

APPENDIX B

ADDITIONAL DEVELOPMENT STANDARDS

This chapter provides additional standards for new development and renovations in Ravenswood/4 Corners, along with procedural requirements for certain development approvals. The standards in this chapter are in addition to those in Chapter 6 of this Specific Plan.

Bird-Safe Building Standards

This section provides development requirements that are intended to reduce the number of bird strikes against buildings.

Applicability

- A. The standards in this section apply to development located less than 300 feet from an open space that meet the following criteria:
 - i. The open space has an area of at least two acres.
 - ii. The open space is open water or wetlands, or it is dominated by vegetation, including vegetated landscaping.
- B. The standards in this section shall apply only to the following:
 - i. New construction, other than attached or detached single family homes.
 - ii. Building additions that create a bird hazard, as described in this section other than attached or detached single family homes. Building additions are required only to mitigate bird hazards on the new building addition.
 - iii. The replacement of 50 percent or more of the glazing on an existing bird hazard, as defined in this section.
- C. The standards in this section shall not apply to detached or attached single-family homes.

Definitions

For the purposes of this section, the following definitions shall apply:

Bird hazard. Specific aspects of a building that pose a danger to birds in flight, either because of the building's location or because of building features that increase the risk of bird-building collisions.

Façade collision zone. The portion of a building that is most likely to sustain bird strikes from local and migrant birds. This portion includes the building façade, beginning at grade and extending upwards for 60 feet. It also includes glass façades that are adjacent to landscaped roofs with an area of at least two acres, and that extend upwards at least 60 feet from the roof level.

Feature collision zone. Any building feature other than a building façade that has an unbroken glazed segment at least 24 square feet in area. Includes free-standing glass walls, wind barriers, skywalks, balconies, and rooftop greenhouses.

Bird-Safe Glazing Treatments

- A. Bird-safe glazing treatments shall be used within the façade collision zone such that no more than 10 percent of a building façade consists of untreated glazing.
- B. Bird-safe glazing treatments shall be used on the entirety of a façade collision zone's glazing.
- C. Bird-safe glazing treatments may include any of the following:
 - i. Fritting.
 - ii. Netting.
 - iii. Permanent stencils.
 - iv. Frosted glass.
 - v. Exterior screens.
 - vi. Physical grids placed on the exterior of glazing.
 - vii. Ultraviolet (UV) patterns visible to birds.
- D. Bird-safe glazing treatments shall include vertical elements that are at least one-quarter inch wide, with a minimum spacing of four inches. In addition, treatments shall include horizontal elements that are at least one-eighth inch wide, with a maximum spacing of two inches.

Lighting

All lighting shall be shielded. No uplighting shall be used.

Wind Generation

Any wind-generation device shall be a vertical generator that presents a solid appearance.

Modifications

The requirements of this section may be modified through the design review process, provided that other methods are employed to prevent bird strikes.

Transportation Demand Management

Purpose

The purpose of this section is to address the significant effects that this Specific Plan will have on East Palo Alto's circulation system, and to ensure that

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employers in the Plan Area provide employees with incentives to use alternative forms of transportation.

Standards

Development within the Ravenswood Specific Plan Area is subject to the provisions of Chapter 10.32 of the East Palo Alto Municipal Code (Transportation Systems Management Plan) except that the threshold for employer transportation system management as contained in §10.32.040.B.3. apply to any business or business complex of 50 or more employees. This standard is in addition to existing City/County Association of Governments of San Mateo County (C/CAG) policy that requires projects that generate more than 100 net peak hour trips on the Congestion Management Plan (CMP) roadway network to mitigate the effects of the project on the CMP roadway network.

Vehicle Parking Reductions

Notwithstanding other provisions, this section provides for reductions in the minimum amount of required vehicle parking.

The parking reductions in this section shall not be combined. Instead, the largest of the allowable reductions shall apply.

Shared Parking

- A. Two or more uses may share a parking facility, provided:
 - i. Their main entrances are within 300 feet of the parking facility.
 - i. They record a shared parking agreement guaranteeing maintenance, establishing hours of operation, and specifying the length of the shared parking agreement.
 - ii. Receive an Administrative Use Permit allowing the shared parking arrangement. The Administrative Use Permit shall include the terms of the shared parking agreement as conditions of approval.
- B. Two or more uses may apply for a shared parking reduction, subject to an Administrative Use Permit, if either of the following conditions apply:
 - i. The uses attract vehicle traffic at different hours of the day or on different days of the week.

- ii. Visitors are likely to park their car once, then patronize more than one of the uses.
 - iii. The total reduction in parking does not exceed 20 percent.
- C. An Administrative Use Permit application for a shared parking reduction shall include all of the following:
- i. A description of each use that is to share the parking spaces, including the expected hours of operation for each use.
 - i. The proposed number of parking spaces to be provided.
 - ii. Evidence that the proposed number of parking spaces will be adequate to serve the proposed uses.
- D. If a change of use is proposed for an establishment that has received a shared parking reduction, and the proposed new use is not explicitly allowed by the Administrative Use Permit, prior to the change in use, the establishment shall:
- i. Obtain a new Administrative Use Permit that includes the proposed use.
 - ii. Provide evidence that the minimum parking requirements can be met without a shared parking reduction.

