 11-21-83	Repealed by 130
2-3.116	Ord. No. 13-83, 11-21-83	2.12.140
2-3.201	Ord. No. 14-83, 10-17-83	2.16.010
2-3.202	Ord. No. 14-83, 10-17-83	2.16.020
2-3.301	Ord. No. 49-84, 11-19-84	2.20.010
2-3.302	Ord. No. 49-84, 11-19-84, as amended by Ord. No. 83-87 3-2-87	2.20.020
2-3.303	Ord. No. 49-84, 11-19-84	2.20.030
2-3.304	Ord. No. 49-84, 11-19-84	2.20.040
2-3.305	Ord. No. 49-84, 11-19-84	2.20.050
2-3.306	Ord. No. 49-84, 11-19-84	2.20.060
2-3.307	Ord. No. 49-84, 11-19-84	2.20.070
2-3.308	Ord. No. 49-84, 11-19-84	2.20.080
2-3.309	Ord. No. 49-84, 11-19-84	2.20.090
2-3.310	Ord. No. 52-84, 12-17-84	2.20.100
2-3.401	Ord. No. 47-84, 10-18-84, as amended by Ord. No. 83-87, 3-2-87	2.24.010

2-3.402	Ord. No. 1-83, 7-1-83	2.24.020
2-3.403	Ord. No. 47-84, 10-18-84	2.24.030
2-3.404	Ord. No. 47-84, 10-18-84	2.24.040
2-3.405	Ord. No. 47-84, 10-18-84	2.24.050
2-3.406	Ord. No. 47-84, 10-18-84, as amended by Ord. No. 83-87, 3-2-87	2.24.060
2-3.407	Ord. No. 47-84, 10-18-84	2.24.070
2-3.408	Ord. No. 47-84, 10-18-84	2.24.080
2-3.409	Ord. No. 47-84, 10-18-84, as amended by Ord. No. 83-87, 3-2-87	2.40.090
2-3.410	Ord. No. 47-84, 10-18-84	2.24.100
2-4.101	Ord. No. 42-84, 8-20-84	Repealed by 134
2-4.102	Ord. No. 42-84, 8-20-84	Repealed by 134
2-4.103	Ord. No. 42-84, 8-20-84	Repealed by 134
2-4.104	Ord. No. 42-84, 8-20-84	Repealed by 134
2-4.105	Ord. No. 42-84, 8-20-84	Repealed by 134
2-4.106	Ord. No. 42-84, 8-20-84	Repealed by 134
2-4.107	Ord. No. 42-84, 8-20-84	Repealed by 134
2-4.108	Ord. No. 42-84, 8-20-84	Repealed by 134

2-4.109	Ord. No. 42-84, 8-20-84	Repealed by 134
2-4.201	Ord. No. 45-84, 10-1-84, as amended by Ord. No. 62-85,	
8-19-85	Repealed by 134	
2-4.202	Ord. No. 45-84, 10-1-84	Repealed by 134
2-4.203	Ord. No. 45-84, 10-1-84, as amended by Ord. No. 62-85,	
8-19-85	Repealed by 134	
2-4.204	Ord. No. 45-84, 10-1-84	Repealed by 134
2-4.205	Ord. No. 45-84, 10-1-84	Repealed by 134
2-4.206	Ord. No. 45-84, 10-1-84	Repealed by 134
2-4.207	Ord. No. 45-84, 10-1-84	Repealed by 134
2-4.208	Ord. No. 45-84, 10-1-84	Repealed by 134
2-4.209	Ord. No. 45-84, 10-1-84	Repealed by 134
2-4.301	Ord. No. 29-83, 1-3-84, as amended by Ord. No. 60-85,	
6-25-85	Repealed by 134	
2-4.302	Ord. No. 29-83, 1-3-84	Repealed by 134
2-4.303	Ord. No. 29-83, 1-3-84, as amended by Ord. No. 60-85,	

6-25-85	Repealed by 134	
2-4.304	Ord. No. 29-83, 1-3-84, as amended by Ord. No. 60-85,	
6-25-85	Repealed by 134	
2-4.305	Ord. No. 29-83, 1-3-84	Repealed by 134
2-4.306	Ord. No. 29-83, 1-3-84	Repealed by 134
2-4.307	Ord. No. 29-83, 1-3-84, as amended by Ord. No. 60-85,	
6-25-85	Repealed by 134	
2-4.308	Ord. No. 29-83, 1-3-84	Repealed by 134
2-4.309	Ord. No. 29-83, 1-3-84	Repealed by 134
2-4.401	Ord. No. 63-85, 9-16-85, as amended by Ord. No. 68-25,	
12-2-85	Repealed by 239	
2-4.402	Ord. No. 63-85, 9-16-85, as amended by Ord. No. 68-25,	
12-2-85	Repealed by 239	
2-4.403	Ord. No. 63-85, 9-16-85	Repealed by 239
2-4.404	Ord. No. 63-85, 9-16-85	Repealed by 239
2-4.405	Ord. No. 63-85, 9-16-85	Repealed by 239
2-4.406	Ord. No. 63-85, 9-16-85	Repealed by 239

2-4.407	Ord. No. 63-85, 9-16-85	Repealed by 239
2-4.408	Ord. No. 63-85, 9-16-85	Repealed by 239
2-4.501	Ord. No. 28-83, 1-3-84, as amended by Ord. No. 32-84 and Ord. No. 50-84, 12-3-84	2.48.010
2-4.502	Ord. No. 28-83, 1-3-84	2.48.020
2-4.503	Ord. No. 28-83, 1-3-84, as amended by Ord. No. 32-84 and Ord. No. 50-84, 12-3-84	2.48.030
2-4.504	Ord. No. 28-83, 1-3-84	2.48.040
2-4.505	Ord. No. 28-83, 1-3-84	2.48.050
2-4.506	Ord. No. 28-83, 1-3-84	2.48.060
2-4.507	Ord. No. 28-83, 1-3-84	2.48.070
2-4.508	Ord. No. 28-83, 1-3-84	2.48.080
2-4.509	Ord. No. 28-83, 1-3-84	2.48.090
2-4.510	Ord. No. 28-83, 1-3-84	2.48.100
2-4.601	Ord. No. 36-84, 6-4-84, as amended by Ord. No. 41-84,	
8-20-84 and Ord. No. 59-85,		
6-25-85	2.52.010	
2-4.602	Ord. No. 36-84, 6-4-84	2.52.020
2-4.603	Ord. No. 36-84, 6-4-84, as amended by Ord. No. 41-84,	
8-20-84 and Ord. No. 59-85,		

6-25-85	2.52.030	
2-4.604	Ord. No. 36-84, 6-4-84	2.52.040
2-4.605	Ord. No. 36-84, 6-4-84	2.52.050
2-4.606	Ord. No. 36-84, 6-4-84	2.52.060
2-4.607	Ord. No. 36-84, 6-4-84	2.52.070
2-4.608	Ord. No. 36-84, 6-4-84	2.52.080
2-4.609	Ord. No. 36-84, 6-4-84	2.52.090
2-4.701	Ord. No. 69-86, 1-6-86, as amended by Ord. No. 86-87,	
3-2-87	Repealed by 133	
2-4.702	Ord. No. 69-86, 1-6-86	Repealed by 133
2-4.703		Repealed by 133
2-4.704		Repealed by 133
2-4.705		Repealed by 133
2-4.706	Ord. No. 69-86, 1-6-86	Repealed by 133
2-4.707	Ord. No. 69-86, 1-6-86	Repealed by 133
2-4.708	Ord. No. 69-86, 1-6-86	Repealed by 133
2-4.709	Ord. No. 69-86, 1-6-86	Repealed by 133

2-4.801	Ord. No. 40-84, 8-20-84	2.60.010
2-4.802	Ord. No. 40-84, 8-20-84	2.60.020
2-4.803	Ord. No. 40-84, 8-20-84	2.60.030
2-4.804	Ord. No. 40-84, 8-20-84	2.60.040
2-5.101	Ord. No. 1-83, 7-1-83	2.28.010
2-5.201	Ord. No. 1-83, 7-1-83	2.28.020
2-5.202	Ord. No. 1-83, 7-1-83	2.28.030
2-5.203	Ord. No. 1-83, 7-1-83	2.28.040
2-5.204	Ord. No. 1-83, 7-1-83	2.28.050
2-5.205	Ord. No. 1-83, 7-1-83	2.28.060
2-5.206	Ord. No. 1-83, 7-1-83	2.28.070
2-5.207	Ord. No. 1-83, 7-1-83	2.28.080
2-5.301	Ord. No. 1-83, 7-1-83	2.28.090
2-5.302	Ord. No. 1-83, 7-1-83	2.28.100
2-5.303	Ord. No. 1-83, 7-1-83	2.28.110
2-5.304	Ord. No. 1-83, 7-1-83	2.28.120
2-5.305	Ord. No. 1-83, 7-1-83	2.28.130
2-5.306	Ord. No. 1-83, 7-1-83	2.28.140
2-5.307	Ord. No. 1-83, 7-1-83	2.28.150
2-5.308	Ord. No. 1-83, 7-1-83	2.28.160
2-5.309	Ord. No. 1-83, 7-1-83	2.28.170

2-5.310	Ord. No. 1-83, 7-1-83	2.28.180
2-5.311	Ord. No. 1-83, 7-1-83	2.28.190
2-5.312	Ord. No. 1-83, 7-1-83	2.28.200
2-5.313	Ord. No. 1-83, 7-1-83	2.28.210
2-5.314	Ord. No. 1-83, 7-1-83	2.28.220
2-5.315	Ord. No. 1-83, 7-1-83	2.28.230
2-5.316	Ord. No. 1-83, 7-1-83	2.28.240
2-5.317	Ord. No. 1-83, 7-1-83	2.28.250
2-5.318	Ord. No. 1-83, 7-1-83	2.28.260
2-5.319	Ord. No. 1-83, 7-1-83	2.28.270
2-5.320	Ord. No. 1-83, 7-1-83	2.28.280
2-5.321	Ord. No. 1-83, 7-1-83	2.28.290
2-5.322	Ord. No. 1-83, 7-1-83	2.28.300
2-4.323	Ord. No. 1-83, 7-1-83	2.28.310
2-5.324	Ord. No. 1-83, 7-1-83	2.28.320
2-5.325	Ord. No. 1-83, 7-1-83	2.28.330
2-5.326	Ord. No. 1-83, 7-1-83	2.28.340
2-5.327	Ord. No. 1-83, 7-1-83	2.28.350
2-5.328	Ord. No. 1-83, 7-1-83	2.28.360
2-5.329	Ord. No. 1-83, 7-1-83	2.28.370
2-5.330	Ord. No. 1-83, 7-1-83	2.28.380

2-5.331	Ord. No. 1-83, 7-1-83	2.28.390
2-5.332	Ord. No. 1-83, 7-1-83	2.28.400
2-5.401	Ord. No. 15-83, 10-17-83	2.84.010
2-5.402	Ord. No. 15-83, 10-17-83	2.84.020
2-5.403	Ord. No. 15-83, 10-17-83	2.84.030
2-5.404	Ord. No. 15-83, 10-17-83	2.84.040
2-5.405	Ord. No. 15-83, 10-17-83	2.84.050
2-5.406	Ord. No. 15-83, 10-17-83	2.84.060
2-5.407	Ord. No. 15-83, 10-17-83	2.84.070
2-5.408	Ord. No. 15-83, 10-17-83	2.84.080
2-5.409	Ord. No. 15-83, 10-17-83	2.84.090
2-5.410	Ord. No. 15-83, 10-17-83	2.84.100
2-5.411	Ord. No. 15-83, 10-17-83	2.84.110
2-5.412	Ord. No. 15-83, 10-17-83	2.84.120
2-5.413	Ord. No. 15-83, 10-17-83	2.84.130
2-5.414	Ord. No. 15-83, 10-17-83	2.84.140
2-5.415	Ord. No. 15-83, 10-17-83	2.84.150
2-5.416	Ord. No. 15-83, 10-17-83	2.84.160
2-5.417	Ord. No. 15-83, 10-17-83	Not codified
2-5.418	Ord. No. 15-83, 10-17-83	Not codified
2-6.201	Ord. No. 1-83, 7-1-83	2.68.010

2-6.202	Ord. No. 1-83, 7-1-83	2.68.020
2-6.203	Ord. No. 1-83, 7-1-83	2.68.030
2-6.204	Ord. No. 1-83, 7-1-83	2.68.040
2-6.205	Ord. No. 1-83, 7-1-83	Not codified
2-6.301	Ord. No. 74-86, 3-6-86	2.72.010
2-6.302	Ord. No. 74-86, 3-6-86	2.72.020
2-6.303	Ord. No. 74-86, 3-6-86	2.72.030
2-6.304	Ord. No. 74-86, 3-6-86	2.72.040
2-6.305	Ord. No. 74-86, 3-6-86	2.72.050
2-6.306	Ord. No. 74-86, 3-6-86	2.72.060
2-6.307	Ord. No. 74-86, 3-6-86	2.72.070
2-6.308	Ord. No. 74-86, 3-6-86	2.72.080
2-6.309	Ord. No. 74-86, 3-6-86	Not codified
2-6.310	Ord. No. 74-86, 3-6-86	Not codified
2-7.101		Repealed by 112
2-7.102		Repealed by 112
2-7.103		Repealed by 112
2-7.104		Repealed by 112
2-7.105		Repealed by

		112
2-7.106		Repealed by 112
2-7.107		Repealed by 112
2-7.108		Repealed by 112
2-7.109		Repealed by 112
2-7.110		Repealed by 112
2-7.111		Repealed by 112
2-7.112		Repealed by 112
2-7.113		Repealed by 112
2-7.114		Repealed by 112
3-1.101	Ord. No. 61-85, 8-5-85	5.04.010
3-1.102	Ord. No. 61-85, 8-5-85	5.04.020
3-1.103	Ord. No. 61-85, 8-5-85	5.04.030
3-1.104	Ord. No. 61-85, 8-5-85	5.04.040
3-1.105	Ord. No. 61-85, 8-5-85	5.04.050
3-1.106	Ord. No. 61-85, 8-5-85	5.04.060

3-1.107	Ord. No. 61-85, 8-5-85	5.04.070
3-1.108	Ord. No. 61-85, 8-5-85	5.04.080
3-1.109	Ord. No. 61-85, 8-5-85	5.04.090
3-1.110	Ord. No. 61-85, 8-5-85	5.04.100
3-1.111	Ord. No. 61-85, 8-5-85	5.04.110
3-1.112	Ord. No. 61-85, 8-5-85	5.04.120
3-1.113	Ord. No. 61-85, 8-5-85	5.04.130
3-1.114	Ord. No. 61-85, 8-5-85	5.04.140
3-1.115	Ord. No. 61-85, 8-5-85	5.04.150
3-1.116	Ord. No. 61-85, 8-5-85	5.04.160
3-1.117	Ord. No. 61-85, 8-5-85	5.04.170
3-1.118	Ord. No. 61-85, 8-5-85	5.04.180
3-1.119	Ord. No. 61-85, 8-5-85	5.04.190
3-1.120	Ord. No. 61-85, 8-5-85	5.04.200
3-1.121	Ord. No. 61-85, 8-5-85	5.04.210
3-1.122	Ord. No. 61-85, 8-5-85	5.04.220
3-1.201	Ord. No. 61-85, 8-5-85	5.08.010
3-1.202	Ord. No. 61-85, 8-5-85	5.08.020
3-1.203	Ord. No. 61-85, 8-5-85	5.08.030
3-1.205	Ord. No. 61-85, 8-5-85	5.08.040
3-1.206	Ord. No. 61-85, 8-5-85	5.08.050

3-1.207	Ord. No. 61-85, 8-5-85	5.08.060
3-1.208	Ord. No. 61-85, 8-5-85	5.08.070
3-1.209	Ord. No. 61-85, 8-5-85	5.08.080
3-1.210	Ord. No. 61-85, 8-5-85	5.08.090
3-1.211	Ord. No. 61-85, 8-5-85	5.08.100
3-1.212	Ord. No. 61-85, 8-5-85	5.08.110
3-1.213	Ord. No. 61-85, 8-5-85	5.08.120
3-1.214	Ord. No. 61-85, 8-5-85	5.08.130
3-1.215	Ord. No. 61-85, 8-5-85	5.08.140
3-1.216	Ord. No. 61-85, 8-5-85	5.08.150
3-1.217	Ord. No. 61-85, 8-5-85	5.08.160
3-1.218	Ord. No. 61-85, 8-5-85	5.08.170
3-1.219	Ord. No. 61-85, 8-5-85	5.08.180
3-1.220	Ord. No. 61-85, 8-5-85	5.08.190
3-1.221	Ord. No. 61-85, 8-5-85	5.08.200
3-1.222	Ord. No. 61-85, 8-5-85	5.08.210
3-1.223	Ord. No. 61-85, 8-5-85	5.08.220
3-1.224	Ord. No. 61-85, 8-5-85	5.08.230
3-1.225	Ord. No. 61-85, 8-5-85	5.08.240
3-1.226	Ord. No. 61-85, 8-5-85	5.08.250
3-1.227	Ord. No. 61-85, 8-5-85	5.08.260

3-1.228	Ord. No. 61-85, 8-5-85	5.08.270
3-1.229	Ord. No. 61-85, 8-5-85	5.08.280
3-1.230	Ord. No. 61-85, 8-5-85	5.08.290
3-2.101	Ord. No. 37-84, 6-11-84	3.04.010
3-2.102	Ord. No. 37-84, 6-11-84	3.04.020
3-2.103	Ord. No. 37-84, 6-11-84	3.04.030
3-2.104	Ord. No. 37-84, 6-11-84	3.04.040
3-2.105	Ord. No. 37-84, 6-11-84	3.04.050
3-2.106	Ord. No. 37-84, 6-11-84	3.04.060
3-2.107	Ord. No. 37-84, 6-11-84	Not codified
3-2.108	Ord. No. 37-84, 6-11-84	Not codified
3-2.201	Ord. No. 39-84, 8-6-84	3.08.010
3-2.202	Ord. No. 39-84, 8-6-84	3.08.020
3-2.203	Ord. No. 39-84, 8-6-84	3.08.030
3-2.204	Ord. No. 39-84, 8-6-84	3.08.040
3-2.205	Ord. No. 39-84, 8-6-84	3.08.050
3-2.206	Ord. No. 39-84, 8-6-84	3.08.060
3-2.207	Ord. No. 39-84, 8-6-84	3.08.070
3-2.208	Ord. No. 39-84, 8-6-84	3.08.080
3-2.209	Ord. No. 39-84, 8-6-84	3.08.090
3-2.210	Ord. No. 39-84, 8-6-84	3.08.100

3-2.211	Ord. No. 39-84, 8-6-84	3.08.110
3-2.212	Ord. No. 39-84, 8-6-84	3.08.120
3-2.213	Ord. No. 39-84, 8-6-84	3.08.130
3-2.301	Ord. No. 39-84, 8-6-84	3.12.010
3-2.302	Ord. No. 39-84, 8-6-84	3.12.020
3-2.303	Ord. No. 39-84, 8-6-84	3.12.030
3-2.304	Ord. No. 39-84, 8-6-84	3.12.040
3-2.305	Ord. No. 39-84, 8-6-84	3.12.050
3-2.306	Ord. No. 39-84, 8-6-84	3.12.060
3-2.307	Ord. No. 39-84, 8-6-84	3.12.070
3-2.308	Ord. No. 39-84, 8-6-84	3.12.080
3-2.309	Ord. No. 39-84, 8-6-84	3.12.090
3-2.310	Ord. No. 39-84, 8-6-84	3.12.100
3-2.311	Ord. No. 39-84, 8-6-84	3.12.110
3-2.401	Ord. No. 39-84, 8-6-84	3.16.010
3-2.402	Ord. No. 39-84, 8-6-84	3.16.020
3-2.403	Ord. No. 39-84, 8-6-84	3.16.030
3-2.404	Ord. No. 39-84, 8-6-84	3.16.040
3-2.405	Ord. No. 39-84, 8-6-84	3.16.050
3-2.406		Not available
3-2.407		Not available

