

## Staff Report

**TO:** Honorable Mayor and Members of the Town Council  
**FROM:** Christy Consolini, Planning Director  
**DATE:** **October 8, 2024**  
**RE:** Town of Loomis Municipal Code Title 13 Zoning Ordinance Amendment for Housing Element Compliance

### **RECOMMENDATION**

1. Adopt Ordinance **#299** amending Title 13 Zoning Ordinance of the Town of Loomis Municipal Code to implement adopted Housing Element Programs and maintain consistency with the General Plan.
2. Determine that the proposed action is exempt from the California Environmental Quality Act and is not a project pursuant to section 15378, and has been analyzed in the certified General Plan Environmental Impact Report (SCH#022050323).

### **BACKGROUND**

The current General Plan Housing Element was adopted by the Town Council on August 17, 2021 and includes programs that require the implementation of Zoning Ordinance amendments, including an update of the Zoning Map, to comply with current State housing policy and to provide for adequate opportunity to meet the 6<sup>th</sup> cycle Regional Housing Needs Allocation for the town. Specifically, Housing Element Programs 2, 5, 6, 11, and 15 require amendment of the Zoning Ordinance:

\* \* \* \* \*

#### **Programs:**

2. Conduct a comprehensive review of the Town's Zoning Ordinance to ensure compliance with state and federal fair housing laws and analyze the effectiveness of the goals, policies, programs, and codes in furthering the development of housing for all Loomis residents.

Responsible Entity: Planning Director

Timeframe: Complete a comprehensive review of the Zoning Ordinance and necessary amendments by June 2022. Review annually thereafter.

5. The Town will remove barriers to housing for special needs groups by amending the Zoning Ordinance to address the following:
  - a. Employee Housing: Treat employee/farmworker housing that serves six or fewer persons as a single-family structure and permit it in the same manner as other single-family structures of the same type within the same zone across all zones that allow single-family residential uses. Treat employee/farmworker housing consisting of no more than 12 units or 36 beds as an agricultural use and permit it in the same manner as other agricultural uses in the same zone, in compliance with the California Employee Housing Act (Health and Safety Code Sections 17021.5 and 17021.6).
  - b. Single-Room Occupancy Units: To encourage housing mobility, allow single-room occupancy (SRO) units in the RH (High-Density Residential), RM-3.5 (Medium-Density Residential), RM-5

(Medium-Density Residential), and CG (General Commercial) zoning districts with a conditional use permit, in compliance with Government Code Section 65583(c)(1).

- c. Definition of Family: Add a definition of family that states “one or more persons living together in a dwelling unit.”
- d. Residential Care Facilities: Remove site planning requirements for residential care facilities for six or fewer persons, in accordance with Health and Safety Code Section 1568.0831 and to facilitate construction of residential care facilities in areas of concentrated special needs groups to reduce displacement risk. Allow residential care facilities, regardless of size, in all zones that permit residential uses of the same type, in accordance with the Town’s definition of family.
- e. Low-Barrier Navigation Centers. Allow low-barrier navigation centers for the homeless by right in zones that allow for mixed-use and nonresidential zones permitting multifamily uses, per Government Code Section 65662.

Responsible Entity: Planning Director

Timeframe: Amend the Zoning Ordinance within one year of Housing Element adoption.

6. The Town will amend the Zoning Ordinance to address the following development standards:

- a. ADUs: Create an ADU ordinance that complies with State Law and provides the Town with more local control.
- b. RH Height Limit: Increase the RH height limit to allow for three stories, to ensure there are no constraints on development of multifamily units.
- c. Multifamily Parking Standards: Reduce parking requirements for multifamily housing by removing additional parking space requirements for each bedroom over three and reducing guest parking spaces to one for every five units.
- d. Emergency Shelters: Allow sufficient parking to accommodate all staff working in the emergency shelter, provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone, in compliance with Government Code Section 65583(a)(4)(A)(ii). Remove the use permit requirement for new construction of emergency shelters in the CC and CG zones.
- e. Density Bonus: Comply with changes in California’s density bonus law (Government Code Section 65915, as revised) and promote the density bonus through informational brochures that will be displayed at the Town’s Planning Department.
- f. Supportive Housing: Allow supportive housing as a permitted use without discretionary review in zones where multifamily and mixed-use developments are permitted, including nonresidential zones permitting multifamily uses (Government Code Section 65583(c)(3)).