Unbundled Parking Costs

- A. Any mixed-use or residential development may “unbundle,” or separate, the lease rate or purchase price of an off-street residential parking space from the lease rate or purchase price of the associated dwelling unit, provided that a minimum of one space be included or the parking is held and managed by a homeowners or property owners association in perpetuity.
- B. For a development that includes 10 or more dwelling units, and that unbundles parking costs for all dwelling units, the minimum parking requirement for those units may be reduced by up to 10 percent. This reduction shall be subject to an Administrative Use Permit.

Credit for On-street Parking

For non-residential uses, and for the commercial component of a mixed-use building, any on-street parking space that is adjacent to a development may be counted towards the minimum off-street parking requirement for that development.

Tandem Parking

For single-family attached or detached dwellings, two required parking spaces may be combined into a tandem parking space, in which one parked car is located behind another and the rear car must exit the parking space before the front car can move.

Split Zoning

For parcels that fall under multiple zoning classifications, development proposals should be reviewed by the Director to determine that the proposal is consistent with the goals and policies set forth in the Specific Plan.

Review procedures, generally

Administrative Design Review

(a) An Administrative Design Review Permit shall be required for any of the following types of development:

- (1) New building(s) or additions resulting in more than 10-percent increase in floor area
- (2) Modification (other than paint color) of the exterior of a building façade visible from a public street or pathway;
- (3) Modification of a parking lot layout or circulation pattern;
- (4) Modification of landscaping involving the replacement of more than 50-percent of the landscape material or landscape planters.

(b) An Administrative Design Review Permit is intended to provide a streamlined process to determine that the project is complying with the development standards and design criteria contained in the Ravenswood Specific Plan (RSP). Focus of ADR will be on colors, materials, architectural, design and placement of the physical characteristics of a project, as well as compliance with design requirements described in the RSP. Evaluation shall be in accordance with the RSP and the Municipal Code.

(c) ADR submittal shall be as follows:

- (1) An application for ADR may be submitted by the property owner or by an agent on the owner's behalf.

- (2) The application shall be made to the Community Development Department on a form provided by the City and with all applicable fees and submittal materials.
- (3) If the ADR is submitted concurrent with a request for a division of land, an application for a land division permit shall be submitted with the application for Design Review. Approval of the Design Review shall not become effective until final approval of the land division permit; provided, that if the land division is proposed in phases, the approval of the Design Review shall take effect upon final approval of the phase of the land division containing the property on which the Design Review is to be located.
- (4) The Director shall be the final decision-maker for ADR. The Director shall render a decision on the ADR application by issuing a Notice of Decision, without a public hearing, based on findings below and subject to conditions necessary to make the use compatible with surrounding uses. The Director shall approve, deny or conditionally approve the Design Review within the time frame established by State law. If the design is not consistent with the findings, the application for Design Review shall be denied. Appeals shall be to the Planning Commission in accordance with Chapter 30 of the Zoning Ordinance. The Director shall first send a written notice of filing of an ADR application to each of the adjacent property owners, as well as property owners across the street from the site's boundaries, as shown by the latest available assessment roll of the County of San Mateo. The notice shall advise these property owners that an application has been filed, describe the proposed project and indicate where the plans and materials can be viewed. The City shall provide a minimum 15 days for the public to review and comment on materials.
- (5) The Director in his/her sole discretion may refer the ADR to the Planning Commission instead of making a decision on the application. In such event, the Commission shall consider the Design Review at a public hearing. Appeal shall be to the Council in accordance with Chapter 30 of the Zoning Ordinance. The Planning Commission and Council shall apply the standards set forth in this chapter in acting on the ADR.

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Development of the use or project shall not be carried out until the applicant has secured all the permits and approvals required by this title, the Code and County, State, Federal, or other agencies.

(d) Required Findings for ADR. When considering applications for ADR, the Director shall evaluate the impact of the Design Review on and its compatibility with surrounding properties and neighborhoods to ensure the appropriateness of the development and make the following findings:

(1) The proposed development is consistent with the goals and policies embodied in the adopted General Plan and the general purpose and intent of the applicable district regulations;

(2) The proposed development is consistent with the Ravenswood Design Guidelines set forth in the Ravenswood Specific Plan, including the Street Right-of-Way Standards and Guidelines, and the Design Standards set forth in Appendix A.

(3) The proposed development is compatible with the RSP and implements and preserves the land use and design goals of the RSP.

(4) The proposed development will include improvements or modifications consistent with the RSP that are intended to mitigate or address potential adverse effects to adjacent developments or neighborhoods such as traffic, noise, odors, visual nuisances, or other similar adverse effects. These improvements or modifications may include but shall not be limited to the placement or orientation of buildings and entryways, parking areas, buffer yards, and the addition of landscaping, walls, or both.