3-2.408		Not available
3-2.409		Not available
3-2.410		Not available
3-2.411		Not available
3-2.501	Ord. No. 39-84, 8-6-84	3.20.010
3-2.502	Ord. No. 39-84, 8-6-84	3.20.020
3-2.503	Ord. No. 39-84, 8-6-84	3.20.030
3-2.504	Ord. No. 39-84, 8-6-84	3.20.040
3-2.505	Ord. No. 39-84, 8-6-84	3.20.050
3-2.506	Ord. No. 39-84, 8-6-84	Not codified
3-3.101	Ord. No. 3-83, 7-1-83	3.48.010
3-3.102	Ord. No. 3-83, 7-1-83	3.48.020
3-3.103	Ord. No. 3-83, 7-1-83	Not codified
3-3.201	Ord. No. 7-83, 7-1-83	3.52.010
3-3.202	Ord. No. 7-83, 7-1-83	3.52.020
3-3.203	Ord. No. 7-83, 7-1-83	3.52.030
3-3.204	Ord. No. 7-83, 7-1-83	3.52.040
3-3.205	Ord. No. 7-83, 7-1-83	3.52.050
3-3.206	Ord. No. 7-83, 7-1-83	3.52.060
3-3.207	Ord. No. 7-83, 7-1-83	3.52.070
3-3.208	Ord. No. 7-83, 7-1-83	3.52.080

3-3.209	Ord. No. 7-83, 7-1-83	3.52.090
3-3.210	Ord. No. 7-83, 7-1-83	Not codified
3-3.301	Ord. No. 9-83, 7-1-83	3.56.010
3-3.302	Ord. No. 9-83, 7-1-83	3.56.020
3-3.303	Ord. No. 9-83, 7-1-83	Not codified
3-3.304	Ord. No. 9-83, 7-1-83	3.56.030
3-3.305	Ord. No. 9-83, 7-1-83	3.56.040
3-3.306	Ord. No. 9-83, 7-1-83	3.56.050
3-3.307	Ord. No. 9-83, 7-1-83	3.56.060
3-3.308	Ord. No. 9-83, 7-1-83	3.56.070
3-3.309	Ord. No. 9-83, 7-1-83	3.56.080
3-3.310	Ord. No. 9-83, 7-1-83	3.56.090
3-3.311	Ord. No. 9-83, 7-1-83	3.56.100
3-3.312	Ord. No. 9-83, 7-1-83, as amended by Ord. No. 24-83,	
12-12-85	3.56.110	
3-3.313	Ord. No. 9-83, 7-1-83	3.56.120
3-3.314	Ord. No. 9-83, 7-1-83	3.56.130
3-3.315	Ord. No. 9-83, 7-1-83	3.56.140
3-3.316	Ord. No. 9-83, 7-1-83	Not codified
3-3.317	Ord. No. 9-83, 7-1-83	Not codified
3-3.401	Ord. No. 1-83, 7-1-83	3.68.010

3-3.402	Ord. No. 1-83, 7-1-83	3.68.020
3-3.403	Ord. No. 1-83, 7-1-83	3.68.030
3-3.404	Ord. No. 1-83, 7-1-83	3.68.040
3-3.405	Ord. No. 1-83, 7-1-83	3.68.050
3-3.406	Ord. No. 1-83, 7-1-83	3.68.060
3-3.407	Ord. No. 1-83, 7-1-83	3.68.070
3-3.408	Ord. No. 1-83, 7-1-83	3.68.080
3-3.409	Ord. No. 1-83, 7-1-83	3.68.090
3-3.410	Ord. No. 1-83, 7-1-83	3.68.100
3-3.411	Ord. No. 1-83, 7-1-83	3.68.110
3-3.412	Ord. No. 1-83, 7-1-83	3.68.120
3-3.413	Ord. No. 1-83, 7-1-83	3.68.130
3-3.414	Ord. No. 1-83, 7-1-83	3.68.160
3-4.101	Ord. No. 1-83, 7-1-83	3.24.010
3-4.102	Ord. No. 1-83, 7-1-83	3.24.020
3-4.103	Ord. No. 1-83, 7-1-83	3.24.030
3-4.104	Ord. No. 1-83, 7-1-83	3.24.040
3-4.105	Ord. No. 1-83, 7-1-83	3.24.050
3-4.106	Ord. No. 1-83, 7-1-83	3.24.060
3-5.101	Ord. No. 1-83, 7-1-83	3.28.010
3-5.102	Ord. No. 1-83, 7-1-83	3.28.020

3-5.103	Ord. No. 1-83, 7-1-83	3.28.030
3-6.101	Ord. No. 1-83, 7-1-83	3.32.010
3-6.102	Ord. No. 1-83, 7-1-83	3.32.020
3-6.103	Ord. No. 1-83, 7-1-83	3.32.030
3-6.104	Ord. No. 1-83, 7-1-83	3.32.040
3-6.105	Ord. No. 1-83, 7-1-83	3.32.050
3-7.101	Ord. No. 1-83, 7-1-83	3.36.010
3-7.102	Ord. No. 1-83, 7-1-83	3.36.020
3-7.103	Ord. No. 1-83, 7-1-83	3.36.030
3-7.104	Ord. No. 1-83, 7-1-83	3.36.040
3-7.105	Ord. No. 1-83, 7-1-83	3.36.050
3-7.106	Ord. No. 1-83, 7-1-83	3.36.060
3-7.107	Ord. No. 1-83, 7-1-83	3.36.070
3-7.108	Ord. No. 1-83, 7-1-83	3.36.080
4-1.101	Ord. No. 18-83, 12-5-83	2.76.010
4-1.102	Ord. No. 18-83, 12-5-83	2.76.020
4-1.103	Ord. No. 18-83, 12-5-83	2.76.030
4-1.104	Ord. No. 18-83, 12-5-83	2.76.040
4-1.105	Ord. No. 18-83, 12-5-83	2.76.050
4-1.106	Ord. No. 18-83, 12-5-83	2.76.060
4-1.107	Ord. No. 18-83, 12-5-83	2.76.070

4-1.108	Ord. No. 18-83, 12-5-83	2.76.080
4-1.109	Ord. No. 18-83, 12-5-83	2.76.090
4-1.110	Ord. No. 18-83, 12-5-83	2.76.100
4-1.111	Ord. No. 18-83, 12-5-83	Not codified
4-1.112	Ord. No. 18-83, 12-5-83	Not codified
4-2.101	Ord. No. 1-83, 7-1-83	8.16.010
4-2.102	Ord. No. 1-83, 7-1-83	8.16.020
4-2.103	Ord. No. 1-83, 7-1-83	8.16.030
4-2.104	Ord. No. 1-83, 7-1-83	8.16.040
4-2.201	Ord. No. 1-83, 7-1-83	8.16.050
4-2.202	Ord. No. 1-83, 7-1-83	8.16.060
4-2.203	Ord. No. 1-83, 7-1-83	8.16.070
4-2.204	Ord. No. 1-83, 7-1-83	8.16.080
4-2.205	Ord. No. 1-83, 7-1-83	8.16.090
4-2.206	Ord. No. 1-83, 7-1-83	8.16.100
4-2.207	Ord. No. 1-83, 7-1-83	8.16.110
4-2.208	Ord. No. 1-83, 7-1-83	8.16.120
4-2.209	Ord. No. 1-83, 7-1-83	8.16.130
4-2.210	Ord. No. 1-83, 7-1-83	8.16.140
4-2.211	Ord. No. 1-83, 7-1-83	8.16.150
4-2.212	Ord. No. 1-83, 7-1-83	8.16.160

4-2.213	Ord. No. 1-83, 7-1-83	8.16.170
4-2.214	Ord. No. 1-83, 7-1-83	8.16.180
4-2.215	Ord. No. 1-83, 7-1-83	8.16.190
4-2.216	Ord. No. 1-83, 7-1-83	8.16.200
4-2.217	Ord. No. 1-83, 7-1-83	8.16.210
4-2.218	Ord. No. 1-83, 7-1-83	8.16.220
4-2.219	Ord. No. 1-83, 7-1-83	8.16.230
4-2.220	Ord. No. 1-83, 7-1-83	8.16.240
4-2.221	Ord. No. 1-83, 7-1-83	8.16.250
4-2.301	Ord. No. 1-83, 7-1-83	8.16.260
4-2.302	Ord. No. 1-83, 7-1-83	8.16.270
4-2.303	Ord. No. 1-83, 7-1-83	8.16.280
4-2.304	Ord. No. 1-83, 7-1-83	8.16.290
4-2.305	Ord. No. 1-83, 7-1-83	8.16.300
4-2.306	Ord. No. 1-83, 7-1-83	8.16.310
4-2.307	Ord. No. 1-83, 7-1-83	8.16.320
4-2.308	Ord. No. 1-83, 7-1-83	8.16.330
4-2.309	Ord. No. 1-83, 7-1-83	8.16.340
4-2.310	Ord. No. 1-83, 7-1-83	8.16.350
4-2.311	Ord. No. 1-83, 7-1-83	8.16.360
4-2.312	Ord. No. 1-83, 7-1-83	8.16.370

4-2.313	Ord. No. 1-83, 7-1-83	8.16.380
4-2.314	Ord. No. 1-83, 7-1-83	8.16.390
4-2.315	Ord. No. 1-83, 7-1-83	8.16.400
4-2.316	Ord. No. 1-83, 7-1-83	8.16.410
4-2.401	Ord. No. 1-83, 7-1-83	8.16.420
4-2.402	Ord. No. 1-83, 7-1-83	8.16.430
4-2.403	Ord. No. 1-83, 7-1-83	8.16.440
4-2.501	Ord. No. 1-83, 7-1-83	8.16.450
4-2.502	Ord. No. 1-83, 7-1-83	8.16.460
4-2.503	Ord. No. 1-83, 7-1-83	8.16.470
4-2.504	Ord. No. 1-83, 7-1-83	8.16.480
4-2.505	Ord. No. 1-83, 7-1-83	8.16.490
4-2.506	Ord. No. 1-83, 7-1-83	8.16.500
4-2.507	Ord. No. 1-83, 7-1-83	8.16.510
4-2.508	Ord. No. 1-83, 7-1-83	8.16.520
4-2.509	Ord. No. 1-83, 7-1-83	8.16.530
4-2.510	Ord. No. 1-83, 7-1-83	8.16.540
4-2.511	Ord. No. 1-83, 7-1-83	8.16.550
4-2.512	Ord. No. 1-83, 7-1-83	8.16.560
4-2.513	Ord. No. 1-83, 7-1-83	8.16.570
4-2.514	Ord. No. 1-83, 7-1-83	8.16.580

4-2.515	Ord. No. 1-83, 7-1-83	8.16.590
4-2.516	Ord. No. 1-83, 7-1-83	8.16.600
4-2.517	Ord. No. 1-83, 7-1-83	8.16.610
4-2.518	Ord. No. 1-83, 7-1-83	8.16.620
4-2.519	Ord. No. 1-83, 7-1-83	8.16.630
4-2.601	Ord. No. 1-83, 7-1-83	8.16.640
4-2.602	Ord. No. 1-83, 7-1-83	8.16.650
4-2.603	Ord. No. 1-83, 7-1-83	8.16.660
4-2.604	Ord. No. 1-83, 7-1-83	8.16.670
4-2.605	Ord. No. 1-83, 7-1-83	8.16.680
4-2.606	Ord. No. 1-83, 7-1-83	8.16.690
4-2.607	Ord. No. 1-83, 7-1-83	8.16.700
4-2.608	Ord. No. 1-83, 7-1-83	8.16.710
4-2.609	Ord. No. 1-83, 7-1-83	8.16.720
4-2.701	Ord. No. 1-83, 7-1-83	8.16.730
4-2.702	Ord. No. 1-83, 7-1-83	8.16.740
4-2.703	Ord. No. 1-83, 7-1-83	8.16.750
4-2.801	Ord. No. 1-83, 7-1-83	8.16.760
4-2.802	Ord. No. 1-83, 7-1-83	8.16.770
4-2.901	Ord. No. 1-83, 7-1-83	8.16.780
4-2.902	Ord. No. 1-83, 7-1-83	8.16.790

4-2.903	Ord. No. 1-83, 7-1-83	8.16.800
4-2.904	Ord. No. 1-83, 7-1-83	8.16.810
4-2.905	Ord. No. 1-83, 7-1-83	8.16.820
4-2.906	Ord. No. 1-83, 7-1-83	8.16.830
4-2.907	Ord. No. 1-83, 7-1-83	8.16.840
4-2.1001	Ord. No. 1-83, 7-1-83	8.16.850
4-2.1002	Ord. No. 1-83, 7-1-83	8.16.860
4-2.1003	Ord. No. 1-83, 7-1-83	8.16.870
4-2.1004	Ord. No. 1-83, 7-1-83	8.16.880
4-2.1005	Ord. No. 1-83, 7-1-83	8.16.890
4-2.1101	Ord. No. 1-83, 7-1-83	8.16.900
4-2.1102	Ord. No. 1-83, 7-1-83	8.16.910
4-2.1103	Ord. No. 1-83, 7-1-83	8.16.920
4-2.1104	Ord. No. 1-83, 7-1-83	8.16.930
4-2.1105	Ord. No. 1-83, 7-1-83	8.16.940
4-2.1106	Ord. No. 1-83, 7-1-83	8.16.950
4-2.1201	Ord. No. 1-83, 7-1-83	8.16.960
4-2.1202	Ord. No. 1-83, 7-1-83	8.16.970
4-2.1203	Ord. No. 1-83, 7-1-83	8.16.980
4-2.1301	Ord. No. 1-83, 7-1-83	8.16.990
4-2.1401	Ord. No. 1-83, 7-1-83	8.16.1000

4-3.101	Ord. No. 1-83, 7-1-83	8.20.010
4-3.102	Ord. No. 1-83, 7-1-83	8.20.020
4-3.103	Ord. No. 1-83, 7-1-83	8.20.030
4-3.104	Ord. No. 1-83, 7-1-83	8.20.040
4-3.105	Ord. No. 1-83, 7-1-83	8.20.050
4-3.106	Ord. No. 1-83, 7-1-83	8.20.060
4-3.107	Ord. No. 1-83, 7-1-83	8.20.070
4-3.108	Ord. No. 1-83, 7-1-83	8.20.080
4-3.109	Ord. No. 1-83, 7-1-83	8.20.090
4.3.201	Ord. No. 1-83, 7-1-83	8.20.100
4.3.202	Ord. No. 1-83, 7-1-83	8.20.110
4.3.203	Ord. No. 1-83, 7-1-83	8.20.120
4.3.204	Ord. No. 1-83, 7-1-83	8.20.130
4.3.205	Ord. No. 1-83, 7-1-83	8.20.140
4.3.206	Ord. No. 1-83, 7-1-83	8.20.150
4.3.207	Ord. No. 1-83, 7-1-83	8.20.160
4-4.101	Ord. No. 1-83, 7-1-83	9.24.010
4-4.102	Ord. No. 1-83, 7-1-83	9.24.020
4-4.103	Ord. No. 1-83, 7-1-83	9.24.030
4-4.104	Ord. No. 1-83, 7-1-83	9.24.040
4-4.105	Ord. No. 1-83, 7-1-83	9.24.050

4-4.201	Ord. No. 1-83, 7-1-83	9.24.060
4-4.202	Ord. No. 1-83, 7-1-83	9.24.070
4-4.203	Ord. No. 1-83, 7-1-83	9.24.080
4-4.204	Ord. No. 1-83, 7-1-83	9.24.090
4-4.205	Ord. No. 1-83, 7-1-83	9.24.100
4-4.206	Ord. No. 1-83, 7-1-83	9.24.110
4-4.301	Ord. No. 1-83, 7-1-83	9.24.120
4-4.302	Ord. No. 1-83, 7-1-83	9.24.130
4-4.303	Ord. No. 1-83, 7-1-83	9.24.140
4-4.304	Ord. No. 1-83, 7-1-83	9.24.150
4-4.305	Ord. No. 1-83, 7-1-83	Not codified
4-4.401	Ord. No. 1-83, 7-1-83	9.24.160
4-4.402	Ord. No. 1-83, 7-1-83	9.24.170
4-4.403	Ord. No. 1-83, 7-1-83	9.24.180
4-5.101	Ord. No. 27-83, 12-22-83	8.40.010
4-5.102	Ord. No. 27-83, 12-22-83	8.40.020
4-5.103	Ord. No. 27-83, 12-22-83	8.40.030
4-5.104	Ord. No. 27-83, 12-22-83	8.40.040
4-5.105	Ord. No. 27-83, 12-22-83	8.40.050
4-5.201	Ord. No. 27-83, 12-22-83	8.40.060
4-5.202	Ord. No. 27-83, 12-22-83	8.40.070

4-5.203	Ord. No. 27-83, 12-22-83	8.40.080
4-5.204	Ord. No. 27-83, 12-22-83	8.40.090
4-5.205	Ord. No. 27-83, 12-22-83	8.40.100
4-5.206	Ord. No. 27-83, 12-22-83	8.40.110
4-5.207	Ord. No. 27-83, 12-22-83	8.40.120
4-5.208	Ord. No. 27-83, 12-22-83	8.40.130
4-5.209	Ord. No. 27-83, 12-22-83	8.40.140
4-5.210	Ord. No. 27-83, 12-22-83	8.40.150
4-5.301	Ord. No. 27-83, 12-22-83	8.40.160
4-5.302	Ord. No. 27-83, 12-22-83	8.40.170
4-5.303	Ord. No. 27-83, 12-22-83	8.40.180
4-5.401	Ord. No. 27-83, 12-22-83	8.40.190
4-5.402	Ord. No. 27-83, 12-22-83	8.40.200
4-5.403	Ord. No. 27-83, 12-22-83	8.40.210
4-5.404	Ord. No. 27-83, 12-22-83	8.40.220
4-5.501	Ord. No. 27-83, 12-22-83	8.40.230
4-5.502	Ord. No. 27-83, 12-22-83	8.40.240
4-5.503	Ord. No. 27-83, 12-22-83	8.40.250
4-5.504	Ord. No. 27-83, 12-22-83	8.40.260
4-5.601	Ord. No. 27-83, 12-22-83	8.40.270
4-5.602	Ord. No. 27-83, 12-22-83	8.40.280

4-5.603	Ord. No. 27-83, 12-22-83	8.40.290
4-5.604	Ord. No. 27-83, 12-22-83	Not codified
4-6.101	Ord. No. 48-84, 11-5-84	8.28.010
4-6.102	Ord. No. 48-84, 11-5-84	8.28.020
4-6.103	Ord. No. 48-84, 11-5-84	8.28.030
4-6.104	Ord. No. 48-84, 11-5-84	8.28.040
4-6.105	Ord. No. 48-84, 11-5-84	8.28.050
4-6.106	Ord. No. 48-84, 11-5-84	8.28.060
4-6.107	Ord. No. 48-84, 11-5-84	8.28.070
4-6.108	Ord. No. 48-84, 11-5-84	8.28.080
4-6.109	Ord. No. 48-84, 11-5-84	8.28.090
4-6.110	Ord. No. 48-84, 11-5-84	8.28.100
4-6.111	Ord. No. 48-84, 11-5-84	8.28.110
4-6.112	Ord. No. 48-84, 11-5-84	8.28.120
4-6.113	Ord. No. 48-84, 11-5-84	8.28.130
4-6.114	Ord. No. 48-84, 11-5-84	8.28.140
4-6.115	Ord. No. 48-84, 11-5-84	8.28.150
4-6.116	Ord. No. 48-84, 11-5-84	8.28.160
4-6.117	Ord. No. 48-84, 11-5-84	8.28.170
4-6.118	Ord. No. 48-84, 11-5-84	8.28.180
4-6.119	Ord. No. 48-84, 11-5-84	Not codified