Responsible Entity: Planning Director

Timeframe: Amend the Zoning Ordinance and create an ADU ordinance within one year of Housing Element adoption.

11. To ensure the Town has sufficient capacity to meet the Regional Housing Needs Allocation (RHNA), the Town will complete the following:

- Review and revise to ensure that the 7 acres on the Villages at Loomis site (Site 8 in Table 23) establishes the location of the High-Density Overlay on the larger 28.68-acre site. Provide technical assistance to developers with identifying funding to complete necessary access road extension to accommodate affordable housing on the High-Density Overlay site on the Village property (Site 8).
- Identify and rezone at least 2.2 acres to accommodate a minimum of 35 units on site(s) listed in Table 23 or on other appropriate sites in the Town. Sites will be rezoned consistent with Government Code Section 65583, subdivision (c)(1) and 65583.2 subdivisions (h) and (i). The rezone will accommodate 100 percent of the shortfall during the planning period and will include the following components. These sites have been analyzed as part of the Assessment of Fair Housing and found not to exacerbate fair housing issues.
  - Permit owner-occupied and rental multifamily uses by right and do not require a conditional use permit or other discretionary review or approval for developments in which 20 percent or more of the units are affordable to lower income households
  - Permit the development of at least 16 units per site and a minimum of 20 dwelling units per acre for suburban and metropolitan jurisdictions

- Ensure at least 50 percent of the shortfall of low- and very low-income regional housing need can be accommodated on sites designated for exclusively residential uses
- Ensure sites will be available for development during the planning period where water and sewer can be provided
- Encourage integration of low-income units throughout the sites identified
- Amend the General Plan Land Use Element to increase the allowable density in the Town's Town Center Commercial (TC) land use designation from 15 units per acre to 20 units per acre and will amend the Zoning Code to increase the allowable density in the Central Commercial (CC) zoning district from 15 units per acre to 20 units per acre.

Responsible Entity: Planning Director

Timeframe: Identify the location of the High-Density Overlay 7 acre site (Site 8 from Table 23) within one year from the beginning of the planning period, identify and rezone additional sites within the first 3 years of the planning period to accommodate the 35 units shortfall, and amend the General Plan TC land use designation by 2022, and the Zoning Ordinance by 2023.

15. In addition to implementing the State Density Bonus (Program 6), the Town will amend the Zoning Ordinance to allow a density of 20 dwelling units per acre for affordable housing projects targeted for special needs groups, as identified in the Housing Element, in zones that allow for multifamily development.

Responsible Entity: Planning Director

Timeframe: Amend the Zoning Ordinance within one year of Housing Element adoption.

\* \* \* \* \*

To maintain a Housing Element that the State Department of Housing and Community Development deems compliant, the amendments must be implemented in a timely manner, within one to two years of adoption. Since the town was updating the entire General Plan at the time, including updates to the Land Use Diagram and land use designations that affect the Zoning Ordinance, the town did not yet adopt the Zoning Ordinance Amendments so that the amendments could capture those General Plan changes and maintain consistency between the two documents.

On September 24, 2024, the Planning Commission recommended that the Town Council adopt the Zoning Amendment Ordinance (Planning Commission Resolution #24-03). The Town Council may also choose to further amend the Zoning Ordinance with additional modification; however, further modifications delay implementation of Housing Element programs monitored by the California Housing and Community Development Department who issued a letter of concern on August 14, 2024 that Program 11 has not yet been fully implemented and has currently exceeded the deadline established in the program. Further delay may lead to HCD's revocation of findings that the Town's Housing Element is compliant, which can result in action against the Town by the State Attorney General's Office, loss of state funding eligibility, financial penalties, loss of local land use authority, and application of "builder's remedy" which limits the Town's ability to review and condition projects.