(5) Consistent with the Ravenswood Specific Plan, the proposed development incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets;

(6) The proposed development incorporates features to minimize adverse effects including visual impacts of the proposed development on adjacent properties:

- (a) Harmony and proportion of the overall design and the appropriate use of materials;
- (b) The suitability of the architectural style for the project; provided, however, it is not the intent of this section to establish any particular architectural style;
- (c) The sitting of the structure on the property, as compared to the sitting of other structures in the immediate neighborhood;
- (d) The size, location, design, color, number, and lighting.

(7) The proposed development complies with all additional standards imposed on it by the particular provisions of this chapter, design standards contained in the RSP, any City architectural guidelines, development and public improvement standards, and all other requirements of the City of East Palo Alto Municipal Code applicable to the proposed development; and

(8) The proposed development will not be materially detrimental to the public health, safety, convenience and welfare or result in material damage or prejudice to other property in the vicinity.

(9) If a Fiscal Impact Report is required, the project shall demonstrate a net positive impact on the City's General Fund.

Use Permits

Purpose of Conditional Use and Administrative Use Permits.

The purpose of Use Permits are to insure the proper integration of uses which, because of their special nature, may be suitable only in certain locations or zoning districts or only provided that such uses are arranged or designed in a particular manner.

Authority to impose conditions.

The Director or the Planning Commission, as provided in the RSP, may approve, conditionally approve, or deny an application for a conditional, or administrative use and, in granting conditional approval, may impose such requirements and conditions with respect to location, sitting, construction,

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maintenance, operation, duration, and overall development as may be deemed reasonable and necessary for the protection of adjacent properties and the public interest. The granting of a Use Permit shall not exempt the applicant from complying with the requirements of other provisions of the RSP, the Municipal Code, including Design Review, the Building Code, or any other applicable requirements of this title or Code, or other local, State, or Federal requirements.

Administrative Use Permits.

The Director is authorized to issue Use Permits for all uses designated in Table 6-1 of the RSP as being subject to the issuance of an Administrative Use Permit subject to the following procedures.

- (1) An application for an Administrative Use Permit may be submitted by the property owner or by an agent on the owner's behalf.
- (2) The application shall be made to the Community Development Department on a form provided by the City and with all applicable fees and submittal materials.
- (3) The application shall be processed as provided below with the exception that generally no public hearing is required.
- (4) If the proposed use requires a division of land, an application for a land division permit shall be submitted in conjunction with the application for a Use Permit. Approval of the Administrative Use Permit shall not become effective until final approval of the land division permit; provided, that if the land division is proposed in phases, the approval of the Administrative Use Permit shall take effect upon final approval of the phase of the land division containing the property on which the specially permitted use is to be located.
- (5) Review Procedure.
 - a) The 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 these property owners that a written protest or request for an administrative

hearing, or both, may be filed with the Director within ten calendar days from the date of the notice.

b) 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 Director shall consider these protests in determining whether to approve, conditionally approve, or deny the application and shall render a decision without conducting an administrative hearing.

c) If a request for an administrative hearing is received within the time prescribed in the notice, the Director shall fix a time and place for the hearing and shall give written notice of the hearing to the applicant and the person or persons requesting the hearing. The hearing shall be scheduled within 60 days of a receipt of a request for administrative hearing. Upon the conclusion of the hearing, the Director shall approve, conditionally approve, or deny the application and shall furnish a copy of his or her decision to the applicant and the person or persons who requested the hearing.

Review and Decision on an Administrative Use Permit.

The Director shall be the final decision-maker for Administrative Use Permits. If there is not an administrative hearing, the Director shall render its decision within 60-days of formal notice of application completeness, subject to findings identified below and conditions necessary to make the use compatible with surrounding uses. If the appropriateness of the use cannot be assured at the location, the application for Administrative Use Permits shall be denied as being incompatible with existing uses or uses permitted by right in the district. The decision by the Director may be appealed to the Planning Commission within 15 calendar days after rendition of the decision. Any appeal must be made in writing and shall state how the Director erred or abused discretion.

(a) The Director may refer any Administrative Use Permit application to the Commission for the purpose of processing the same as a Conditional Use Permit in accordance with the public hearing procedures.

Administrative Use Permit Limitations.

(a) Approval of an Administrative Use Permit shall authorize only the particular use for which the permit is issued and may include a limit on time the use may continue.

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(b) No use authorized by an Administrative Use Permit shall be enlarged, extended, increased in intensity or relocated unless an application is made to modify the Administrative Use Permit in accordance with the procedures set forth in the RSP.

(c) A new permit is required for new business or activity on the site, including resumption of any business or activity within a structure which has been vacant or abandoned for a period in excess of 90 consecutive calendar days.

(d) Development of the use shall not be carried out until the applicant has secured all the permits and approvals required by this Code and by County, State, Federal, or other agencies.

Conditional Use Permits.

The Planning Commission shall be, and hereby is, authorized to issue Conditional Use Permits for all uses designated in the district regulations of this title as being subject to the issuance of a Conditional Use Permit or in those cases where an application for an Administrative Use Permit has been referred by the Director subject to the following procedures.