4-7.101	Ord. No. 1-83, 7-1-83	10.24.010
4-7.102	Ord. No. 1-83, 7-1-83	10.24.020
4-7.103	Ord. No. 1-83, 7-1-83	10.24.030
4-7.104	Ord. No. 1-83, 7-1-83	10.24.040
4-7.105	Ord. No. 1-83, 7-1-83	10.24.050
4-7.106	Ord. No. 1-83, 7-1-83	10.24.060
4-7.107	Ord. No. 1-83, 7-1-83	10.24.070
4-7.108	Ord. No. 1-83, 7-1-83	10.24.080
5-1.101	Ord. No. 58-85, 6-17-85	Repealed by 153
5-1.102	Ord. No. 58-85, 6-17-85	Repealed by 153
5-1.103	Ord. No. 58-85, 6-17-85	Repealed by 153
5-1.104	Ord. No. 58-85, 6-17-85	Repealed by 153
5-1.105	Ord. No. 58-85, 6-17-85	Repealed by 153
5-1.106	Ord. No. 58-85, 6-17-85	Repealed by 153
5-1.107	Ord. No. 58-85, 6-17-85	Repealed by 153
5-1.108	Ord. No. 58-85, 6-17-85	Repealed by 153
5-1.109	Ord. No. 58-85, 6-17-85	Repealed by

		153
5-1.110	Ord. No. 58-85, 6-17-85	Repealed by 153
5-1.111	Ord. No. 58-85, 6-17-85	Repealed by 153
5-1.112	Ord. No. 58-85, 6-17-85	Repealed by 153
5-1.113	Ord. No. 58-85, 6-17-85	Repealed by 153
5-1.114	Ord. No. 58-85, 6-17-85	Repealed by 153
5-1.201	Ord. No. 1-83, 7-1-83	10.20.010
5-1.202	Ord. No. 1-83, 7-1-83	10.20.020
5-1.203	Ord. No. 1-83, 7-1-83	10.20.030
5-1.301	Ord. No. 1-83, 7-1-83	10.16.010
5-1.302	Ord. No. 1-83, 7-1-83	10.16.020
5-1.303	Ord. No. 1-83, 7-1-83	10.16.030
5-2.101	Ord. No. 16-83, 11-7-83	Repealed by 148
5-2.102	Ord. No. 16-83, 11-7-83	Repealed by 148
5-2.103	Ord. No. 16-83, 11-7-83	Repealed by 148
5-2.104	Ord. No. 16-83, 11-7-83	Repealed by 148

5-2.105	Ord. No. 16-83, 11-7-83	Repealed by 148
5-2.106	Ord. No. 16-83, 11-7-83	Repealed by 148
5-2.107	Ord. No. 16-83, 11-7-83	Repealed by 148
5-2.108	Ord. No. 16-83, 11-7-83	Repealed by 148
5-2.109	Ord. No. 16-83, 11-7-83	Repealed by 148
5-2.110	Ord. No. 16-83, 11-7-83	Repealed by 148
5-2.111	Ord. No. 16-83, 11-7-83	Repealed by 148
5-2.112	Ord. No. 16-83, 11-7-83	Repealed by 148
5-3.101	Ord. No. 1-83, 7-1-83	9.04.010
5-3.102	Ord. No. 1-83, 7-1-83	9.04.020
5-3.103	Ord. No. 1-83, 7-1-83	9.04.030
5-3.104	Ord. No. 1-83, 7-1-83	9.04.040
5-3.201	Ord. No. 1-83, 7-1-83	9.04.050
5-3.202	Ord. No. 1-83, 7-1-83	9.04.060
5-4.101	Ord. No. 1-83, 7-1-83	9.12.010
5-4.102	Ord. No. 1-83, 7-1-83	9.12.020
5-4.103	Ord. No. 1-83, 7-1-83	9.12.030

5-4.201	Ord. No. 1-83, 7-1-83	9.12.040
5-4.202	Ord. No. 1-83, 7-1-83	9.12.050
5-4.203	Ord. No. 1-83, 7-1-83	9.12.060
5-4.204	Ord. No. 1-83, 7-1-83	9.12.070
5-4.301	Ord. No. 1-83, 7-1-83	5.20.010
5-4.302	Ord. No. 1-83, 7-1-83	5.20.020
5-4.303	Ord. No. 1-83, 7-1-83	5.20.030
5-4.304	Ord. No. 1-83, 7-1-83	5.20.040
5-4.305	Ord. No. 1-83, 7-1-83	5.20.050
5-4.306	Ord. No. 1-83, 7-1-83	5.20.060
5-4.307	Ord. No. 1-83, 7-1-83	5.20.070
5-4.308	Ord. No. 1-83, 7-1-83	5.20.080
5-4.309	Ord. No. 1-83, 7-1-83	5.20.090
5-4.310	Ord. No. 1-83, 7-1-83	5.20.100
5-4.311	Ord. No. 1-83, 7-1-83	5.20.110
5-4.312	Ord. No. 1-83, 7-1-83	5.20.120
5-4.313	Ord. No. 1-83, 7-1-83	5.20.130
5-4.314	Ord. No. 1-83, 7-1-83	5.20.140
5-5.101	Ord. No. 1-83, 7-1-83	9.16.010
5-5.201	Ord. No. 1-83, 7-1-83	9.16.020
5-5.202	Ord. No. 1-83, 7-1-83	9.16.030

5-5.203	Ord. No. 1-83, 7-1-83	9.16.040
5-5.301	Ord. No. 1-83, 7-1-83	9.16.050
5-5.302	Ord. No. 1-83, 7-1-83	9.16.060
5-5.303	Ord. No. 1-83, 7-1-83	9.16.070
5-5.304	Ord. No. 1-83, 7-1-83	9.16.080
5-5.305	Ord. No. 1-83, 7-1-83	9.16.090
5-5.306	Ord. No. 1-83, 7-1-83	9.16.100
5-5.307	Ord. No. 1-83, 7-1-83	Not codified
5-6.101	Ord. No. 1-83, 7-1-83	Not codified
5-6.102	Ord. No. 1-83, 7-1-83	Not codified
5-6.103	Ord. No. 1-83, 7-1-83	Not codified
5-6.104	Ord. No. 1-83, 7-1-83	Not codified
5-6.105	Ord. No. 1-83, 7-1-83	Not codified
5-6.106	Ord. No. 1-83, 7-1-83	Not codified
5-6.201	Ord. No. 1-83, 7-1-83	9.20.070
5-6.202	Ord. No. 1-83, 7-1-83	9.20.080
5-6.203	Ord. No. 1-83, 7-1-83	9.20.090
5-6.204	Ord. No. 1-83, 7-1-83	9.20.100
5-7.101	Ord. No. 1-83, 7-1-83	8.52.010
5-7.201	Ord. No. 1-83, 7-1-83	8.52.020
5-7.202	Ord. No. 1-83, 7-1-83	8.52.030

5-7.203	Ord. No. 1-83, 7-1-83	8.52.040
5-7.204	Ord. No. 1-83, 7-1-83	8.52.050
5-7.205	Ord. No. 1-83, 7-1-83	8.52.060
5-7.206	Ord. No. 1-83, 7-1-83	8.52.070
5-7.207	Ord. No. 1-83, 7-1-83	8.52.080
5-7.208	Ord. No. 1-83, 7-1-83	8.52.090
5-7.209	Ord. No. 1-83, 7-1-83	8.52.100
5-7.210	Ord. No. 1-83, 7-1-83	8.52.110
5-7.211	Ord. No. 1-83, 7-1-83	8.52.120
5-7.212	Ord. No. 1-83, 7-1-83	8.52.130
5-7.213	Ord. No. 1-83, 7-1-83	8.52.140
5-7.214	Ord. No. 1-83, 7-1-83	8.52.150
5-7.215	Ord. No. 1-83, 7-1-83	8.52.170
5-7.216	Ord. No. 1-83, 7-1-83	8.52.180
5-7.217	Ord. No. 1-83, 7-1-83	8.52.160
5-7.218	Ord. No. 1-83, 7-1-83	8.52.200
5-7.219	Ord. No. 1-83, 7-1-83	8.52.190
5-7.220	Ord. No. 1-83, 7-1-83	8.52.210
5-7.221	Ord. No. 1-83, 7-1-83	8.52.220
5-7.222	Ord. No. 1-83, 7-1-83	8.52.230
5-7.223	Ord. No. 1-83, 7-1-83	8.52.240

5-7.224	Ord. No. 1-83, 7-1-83	8.52.250
5-7.225	Ord. No. 1-83, 7-1-83	8.52.260
5-7.226	Ord. No. 1-83, 7-1-83	8.52.270
5-7.227	Ord. No. 1-83, 7-1-83	8.52.290
5-7.228	Ord. No. 1-83, 7-1-83	8.52.280
5-7.301	Ord. No. 1-83, 7-1-83	8.52.300
5-7.401	Ord. No. 1-83, 7-1-83	8.52.310
5-7.501	Ord. No. 1-83, 7-1-83	8.52.320
5-7.502	Ord. No. 1-83, 7-1-83	8.52.330
5-7.503	Ord. No. 1-83, 7-1-83	8.52.340
5-7.601	Ord. No. 1-83, 7-1-83	8.52.350
5-7.602	Ord. No. 1-83, 7-1-83	8.52.360
5-7.603	Ord. No. 1-83, 7-1-83	8.52.370
5-7.701	Ord. No. 1-83, 7-1-83	8.52.380
5-7.702	Ord. No. 1-83, 7-1-83	8.52.390
5-7.703	Ord. No. 1-83, 7-1-83	8.52.400
5-7.704	Ord. No. 1-83, 7-1-83	8.52.410
5-7.705	Ord. No. 1-83, 7-1-83	8.52.420
5-7.706	Ord. No. 1-83, 7-1-83	8.52.430
5-7.707	Ord. No. 1-83, 7-1-83	8.52.440
5-7.801	Ord. No. 1-83, 7-1-83	8.52.450

5-7.802	Ord. No. 1-83, 7-1-83	8.52.460
5-8.101	Ord. No. 1-83, 7-1-83	5.52.010
5-8.102	Ord. No. 1-83, 7-1-83	5.52.020
5-8.103	Ord. No. 1-83, 7-1-83	5.52.030
5-8.104	Ord. No. 1-83, 7-1-83	5.52.040
5-8.105	Ord. No. 1-83, 7-1-83	5.52.050
5-8.106	Ord. No. 1-83, 7-1-83	5.52.060
5-8.107	Ord. No. 1-83, 7-1-83	5.52.070
5-8.108	Ord. No. 1-83, 7-1-83	5.52.080
5-8.109	Ord. No. 1-83, 7-1-83	5.52.090
5-9.101	Ord. No. 1-83, 7-1-83	6.08.010
5-9.102	Ord. No. 1-83, 7-1-83	6.08.020
5-9.103	Ord. No. 1-83, 7-1-83	6.08.030
5-9.104	Ord. No. 1-83, 7-1-83	6.08.040
5-9.105	Ord. No. 1-83, 7-1-83	6.08.050
5-9.106	Ord. No. 1-83, 7-1-83	6.08.060
5-9.107	Ord. No. 1-83, 7-1-83	6.08.070
5-9.108	Ord. No. 1-83, 7-1-83	6.08.080
5-9.109	Ord. No. 1-83, 7-1-83	6.08.090
5-9.110	Ord. No. 1-83, 7-1-83	6.08.100
5-9.111	Ord. No. 1-83, 7-1-83	6.08.110

5-9.112	Ord. No. 1-83, 7-1-83	6.08.120
5-9.113	Ord. No. 1-83, 7-1-83	6.08.130
5-9.114	Ord. No. 1-83, 7-1-83	6.08.140
5-9.115	Ord. No. 1-83, 7-1-83	6.08.150
5-9.116	Ord. No. 1-83, 7-1-83	6.08.160
5-10.101	Ord. No. 1-83, 7-1-83	6.12.010
5-10.102	Ord. No. 1-83, 7-1-83	6.12.020
5-10.103	Ord. No. 1-83, 7-1-83	6.12.030
5-10.104	Ord. No. 1-83, 7-1-83	6.12.040
5-10.105	Ord. No. 1-83, 7-1-83	6.12.050
5-10.106	Ord. No. 1-83, 7-1-83	6.12.060
5-10.107	Ord. No. 1-83, 7-1-83	6.12.070
5-10.108	Ord. No. 1-83, 7-1-83	6.12.080
5-10.109	Ord. No. 1-83, 7-1-83	6.12.090
5-10.110	Ord. No. 1-83, 7-1-83	6.12.100
5-10.111	Ord. No. 1-83, 7-1-83	6.12.110
5-11.101	Ord. No. 1-83, 7-1-83	12.16.010
5-11.102	Ord. No. 1-83, 7-1-83	12.16.020
5-11.103	Ord. No. 1-83, 7-1-83	12.16.030
5-11.104	Ord. No. 1-83, 7-1-83	12.16.040
5-11.105	Ord. No. 1-83, 7-1-83	12.16.050

5-11.106	Ord. No. 1-83, 7-1-83	12.16.060
5-12.101	Ord. No. 1-83, 7-1-83	6.04.010
5-12.102	Ord. No. 1-83, 7-1-83	6.04.020
5-12.103	Ord. No. 1-83, 7-1-83	6.04.030
5-12.104	Ord. No. 1-83, 7-1-83, as amended by Ord. No. 65-85, 10-21-85	6.04.040
5-12.105	Ord. No. 1-83, 7-1-83	6.04.060
5-12.106	Ord. No. 1-83, 7-1-83	6.04.150
5-12.107	Ord. No. 1-83, 7-1-83	6.04.050
5-12.108	Ord. No. 1-83, 7-1-83	6.04.170
5-12.109	Ord. No. 1-83, 7-1-83	6.04.080
5-12.110	Ord. No. 1-83, 7-1-83	6.04.160
5-12.111	Ord. No. 1-83, 7-1-83	6.04.170
5-12.112	Ord. No. 1-83, 7-1-83	6.04.200
5-12.113	Ord. No. 1-83, 7-1-83	6.04.210
5-12.114	Ord. No. 1-83, 7-1-83	6.04.220
5-12.115	Ord. No. 1-83, 7-1-83	6.04.180
5-12.116	Ord. No. 1-83, 7-1-83	6.04.230
5-12.117	Ord. No. 1-83, 7-1-83	6.04.240
5-12.118	Ord. No. 1-83, 7-1-83	6.04.020
5-12.119	Ord. No. 1-83, 7-1-83, as amended by Ord. No. 65-85, 10-21-85	6.04.280
5-12.120	Ord. No. 1-83, 7-1-83	6.04.290

5-12.121	Ord. No. 1-83, 7-1-83	6.04.270
5-12.122	Adopted by Ord. No. 65-85, 10-21-85	6.04.070
5-13.101	Ord. No. 85-87, 2-17-87	12.04.010
5-13.102	Ord. No. 85-87, 2-17-87	12.04.020
5-13.103	Ord. No. 85-87, 2-17-87	12.04.030
5-13.104	Ord. No. 85-87, 2-17-87	12.04.040
5-13.105	Ord. No. 85-87, 2-17-87	12.04.050
5-13.106	Ord. No. 85-87, 2-17-87	12.04.060
5-13.107	Ord. No. 85-87, 2-17-87	12.04.070
5-13.108	Ord. No. 85-87, 2-17-87	12.04.080
5-13.109	Ord. No. 85-87, 2-17-87	12.04.090
5-13.110	Ord. No. 85-87, 2-17-87	12.04.100
5-13.111	Ord. No. 85-87, 2-17-87	12.04.110
5-13.112	Ord. No. 85-87, 2-17-87	12.04.120
6-1.101	Ord. No. 1-83, 7-1-83	8.12.010
6-1.102	Ord. No. 1-83, 7-1-83	8.12.020
6-1.103	Ord. No. 1-83, 7-1-83	8.12.030
6-1.104	Ord. No. 1-83, 7-1-83	8.12.040
6-1.105	Ord. No. 1-83, 7-1-83	8.12.050
6-1.106	Ord. No. 1-83, 7-1-83	Not codified
6-1.107	Ord. No. 1-83, 7-1-83	8.12.060

6-1.201	Ord. No. 1-83, 7-1-83	8.12.070
6-1.202	Ord. No. 1-83, 7-1-83	8.12.080
6-1.203	Ord. No. 1-83, 7-1-83	8.12.090
6-1.204	Ord. No. 1-83, 7-1-83	8.12.100
6-1.205	Ord. No. 1-83, 7-1-83	8.12.110
6-1.206	Ord. No. 1-83, 7-1-83	8.12.120
6-1.207	Ord. No. 1-83, 7-1-83	8.12.130
6-1.208	Ord. No. 1-83, 7-1-83	8.12.140
6-1.209	Ord. No. 1-83, 7-1-83	8.12.150
6-1.210	Ord. No. 1-83, 7-1-83	8.12.160
6-1.301	Ord. No. 1-83, 7-1-83	8.12.170
6-1.302	Ord. No. 1-83, 7-1-83	8.12.180
6-1.303	Ord. No. 1-83, 7-1-83	8.12.190
6-1.304	Ord. No. 1-83, 7-1-83	8.12.200
6-1.305	Ord. No. 1-83, 7-1-83	8.12.210
6-1.306	Ord. No. 1-83, 7-1-83	8.12.220
6-1.401	Ord. No. 1-83, 7-1-83	8.12.230
6-1.402	Ord. No. 1-83, 7-1-83	8.12.240
6-1.403	Ord. No. 1-83, 7-1-83	8.12.250
6-1.404	Ord. No. 1-83, 7-1-83	8.12.260
6-1.501	Ord. No. 1-83, 7-1-83	8.12.270

6-1.502	Ord. No. 1-83, 7-1-83	8.12.280
6-1.503	Ord. No. 1-83, 7-1-83	8.12.290
6-1.504	Ord. No. 1-83, 7-1-83	8.12.300
6-1.505	Ord. No. 1-83, 7-1-83	8.12.310
6-1.506	Ord. No. 1-83, 7-1-83	8.12.320
6-1.507	Ord. No. 1-83, 7-1-83	8.12.330
6-1.508	Ord. No. 1-83, 7-1-83	8.12.340
6-1.509	Ord. No. 1-83, 7-1-83	8.12.350
6-1.510	Ord. No. 1-83, 7-1-83	8.12.360
6-1.511	Ord. No. 1-83, 7-1-83	8.12.370
6-1.601	Ord. No. 1-83, 7-1-83	8.12.380
6-1.602	Ord. No. 1-83, 7-1-83	8.12.390
6-1.603	Ord. No. 1-83, 7-1-83	8.12.400
6-1.604	Ord. No. 1-83, 7-1-83	8.12.410
6-1.701	Ord. No. 1-83, 7-1-83	8.12.420
6-1.702	Ord. No. 1-83, 7-1-83	8.12.430
6-1.703	Ord. No. 1-83, 7-1-83	8.12.440
6-1.704	Ord. No. 1-83, 7-1-83	8.12.450
6-1.705	Ord. No. 1-83, 7-1-83	8.12.460
6-1.706	Ord. No. 1-83, 7-1-83	8.12.470
6-1.707	Ord. No. 1-83, 7-1-83	8.12.480