## **LOCATION**

The project site is Town-wide, which contains all land within the Town's boundaries. Amendments to the Zoning Map affect 38 parcels, of which 17 parcels are Town-owned within the Heritage Park property, one parcel is located within the Hidden Grove Project area, and the remainder are parcels whose land use designation was amended through the General Plan update process and requested by the landowner.

## **ORDINANCE SUMMARY**

The proposed ordinance, if passed, will amend Title 13 - Zoning of the LMC in accordance with the Housing Element of the General Plan and current state law as follows:

- **Chapter 13.20 Zoning Map.** Amend the zoning map as indicated in the table below to

implement Housing Element Program 11 and for consistency with the General Plan Land Use Diagram.

- **Chapter 13.24 Residential Zoning Districts.** Add a section on residential incentives in relation to state law; amend the land uses in Table 2-2, specifically, the addition of employee/farmworker housing, supportive/transitional housing, and single room occupancy, and the naming for accessory dwelling units; amend Table 2-4 RS, RM, and RH District Development Standards in regard to height and coverage limits; amend the RE District standards and clustered residential development requirements.
- **Chapter 13.26 Commercial Zoning Districts.** amend the land uses in Table 2-6 in regard to single-room occupancy, supportive/transitional housing, low-barrier navigation centers, and special needs housing densities; update the development standards in Tables 2-7 and 2-8 in relation to coverage in all commercial districts, setback limits in the Central Commercial and Tourist Commercial Districts, and the density in the Central Commercial District.
- **Chapter 13.28 Industrial and Public Zoning Districts.** Amend Table 2-9 to include employee/farmworker housing.
- **13.30 General Property Development and Use Standards.** Clarify screening requirements and confirm design review process if alternative setbacks are proposed.
- **Chapter 13.32 Housing – Incentives.** Amend to clarify affordable and senior housing projects are eligible for density bonus.
- **Chapter 13.36 Parking and Loading.** Add a section for exceptions to off-street parking requirements for qualified housing projects and state law and amend Table 3-7 Parking Requirements by Land Use.
- **Chapter 13.42 Standards for Specific Land Uses.** Replace the standards for second units and carriage units with standards for accessory dwelling units in compliance with state law; add standards for single-room occupancy; amend the standards for residential care facilities for the elderly, emergency shelters, multi-family housing, residential accessory structures, and second stories.
- **Chapter 13.62 Permit Approval or Disapproval.** Amend to include mixed-use projects; correct references to other sections of the ordinance; and add exception for design review for urban lot splits.
- **Chapter 13.80 Definitions.** Replace the definition of carriage house and second dwelling unit with a definition for accessory dwelling unit; include definitions for assisted living facility, employee/farmworker housing, family, independent living center/senior apartment, senior housing, single-room occupancy, special needs groups, urban lot splits, and low-barrier navigation center; revise the definition of residential care facility for the elderly and supportive and transitional housing.