Application Procedure for a Conditional Use Permit.

(a) An application for a Conditional Use Permit may be submitted by the property owner or by an agent on the owner's behalf.

(b) The application shall be made to the Community Development Department on a form provided by the City and with all applicable fees and submittal materials.

(c) The application shall be processed as provided in the RSP and the City Zoning Ordinance.

(d) If the proposed use requires a division of land, an application for a land division permit shall be submitted in conjunction with the application for a Conditional Use Permit. Approval of the Conditional Use Permit shall not become effective until final approval of the land division permit; provided, that if the land division is proposed in phases, the approval of the Conditional Use

Permit shall take effect upon final approval of the phase of the land division containing the property on which the specially permitted use is to be located.

(e) The Director shall send a written notice of the application to all property owners within 300 feet of the property as shown by the latest available assessment roll of the County of San Mateo. The written notice shall be sent no later than 10 days before the scheduled Planning Commission meeting.

Review and Decision on a Conditional Permit.

The Planning Commission shall be the final decision-maker for Conditional Use Permits. The Commission shall render its decision, pursuant to Chapter 24 of the City Zoning Ordinance, subject to findings contained in the RSP and conditions necessary to make the use compatible with surrounding uses. If the appropriateness of the use cannot be assured at the location, the application for a Conditional Use Permit shall be denied as being incompatible with existing uses or uses permitted by right in the district. Appeal shall be to the City Council in accordance with the City Zoning Ordinance.

Conditional Use Permit Limitations.

(a) Approval of a Conditional Use Permit shall authorize only the particular use for which the permit is issued and may include a limit on time the use may continue.

(b) No use authorized by a Conditional Use Permit shall be enlarged, extended, increased in intensity or relocated unless an application is made to modify the Conditional Use Permit in accordance with the procedures set forth in this Code.

(c) Development of the use shall not be carried out until the applicant has secured all the permits and approvals required by this title, the Code and County, State, Federal, or other agencies.

(d) A new permit is required for new business or activity on the site, including resumption of any business or activity within a structure which has been vacant or abandoned for a period in excess of 90 consecutive calendar days.

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Findings.

When considering applications for an Administrative, or Conditional Use Permit, the Director or Planning Commission shall evaluate the impact of the proposed use on and its compatibility with surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location and make the following findings:

- (a) The proposed use at the specified location is consistent with the policies of the RSP, the General Plan and the general purpose and intent of the applicable district regulations;
- (b) The proposed use is consistent with the Ravenswood Design Guidelines set forth in the Ravenswood Specific Plan, including the Street Right-of-Way Standards and Guidelines, and the Design Standards set forth in Appendix A.
- (c) The proposed development is compatible with the RSP and implements and preserves the land use and design goals of the RSP.
- (d) The proposed development will include improvements or modifications consistent with the RSP that are intended to mitigate or address potential adverse effects to adjacent developments or neighborhoods such as traffic, noise, odors, visual nuisances, or other similar adverse effects. These improvements or modifications may include but shall not be limited to the placement or orientation of buildings and entryways, parking areas, buffer yards, and the addition of landscaping, walls, or both;
- (e) Consistent with the Ravenswood Specific Plan, the proposed use incorporates roadway improvements, traffic control devices or mechanisms, or access restrictions to control traffic flow or divert traffic as needed to reduce or eliminate development impacts on surrounding neighborhood streets;
- (f) The proposed use incorporates features to minimize adverse effects, including visual impacts and noise, of the proposed special use on adjacent properties;

- (g) The proposed use complies with all additional standards imposed on it by the particular provisions of this chapter and all other requirements of this title applicable to the proposed special use and uses within the applicable base zoning district; and
- (h) The proposed use will not be materially detrimental to the public health, safety, convenience and welfare, and will not result in material damage or prejudice to other property in the vicinity.
- (i) If a Fiscal Impact Report is required, the project shall not have a negative impact on the City's General Fund.

Home Occupation Permit

The purpose of this chapter is to provide opportunities for limited commercial and business activities within the City's residential neighborhoods, provided that such activities are compatible with, and do not detract from, the peace, quiet, character, and quality of residential areas in the RSP

Application procedure.

No home occupation shall be permitted without the prior issuance of a Home Occupation Permit. Applications for a Home Occupation Permit shall be made upon forms furnished by the Community Development Department, and shall be subject to review and approval by the Director. A Home Occupation Permit shall not be required for any activity or operation with an annual income of less than Five Hundred and no/100ths (\$200.00) Dollars, or one for which a business license is not required.

Review Criteria

Applications for a Home Occupation Permit shall be processed consistent with Chapter 19 of the Zoning Code.

Similar use determination

The Director may authorize a use not specifically listed within a zoning district if it is determined that the use is similar to other uses permitted in the zoning district provided that the use is not specifically listed in another zoning district.