6-1.708	Ord. No. 1-83, 7-1-83	8.12.490
6-1.801	Ord. No. 1-83, 7-1-83	8.12.500
6-1.802	Ord. No. 1-83, 7-1-83	8.12.510
6-1.803	Ord. No. 1-83, 7-1-83	8.12.520
6-1.901	Ord. No. 1-83, 7-1-83	8.12.530
6-1.902	Ord. No. 1-83, 7-1-83	8.12.540
6-1.903	Ord. No. 1-83, 7-1-83, July 1, 1983, former SMCOC Section 4592	8.12.550
6-1.904	Ord. No. 1-83, 7-1-83	8.12.560
6-1.905	Ord. No. 1-83, 7-1-83	8.12.570
6-2.101	Ord. No. 1-83, 7-1-83	8.32.010
6-2.102	Ord. No. 1-83, 7-1-83	8.32.020
6-2.103	Ord. No. 1-83, 7-1-83	8.32.030
6-2.104	Ord. No. 1-83, 7-1-83	8.32.040
6-2.105	Ord. No. 1-83, 7-1-83	8.32.050
6-2.106	Ord. No. 1-83, 7-1-83	8.32.060
6-2.107	Ord. No. 1-83, 7-1-83	8.32.070
6-2.108	Ord. No. 1-83, 7-1-83	8.32.080
6-2.109	Ord. No. 1-83, 7-1-83	8.32.090
6-2.201	Ord. No. 1-83, 7-1-83	8.32.100
6-2.202	Ord. No. 1-83, 7-1-83	8.32.110
6-2.203	Ord. No. 1-83, 7-1-83	8.32.120

6-2.204	Ord. No. 1-83, 7-1-83	8.32.130
6-2.205	Ord. No. 1-83, 7-1-83	8.32.140
6-2.206	Ord. No. 1-83, 7-1-83	8.32.150
6-2.207	Ord. No. 1-83, 7-1-83	8.32.160
6-2.301	Ord. No. 1-83, 7-1-83	8.32.170
6-2.302	Ord. No. 1-83, 7-1-83	8.32.180
6-2.303	Ord. No. 1-83, 7-1-83	8.32.190
6-2.304	Ord. No. 1-83, 7-1-83	8.32.200
6-2.305	Ord. No. 1-83, 7-1-83	8.32.210
6-2.306	Ord. No. 1-83, 7-1-83	8.32.220
6-2.307	Ord. No. 1-83, 7-1-83	8.32.230
6-2.308	Ord. No. 1-83, 7-1-83	8.32.240
6-2.309	Ord. No. 1-83, 7-1-83	8.32.250
6-2.310	Ord. No. 1-83, 7-1-83	8.32.260
6-2.311	Ord. No. 1-83, 7-1-83	8.32.270
6-2.312	Ord. No. 1-83, 7-1-83	8.32.280
6-2.313	Ord. No. 1-83, 7-1-83	8.32.290
6-2.314	Ord. No. 1-83, 7-1-83	8.32.300
6-2.401	Ord. No. 1-83, 7-1-83	8.32.310
6-2.402	Ord. No. 1-83, 7-1-83	8.32.320
6-2.403	Ord. No. 1-83, 7-1-83	8.32.330

6-2.404	Ord. No. 1-83, 7-1-83	8.32.340
6-2.405	Ord. No. 1-83, 7-1-83	8.32.350
6-2.406	Ord. No. 1-83, 7-1-83	8.32.360
6-2.407	Ord. No. 1-83, 7-1-83	8.32.370
6-2.408	Ord. No. 1-83, 7-1-83	8.32.380
6-2.409	Ord. No. 1-83, 7-1-83	8.32.390
6-2.410	Ord. No. 1-83, 7-1-83	8.32.400
6-3.101	Ord. No. 1-83, 7-1-83	8.48.010
6-3.102	Ord. No. 1-83, 7-1-83	8.48.020
6-4.101	Ord. No. 1-83, 7-1-83	13.20.010
6-4.102	Ord. No. 1-83, 7-1-83	13.20.020
6-4.103	Ord. No. 1-83, 7-1-83	13.20.030
6-4.201	Ord. No. 1-83, 7-1-83	13.20.040
6-4.202	Ord. No. 1-83, 7-1-83	13.20.050
6-4.203	Ord. No. 1-83, 7-1-83	13.20.060
6-4.204	Ord. No. 1-83, 7-1-83	13.20.070
6-4.301	Ord. No. 1-83, 7-1-83	13.20.080
6-4.302	Ord. No. 1-83, 7-1-83	13.20.090
6-4.303	Ord. No. 1-83, 7-1-83	13.20.100
6-5.101	Ord. No. 1-83, 7-1-83	8.64.010
6-5.102	Ord. No. 1-83, 7-1-83	8.64.020

6-5.103	Ord. No. 1-83, 7-1-83	8.64.030
6-5.104	Ord. No. 1-83, 7-1-83	8.64.040
6-5.201	Ord. No. 1-83, 7-1-83	8.64.050
6-5.202	Ord. No. 1-83, 7-1-83	8.68.060
6-5.203	Ord. No. 1-83, 7-1-83	8.64.070
6-5.301	Ord. No. 1-83, 7-1-83	8.64.080
6-5.302	Ord. No. 1-83, 7-1-83	8.64.090
6-5.303	Ord. No. 1-83, 7-1-83	8.64.100
6-5.304	Ord. No. 1-83, 7-1-83	8.64.110
6-5.305	Ord. No. 1-83, 7-1-83	8.64.120
6-5.306	Ord. No. 1-83, 7-1-83	8.64.130
6-5.307	Ord. No. 1-83, 7-1-83	8.64.140
6-5.308	Ord. No. 1-83, 7-1-83	8.64.150
6-5.309	Ord. No. 1-83, 7-1-83	8.64.160
6-5.401	Ord. No. 1-83, 7-1-83	8.64.170
6-5.402	Ord. No. 1-83, 7-1-83	8.64.180
6-5.403	Ord. No. 1-83, 7-1-83	8.64.190
6-5.404	Ord. No. 1-83, 7-1-83	8.64.200
6-5.405	Ord. No. 1-83, 7-1-83	8.64.210
6-5.406	Ord. No. 1-83, 7-1-83	8.64.220
6-5.407	Ord. No. 1-83, 7-1-83	8.64.230

6-6.101	Ord. No. 1-83, 7-1-83	15.44.010
6-6.102	Ord. No. 1-83, 7-1-83	15.44.020
6-6.103	Ord. No. 1-83, 7-1-83	15.44.030
6-6.104	Ord. No. 1-83, 7-1-83	15.44.040
6-6.105	Ord. No. 1-83, 7-1-83	15.44.050
6-6.106	Ord. No. 1-83, 7-1-83	15.44.060
6-6.107	Ord. No. 1-83, 7-1-83	15.44.070
6-6.108	Ord. No. 1-83, 7-1-83	15.44.080
6-6.109	Ord. No. 1-83, 7-1-83	15.44.090
6-6.110	Ord. No. 1-83, 7-1-83	15.44.100
6-7.101	Ord. No. 1-83, 7-1-83	17.04.010
6-7.102	Ord. No. 1-83, 7-1-83	17.04.020
6-7.201	Ord. No. 1-83, 7-1-83	17.04.030
6-7.202	Ord. No. 1-83, 7-1-83	17.04.040
6-7.203	Ord. No. 1-83, 7-1-83	17.04.050
6-7.204	Ord. No. 1-83, 7-1-83	17.04.060
6-7.205	Ord. No. 1-83, 7-1-83	17.04.070
6-7.206	Ord. No. 1-83, 7-1-83	17.04.080
6-7.207	Ord. No. 1-83, 7-1-83	17.04.090
6-7.208	Ord. No. 1-83, 7-1-83	17.04.100
6-7.209	Ord. No. 1-83, 7-1-83	17.04.110

6-7.210	Ord. No. 1-83, 7-1-83	17.04.120
6-7.211	Ord. No. 1-83, 7-1-83	17.04.130
6-7.212	Ord. No. 1-83, 7-1-83	17.04.140
6-8.101	Ord. No. 1-83, 7-1-83	Not codified
6-8.102	Ord. No. 1-83, 7-1-83	Not codified
6-8.201	Ord. No. 1-83, 7-1-83	Not codified
6-8.301	Ord. No. 1-83, 7-1-83	Not codified
6-8.302	Ord. No. 1-83, 7-1-83	Not codified
6-8.303	Ord. No. 1-83, 7-1-83	Not codified
6-8.304	Ord. No. 1-83, 7-1-83	Not codified
6-8.305	Ord. No. 1-83, 7-1-83	Not codified
6-9.101	Ord. No. 1-83, 7-1-83	8.24.010
6-9.102	Ord. No. 1-83, 7-1-83	8.24.020
6-9.103	Ord. No. 1-83, 7-1-83	8.24.030
6-9.104	Ord. No. 1-83, 7-1-83	8.24.040
6-9.105	Ord. No. 1-83, 7-1-83	8.24.050
6-9.106	Ord. No. 1-83, 7-1-83	8.24.060
6-9.107	Ord. No. 1-83, 7-1-83	8.24.070
6-9.108	Ord. No. 1-83, 7-1-83	8.24.080
6-9.109	Ord. No. 1-83, 7-1-83	8.24.090
6-9.110	Ord. No. 1-83, 7-1-83	8.24.100

6-9.111	Ord. No. 1-83, 7-1-83	8.24.110
6-9.112	Ord. No. 1-83, 7-1-83	8.24.120
6-9.113	Ord. No. 1-83, 7-1-83	8.24.130
6-9.114	Ord. No. 1-83, 7-1-83	8.24.140
6-9.115	Ord. No. 1-83, 7-1-83	8.24.150
6-9.116	Ord. No. 1-83, 7-1-83	8.24.160
6-9.117	Ord. No. 1-83, 7-1-83	8.24.170
6-9.118	Ord. No. 1-83, 7-1-83	8.24.180
6-10.101	Ord. No. 1-83, 7-1-83	8.60.010
6-10.102	Ord. No. 1-83, 7-1-83	8.60.020
6-10.103	Ord. No. 1-83, 7-1-83	8.60.030
6-10.201	Ord. No. 1-83, 7-1-83	8.60.040
6-10.202	Ord. No. 1-83, 7-1-83	8.60.050
6-10.203	Ord. No. 1-83, 7-1-83	8.60.060
6-10.204	Ord. No. 1-83, 7-1-83	8.60.070
6-10.301	Ord. No. 1-83, 7-1-83	8.60.080
6-10.302	Ord. No. 1-83, 7-1-83	8.60.090
6-10.303	Ord. No. 1-83, 7-1-83	8.60.100
6-10.304	Ord. No. 1-83, 7-1-83	8.60.110
6-10.305	Ord. No. 1-83, 7-1-83	8.60.120
6-10.306	Ord. No. 1-83, 7-1-83	8.60.130

6-10.307	Ord. No. 1-83, 7-1-83	8.60.140
6-10.401	Ord. No. 1-83, 7-1-83	8.60.150
6-10.402	Ord. No. 1-83, 7-1-83	8.60.160
6-10.403	Ord. No. 1-83, 7-1-83	8.60.170
6-11.101	Ord. No. 1-83, 7-1-83	8.04.010
6-11.102	Ord. No. 1-83, 7-1-83	8.04.020
6-11.103	Ord. No. 1-83, 7-1-83	8.04.030
6-11.104	Ord. No. 1-83, 7-1-83	8.04.040
6-11.105	Ord. No. 1-83, 7-1-83	8.04.050
6-11.201	Ord. No. 1-83, 7-1-83	8.04.060
6-11.202	Ord. No. 1-83, 7-1-83	8.04.070
6-11.203	Ord. No. 1-83, 7-1-83	8.04.080
6-11.204	Ord. No. 1-83, 7-1-83	8.04.090
6-11.205	Ord. No. 1-83, 7-1-83	8.04.100
7-1.101	Ord. No. 1-83, 7-1-83	2.32.010
7-1.102	Ord. No. 1-83, 7-1-83	2.32.020
7-1.103	Ord. No. 1-83, 7-1-83	2.32.030
7-1.104	Ord. No. 1-83, 7-1-83	2.32.040
7-1.105	Ord. No. 1-83, 7-1-83	2.32.050
7-1.106	Ord. No. 1-83, 7-1-83	2.32.060
7-1.107	Ord. No. 1-83, 7-1-83	2.32.070

7-1.108	Ord. No. 1-83, 7-1-83	2.32.080
7-1.109	Ord. No. 1-83, 7-1-83	2.32.090
7-1.110	Ord. No. 1-83, 7-1-83	2.32.100
7-1.111	Ord. No. 1-83, 7-1-83	2.32.110
7-1.112	Ord. No. 1-83, 7-1-83	2.32.120
7-1.113	Ord. No. 1-83, 7-1-83	2.32.130
7-1.114	Ord. No. 1-83, 7-1-83	2.32.140
7-1.115	Ord. No. 1-83, 7-1-83	2.32.150
7-1.116	Ord. No. 1-83, 7-1-83	2.32.160
7-1.117	Ord. No. 1-83, 7-1-83	2.32.170
7-1.118	Ord. No. 1-83, 7-1-83	2.32.180
7-2.101	Ord. No. 1-83, 7-1-83	15.48.010
7-2.102	Ord. No. 1-83, 7-1-83	15.48.020
7-2.103	Ord. No. 1-83, 7-1-83	15.48.030
7-2.104	Ord. No. 1-83, 7-1-83	15.48.040
7-2.105	Ord. No. 1-83, 7-1-83	15.48.050
7-2.106	Ord. No. 1-83, 7-1-83	15.48.060
7-2.107	Ord. No. 1-83, 7-1-83	15.48.070
7-2.108	Ord. No. 1-83, 7-1-83	15.48.080
7-2.109	Ord. No. 1-83, 7-1-83	15.48.090
7-2.110	Ord. No. 1-83, 7-1-83	15.48.100

7-2.111	Ord. No. 1-83, 7-1-83	15.48.110
7-2.112	Ord. No. 1-83, 7-1-83	15.48.120
7-2.113	Ord. No. 1-83, 7-1-83	15.48.130
7-2.114	Ord. No. 1-83, 7-1-83	15.48.140
7-2.115	Ord. No. 1-83, 7-1-83	15.48.150
7-2.116	Ord. No. 1-83, 7-1-83	15.48.160
7-2.117	Ord. No. 1-83, 7-1-83	15.48.170
7-2.118	Ord. No. 1-83, 7-1-83	15.48.180
7-2.119	Ord. No. 1-83, 7-1-83	15.48.190
7-2.120	Ord. No. 1-83, 7-1-83	15.48.200
7-2.121	Ord. No. 1-83, 7-1-83	15.48.210
7-2.122	Ord. No. 1-83, 7-1-83	15.48.220
7-2.123	Ord. No. 1-83, 7-1-83	15.48.230
7-2.201	Ord. No. 1-83, 7-1-83	15.48.240
7-2.202	Ord. No. 1-83, 7-1-83	15.48.250
7-2.203	Ord. No. 1-83, 7-1-83	15.48.260
7-2.301	Ord. No. 1-83, 7-1-83	15.48.270
7-2.302	Ord. No. 1-83, 7-1-83	15.48.280
7-2.303	Ord. No. 1-83, 7-1-83	15.48.290
7-2.304	Ord. No. 1-83, 7-1-83	15.48.300
7-2.305	Ord. No. 1-83, 7-1-83	15.48.310

7-2.306	Ord. No. 1-83, 7-1-83	Not codified
7-3.101	Ord. No. 1-83, 7-1-83	12.12.010
7-3.102	Ord. No. 1-83, 7-1-83	12.12.020
7-3.103	Ord. No. 1-83, 7-1-83	12.12.030
7-3.104	Ord. No. 1-83, 7-1-83	12.12.040
7-3.105	Ord. No. 1-83, 7-1-83	12.12.050
7-3.106	Ord. No. 1-83, 7-1-83	12.12.060
7-3.107	Ord. No. 1-83, 7-1-83	12.12.070
7-3.108	Ord. No. 1-83, 7-1-83	12.12.080
7-3.201	Ord. No. 1-83, 7-1-83	12.12.090
7-3.202	Ord. No. 1-83, 7-1-83	12.12.100
7-3.203	Ord. No. 1-83, 7-1-83	12.12.110
7-3.204	Ord. No. 1-83, 7-1-83	12.12.120
7-3.205	Ord. No. 1-83, 7-1-83	12.12.130
7-3.206	Ord. No. 1-83, 7-1-83	12.12.140
7-3.301	Ord. No. 1-83, 7-1-83	12.12.150
7-3.302	Ord. No. 1-83, 7-1-83	12.12.160
7-4.101	Ord. No. 1-83, 7-1-83	Not codified
7-4.102	Ord. No. 1-83, 7-1-83	Not codified
7-4.103	Ord. No. 1-83, 7-1-83	Not codified
7-4.104	Ord. No. 1-83, 7-1-83	Not codified

7-4.105	Ord. No. 1-83, 7-1-83	Not codified
7-4.201	Ord. No. 1-83, 7-1-83	Not codified
7-4.202	Ord. No. 1-83, 7-1-83	Not codified
7-4.203	Ord. No. 1-83, 7-1-83	10.04.080
7-4.204	Ord. No. 1-83, 7-1-83	10.04.090
7-4.205	Ord. No. 1-83, 7-1-83	Not codified
7-4.301	Ord. No. 1-83, 7-1-83	Not codified
7-4.302	Ord. No. 1-83, 7-1-83	Not codified
7-4.303	Ord. No. 1-83, 7-1-83	Not codified
7-4.304	Ord. No. 1-83, 7-1-83	Not codified
7-4.305	Ord. No. 1-83, 7-1-83	Not codified
7-4.306	Ord. No. 1-83, 7-1-83	Not codified
7-4.307	Ord. No. 1-83, 7-1-83	Not codified
7-4.308	Ord. No. 1-83, 7-1-83	Not codified
7-4.309	Ord. No. 1-83, 7-1-83	Not codified
7-4.310	Ord. No. 1-83, 7-1-83	Not codified
7-4.311	Ord. No. 1-83, 7-1-83	Not codified
7-4.312	Ord. No. 1-83, 7-1-83	Not codified
7-4.313	Ord. No. 1-83, 7-1-83	Not codified
7-4.314	Ord. No. 1-83, 7-1-83	Not codified
7-4.315	Ord. No. 1-83, 7-1-83	Not codified

7-4.316	Ord. No. 1-83, 7-1-83	Not codified
7-4.317	Ord. No. 1-83, 7-1-83	Not codified
7-4.318	Ord. No. 1-83, 7-1-83	Not codified
7-4.319	Ord. No. 1-83, 7-1-83	Not codified
7-4.320	Ord. No. 1-83, 7-1-83	Not codified
7-4.321	Ord. No. 1-83, 7-1-83	Not codified
7-4.322	Ord. No. 1-83, 7-1-83	Not codified
7-4.323	Ord. No. 1-83, 7-1-83	Not codified
7-4.324	Ord. No. 1-83, 7-1-83	Not codified
7-4.325	Ord. No. 1-83, 7-1-83	Not codified
7-4.326	Ord. No. 1-83, 7-1-83	Not codified
7-4.327	Ord. No. 1-83, 7-1-83	Not codified
7-4.328	Ord. No. 1-83, 7-1-83	Not codified
7-4.329	Ord. No. 1-83, 7-1-83	Not codified
7-4.330	Ord. No. 1-83, 7-1-83	Not codified
7-4.331	Ord. No. 1-83, 7-1-83	Not codified
7-4.332	Ord. No. 1-83, 7-1-83	Not codified
7-4.333	Ord. No. 1-83, 7-1-83	Not codified
7-4.334	Ord. No. 1-83, 7-1-83	Not codified
7-4.335	Ord. No. 1-83, 7-1-83	Not codified
7-4.336	Ord. No. 1-83, 7-1-83	Not codified

7-4.401	Ord. No. 1-83, 7-1-83	10.04.100
7-4.402	Ord. No. 1-83, 7-1-83	Not codified
7-4.501	Ord. No. 1-83, 7-1-83	Not codified
7-4.601	Ord. No. 1-83, 7-1-83	10.04.110
7-5.101	Ord. No. 1-83, 7-1-83	Not codified
7-5.102	Ord. No. 1-83, 7-1-83	Not codified
7-5.103	Ord. No. 1-83, 7-1-83	Not codified
7-5.104	Ord. No. 1-83, 7-1-83	Not codified
7-5.105	Ord. No. 1-83, 7-1-83	Not codified
7-5.106	Ord. No. 1-83, 7-1-83	Not codified
7-5.107	Ord. No. 1-83, 7-1-83	Not codified
7-5.201	Ord. No. 1-83, 7-1-83	Not codified
7-5.202	Ord. No. 1-83, 7-1-83	Not codified
7-5.301	Ord. No. 1-83, 7-1-83	Not codified
7-5.302	Ord. No. 1-83, 7-1-83	Not codified
7-5.401	Ord. No. 1-83, 7-1-83	Not codified
7-5.402	Ord. No. 1-83, 7-1-83	Not codified
7-5.501	Ord. No. 1-83, 7-1-83	Not codified
7-5.502	Ord. No. 1-83, 7-1-83	Not codified
7-5.601	Ord. No. 1-83, 7-1-83	Not codified
7-5.602	Ord. No. 1-83, 7-1-83	Not codified