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Determination on unlisted uses

The Director, upon a written request, or the Planning Commission upon referral by the Director may determine whether a use not specifically listed as a use that is principally permitted or specially permitted in a particular zoning district of the City based on similarity of the use to uses already listed in accordance with the following:

- (a) Where the term “similar uses permitted by the Director determination” is mentioned within any zone district, it shall be deemed to mean other uses which, in the judgment of the Director as evidenced by a written decision, are similar to and not more objectionable to the general welfare than those uses specifically listed in the same district.
- (b) The Director may refer a determination on an unlisted use to the Planning Commission.
- (c) The Director or the Planning Commission shall not determine that a use is permitted in a zone when the use is specifically first listed as permissible in a zone district allowing more intensive uses.
- (d) The procedures of this chapter shall not be substituted for the amendment procedure as a means of adding new uses to the list of permitted or specially permitted uses.
- (e) The Planning Commission may, on its own motion or at the request of any affected party, reconsider and change a written decision regarding uses previously determined by the Planning Commission or Director.
- (f) The Director’s determination regarding conformance of a use to a zone district may be appealed to the Planning Commission. The Planning Commission’s determination regarding conformance of a use to a zone district may be appealed to the Council.

Application procedure

Application for a determination on an unlisted use shall be made in writing to the Director a detailed description of the proposed use and any other

information as may be required to facilitate review of the request, along with the required fee as established by resolution.

Investigation and report

The Director shall prepare a report which will address the following and submit copies to the applicant, Planning Commission, and City Council:

- (a) Comparison of the proposed use to the type and intensity of other uses principally permitted or conditionally permitted in the same zone district;
- (b) Evaluation of the purpose and intent of that zone district;
- (c) Review of the General Plan to compare the proposed use characteristics with the applicable goals and objectives.

Findings

The Director, or Planning Commission upon referral by the Director, shall base the decision upon the following findings:

- (a) The use in question is of a similar type and intensity to other principally, administratively, or specially permitted uses in the same zone district.
- (b) The use in question meets the purpose and intent of the district in which it is proposed.
- (c) The use in question meets and conforms to the applicable policies and maps of the General Plan.

Expiration of Permits

(a) Unless otherwise specifically provided in the RSP, development permits shall automatically expire and become null or void, and all activities pursuant to such permit thereafter shall be deemed in violation of this title, if the applicant:

- (1) Fails to inaugurate the project within 12 months of approval or as otherwise provided in the conditions of approval;

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- (2) Fails to pursue the project to completion;
- (3) Fails to satisfy any condition that was imposed as part of the original or revised approval of the development application or that was made pursuant to the terms of any development agreement within the time limits established therein for satisfaction of such condition or term;
- (4) Fails to present a subsequent development application required by this title within the time required or as may be required by law; or
- (5) Fails to obtain an automatic time extension.

(b) If no time limit for satisfaction of conditions is specified in the original or revised approval of the development application, the time shall be deemed to be two (2) years from the date such approval was granted by the final decision-maker.

Extension procedures

An extension of up to one (1) additional year may be granted by the person or hearing body who originally approved the permit, provided the applicant makes application, files the applicable fee and submits written justification showing good cause for the extension at least forty-five (45) days prior to expiration. Good cause shall include showing diligent work toward completion of the project. Good cause does not include poor lot sales on recorded phases, lack of financing for the subdivision, or delay because of engineering or design problems. No further extension may be granted by the Director or by the final hearing body except as provided by an adopted development agreement or by law, or as allowed by the following automatic extension provisions.

- (1) Tolling Agreement
- (2) Other Statutory extension provided by the State

Definitions

The following definitions shall be used for the purpose of interpreting all requirements of this chapter.

Agriculture, noncommercial. Any agriculture activity resulting in products that are primarily consumed on-site. “Noncommercial agriculture” shall include beekeeping.

Alcoholic beverage sales. The retail sale of any alcoholic beverage for on-premise or off-premise consumption, subject to the requirements of § 6506 of the Zoning Ordinance.

Animal keeping, noncommercial. The keeping of a limited number of animals without offering animals for sale or hire, overnight boarding of animals for a fee, veterinary services for animals, or any other profit-making activity that involves the keeping of animals.

Animal sales and services—boarding allowed. An establishment that performs on-premise medical and non-medical care of animals, including animal grooming and sales, and that provides facilities for animals to receive overnight care or boarding.

Animal sales and services—no boarding. An establishment that performs on-premise medical and non-medical care of animals, including animal grooming and sales, without any overnight care or boarding of animals.

Automobile Wrecking/Dismantling. Automobile dismantling, automobile wrecking, storage of inoperable automobiles, automobile salvage and “Pick and Pull” lots. See also Section 6507.9.1 of Zoning Code.

Automated teller machine (ATM). A computerized, self-service machine that is used for financial transactions such as deposits, withdrawals, and fund transfers.

Bank or financial service. A financial institution such as a bank, credit agency, or lending institution. Does not include check cashing stores, which are considered a “moderate-impact personal service.”

Boardinghouse. A building or portion of a building where sleeping facilities and meals for five or more persons are provided for compensation on a regular basis. Does not include temporary lodging facilities such as a bed and breakfast, hotel, or motel. Boardinghouses are not permitted.

Business support service. An establishment within a completely enclosed building that provides services that are necessary to other businesses, such as blueprinting, computer rental and repair, copying, mailing and mailbox services, messenger services, and temporary employment. Does

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not include print shops, which are considered to be “manufacturing and processing” uses.

Child day care center. A non-residential facility that provides non-medical care and supervision of children for periods of less than 24 hours. This definition includes nursery schools, day nurseries, child care centers, infant day care centers, cooperative day care centers, and other similar land uses. It does not include large or small family day care homes.

Class I Bicycle Parking. Bicycle parking that protects an entire bicycle and its components from theft.¹

Class II Bicycle Parking. Bicycle rack tow which the frame and at least one wheel can be secured with a user-provided U-lock or padlock and cable.¹

Commercial recreation, indoor. Any establishment that provides indoor entertainment activities as a primary use for a fee or admission charge, including archery ranges, billiard halls as a primary use, bowling alleys, electronic game arcades with four or more machines, shooting galleries, and skating rinks. Does not include establishments such as bars, restaurants, or laundromats that offer gaming tables or machines to their customers as an accessory use. Does not include gymnasiums and similar facilities, which are considered “health/fitness facilities.” Does not include adult businesses.

Community use, assembly. An auditorium, theater, or similar indoor facility that is open to the public and is used primarily for the group viewing of films, performances, or presentations at specified dates and times. Includes civic theaters, facilities for live theatrical performances, facilities for sporting events, and concert and movie theaters. Does not include adult businesses.

Community use, non-assembly. A facility that is open to the public and presents displays, exhibits, or other material of cultural interest that are typically available throughout the day, such as an art gallery, aquarium, library, museum, or zoo. Does not include arts and graphics arts studios where art is produced, which are considered “instructional or production studios.”

Director. The Community Development Director, or his or her designee.

Drive-through establishment. A building where a customer is permitted or encouraged, either by the design of physical facilities or by the service offered, to be served while remaining seated within a vehicle, including drive-through bank teller windows, dry cleaners, pharmacies, and

¹ Santa Clara Valley Transportation Authority. VTA Bicycle Technical Guidelines. Page 10-14. 2007.

restaurants. A drive-through car wash included as an accessory use to a gas station shall not be considered a “drive-through establishment.”

Duplex. A residential structure that contains two dwelling units, each with its own entrance.

Dwelling unit. A residential structure that provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation.

Emergency Shelter. Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of inability to pay.

Family. One or more persons sharing a dwelling unit in a living arrangement that includes the sharing of living expenses, such as rent or mortgage payments, food costs, and utilities; the maintenance of a single lease or rental agreement for all persons sharing the dwelling unit; or other characteristics indicative of a single household.

Family day care home, large. In accordance with Section 1597.465 of the Health and Safety Code, “large family day care home” means a home that regularly provides care, protection, and supervision of nine to 14 children (including children under the age of ten years who reside in the home) in the provider’s own home, for periods of less than 24 hours, while the parents or guardians are away.

Family day care home, small. In accordance with Section 1597.465 of the Health and Safety Code, “small family day care home” means a home that regularly provides care, protection, and supervision of eight or fewer children (including children under the age of ten years who reside in the home) in the provider’s own home, for periods of less than 24 hours while the parents or guardians are away.

Food and beverage sales—convenience. A retail establishment with an adjusted gross floor area less than 10,000 square feet, in which the majority of the floor area open to the public is occupied by food products or non-alcoholic beverages that are packaged for consumption away from the store. Includes convenience markets that sell a range of merchandise incidental to food and beverage sales, including household items, newspapers, and magazines. Does not include the sale of alcoholic beverages, which is considered “alcoholic beverage sales.”

Food and beverage sales—supermarket. A retail establishment with an adjusted gross floor area of 10,000 square feet or more, in which the majority of the floor area open to the public is occupied by food products or non-alcoholic beverages that are packaged for consumption away from the

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store. Does not include the sale of alcoholic beverages, which is considered “alcoholic beverage sales.”

Gas station. Any building or site used primarily for the retail sale and dispensing of motor fuels, lubricants and motor vehicle accessories, as well as the rendering of services and minor repairs to vehicles, not including painting, body work, or fender work. A gas station may include food and beverage sales, as well as a car wash, as an accessory use.

General retail. A retail establishment that sells varied merchandise and is not otherwise identified in this chapter as a unique retail use, including antique stores, appliance and electronics stores, beauty supply stores, bicycle stores with incidental repair, bookstores, camera shops with incidental developing, drugstores, department stores, dressmaking shops, florists, hardware stores, picture frame shops, upholstery shops, and any use of like kind or character.

Health/fitness facility. A fitness center, gymnasium, or health and athletic club, which may include any of the following: free weights; a swimming area, sauna, spa or hot tub facilities; indoor or outdoor tennis, handball, or racquetball; and other indoor sport activities.

Instructional or production studio. A small-scale establishment for the instruction or production of art, including dance, painting, photography, music, sculpture, and related arts. The term “instructional or production studio” also includes studios for gymnastics, martial arts, yoga, and similar activities, provided that they do not also offer fitness equipment similar to a “health/fitness facility.”