7-5.603	Ord. No. 1-83, 7-1-83	Not codified
7-5.604	Ord. No. 1-83, 7-1-83	Not codified
7-5.701	Ord. No. 1-83, 7-1-83	Not codified
7-5.702	Ord. No. 1-83, 7-1-83	Not codified
7-5.801	Ord. No. 1-83, 7-1-83	Not codified
7-5.802	Ord. No. 79-86, 9-2-86	Not codified
7-6.101	Ord. No. 1-83, 7-1-83	Not codified
7-6.201	Ord. No. 1-83, 7-1-83	Not codified
7-6.202	Ord. No. 1-83, 7-1-83	Not codified
7-6.203	Ord. No. 1-83, 7-1-83	Not codified
7-6.204	Ord. No. 1-83, 7-1-83	Not codified
7-6.205	Ord. No. 1-83, 7-1-83	Not codified
7-6.206	Ord. No. 1-83, 7-1-83	Not codified
7-6.207	Ord. No. 1-83, 7-1-83	Not codified
7-6.208	Ord. No. 1-83, 7-1-83	Not codified
7-6.209	Ord. No. 1-83, 7-1-83	Not codified
7-6.210	Ord. No. 1-83, 7-1-83	Not codified
7-6.211	Ord. No. 1-83, 7-1-83	Not codified
7-6.212	Ord. No. 1-83, 7-1-83	Not codified
7-6.213	Ord. No. 1-83, 7-1-83	Not codified
7-6.214	Ord. No. 1-83, 7-1-83	Not codified

7-6.215	Ord. No. 1-83, 7-1-83	Not codified
7-6.216	Ord. No. 1-83, 7-1-83	Not codified
7-6.217	Ord. No. 1-83, 7-1-83	Not codified
7-6.218	Ord. No. 1-83, 7-1-83	Not codified
7-6.219	Ord. No. 1-83, 7-1-83	Not codified
7-6.220	Ord. No. 1-83, 7-1-83	Not codified
7-6.221	Ord. No. 1-83, 7-1-83	Not codified
7-6.222	Ord. No. 1-83, 7-1-83	Not codified
7-6.223	Ord. No. 1-83, 7-1-83	Not codified
7-6.301	Ord. No. 1-83, 7-1-83	Not codified
7-6.302	Ord. No. 1-83, 7-1-83	Not codified
7-7.101	Ord. No. 1-83, 7-1-83	10.08.010
7-7.102		10.08.020
7-7.103	Ord. No. 1-83, 7-1-83	Not codified
7-7.201		10.08.030
7-7.202	Ord. No. 1-83, 7-1-83	10.08.040
7-7.203	Ord. No. 1-83, 7-1-83	Not codified
7-7.301	Ord. No. 1-83, 7-1-83	10.08.050
7-7.302	Ord. No. 1-83, 7-1-83	10.08.060
7-7.303	Ord. No. 1-83, 7-1-83	10.08.070
7-7.304	Ord. No. 1-83, 7-1-83	Not codified

7-7.305	Ord. No. 1-83, 7-1-83, as amended by Ord. No. 23-83, 12-19-83	Not codified
7-7.401	Ord. No. 1-83, 7-1-83	10.08.080
7-7.402	Ord. No. 1-83, 7-1-83	10.08.090
7-7.403	Ord. No. 1-83, 7-1-83	Not codified
7-7.501	Ord. No. 1-83, 7-1-83	10.08.100
7-7.502	Ord. No. 1-83, 7-1-83	Not codified
7-7.601	Ord. No. 1-83, 7-1-83	10.08.110
7-7.602	Ord. No. 1-83, 7-1-83	10.08.120
7-7.603	Ord. No. 1-83, 7-1-83	Not codified
7-7.604	Ord. No. 1-83, 7-1-83	Not codified
7-7.701	Ord. No. 1-83, 7-1-83	10.08.130
7-8.101	Ord. No. 44-84, 9-4-84	10.12.010
7-8.102	Ord. No. 44-84, 9-4-84	10.12.020
7-8.201	Ord. No. 67-85, 10-21-85	10.12.030
7-8.202	Ord. No. 67-85, 10-21-85, as amended by Ord. No. 78-86, 9-2-86	10.12.040
7-9.01	Ord. No. 176, 7-18-94	13.12.010
7-9.02	Ord. No. 176, 7-18-94	13.12.020
7-9.03	Ord. No. 176, 7-18-94	13.12.030
7-9.04	Ord. No. 176, 7-18-94	13.12.040
7-9.05	Ord. No. 176, 7-18-94	13.12.050
7-9.06	Ord. No. 176, 7-18-94	(Not codified)

7-9.07	Ord. No. 176, 7-18-94	13.12.060
7-9.08	Ord. No. 176, 7-18-94	13.12.070
7-9.09	Ord. No. 176, 7-18-94	13.12.080
7-9.10	Ord. No. 176, 7-18-94	13.12.090
7-9.11	Ord. No. 176, 7-18-94	13.12.100
7-9.12	Ord. No. 176, 7-18-94	13.12.110
7-9.13	Ord. No. 176, 7-18-94	13.12.120
7-9.14	Ord. No. 176, 7-18-94	13.12.130
7-9.15	Ord. No. 176, 7-18-94	13.12.140
7-9.16	Ord. No. 176, 7-18-94	13.12.150
7-9.17	Ord. No. 176, 7-18-94	13.12.160
7-9.18	Ord. No. 176, 7-18-94	13.12.170
7-9.19	Ord. No. 176, 7-18-94	13.12.180
7-9.20	Ord. No. 176, 7-18-94	13.12.190
7-9.21	Ord. No. 176, 7-18-94	13.12.200
7-9.22	Ord. No. 176, 7-18-94	13.12.210
7-9.23	Ord. No. 176, 7-18-94	13.12.220
8-1.101	Ord. No. 70-86, 1-6-86	5.76.010
8-1.102	Ord. No. 70-86, 1-6-86	5.76.020
8-1.103	Ord. No. 70-86, 1-6-86	5.76.030
8-1.104	Ord. No. 70-86, 1-6-86	5.76.040

8-1.105	Ord. No. 70-86, 1-6-86	5.76.050
8-1.106	Ord. No. 70-86, 1-6-86	5.76.060
8-1.107	Ord. No. 70-86, 1-6-86	5.76.070
8-1.108	Ord. No. 70-86, 1-6-86	5.76.080
8-1.109	Ord. No. 70-86, 1-6-86	5.76.090
8-1.110	Ord. No. 70-86, 1-6-86	5.76.100
8-1.111	Ord. No. 70-86, 1-6-86	5.76.110
8-1.112	Ord. No. 70-86, 1-6-86	5.76.120
8-1.113	Ord. No. 70-86, 1-6-86	5.76.130
8-1.114	Ord. No. 70-86, 1-6-86	5.76.140
8-1.115	Ord. No. 70-86, 1-6-86	5.76.150
8-1.116	Ord. No. 70-86, 1-6-86	Not codified
8-1.117	Ord. No. 70-86, 1-6-86	Not codified
8-1.201	Ord. No. 1-83, 7-1-83	5.36.010
8-1.202	Ord. No. 1-83, 7-1-83	5.36.020
8-1.203	Ord. No. 1-83, 7-1-83	5.36.030
8-1.204	Ord. No. 1-83, 7-1-83	5.36.040
8-1.205	Ord. No. 1-83, 7-1-83	5.36.050
8-1.206	Ord. No. 1-83, 7-1-83	5.36.060
8-1.207	Ord. No. 1-83, 7-1-83	5.36.070
8-1.208	Ord. No. 1-83, 7-1-83	5.36.080

8-1.209	Ord. No. 1-83, 7-1-83	5.36.090
8-1.210	Ord. No. 1-83, 7-1-83	5.36.100
8-1.211	Ord. No. 1-83, 7-1-83	5.36.110
8-1.212	Ord. No. 1-83, 7-1-83	5.36.120
8-1.213	Ord. No. 1-83, 7-1-83	5.36.130
8-1.214	Ord. No. 1-83, 7-1-83	5.36.140
8-1.215	Ord. No. 1-83, 7-1-83	5.36.150
8-1.216	Ord. No. 1-83, 7-1-83	5.36.160
8-1.217	Ord. No. 1-83, 7-1-83	5.36.170
8-1.301	Ord. No. 1-83, 7-1-83	5.44.010
8-1.302	Ord. No. 1-83, 7-1-83	5.44.010
8-1.303	Ord. No. 1-83, 7-1-83	5.44.020
8-1.304	Ord. No. 1-83, 7-1-83	5.44.030
8-1.305	Ord. No. 1-83, 7-1-83	5.44.040
8-1.306	Ord. No. 1-83, 7-1-83	5.44.050
8-1.307	Ord. No. 1-83, 7-1-83	5.44.060
8-1.308	Ord. No. 1-83, 7-1-83	5.44.070
8-1.309	Ord. No. 1-83, 7-1-83	5.44.080
8-1.310	Ord. No. 1-83, 7-1-83	5.44.090
8-1.311	Ord. No. 1-83, 7-1-83	5.44.100
8-1.312	Ord. No. 1-83, 7-1-83	5.44.110

8-1.401	Ord. No. 1-83, 7-1-83	5.40.010
8-1.402	Ord. No. 1-83, 7-1-83	5.40.010
8-1.403	Ord. No. 1-83, 7-1-83	5.40.010
8-1.404	Ord. No. 1-83, 7-1-83	5.40.010
8-1.405	Ord. No. 1-83, 7-1-83	5.40.010
8-1.406	Ord. No. 1-83, 7-1-83	5.40.020
8-1.407	Ord. No. 1-83, 7-1-83	5.40.030
8-1.408	Ord. No. 1-83, 7-1-83	5.40.040
8-1.409	Ord. No. 1-83, 7-1-83	5.40.050
8-1.410	Ord. No. 1-83, 7-1-83	5.40.060
8-1.411	Ord. No. 1-83, 7-1-83	5.40.070
8-1.412	Ord. No. 1-83, 7-1-83	5.40.080
8-1.413	Ord. No. 1-83, 7-1-83	5.40.090
8-1.414	Ord. No. 1-83, 7-1-83	5.40.100
8-1.415	Ord. No. 1-83, 7-1-83	5.40.110
8-1.416	Ord. No. 1-83, 7-1-83	5.40.120
8-1.417	Ord. No. 1-83, 7-1-83	5.40.130
8-1.501	Ord. No. 1-83, 7-1-83	5.48.010
8-1.502	Ord. No. 1-83, 7-1-83	5.48.020
8-1.503	Ord. No. 1-83, 7-1-83	5.48.030
8-1.504	Ord. No. 1-83, 7-1-83	5.48.040

8-1.505	Ord. No. 1-83, 7-1-83	5.48.050
8-1.506	Ord. No. 1-83, 7-1-83	5.48.060
8-1.507	Ord. No. 1-83, 7-1-83	5.48.070
8-1.508	Ord. No. 1-83, 7-1-83	5.48.080
8-1.509	Ord. No. 1-83, 7-1-83	5.48.090
8-1.601	Ord. No. 1-83, 7-1-83	5.56.010
8-1.602	Ord. No. 1-83, 7-1-83	5.56.020
8-1.603	Ord. No. 1-83, 7-1-83	5.56.030
8-1.604	Ord. No. 1-83, 7-1-83	5.56.040
8-1.605	Ord. No. 1-83, 7-1-83	5.56.050
8-1.606	Ord. No. 1-83, 7-1-83	5.56.060
8-1.607	Ord. No. 1-83, 7-1-83	5.56.070
8-1.608	Ord. No. 1-83, 7-1-83	5.56.080
8-1.609	Ord. No. 1-83, 7-1-83	5.56.090
8-1.610	Ord. No. 1-83, 7-1-83	5.56.100
8-1.611	Ord. No. 1-83, 7-1-83	5.56.110
8-1.612	Ord. No. 1-83, 7-1-83	5.56.120
8-1.701	Ord. No. 1-83, 7-1-83	5.64.010
8-1.801	Ord. No. 1-83, 7-1-83	5.72.010
8-1.802	Ord. No. 1-83, 7-1-83	5.72.020
8-1.803	Ord. No. 1-83, 7-1-83	5.72.030

8-1.901	Ord. No. 1-83, 7-1-83	5.60.010
8-1.1001	Ord. No. 1-83, 7-1-83	5.12.010
8-1.1101	Ord. No. 1-83, 7-1-83	5.32.010
8-1.1102	Ord. No. 1-83, 7-1-83	5.32.020
8-1.1103	Ord. No. 1-83, 7-1-83	5.32.030
8-1.1104	Ord. No. 1-83, 7-1-83	5.32.040
8-1.1105	Ord. No. 1-83, 7-1-83	5.32.050
8-1.1201	Ord. No. 1-83, 7-1-83	Not codified
8-1.1202	Ord. No. 1-83, 7-1-83	5.16.010
8-1.1203	Ord. No. 1-83, 7-1-83	5.16.020
8-1.1204	Ord. No. 1-83, 7-1-83	5.16.030
8-1.1205	Ord. No. 1-83, 7-1-83	5.16.040
8-1.1206	Ord. No. 1-83, 7-1-83	5.16.050
8-1.1207	Ord. No. 1-83, 7-1-83	5.16.060
8-1.1208	Ord. No. 1-83, 7-1-83	5.16.070
8-1.1209	Ord. No. 1-83, 7-1-83	5.16.080
8-1.1210	Ord. No. 1-83, 7-1-83	5.16.090
8-1.1211	Ord. No. 1-83, 7-1-83	5.16.100
8-1.1212	Ord. No. 1-83, 7-1-83	5.16.110
8-1.1213	Ord. No. 1-83, 7-1-83	5.16.120
8-1.1214	Ord. No. 1-83, 7-1-83	5.16.130

8-1.1215	Ord. No. 1-83, 7-1-83	5.16.140
8-1.1216	Ord. No. 1-83, 7-1-83	5.16.150
8-1.1217	Ord. No. 1-83, 7-1-83	5.16.160
8-2.101	Ord. No. 1-83, 7-1-83	5.24.010
8-2.102	Ord. No. 1-83, 7-1-83	5.24.020
8-2.103	Ord. No. 1-83, 7-1-83	5.24.030
8-2.104	Ord. No. 1-83, 7-1-83	5.24.040
8-2.105	Ord. No. 1-83, 7-1-83	5.24.050
8-2.106	Ord. No. 1-83, 7-1-83	5.24.060
8-2.107	Ord. No. 1-83, 7-1-83	5.24.070
8-2.108	Ord. No. 1-83, 7-1-83	5.24.080
8-2.201	Ord. No. 1-83, 7-1-83	5.24.090
8-2.202	Ord. No. 1-83, 7-1-83	5.24.100
8-2.203	Ord. No. 1-83, 7-1-83	5.24.110
8-2.204	Ord. No. 1-83, 7-1-83	5.24.120
8-2.205	Ord. No. 1-83, 7-1-83	5.24.130
8-2.206	Ord. No. 1-83, 7-1-83	5.24.140
8-2.301	Ord. No. 1-83, 7-1-83	5.24.150
8-2.302	Ord. No. 1-83, 7-1-83	5.24.160
8-2.303	Ord. No. 1-83, 7-1-83	5.24.170
8-2.304	Ord. No. 1-83, 7-1-83	5.24.180

8-2.305	Ord. No. 1-83, 7-1-83	5.24.190
8-2.306	Ord. No. 1-83, 7-1-83	5.24.200
8-2.307	Ord. No. 1-83, 7-1-83	5.24.210
8-2.308	Ord. No. 1-83, 7-1-83	5.24.220
8-2.309	Ord. No. 1-83, 7-1-83	5.24.230
8-3.101	Ord. No. 1-83, 7-1-83	5.68.010
8-3.102	Ord. No. 1-83, 7-1-83	5.68.020
8-3.103	Ord. No. 1-83, 7-1-83	5.68.030
8-3.104	Ord. No. 1-83, 7-1-83	5.68.040
8-3.105	Ord. No. 1-83, 7-1-83	5.68.050
8-3.201	Ord. No. 1-83, 7-1-83	5.68.060
8-3.202	Ord. No. 1-83, 7-1-83	5.68.070
8-3.203	Ord. No. 1-83, 7-1-83	5.68.080
8-3.204	Ord. No. 1-83, 7-1-83	5.68.090
8-3.205	Ord. No. 1-83, 7-1-83	5.68.100
8-3.206	Ord. No. 1-83, 7-1-83	5.68.110
8-3.207	Ord. No. 1-83, 7-1-83	5.68.120
8-3.208	Ord. No. 1-83, 7-1-83	5.68.130
8-3.209	Ord. No. 1-83, 7-1-83	5.68.140
8-3.210	Ord. No. 1-83, 7-1-83	5.68.150
8-3.211	Ord. No. 1-83, 7-1-83	5.68.160

8-3.301	Ord. No. 51-84, 12-17-84	5.68.170
8-3.302	Ord. No. 51-84, 12-17-84	5.68.180
8-3.303	Ord. No. 51-84, 12-17-84	5.68.190
8-3.304	Ord. No. 51-84, 12-17-84	5.68.200
8-3.305	Ord. No. 51-84, 12-17-84	5.68.210
8-3.306	Ord. No. 51-84, 12-17-84	5.68.220
8-3.307	Ord. No. 51-84, 12-17-84	5.68.230
8-3.308	Ord. No. 51-84, 12-17-84	5.68.240
9-1.101	Ord. No. 1-83, 7-1-83	15.04.010
9-1.102	Ord. No. 1-83, 7-1-83	15.04.020
9-1.103	Ord. No. 1-83, 7-1-83	15.04.030
9-1.104	Ord. No. 1-83, 7-1-83	15.04.040
9-1.105	Ord. No. 1-83, 7-1-83	15.04.050
9-1.201	Ord. No. 1-83, 7-1-83	15.04.060
9-1.202	Ord. No. 1-83, 7-1-83	15.04.070
9-1.203	Ord. No. 1-83, 7-1-83	15.04.080
9-1.204	Ord. No. 1-83, 7-1-83	15.04.090
9-1.205	Ord. No. 1-83, 7-1-83	Not codified
9-1.206	Ord. No. 1-83, 7-1-83	15.04.100
9-1.207	Ord. No. 1-83, 7-1-83	15.04.110
9-1.208	Ord. No. 1-83, 7-1-83	15.04.120

9-1.301	Ord. No. 1-83, 7-1-83	15.04.130
9-1.302	Ord. No. 1-83, 7-1-83	15.04.140
9-1.303	Ord. No. 1-83, 7-1-83	15.04.150
9-1.401	Ord. No. 1-83, 7-1-83	15.04.160
9-1.402	Ord. No. 1-83, 7-1-83	15.04.170
9-1.403	Ord. No. 1-83, 7-1-83	15.04.180
9-1.404	Ord. No. 1-83, 7-1-83	15.04.190
9-1.405	Ord. No. 1-83, 7-1-83	15.04.200
9-1.406	Ord. No. 1-83, 7-1-83	15.04.210
9-1.407	Ord. No. 1-83, 7-1-83	15.04.220
9-1.408	Ord. No. 1-83, 7-1-83	15.04.230
9-1.409	Ord. No. 1-83, 7-1-83	15.04.240
9-1.410	Ord. No. 1-83, 7-1-83	15.04.250
9-1.501	Ord. No. 1-83, 7-1-83	15.04.260
9-1.502	Ord. No. 1-83, 7-1-83	15.04.270
9-1.503	Ord. No. 1-83, 7-1-83	15.04.280
9-1.504	Ord. No. 1-83, 7-1-83	15.04.290
9-1.505	Ord. No. 1-83, 7-1-83	15.04.300
9-1.506	Ord. No. 1-83, 7-1-83	15.04.310
9-1.507	Ord. No. 1-83, 7-1-83	15.04.320
9-1.508	Ord. No. 1-83, 7-1-83	15.04.330