Maintenance and repair. An establishment that provides off-site maintenance or repair services at a client’s premises, including heating, ventilation and air conditioning (HVAC) repair; heavy equipment and appliance repair; janitorial services; pest control; and plumbing. Includes services for both commercial and domestic purposes. These services are considered an accessory use when they are offered as part of a larger retail establishment that sells the products being maintained or repaired. Does not include on-site equipment storage, which is not permitted, or “vehicle service and repair.”

Manufacturing and processing. The conversion of raw materials or assembly of parts into new products that are primarily sold off-site. Also includes storage and distribution of the goods that are manufactured and processed.

Manufacturing and processing—general. A facility for manufacturing and processing activities where the scale of operations is greater than

“manufacturing and processing—light,” but where impacts on surrounding land uses can customarily be mitigated to acceptable levels. Includes clay products manufacturing; metal fabrication and machine welding shops; stone product assembly and fabrication; and wood assembly and woodworking.

Manufacturing and processing—heavy. A facility for manufacturing and processing activities that may need to be significantly isolated from surrounding land uses through setbacks, screening, or other methods in order to avoid unacceptable impacts on its surroundings. Includes heavy machinery manufacturing; large-scale metal coating; large-scale metal pressing and extruding; and other uses that have the potential to generate significant amounts of air emissions, noise, odors, vibration, or similar impacts.

Manufacturing and processing—light. A facility for manufacturing and processing activities that are unlikely to cause impacts on surrounding uses. Includes the following:

- a. Artisanal and hand-craft manufacturing. Includes establishments that manufacture artisanal goods or other durable consumer goods by hand or on a small scale, including ceramics and pottery, jewelry, small glass and metal art and craft products, sporting and athletic goods, taxidermy, and toys.
- b. Clothing and fabric products. Includes establishments that produce clothing, draperies, textiles, and other products related to the fabrication and assembly of cloth.
- c. Electronics and appliance manufacturing. Includes establishments that assemble small-scale electrically powered equipment and fabricate small parts for this equipment, including the assembly of computers, medical devices and small appliances.
- d. Food and beverage products. Includes establishments that produce or process foods and beverages for human consumption and primarily for wholesale or distribution purposes, including wholesale bakeries, breweries, butcher shops, candy manufacturing, catering services separate from stores or restaurants, coffee roasting, dairy products manufacturing, frozen food locker rental, and ice production.
- e. Photo/film processing lab. Includes establishments that use chemical processes to develop photographic negative film or produce transparencies or prints in large volumes for professional and commercial use. Does not include small-scale processing equipment as an accessory use for a retail business.

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- f. **Printing and publishing.** Includes establishments that assemble or produce printed copies by use of letterpress, lithography, screen press, or xerographic copying. Does not include engravers, newspaper presses, offset presses, and similar types of presses, which are considered “manufacturing and processing—general.” Does not include consumer-oriented copy shops, which are considered “business support services.”

Medical clinic or lab. A facility that provides medical, dental, mental health, surgical, and other personal health services for outpatients on a walk-in basis, including urgent care facilities, as well as medical laboratories that perform X-rays and conduct testing of specimens from walk-in patients. Does not include hospitals or other facilities that provide more intensive emergency or inpatient care.

Medical office. A facility that provides medical, dental, mental health, surgical, and other personal health services for outpatients, where appointments are typically scheduled in advance rather than on a walk-in basis. As an accessory use, may include a medical laboratory that performs X-rays and conducts testing of specimens. Does not include hospitals or other facilities that provide more intensive emergency or inpatient care.

Meeting facility. Any facility used primarily for public or private meetings, excluding “commercial recreation” and “cultural use” establishments. Includes banquet halls, community centers, clubs, houses of worship, lodges, and union halls.

Mixed-use development. A building or development site that accommodates commercial storefronts along with dwelling units, office space, or both. Mixed-use development may be vertical, with one use on top of another in a single building, or horizontal, with two or more uses adjacent to one another.

Multiple-family dwellings. A residential structure that contains three or more dwelling units. This definition includes apartment buildings, residential condominiums, and other similar land uses. Does not include boardinghouses, which are not permitted.

Outdoor storage. The keeping of any materials, including parts and finished products, outside of an enclosed building. Does not include small items displayed for sale in front of a building. Does not include “vehicle depots.”

Park or recreational facility. A noncommercial, outdoor recreational facility that is open to the general public and provides active or passive recreational opportunities. May include limited indoor facilities such as meeting spaces, restrooms, and visitor centers.

Parking facility. Any off-street lot or structure that is available for public parking or storage of vehicles, whether for free or for compensation. Does not include parking that is designated for a specific business or group of businesses. Auto wrecking and the storage of inoperable autos are prohibited.

Personal services. An establishment other than a “professional office” that provides services to individuals as a primary use, and that may sell products related to these services as an accessory use.

Personal services, low-impact. A personal services establishment that tends to create minimal adverse impacts for its surroundings, including but not limited to barber shops and beauty salons, clothing rental, dry cleaning services with no on-site dry-cleaning equipment, home electronics repair, laundromats, and non-sexual massage salons and spas.

Personal services, moderate-impact. A personal services establishment that may tend to attract criminal activity or reduce property values when clustered in a group of similar establishments, and that may need to be dispersed in order to reduce these potential negative impacts. Includes check-cashing stores, psychics, and tattoo or body piercing parlors.

Professional office. A place of employment occupied by businesses or municipal agencies that perform professional services. Includes accountants, architects, engineers, graphic designers, insurance agents, lawyers, photographers, and real estate agents. Does not include any separately defined use, such as “medical clinics or labs,” “medical offices” or any other facility providing medical care; “animal sales or services”; “bank or financial services”; or “personal services.”

Public or quasi-public facility. Any facility owned and operated by the City, county, State, or federal government, or by a public agency, regardless of the use. Any use that is listed as an allowed use for a given district may be provided as a public or quasi-public facility, even if the district does not list “public or quasi-public facility” as an allowed use. Does not include “public utilities.”

Public safety facility. A facility operated by a public agency for the purpose of protecting public safety, including ambulance dispatch facilities, fire stations and other fire-fighting facilities, and police stations and dispatch services.

Public utilities—major. Any large-scale facility or equipment that is part of a public utility system, including electrical substations and switching stations, natural gas regulating and distribution facilities, public water system wells, and treatment plants.

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Public utilities—minor. Any small-scale facility or equipment used for the local distribution of public utilities, including transmission points, junction boxes and vaults, and other small structures.

Recycling facility. An establishment where bulk quantities of recyclable materials, including metal, paper, plastic, and oil, are collected or processed. Does not include storage containers located on the premises of a commercial or manufacturing use and used solely for the recycling of material generated by that business or manufacturer. Does not include “reverse vending machines.”

Research laboratory. A facility for scientific research, including pharmaceutical, chemical, and biotechnology research, or the design, development and testing of electrical, electronic, magnetic, optical, computer, or telecommunications components.

Residential care facility. Facilities providing residential, social, and personal care for children, the elderly, or people with limited ability for self-care, but where medical care is not a major element. This definition includes self-help group homes, transitional housing, orphanages, foster homes, children’s homes, congregate care facilities, assisting living facilities, rehabilitation centers, and other similar land uses. Convalescent homes, nursing homes, and similar facilities with intensive medical care services are excluded from this definition.

Restaurant or café, fast service. An establishment that prepares and serves food or beverages for immediate consumption, either on or off the premises; where food may be prepared before a customer places an order; where limited or no table service is provided; and where payment is required prior to consumption. Does not include “food and beverage sales” establishments that include a restaurant or café as an accessory use.

Restaurant or café, full service. An establishment that prepares and serves food or beverages on-site for consumption on-site via table service, and where less than 20 percent of the serving area is set aside for dedicated rooms that are available for rental by private parties. Does not include “food and beverage sales” establishments that include a restaurant or café as an accessory use. Does not include banquet halls, which are considered a “meeting facility.”

School, private. A privately owned and operated primary or secondary educational institution offering a curriculum that is comparable to that required in the public schools of the State of California.

School, public. Facilities for primary or secondary education, including elementary, junior high, and high schools, that are supported by public funds and provide tuition-free education to local residents.

Secondhand store. An establishment such as a pawn shop that meets the definition of a “secondhand store” in § 21626 et seq. of the California Business and Professions Code.

Shopping center. A primarily retail-oriented commercial site with at least three separate retail, sales, service, or restaurant tenants that share common on-site pedestrian and parking facilities. Does not include mixed-use development that has multiple commercial tenants on the ground floor of an individual building.

Single-family dwelling. A dwelling unit designed for occupancy by one family.

Single-family dwelling, attached. A multi-story single-family dwelling unit, such as a townhouse or rowhouse, that is attached to at least one other unit and is not located above or below another unit.

Single-family dwelling, detached. A single-family dwelling unit that is not attached to any other single-family dwelling, other than an attached second dwelling unit.

Vehicle depot. A facility that is used primarily for the storage of operative vehicles in a fleet, including associated repair facilities for temporarily inoperative vehicles. Auto wrecking and the storage of inoperable autos are prohibited.

Vehicle service or repair. An establishment that provides any repair, alteration, servicing, towing, restoration, or finishing of any vehicle as a primary use, including body repair, collision repair, muffler and radiator shops, oil change and quick-lube shops, painting, cleaning and detailing, tire and battery sales and installation, and towing. Includes permanent car washes, both self-service and full-service. Does not include repair shops that are part of or on the same site as a vehicle sales establishment or gas station. Auto wrecking and the storage of inoperable autos are prohibited.

Warehousing, wholesaling, and distribution. The provision of facilities used primarily for storing, selling, or distributing goods to retailers, contractors, commercial purchasers or other wholesalers, or to the branch or local offices of a company or organization. Includes shipping depots for nationwide shipping services.

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