9-1.509	Ord. No. 1-83, 7-1-83	15.04.340
9-1.510	Ord. No. 1-83, 7-1-83	15.04.350
9-1.511	Ord. No. 1-83, 7-1-83	15.04.360
9-1.512	Ord. No. 1-83, 7-1-83	15.04.370
9-1.601	Ord. No. 1-83, 7-1-83	15.04.380
9-1.602	Ord. No. 1-83, 7-1-83	15.04.390
9-1.603	Ord. No. 1-83, 7-1-83	15.04.400
9-1.604	Ord. No. 1-83, 7-1-83	15.04.410
9-2.101	Ord. No. 1-83, 7-1-83	15.08.010
9-2.102	Ord. No. 1-83, 7-1-83	15.08.020
9-2.103	Ord. No. 1-83, 7-1-83	15.08.030
9-2.104	Ord. No. 1-83, 7-1-83	15.08.040
9-2.105	Ord. No. 1-83, 7-1-83	15.08.050
9-2.106	Ord. No. 1-83, 7-1-83	15.08.060
9-2.107	Ord. No. 1-83, 7-1-83	15.08.070
9-2.108	Ord. No. 1-83, 7-1-83	15.08.080
9-2.109	Ord. No. 1-83, 7-1-83	15.08.090
9-2.110	Ord. No. 1-83, 7-1-83	15.08.100
9-3.101	Ord. No. 1-83, 7-1-83	15.12.010
9-3.102	Ord. No. 1-83, 7-1-83	15.12.020
9-3.103	Ord. No. 1-83, 7-1-83	15.12.030

9-3.104	Ord. No. 1-83, 7-1-83	15.12.040
9-3.105	Ord. No. 1-83, 7-1-83	15.12.050
9-3.106	Ord. No. 1-83, 7-1-83	15.12.060
9-3.107	Ord. No. 1-83, 7-1-83	15.12.070
9-3.108	Ord. No. 1-83, 7-1-83	15.12.080
9-4.101	Ord. No. 1-83, 7-1-83	15.16.010
9-4.102	Ord. No. 1-83, 7-1-83	15.16.020
9-4.103	Ord. No. 1-83, 7-1-83	15.16.030
9-5.101	Ord. No. 1-83, 7-1-83	15.20.010
9-5.102	Ord. No. 1-83, 7-1-83	15.20.020
9-6.101	Ord. No. 1-83, 7-1-83	15.24.010
9-6.102	Ord. No. 1-83, 7-1-83	15.24.020
9-6.103	Ord. No. 1-83, 7-1-83	15.24.030
9-6.104	Ord. No. 1-83, 7-1-83	15.24.040
9-6.105	Ord. No. 1-83, 7-1-83	15.24.050
9-6.106	Ord. No. 1-83, 7-1-83	15.24.060
9-6.107	Ord. No. 1-83, 7-1-83	15.24.070
9-6.108	Ord. No. 1-83, 7-1-83	15.24.080
9-6.109	Ord. No. 1-83, 7-1-83	15.24.090
9-6.110	Ord. No. 1-83, 7-1-83	15.24.100
9-6.111	Ord. No. 1-83, 7-1-83	15.24.110

9-6.112	Ord. No. 1-83, 7-1-83	15.24.120
9-6.113	Ord. No. 1-83, 7-1-83	15.24.130
9-6.114	Ord. No. 1-83, 7-1-83	15.24.140
9-6.115	Ord. No. 1-83, 7-1-83	15.24.150
9-7.101	Ord. No. 1-83, 7-1-83	15.28.010
9-8.101	Ord. No. 1-83, 7-1-83	15.32.010
9-9.101	Ord. No. 1-83, 7-1-83	15.36.010
9-10.101	Ord. No. 1-83, 7-1-83	Repealed by 138
9-10.102	Ord. No. 1-83, 7-1-83	Repealed by 138
9-10.201	Ord. 72-86, 1-21-86	Repealed by 138
9-10.202	Ord. 72-86, 1-21-86	Repealed by 138
9-10.203	Ord. 72-86, 1-21-86	Repealed by 138
9-10.204	Ord. 72-86, 1-21-86	Repealed by 138
9-10.205	Ord. 72-86, 1-21-86	Repealed by 138
9-10.206	Ord. 72-86, 1-21-86	Repealed by 138
9-10.207	Ord. 72-86, 1-21-86	Repealed by 138

9-10.208	Ord. 72-86, 1-21-86	Repealed by 138
9-10.209	Ord. 72-86, 1-21-86	Repealed by 138
9-10.210	Ord. 72-86, 1-21-86	Repealed by 138
9-10.211	Ord. 72-86, 1-21-86	Repealed by 138
9-10.212	Ord. 72-86, 1-21-86	Repealed by 138
9-10.213	Ord. 72-86, 1-21-86	Repealed by 138
9-10.301	Ord. 72-86, 1-21-86	Repealed by 138
9-10.302	Ord. 72-86, 1-21-86	Repealed by 138
9-10.303	Ord. 72-86, 1-21-86	Repealed by 138
9-10.304	Ord. 72-86, 1-21-86	Repealed by 138
9-10.305	Ord. 72-86, 1-21-86	Repealed by 138
9-10.306	Ord. 72-86, 1-21-86	Repealed by 138
9-10.307	Ord. 72-86, 1-21-86	Repealed by 138
9-10.308	Ord. 72-86, 1-21-86	Repealed by 138

9-10.309	Ord. 72-86, 1-21-86	Repealed by 138
9-10.310	Ord. 72-86, 1-21-86	Repealed by 138
9-10.401	Ord. 72-86, 1-21-86	Repealed by 138
9-10.402	Ord. 72-86, 1-21-86	Repealed by 138
9-10.403	Ord. 72-86, 1-21-86	Repealed by 138
9-10.404	Ord. 72-86, 1-21-86	Repealed by 138
9-10.405	Ord. 72-86, 1-21-86	Repealed by 138
9-10.406	Ord. 72-86, 1-21-86	Repealed by 138
9-10.501	Ord. 72-86, 1-21-86	Repealed by 138
9-10.502	Ord. 72-86, 1-21-86	Repealed by 138
9-10.503	Ord. 72-86, 1-21-86	Repealed by 138
9-10.504	Ord. 72-86, 1-21-86	Repealed by 138
9-10.505	Ord. 72-86, 1-21-86	Repealed by 138
9-10.506	Ord. 72-86, 1-21-86	Repealed by 138

9-10.507	Ord. 72-86, 1-21-86	Repealed by 138
9-10.508	Ord. 72-86, 1-21-86	Repealed by 138
9-10.509	Ord. 72-86, 1-21-86	Repealed by 138
9-10.510	Ord. 72-86, 1-21-86	Repealed by 138
9-10.601	Ord. 72-86, 1-21-86	Repealed by 138
9-10.602	Ord. 72-86, 1-21-86	Repealed by 138
9-10.603	Ord. 72-86, 1-21-86	Repealed by 138
9-10.604	Ord. 72-86, 1-21-86	Repealed by 138
9-10.605	Ord. 72-86, 1-21-86	Repealed by 138
9-10.606	Ord. 72-86, 1-21-86	Repealed by 138
9-11.101	Ord. 53-85, 1-22-85	15.40.010
9-11.102	Ord. 53-85, 1-22-85	15.40.020
9-11.103	Ord. 53-85, 1-22-85	15.40.030
9-11.104	Ord. 53-85, 1-22-85	15.40.040
9-11.105	Ord. 53-85, 1-22-85	15.40.050
9-11.106	Ord. 53-85, 1-22-85	15.40.060

9-11.107	Ord. 53-85, 1-22-85	15.40.070
9-11.108	Ord. 53-85, 1-22-85	15.40.080
9-11.109	Ord. 53-85, 1-22-85	Not codified
11-1.101	Ord. No. 19-83, 12-19-83	Not codified
11-1.102	Ord. No. 19-83, 12-19-83	Not codified
11-1.103	Ord. No. 19-83, 12-19-83	Not codified
11-1.104	Ord. No. 19-83, 12-19-83	Not codified
11-1.105	Ord. No. 19-83, 12-19-83	Not codified
11-1.106	Ord. No. 19-83, 12-19-83	Not codified
11-1.107	Ord. No. 19-83, 12-19-83	Not codified
11-1.108	Ord. No. 19-83, 12-19-83	Not codified
11-1.109	Ord. No. 19-83, 12-19-83	Not codified
11-1.110	Ord. No. 19-83, 12-19-83	Not codified
11-1.111	Ord. No. 19-83, 12-19-83	Not codified
11-1.112	Ord. No. 19-83, 12-19-83	Not codified
11-1.113	Ord. No. 19-83, 12-19-83	Not codified
11-1.114	Ord. No. 19-83, 12-19-83	Not codified
11-1.115	Ord. No. 19-83, 12-19-83	Not codified
11-1.116	Ord. No. 19-83, 12-19-83	Not codified
11-1.201	Ord. No. 20-83, 12-19-83	Not codified
11-1.202	Ord. No. 20-83, 12-19-83	Not codified

11-1.203	Ord. No. 20-83, 12-19-83	Not codified
11-1.204	Ord. No. 20-83, 12-19-83	Not codified
11-1.205	Ord. No. 20-83, 12-19-83	Not codified
11-1.206	Ord. No. 20-83, 12-19-83	Not codified
11-1.207	Ord. No. 20-83, 12-19-83	Not codified
11-1.208	Ord. No. 20-83, 12-19-83	Not codified
11-1.209	Ord. No. 20-83, 12-19-83	Not codified
11-1.210	Ord. No. 20-83, 12-19-83	Not codified
11-1.211	Ord. No. 20-83, 12-19-83	Not codified
11-1.212	Ord. No. 20-83, 12-19-83	Not codified
11-1.213	Ord. No. 20-83, 12-19-83	Not codified
11-1.214	Ord. No. 20-83, 12-19-83	Not codified
11-1.215	Ord. No. 20-83, 12-19-83	Not codified
11-1.216	Ord. No. 20-83, 12-19-83	Not codified
11-1.301	Ord. No. 1-83, 7-1-83	13.16.010
11-1.302	Ord. No. 1-83, 7-1-83	13.16.020
11-1.303	Ord. No. 1-83, 7-1-83	13.16.030
11-1.304	Ord. No. 1-83, 7-1-83	13.16.040
11-1.305	Ord. No. 1-83, 7-1-83	13.16.050
11-1.306	Ord. No. 1-83, 7-1-83	13.16.060
11-1.307	Ord. No. 1-83, 7-1-83	13.16.070

11-1.308	Ord. No. 1-83, 7-1-83	13.16.080
11-1.309	Ord. No. 1-83, 7-1-83	13.16.090
11-1.401	Ord. No. 1-83, 7-1-83	13.04.010
11-1.402	Ord. No. 1-83, 7-1-83	13.04.020
11-1.403	Ord. No. 1-83, 7-1-83	13.04.030
11-1.404	Ord. No. 1-83, 7-1-83	13.04.040
11-1.405	Ord. No. 1-83, 7-1-83	13.04.050
11-1.406	Ord. No. 1-83, 7-1-83	13.04.060
11-2.101	Ord. No. 1-83, 7-1-83	13.08.010
11-2.102	Ord. No. 1-83, 7-1-83	13.08.020
11-2.103	Ord. No. 1-83, 7-1-83	13.08.030
11-2.104	Ord. No. 1-83, 7-1-83	13.08.040
11-2.105	Ord. No. 1-83, 7-1-83	13.08.050
11-2.106	Ord. No. 1-83, 7-1-83	13.08.060
11-2.107	Ord. No. 1-83, 7-1-83	13.08.070
11-2.108	Ord. No. 1-83, 7-1-83	13.08.080
11-2.109	Ord. No. 1-83, 7-1-83	13.08.090
11-2.110	Ord. No. 1-83, 7-1-83	13.08.100
11-2.111	Ord. No. 1-83, 7-1-83	13.08.110
11-2.112	Ord. No. 1-83, 7-1-83	13.08.120
11-2.113	Ord. No. 1-83, 7-1-83	13.08.130

11-2.201	Ord. No. 1-83, 7-1-83	13.08.140
11-2.202	Ord. No. 1-83, 7-1-83	13.08.150
11-2.203	Ord. No. 1-83, 7-1-83	13.08.160
11-2.204	Ord. No. 1-83, 7-1-83	13.08.170
11-2.205	Ord. No. 1-83, 7-1-83	13.08.180
11-2.206	Ord. No. 1-83, 7-1-83	13.08.190
11-2.207	Ord. No. 1-83, 7-1-83	13.08.200
11-2.208	Ord. No. 1-83, 7-1-83	13.08.210
11-2.209	Ord. No. 1-83, 7-1-83	13.08.220
11-2.210	Ord. No. 1-83, 7-1-83	13.08.230
11-2.211	Ord. No. 1-83, 7-1-83	13.08.240
11-2.212	Ord. No. 1-83, 7-1-83	13.08.250
11-2.213	Ord. No. 1-83, 7-1-83	13.08.260
11-2.301	Ord. No. 1-83, 7-1-83	13.08.270
11-2.302	Ord. No. 1-83, 7-1-83	13.08.280
11-2.303	Ord. No. 1-83, 7-1-83	13.08.290
11-2.304	Ord. No. 1-83, 7-1-83	13.08.300
11-2.401	Ord. No. 1-83, 7-1-83	13.08.310
11-2.402	Ord. No. 1-83, 7-1-83	13.08.320
11-2.403	Ord. No. 1-83, 7-1-83	13.08.330
11-2.404	Ord. No. 1-83, 7-1-83	13.08.340

11-2.405	Ord. No. 1-83, 7-1-83	13.08.350
11-2.406	Ord. No. 1-83, 7-1-83	13.08.360
11-2.407	Ord. No. 1-83, 7-1-83	13.08.370
11-2.408	Ord. No. 1-83, 7-1-83	13.08.380
11-2.409	Ord. No. 1-83, 7-1-83	13.08.390
11-2.410	Ord. No. 1-83, 7-1-83	13.08.400
11-2.411	Ord. No. 1-83, 7-1-83	13.08.410
11-2.412	Ord. No. 1-83, 7-1-83	13.08.420
11-2.413	Ord. No. 1-83, 7-1-83	13.08.430
11-2.501	Ord. No. 1-83, 7-1-83	13.08.440
11.2.502	Ord. No. 1-83, 7-1-83	13.08.450
11-2.503	Ord. No. 1-83, 7-1-83	13.08.460
11-2.601	Ord. No. 1-83, 7-1-83	13.08.470
11-2.602	Ord. No. 1-83, 7-1-83	13.08.480
11-2.603	Ord. No. 1-83, 7-1-83	13.08.490
11-2.604	Ord. No. 1-83, 7-1-83	13.08.500
11-2.605	Ord. No. 1-83, 7-1-83	13.08.510
11-2.606	Ord. No. 1-83, 7-1-83	13.08.520
11-2.607	Ord. No. 1-83, 7-1-83	13.08.530
11-2.608	Ord. No. 1-83, 7-1-83	13.08.540
11-2.609	Ord. No. 1-83, 7-1-83	13.08.550

11-2.610	Ord. No. 1-83, 7-1-83	13.08.560
11-2.611	Ord. No. 1-83, 7-1-83	13.08.570
11-2.612	Ord. No. 1-83, 7-1-83	13.08.580
11-2.701	Ord. No. 1-83, 7-1-83	13.08.590
11-2.702	Ord. No. 1-83, 7-1-83	13.08.600
11-2.703	Ord. No. 1-83, 7-1-83	13.08.610
11-2.704	Ord. No. 1-83, 7-1-83	13.08.620
11-2.705	Ord. No. 1-83, 7-1-83	13.08.630
11-2.706	Ord. No. 1-83, 7-1-83	13.08.640
11-2.707	Ord. No. 1-83, 7-1-83	13.08.650
11-2.708	Ord. No. 1-83, 7-1-83	13.08.660
11-2.709	Ord. No. 1-83, 7-1-83	13.08.670
11-2.710	Ord. No. 1-83, 7-1-83	13.08.680
11-3.101	Ord. No. 1-83, 7-1-83	8.44.010
11-3.102	Ord. No. 1-83, 7-1-83	8.44.020
11-3.103	Ord. No. 1-83, 7-1-83	8.44.030
11-3.104	Ord. No. 1-83, 7-1-83	8.44.040
11-3.105	Ord. No. 1-83, 7-1-83	8.44.050
11-3.106	Ord. No. 1-83, 7-1-83	8.44.060
11-3.107	Ord. No. 1-83, 7-1-83	8.44.070
11-3.108	Ord. No. 1-83, 7-1-83	8.44.080

11-3.109	Ord. No. 1-83, 7-1-83	8.44.090
11-3.110	Ord. No. 1-83, 7-1-83	8.44.100
11-3.111	Ord. No. 1-83, 7-1-83	8.44.110
11-3.112	Ord. No. 1-83, 7-1-83	8.44.120
11-3.113	Ord. No. 1-83, 7-1-83	8.44.130
11-3.201	Ord. No. 1-83, 7-1-83	8.44.140
11-3.202	Ord. No. 1-83, 7-1-83	8.44.150
11-3.203	Ord. No. 1-83, 7-1-83	8.44.160
11-3.204	Ord. No. 1-83, 7-1-83	8.44.170
11-3.205	Ord. No. 1-83, 7-1-83	8.44.180
11-3.206	Ord. No. 1-83, 7-1-83	8.44.190
11-3.301	Ord. No. 1-83, 7-1-83	8.44.200
11-3.302	Ord. No. 1-83, 7-1-83	8.44.210
11-3.303	Ord. No. 1-83, 7-1-83	8.44.220
11-3.304	Ord. No. 1-83, 7-1-83	8.44.230
11-3.305	Ord. No. 1-83, 7-1-83	8.44.240
12-1.101	Ord. No. 76-86, 4-15-86	14.04.010
12-1.102	Ord. No. 76-86, 4-15-86	14.04.020
12-1.103	Ord. No. 76-86, 4-15-86	14.04.030
12-1.104	Ord. No. 76-86, 4-15-86	14.04.040
12-1.105	Ord. No. 76-86, 4-15-86	14.04.050

12-1.201	Ord. No. 76-86, 4-15-86	14.04.060
12-1.202	Ord. No. 76-86, 4-15-86	14.04.070
12-1.203	Ord. No. 76-86, 4-15-86	14.04.080
12-1.204	Ord. No. 76-86, 4-15-86	14.04.090
12-1.205	Ord. No. 76-86, 4-15-86	14.04.100
12-1.206	Ord. No. 76-86, 4-15-86	14.04.110
12-1.207	Ord. No. 76-86, 4-15-86	14.04.120
12-1.208	Ord. No. 76-86, 4-15-86	14.04.130
12-1.209	Ord. No. 76-86, 4-15-86	14.04.140
12-1.210	Ord. No. 76-86, 4-15-86	14.04.150
12-1.211	Ord. No. 76-86, 4-15-86	14.04.160
12-1.212	Ord. No. 76-86, 4-15-86	14.04.170
12-1.213	Ord. No. 76-86, 4-15-86	14.04.180
12-1.214	Ord. No. 76-86, 4-15-86	14.04.190
12-1.215	Ord. No. 76-86, 4-15-86	14.04.200
12-1.301	Ord. No. 76-86, 4-15-86	14.04.210
12-1.302	Ord. No. 76-86, 4-15-86	14.04.220
12-1.303	Ord. No. 76-86, 4-15-86	14.04.230
12-1.304	Ord. No. 76-86, 4-15-86	14.04.240
12-1.305	Ord. No. 76-86, 4-15-86	14.04.250
12-1.306	Ord. No. 76-86, 4-15-86	14.04.260

12-1.307	Ord. No. 76-86, 4-15-86	14.04.270
12-1.308	Ord. No. 76-86, 4-15-86	14.04.280
12-1.401	Ord. No. 76-86, 4-15-86	14.04.290
12-1.402	Ord. No. 76-86, 4-15-86	14.04.300
12-1.403	Ord. No. 76-86, 4-15-86	14.04.310
12-1.404	Ord. No. 76-86, 4-15-86	14.04.320
12-1.405	Ord. No. 76-86, 4-15-86	14.04.330
12-1.406	Ord. No. 76-86, 4-15-86	14.04.340
12-1.407	Ord. No. 76-86, 4-15-86	14.04.350
12-2.101	Ord. No. 77-86, 5-27-86	14.08.010
12-2.102	Ord. No. 77-86, 5-27-86	14.08.020
12-2.103	Ord. No. 77-86, 5-27-86	14.08.030
12-2.104	Ord. No. 77-86, 5-27-86	14.08.040
12-2.105	Ord. No. 77-86, 5-27-86	14.08.050
12-2.106	Ord. No. 77-86, 5-27-86	14.08.060
12-2.107	Ord. No. 77-86, 5-27-86	Not codified

As of Supplement No. 4, this table will no longer be updated.

ORDINANCE LIST AND DISPOSITION TABLE

Beginning with Supplement No. 4, this table will be replaced with the "Code Comparative Table and Disposition List."

Ordinance	
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Number	
87	Amends § 2(F) of Ord. 64, penalty provisions (1.12)
88	Adds §§ 15.1.15 and 15.1.19 and amends §§ 15.1.02, 15.1.03(e), 15.1.06(a) and (b), 15.1.07, 15.1.08, 15.1.10 and 15.1.11 of Ord. 54, E districts (Not codified)
89	Repeals and replaces Ch. 6 of the San Mateo County Ordinance Code, animal control (6.04)
90	Establishes filing fee to process a candidate's nomination papers for elective office (2.64)
91	Amends § 6-7.210, water conservation (17.04)
92	(Number not used)
93	(Number not used)
94	(Number not used)
95	(Number not used)
96	Flood damage and prevention (Repealed by 214)
97	Storage facility occupancy tax (3.60)
98	Telephone, gas, electricity and water users tax (Not codified)
99	Amends § 6-7.210, water conservation (17.04)
100	Repeals and replaces fines associated with Ords. 16-83 and 64 (1.12)
101	Dumping of trash on private and public property (8.32)
102	Approves and adopts redevelopment plan (Special)
103	Telephone, gas, electricity and water users tax (3.64)
104	Real property excise tax (Not codified)
105	Adds Art. 4 to Ch. 22 of the zoning ordinance (Not codified)

106	Establishes new general municipal election date and extends terms of incumbent officers (2.64)
107	Abatement of public nuisances (Repealed by 148)
108	Suspends application and enforcement of Ords. 54 and 88, E districts (Not codified)
109	Amends Ch. 9 of the zoning ordinance (Not codified)
110	Prezone (Special)
111	Establishes equal opportunity policy (Repealed by 190 and 220)
112	Establishes a personnel and compensation plan for wage and salary administration; repeals prior code Ch. 7 of Title 2 (2.80)
113	Adds §§ 6251(d)(9), 6251(d)(10) and 6506 to the zoning ordinance; repeals Ords. 54 and 88 (Not codified)
114	Repeals and replaces prior code Ch. 22.5 of the zoning ordinance (Not codified)
115	(Number not used)
116	Amends Chs. 6-8 of the zoning ordinance (Not codified)
117	Amends § 6118(a) of the zoning ordinance (Not codified)
118	Amends § 6305(3) of the zoning ordinance (Not codified)
119	Amends Ord. 66, speed limits (Not codified)
120	Rezone (Special)
121	Adopts redevelopment plan (Special)
122	Transportation system management plan (10.32)
123	Establishes youth commission (Repealed by 174)
124	General construction tax (3.40)

125	Adds Ch. 26 to the zoning ordinance (Not codified)
126	Adopts development plan (Special)
127	Adds §§ 3330.6.45, 3330.7.4 and 3330.11.2 and amends § 3330.12 of Ch. 6, Part 2 Division III of the San Mateo County Ordinance Code, animal control (6.04)
128	Adds Ch. 29 to the zoning ordinance (Not codified)
129	Establishes interim uses and regulations for the PUD zoning district (Not codified)
130	Amends §§ 8, 11, 12, 13 and 16 and repeals §§ 14 and 15 of Ord. 13-83, city manager (2.12)
131	Amends §§ 6251(d)(9) and (10) and 6506 of the zoning ordinance (Not codified)
132	Amends § 6118(b) of the zoning ordinance (Not codified)
133	Repeals Ords. 69 and 88 (Repealer)
134	Establishes community services commission; repeals Ords. 29-83, 42, 45, 60, 62 and 80 (2.40)
135	Amends § 5(D) of Ord. 28-83, planning commission (2.48)
136	Adds Ch. 24.1 to the zoning ordinance (Not codified)
137	Special events (12.08)
138	Adds Art. 5 to Ch. 22 and amends §§ 6102.70 and 6102.71 of the zoning ordinance; repeals Ord. 72 (Repealed by 192)
139	Graffiti (8.36)
140	Rezone (Special)
141	Loitering for the purpose of engaging in drug activity (Repealed by 204)
142	Designation of restricted parking zones (10.04)
143	Adopts amendment to a statutory development agreement (Special)

144	Establishes qualifications and procedures for police tow operators (Repealed by 182)
145	Adds § 2.2 to the subdivision ordinance (Not codified)
146	Adds §§ 6503.1 and 6563 and amends §§ 6536, 6545 of the zoning ordinance (Not codified)
147	Adds § 6181.11 and amends § 6560 of the zoning ordinance (Not codified)
148	Abatement of public nuisances; repeals Ords. 16-83 and 107 and §§ 1210-1214 of the San Mateo County Ordinance Code as adopted by reference (8.08)
149	Adds Ch. 24.2 and §§ 6161(f), (g) and (h), 6171(g), (h) and (i) and amends §§ 6162(k), 6172(h) and 6181.1(j) of the zoning ordinance (Not codified)
150	Adds §§ 6271(b)(7) and (8) to the zoning ordinance; adds § 5510.21, amends §§ 5510.3-5510.6 and 5510.12 and repeals § 5510.8 of the business regulations (Not codified)
151	Prohibits smoking in certain places (8.56)
152	Water efficient landscaping (17.04)
153	Repeals and replaces Art. 6 of Ch. 5 of Part 3, Div. III of the San Mateo County Ordinance Code as adopted by reference, abandoned inoperative vehicles; repeals Ord. 58 (10.28)
154	Adds §§ 2(c)(8) and (9) to Ord. 148, Abatement of public nuisances (8.08)
155	Amends §§ 1 and 3 of Ord. 36-84, public safety commission (2.52)
156	(Number not used)
157	Authorizes city manager to solicit informal bids for street reconstruction (Special)
158	Requires use permit for residential care facilities in residentially zoned districts (Not codified)
159	Adopts redevelopment plan (Special)
160	Firearms (5.28)
161	Repeals and replaces §§ 9-1.302, 9-2.101, 9-3.101, 9-4.101, 9-5.101 and 9-6.101, uniform codes (15.04, 15.08, 15.12, 15.16, 15.20, 15.24)

162	Establishes date of termination for terms of advisory body members (2.36)
163	Regulations for home businesses in residential zoning districts (Not codified)
164	Amends § 6261(d) of the zoning ordinance (Not codified)
165	Adds Ch. 30 to the zoning ordinance (Not codified)
166	Rezone (Special)
167	Adds § 7, amends § 4 and renumbers §§ 7-10 as 8-11 of Ord. 163, regulations for home businesses in residential zoning districts (Not codified)
168	Establishes public works and transportation commission (2.56)
169	Adds § 8A and amends § 2(h) of Ord. 103, cable television users tax (3.64)
170	(Number not used)
171	Requires use permit for conversion of dwellings to residential care facilities in residentially zoned districts (Not codified)
172	(Number not used)
173	Amends §§ 1 and 2 of Ord. 155, public safety commission (2.52)
174	Repeals Ord. 123 (Repealer)
175	Real property excise tax (3.44)
176	Adds Ch. 9 to prior code Title 7, stormwater management and discharge control (13.12)
177	Amends § 6181 of the zoning ordinance (Not codified)
178	Adds § 6411(g) and amends § 6410 of the zoning ordinance (Not codified)
179	Adopts amendment to redevelopment plan (Not codified)
180	Rezone (Special)
181	Adds § 6411(g) and amends § 6410 of the zoning ordinance (Not codified)

182	Repeals Ord. 144 (Repealer)
183	Repeals Ord. 56 (Repealer)
184	Repeals and replaces §§ 9-1.302, 9-2.101, 9-3.1019-4.101, 9-5.101 and 9-6.101, uniform codes (15.04, 15.08, 15.12, 15.16, 15.20, 15.24)
185	(Failed)
186	Extends Ord. 162, certain terms on various commissions (Special)
187	(Number not used)
188	(Number not used)
189	Curfew for minors (9.20)
190	Repeals § III of Ord. 111 (Repealer)
191	Adds §§ 6102.81.1 and 6507 to Ch. 24 of the zoning ordinance (Not codified)
192	Adds §§ 6421.1—6421.20 to the zoning ordinance and amends §§ 6133 and 6102.7; repeals Ord. 138 and §§ 6102.71, 6187(i), 6228(e), 6231(c)(1), 6247(f), 6251(c), 6261(c), 6275(a)—(e), 6281(b) and (c), 6279(b) and 6400(e) (Not codified)
193	Amends Ch. 24 of the zoning ordinance (Not codified)
194	Amends §§ 6290—6299.5 of the zoning ordinance (Not codified)
195	Rezone (Special)
196	Rezone (Special)
197	Amends Ord. 83-1, zoning ordinance (Not codified)
198	Amends § 6560 of the zoning ordinance (Not codified)
199	Amends § 3 of Ord. 168, term of office (2.56)
200	Adds § 8.5 to Ord. 15-83, prequalification of contractors for certain public works construction projects (2.84)

201	Extends certain terms on various commissions (Special)
202	Approves payment for certain judgment (Special)
203	Rezone (Special)
204	Prohibits loitering with the intent to participate in prostitution, gambling, drug sales or usage; repeals Ord. 141 (9.08)
205	Amends §§ 1(16) and 8 of Ord. 85, city park regulations (12.04)
206	Amends Ords. 63, 68 and 81, human resources commission (2.44)
207	Adds §§ 1(e) and (f), 5(e), 7(g) and 11(c) to Ord. 137; amends §§ 2(a)—(c), 3(a) and 11(b); repeals and replaces § 6, special events (12.08)
208	Adds §§ 2(f)—(i) and 3.1—3.5 to Ord. 160, gun dealers (5.28)
209	Adds §§ 6507.9.1—6507.9.7 to the zoning ordinance; repeals § 2 of Ord. 150 (Not codified)
210	Emergency services plan (2.76)
211	Regulates truck routes; repeals Ord. 23-83 (10.36)
212	Extends certain terms on various commissions (Special)
213	Extends certain terms on various commissions (Special)
214	Flood hazard control regulations; repeals Ord. 96 (15.52)
215	Repeals and replaces § 5 of Ord. 134, functions and duties of community services commission (2.40)
216	Extends certain terms on various commissions (Special)
217	Amends § 1 of Ord. 173, public safety commission (2.52)
218	Amends § 1 of Ord. 206, human resources commission (2.44)
219	Requires criminal background checks of employees and volunteers of nonprofit corporations providing services to children (9.28)

220	Repeals §§ 1, 2, 4—8 of Ord. 111 (Repealer)
162	Establishes date of termination for terms of advisory body members (2.36)
163	Regulations for home businesses in residential zoning districts (Not codified)
164	Amends § 6261(d) of the zoning ordinance (Not codified)
165	Adds Ch. 30 to the zoning ordinance (Not codified)
166	Rezone (Special)
167	Adds § 7, amends § 4 and renumbers §§ 7-10 as 8-11 of Ord. 163, regulations for home businesses in residential zoning districts (Not codified)
168	Establishes public works and transportation commission (2.56)
169	Adds § 8A and amends § 2(h) of Ord. 103, cable television users tax (3.64)
170	(Number not used)
171	Requires use permit for conversion of dwellings to residential care facilities in residentially zoned districts (Not codified)
172	(Number not used)
173	Amends §§ 1 and 2 of Ord. 155, public safety commission (2.52)
174	Repeals Ord. 123 (Repealer)
175	Real property excise tax (3.44)
176	Adds Ch. 9 to prior code Title 7, stormwater management and discharge control (13.12)
177	Amends § 6181 of the zoning ordinance (Not codified)
178	Adds § 6411(g) and amends § 6410 of the zoning ordinance (Not codified)
179	Adopts amendment to redevelopment plan (Not codified)
180	Rezone (Special)

181	Adds § 6411(g) and amends § 6410 of the zoning ordinance (Not codified)
182	Repeals Ord. 144 (Repealer)
183	Repeals Ord. 56 (Repealer)
184	Repeals and replaces §§ 9-1.302, 9-2.101, 9-3.1019-4.101, 9-5.101 and 9-6.101, uniform codes (15.04, 15.08, 15.12, 15.16, 15.20, 15.24)
185	(Failed)
186	Extends Ord. 162, certain terms on various commissions (Special)
187	(Number not used)
188	(Number not used)
189	Curfew for minors (9.20)
190	Repeals § III of Ord. 111 (Repealer)
191	Adds §§ 6102.81.1 and 6507 to Ch. 24 of the zoning ordinance (Not codified)
192	Adds §§ 6421.1—6421.20 to the zoning ordinance and amends §§ 6133 and 6102.7; repeals Ord. 138 and §§ 6102.71, 6187(i), 6228(e), 6231(c)(1), 6247(f), 6251(c), 6261(c), 6275(a)—(e), 6281(b) and (c), 6279(b) and 6400(e) (Not codified)
193	Amends Ch. 24 of the zoning ordinance (Not codified)
194	Amends §§ 6290—6299.5 of the zoning ordinance (Not codified)
195	Rezone (Special)
196	Rezone (Special)
197	Amends Ord. 83-1, zoning ordinance (Not codified)
198	Amends § 6560 of the zoning ordinance (Not codified)
199	Amends § 3 of Ord. 168, term of office (2.56)

200	Adds § 8.5 to Ord. 15-83, prequalification of contractors for certain public works construction projects (2.84)
201	Extends certain terms on various commissions (Special)
202	Approves payment for certain judgment (Special)
203	Rezone (Special)
204	Prohibits loitering with the intent to participate in prostitution, gambling, drug sales or usage; repeals Ord. 141 (9.08)
205	Amends §§ 1(16) and 8 of Ord. 85, city park regulations (12.04)
206	Amends Ords. 63, 68 and 81, human resources commission (Repealed by 239)
207	Adds §§ 1(e) and (f), 5(e), 7(g) and 11(c) to Ord. 137; amends §§ 2(a)—(c), 3(a) and 11(b); repeals and replaces § 6, special events (12.08)
208	Adds §§ 2(f)—(i) and 3.1—3.5 to Ord. 160, gun dealers (5.28)
209	Adds §§ 6507.9.1—6507.9.7 to the zoning ordinance; repeals § 2 of Ord. 150 (Not codified)
210	Emergency services plan (2.76)
211	Regulates truck routes; repeals Ord. 23-83 (10.36)
212	Extends certain terms on various commissions (Special)
213	Extends certain terms on various commissions (Special)
214	Flood hazard control regulations; repeals Ord. 96 (15.52)
215	Repeals and replaces § 5 of Ord. 134, functions and duties of community services commission (2.40)
216	Extends certain terms on various commissions (Special)
217	Amends § 1 of Ord. 173, public safety commission (2.52)
218	Amends § 1 of Ord. 206, human resources commission (Repealed by 239)

219	Requires criminal background checks of employees and volunteers of nonprofit corporations providing services to children (9.28)
220	Repeals §§ 1, 2, 4—8 of Ord. 111 (Repealer)
221	Enacts regulations regarding tenants displaced by disasters (14.12)
222	Extends certain terms on various commissions (Special)
223	Amends Ord. 197, zoning ordinance; repeals Ord. 165 (Repealed by 247)
224	Extends certain terms on various commissions (Special)
225	Extends terms of board and commission (Special)
226	Extends commissioners appointment (Special)
227	Rezone (Special)
228	Establishes permit requirement for tobacco retailer (5.80)
229	Enforcement of state-wide smoking prohibitions (8.56)
230	Amends Ch. 3.68, transient occupancy taxes (3.68)
231	Not approved
232	Amends Ord. 70 (5.76)
233	Extends various commission member terms (Special)
234	Adopts first amendment to redevelopment plan (Special)
235	Adopts first amendment to redevelopment plan (Special)
236	Extends various commission member terms (Special)
237	Approves development agreement (Special)
238	Repeals and replaces §9 of Ord. 28-83 (2.48)

239	Reallocates duties and functions; repeals Ords. 63, 68, 206 and 218 (2.12)
240	Extends certain terms on various commissions (Special)
241	Establishes requirements for street and drainage dedication and improvements (12.20)
242	Adds §6421.22 to zoning ordinance (Not codified)
243	Amends §§6271, 6281 and 6517(a) of zoning ordinance (Not codified)
244	Amends Ord. 240 extending certain terms on various commissions (Special)
245	Amends Chs. 4 and 6 of zoning ordinance (Not codified)
246	Recycling and diversion of construction and demolition debris (15.56)
247	Repeals Ord. 223 and Ch. 8.5 of zoning ordinance (Not codified)
248	Prohibits discrimination in rental housing based on source of income (14.16)
249	Authorizes mayor to execute contract (Special)
250	Prohibits conflicting uses with draft revitalization plan (Special)
251	Extends Ord. 250, adopting Ch. 4 of draft revitalization plan (Special)
252	Extends Ord. 250, adopting Ch. 3 of draft revitalization plan (Special)
253	Regulates matters relating to water system (13.24)
254	Establishes claim procedure for tax refunds (3.72)
255	Not used
256	Approves first amendment to development agreement (Special)
257	Not used
258	Rezone (Special)
259	Extends Ord. 250 (Special)

260	Approves and adopts redevelopment plan amendment (Special)
261	Rezone (Special)
262	Rezone (Special)
263	Not used
264	Rezone (Special)
265	Approves development agreement (Special)
266	Rezone (Special)
267	Adopts amendment to redevelopment plan (Special)
268	Adopts amendment to redevelopment plan (Special)
269	Adopts amendment to redevelopment plan (Special)
270	Rezone (Special)
271	Approves development agreement (Special)
272	Rezone (Special)
273	Amends Ord. 50 (2.48)
274	Amends Ch. 22.5 of the zoning ordinance (Not codified)
275	Regulates construction site operation hours (15.04)
276	Adopts standard specifications for public works construction (15.04)
277	Not used
278	Adopts redevelopment plan (Special)
279	Adopts amendment to redevelopment plan (Special)
280	Adopts amendment to redevelopment plan (Special)

281	Amends § 6182 of the zoning ordinance (Not codified)
282	Urgency ordinance imposing moratorium on condominium conversions (Special)
283	Adds Ch. 1.01, code adoption (1.01)
284	Adds §§ 6143, 6295, 6421.25, 6422, 6505.1, 6506.1, 6507.9.8, 6515.6, 6546, Ch. 8.5 § 13 and Ch. 28 § 13; amends §§ 6199, 6421.18, 6439, 6505, 6506, 6507.9.3, 6515; repeals and replaces §§ 6104, 6199, 6420.7, 6421.25, 6504, 6535, 6577 and Ch. 30 to Ord. 197 of the zoning code (Not codified)
285	Urgency ordinance extending moratorium on condominium conversions (Special)
286	Rezone (Special)
287	(Missing)
288	(Missing)
289	(Missing)
290	(Missing)
291	(Missing)
292	(Missing)
293	(Missing)
294	(Missing)
295	(Missing)
296	(Missing)
297	(Missing)
298	(Missing)
299	Urgency ordinance imposing moratorium on condominium conversions (Special)

300	Adopts redevelopment plan (Special)
301	Adopts redevelopment plan (Special)
302	Adopts redevelopment plan (Special)
303	(Missing)
304	(Missing)
305	Adds Ch. 14.18, conversion of mobilehome parks (14.18)

Beginning with Supplement No. 4, this table will be replaced with the "Code Comparative Table and Disposition List."

CODE COMPARATIVE TABLE AND DISPOSITION LIST

This is a chronological listing of the ordinances of East Palo Alto, California, beginning with Supplement No. 4, included in this Code.

Ordinance Number	Date	Description	Section	Section this Code
274	7-1-2003	Zoning—Second dwelling units	1 Rpld	App. A, §§ 6425—6441
			Added	App. A, §§ 6425—6441
277A	11- 5-2002	Transient occupancy tax	1	3.68.150
277B	11- 5-2002	Transient occupancy tax	1	3.68.150
281	4-6-2004	Zoning—Below market rate housing program	1 Dltd	App. A, §§ 6182.1—6182.12
			Added	App. A, §§ 6182.1—6182.11

284	3-2-2004	Zoning—Appeals procedures	1	App. A, § 6104(j)
			2 Rpld	App. A, §§ 6580—6583
			Added	App. A, §§ 6580—6584
			3	App. A, § 6199
			4	App. A, § 6294
			5 Added	App. A, § 6295
			6	App. A, § 6420.7
			7	App. A, § 6504
			8	App. A, § 6535
			9	App. A, § 6577
			10	App. A, § 6421.18(c)
			11 Added	App. A, § 6421.25
			12	App. A, § 6439(e)(3)
			13 Added	App. A, § 6442
			14	App. A, § 6505(b)(2)
			15 Added	App. A, § 6505.1
			16	App. A, § 6506(c)(2)

			17 Added	App. A, § 6506.1
			18 Dltd	App. A, § 6507.9.3(f)
			19 Added	App. A, § 6507.9.8
			20	App. A, § 6515.5(e)
			21 Added	App. A, § 6515.6
			22 Added	App. A, § 6143
			Added	App. A, § 6182.13
			Added	App. A, § 6546
			Added	App. A, § 6564
287	11-16-2004	Street improvement/drainage impact fees	1 Rpld	12.20.010—12.20.050
288	11-16-2004	Zoning—Street improvement and drainage	1 Added	App. A, § 6422
289	12-7-2004	Various technical codes		15.04.060
				15.04.100—15.04.120
				15.04.130, 15.04.140
				15.08.010
				15.12.010
				15.16.010

				15.20.010
290	2-1-2005	Moratorium on condominium conversions	1—6	Not Codified
291	4-19-2005	Hazardous waste disposal facility business license fee	1 Added	5.08.155
292	7-5-2005	Rezone: APN 063-511-670	1	Not Codified
293	10-4-2005	Zoning—Off-site multi-user hazardous waste treatment or recycling facilities	1 Added	App. A, § 6271(b)(9)
			2 Added	App. A, § 6281(a)(12)
			3 Rnbd	App. A, § 6281(a)(12)
			as	App. A, § 6281(a)(13)
294	11-1-2005	Animal control regulations	1	6.04.010
			2	6.04.020.B
			3	6.04.080
			4 Added	6.04.085
			5	6.04.090
			6 Added	6.04.105
			8	6.04.110
			9—12	6.04.130—6.04.160
			13	6.04.180

			14 Rpld	6.04.190
			15	6.04.200
			16	6.04.170
295	9-5-2006	Rezone: APN 063-232-213, 063-323-220, 063-232-230	2	Not Codified
296	10-3-2006	Rezone: APN 063-231-180, 190, 200, 290; 063-240-210, 220, 320, 330, 340, 350	1	Not Codified
297	11-8-2005	Utility user tax	1	3.64.010
298	2-20-2007	Crime-fighting/community prevention programs tax	pts. 1—3 Added	Ch. 3.69, §§ 3.69.010—3.69.220
303	6-19-2007	Video service providers	1—29 Added	Ch. 13.06, §§ 13.06.010—13.06.310
304	7-3-2007	Ord. No. 298 amendment	1.1 Dlt'd	3.69.020.12
			1.2	3.69.170
			1.3 Dlt'd	3.69.180
306	9-18-2007	Amends provisions pertaining to withdrawal of rental units	1 Added	14.08.010—14.08.100
			2 Rpld	14.08.010—14.08.060
307		See ordinance 325 (adopted with similar provisions)		Not Approved
308	1- 8-2008	Urgency ordinance pertaining to rent increase for rental stabilization program		Not Codified

309	1- 8-2008	Amends provisions pertaining to the city's building code	1	15.04.060
310	2- 5-2008	Authorizes contract amendment		Not Codified
311	2- 5-2008	Fees to support PEG access		Not Codified
312	5-20-2008	Zoning—Appeals of planning commission decisions	1	App. A, § 6581.2
313	5-20-2008	Zoning—Permitting of hazardous waste treatment or recycling facilities	1 Rpld	App. A, § 6271(b)(19)
			Rpld	App. A, § 6281(a)(12)
314	5-20-2008	Authorizes contract amendment		Not Codified
315	5-20-2008	Amends provisions pertaining to fireworks	1	8.20.010—8.20.050
			2 Rpld	8.20.060—8.20.090
316	10- 7-2008	Amends provisions pertaining to advisory bodies	1 Added	2.36.050, 2.36.010, 2.36.020
317	10- 7-2008	Amends provisions pertaining to tobacco retailer permits	1	5.80.010—5.80.070
2008-02(Res)	2-25-2008	Recommends zoning amendment		Not Codified
08-03(Res)	4-14-2008	Recommends zoning amendment		Not Codified
318	11- 5-2008	Revises title of chapter 2.32 and amends contents of chapter 2.32 concerning the city engineer	1	Ch. 2.32 title

			2	2.32.010
				2.32.030
			3	2.32.070
			4 Dlt'd	2.32.170
319	1-16-2009	Zoning—Medical offices	1 Added	App. A, § 6102.62.3
			2	App. A, § 6271(a)(2)
				App. A, § 6271(b)(5)
320	6-16-2009	Amends redevelopment plan		Not Codified
321	6-16-2009	Amends redevelopment plan		Not Codified
322	6-16-2009	Amends redevelopment plan		Not Codified
323				Not Used
324	8-18-2009	Zoning—Procedural provisions; extend city approvals for development projects with tentative maps	3 Added	App. A, § 6105
			4	App. A, § 6550
325	11-17-2009	Zoning—Density bonus and affordable housing incentives	Added	App. A, Ch. 8.4, §§ 6181.11—6181.18
326	12-15-2009	Amends redevelopment plan		Not Codified
328	5-4-2010	Foreclosed residential property maintenance	2 Added	8.08.170

329	5-4-2010	Maintenance of distressed vacant properties	2 Added	Ch. 8.10, §§ 8.10.010—8.10.070
330	6-8-2010	Rent stabilization and just cause for eviction	1—24 Dltd	14.04.010—14.04.35 0
			Added	14.04.010—14.04.24 0
331	7-15-2010	Municipal Code enforcement	2	1.12.010.A
332	7-15-2010	Clarum Four Corners LLC development agreement	1, 2	Not Codified
333	7-15-2010	Rezone: ZC09-55	2	Not Codified
334	7-20-2010	Municipal Code enforcement	2	1.12.010.A, B
			3 Added	Ch. 1.14, §§ 1.14.010—1.14.080
			4 Rpld	15.04.060, 15.04.070
			Rpld	15.04.110
			Rpld	15.04.230
			Rpld	15.04.260, 15.04.270
			Rpld	15.04.370
			5 Rpld	15.08.010—15.08.10 0
			6 Added	15.08.010, 15.08.070
			7 Rpld	15.12.010—15.12.08

				0
			8 Added	15.12.010
			9 Rpld	15.16.010—15.16.030
			10 Added	15.16.010
			11 Rpld	15.20.010, 15.20.020
			12 Added	15.20.010
			13 Rpld	15.28.010
			Rpld	15.36.010
			14	8.08.030
			16	3.56.140
			17	3.60.130
			18	3.68.160
			19	5.76.150
			20	8.12.060
			21	8.16.1000
			22	8.28.180
			23	9.08.050
			24	9.16.100
			25	9.20.060

			26	9.24.100
			27	10.36.090
			28	12.04.120
			29	12.08.150
			30	13.08.560
336	9-14-2010	Medical marijuana dispensaries moratorium	1—5	Not Codified
338	12-7-2010	Speed limits		Not codified
339	2-1-2011	2010 California Building Code	2(exh. A) Dltd	15.08.010, 15.08.070
			Added	15.08.005—15.08.040
339A	12-21-2010	Electrical Code	2(Exh. A) Rpld	5.12.010
			Added	5.12.000, 5.12.010
339B	12-21-2010	Energy Code	2(Exh. A) Added	15.25.000, 15.25.010
339C	12-21-2010	Existing buildings code	2(Exh. A) Added	15.15.000, 15.15.010
339D	12-21-2010	Fire code	2(Exh. A) Added	15.58.000—15.58.020
339E	12-21-2010	Green building code	1(Exh. A) Added	15.11.000—15.11.020
339F	12-21-2010	Mechanical Code	2(Exh. A) Rpld	15.20.010

			Added	15.20.000, 15.20.010
339G	12-21-2010	Plumbing Code	2(Exh. A) Rpld	15.16.010
			Added	15.16.000, 15.16.010
339H	12-21-2010	Residential code	1(Exh. A)	15.10.000—15.10.050
340	2-15-2011	Purchasing system	att. A Dltd	2.84.010—2.84.170
			Added	2.84.010—2.84.180
342	6-7-2011	Seventy-two-hour parking	1 Added	10.04.120
344	7-19-2011	Zoning—Secondary dwelling units	1	App. A, § 6171(c)
			2	App. A, § 6181(c)
			3	App. A, § 6426
			4	App. A, § 6429
344A	7-19-2011	Zoning—Implementation of Policy 4.8 of the housing element	1 Added	App. A, § 6102.64.5
			Rnbd	App. A, § 6102.64.5
			as	App. A, § 6102.64.6
			2	App. A, § 6164
			3 Added	App. A, § 6406(e)
344B	7-19-2011	Senior housing	1 Added	14.20.010—14.20.040

344C	7-19-2011	Reasonable accommodations	1 Added	14.10.010—14.10.070
344D	7-19-2011	Zoning—Emergency shelters	1 Added	App. A, § 6102.33.7
			2 Added	App. A, § 6271(a)(63)
			Rnbd	App. A, §§ 6271(a)(63)—(a)(65)
			as	App. A, §§ 6271(a)(64)—(a)(66)
			3 Added	App. A, § 6275
344E	7-19-2011	Zoning—R1 transitional and supportive housing permitted use	1 Added	App. A, § 6102.48.1
			2 Added	App. A, § 6102.48.2
			3 Added	App. A, § 6102.77.1
			4	App. A, § 6161
344F	7-19-2011	Zoning—Single room occupancy development	1 Added	App. A, § 6102.71
			2 Added	App. A, § 6181(k)
344G	7-19-2011	Zoning—Residential care facilities	1	App. A, § 6515.5(d)
345	7-19-2011	Voluntary Alternate Redevelopment Program participation		Not codified

347	10-4-2011	Skate boarding facilities	1 Added	12.04.025
			2	12.04.010, 12.04.020
			3	12.08.030—12.08.050
				12.08.070
				12.08.090—12.08.110
				12.08.130, 12.08.140
351	7-19-2011	Medical marijuana distribution facilities	1 Added	Ch. 9.32, §§ 9.32.010—9.32.060
			2 Added	App. A, § 6103(c)
352	12-20-2011	Ellis Act	1—7	14.08.030—14.08.090
			8 Added	14.08.110, 14.08.120
353	12-20-2011	Non-chartered financial institutions	1	5.84.010—5.84.060
			2	App. A, § 6102.63.1
			3	App. A, § 6191(b)
			4	App. A, § 6251(b)(3)
			5 Added	App. A, § 6261(b)(25)
354	12-20-2011	Zoning—Below market housing program	Arts. 1, 2 Dltd	App. A, §§ 6182.1—6182.11

			Added	App. A, §§ 6182.1—6182.11
355	7-3- 2012	Condominium conversions	1(Exh. A) Added	14.24.010—14.24.13 0
			2 Added	App. A, Ch. 29.5, §§ 6578—6578.12
357	10-16- 2012	Zoning—Interim uses and auto dismantling	1 Rpld	App. A, Ch. 17, §§ 6270—6274
			2 Rpld	App. A, Ch. 17.5, §§ 6276—6279
			3 Rpld	App. A, Ch. 18, §§ 6280—6284
			4 Rpld	App. A, Ch. 24.1, §§ 6507—6507.9.7
			5 Added	App. A, Ch. 24.7, §§ 6524.1—6524.6
			6 Added	App. A, Ch. 24.8, §§ 6527.1—6527.3
360	4- 2- 2013	Reusable bags	1 Added	Ch. 17.05, §§ 17.05.010— 17.05.070
361	10- 1- 2013	Emergency shelters	1	App. A, 6102.33.7
			2 Added	App. A. Ch. 24.1, § 6507
362	10- 1- 2013	Floodplain management	1 Rpld	App. A, Ch. 35, §§ 6820—6829

			2 Dlt'd	15.52.010—15.52.090
			Added	15.52.010—15.52.110
363	11-19-2013	2013 Building Code	1 Rpl'd	15.08.005—15.08.040
			2 Added	15.08—15.08.040
364	11-19-2013	2013 Residential Code	1 Rpl'd	15.10.000—15.10.050
			2 Added	15.10—15.10.050
365	11-19-2013	2013 Electrical Code	1 Rpl'd	15.12.000, 15.12.010
			2 Added	15.12, 15.12.010
366	11-19-2013	2013 Plumbing Code	1 Rpl'd	15.16.000, 15.16.010
			2 Added	15.16—15.16.020
367	11-19-2013	2013 Mechanical Code	1 Rpl'd	15.20.000, 15.20.010
			2 Added	15.20—15.20.020
368	11-19-2013	2013 Green Building Code	1 Rpl'd	15.11.000—15.11.022
			2 Added	15.11—15.11.022

369	11-19-2013	2013 Energy Code	1 Rpld	15.25.000, 15.25.010
			2 Added	15.25, 15.25.010
370	11-19-2013	2013 Existing Building Code	1 Rpld	15.15.000, 15.15.010
			2 Added	15.15, 15.15.010
371	11-19-2013	2013 Fire Code	1 Rpld	15.58.000— 15.58.020
			2 Added	15.58—15.58.020
372	1- 7-2014	Sign regulations; Ravenwood/4 Corners TOD specific plan	1	App. A, § 6133
			2	App. A, app. 1
373	3-18-2014	2013 Calgreen Building Code	1(Exh. A) Rpld	15.11—15.11.022
			Added	15.11, 15.11.010
374	5- 6-2014	Tenant protections	1(Exh. 1) Added	Ch. 14.02, §§ 14.02.010— 14.02.170
375	5- 6-2014	Parking spaces for tenants	1 Added	App. A, § 6121(b), (c)
376	5- 6-2014	Demolition/reconstruction of units; Ellis Act	1	14.08.030
			2	14.08.040
			3	14.08.045

			Added	
377	5- 6-2014	Stormwater management and discharge	1(Exh. 1) Dltd	13.12.010— 13.12.220
			Added	13.12.010— 13.12.220
378	5-20-2014	Ravenswood/4 Corners specific plan amendment		Not codified
379	7-15-2014	Affordable housing program	1 Rpld	App. A, §§ 6182.1—6182.11
			2 Added	App. A, §§ 6182.1—6182.11
380	6-17-2014	Second dwelling units, guest houses and unpermitted conversions of garages and accessory structures	1	App. A, § 6102
			2—4	App. A, §§ 6117—6119
			5	App. A, § 6164
			6	App. A, § 6164.3(c)
			7 Dltd	App. A, § 6408.3
			8	App. A, § 6408.4
			9	App. A, § 6410.3(a), (b)
			10	App. A, § 6410.4
			11	App. A, § 6429(a)
			12 Added	App. A, Ch. 22.6, §§ 6445, 6446

381	6-17-2014	Elevation and floodproofing	1	15.52.070.A.3
382	11-18-2014	Urgency moratorium, west of Hwy. 101		Not codified
383	12-16-2014	Urgency moratorium extended, west of Hwy. 101		Not codified
384	12- 2-2014	Conversion of mobilehome parks	1 Rpld	14.18.010— 14.18.030
			2 Added	14.18.010— 14.18.030
385	12- 2-2014	Changes of use or closures of mobilehome parks	1 Added	Ch. 14.19, §§ 14.19.010— 14.19.200
386	2-17-2015	Unreasonable noise and unruly gatherings	1 Added	Ch. 9.02, §§ 9.02.010—9.02.140
388	3-17-2015	Transitional housing development; Ravenswood Specific Plan	2(A)	App. A, § 6102.48.2
			2(B) Added	App. A, § 6400(f)
390	7-21-2015	Expedited permitting procedures for small residential rooftop solar systems	1 Added	15.12.020
393	1-19-2016	Water conservation in landscaping regulations	2 Rpld	App. A, Ch. 21, §§ 6330—6334
			3 Added	Ch. 17.06, §§ 17.06.010— 17.06.230
			4	17.04.120
395	2-16-	Medical marijuana	1	Ch. 9.32 title

	2016			
				9.32.010—9.32.030
			2	App. A, § 6103(c)
396	3-15-2016	Smoking regulations, e-cigarettes	1	8.56.010, 8.56.020
				8.56.040
			Dltd	8.56.050
				8.56.055.A
				8.56.060.A
397	7-19-2016	Affordable housing impact fee - nonresidential development	2 Added	Ch. 8.5.5, §§ 6183.1—6183.10
398	7-19-2016	Beer and wine allowed at designated city facilities with a permit	1	9.04.010
			2 Added	12.04.020.B.3
			Rnbd	12.04.020.B.3
			as	12.04.020.B.4
				12.04.020.B.4.a
			3	12.04.080
400	10-18-2016	Preliminary application requirements	1 Added	6423—6423.4
403	7- 5-2016	Rent stabilization and just cause for eviction	1	14.04.040
				14.04.070.D.8

				14.04.070.M
				14.04.080—14.04.100
				14.04.110.C
				14.04.150.A
				14.04.160.A.5
				14.04.160.C, D
			2 Added	14.04.250
404	7- 5- 2016	Business license tax imposed, owners of five or more residential rental units	2	5.08.120
			3 Added	5.08.125
405	7- 5- 2016	Transactions and use tax imposed	1 Added	Ch. 3.57, §§ 3.57.010—3.57.150
407	1-17- 2017	Accessory dwelling units	Exh. A Dltd	Ch. 22.5, §§ 6425—6442
			Added	Ch. 22.5, §§ 6425—6442
408	1-17- 2017	Emergency temporary moratorium, nonmedical marijuana businesses		Not codified
409	6- 6- 2017	AT&T state video franchise PEG support fee	2 Added	13.06.070.E
410	10-17- 2017	Unreasonable noise and unruly gatherings	1	9.02.090
411	11- 9-	Extending moratorium prohibiting marijuana		Not codified

	2017	businesses		
412	1-16-2018	Comcast state franchise PEG support fee	1 Added	13.06.070.E.2
413	3-20-2018	Governmental structure and procedure, city manager, chief of police	1	2.04.010—2.04.100
			2	2.12.010—2.12.140
			3	2.20.010—2.20.100