## Zoning Map Amendments:

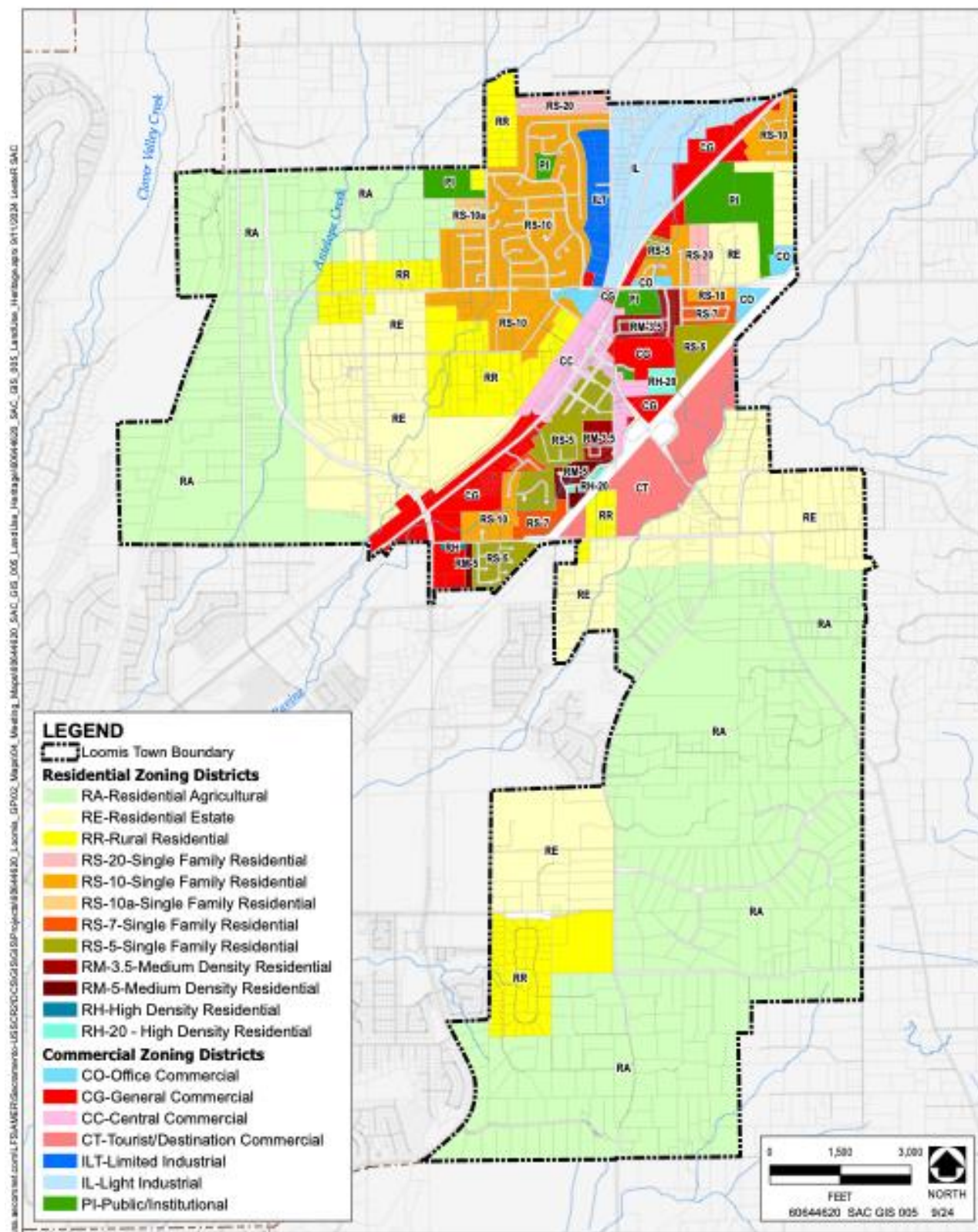
| Assessor's<br>Parcel Number | Acres (+/-) | General Plan Land Use<br>Designation | Zoning District <sup>1</sup> |          |
|-----------------------------|-------------|--------------------------------------|------------------------------|----------|
|                             |             |                                      | Existing                     | Proposed |
| 030-110-009                 | 19.8        | Residential Agriculture              | RE                           | RA       |
| 030-110-008                 | 0.6         | Residential Agriculture              | RE                           | RA       |
| 044-200-017                 | 1.2         | Limited Industrial                   | CG                           | ILT      |
| 045-161-029                 | 5.1         | Rural Residential                    | RA                           | RR       |
| 045-161-030                 | 33.2        | Rural Residential                    | RA                           | RR       |
| 044-121-002                 | 30          | Residential Estate                   | BP                           | RE       |
| 043-013-016                 | 5.6         | Residential Medium Density           | CG                           | RS-10    |
| 044-350-046 <sup>2</sup>    | 0.06        | Residential High Density             | RM-5                         | RH-20    |
| 044-350-002 <sup>2</sup>    | 0.23        | Residential High Density             | RM-5                         | RH-20    |
| 044-350-003 <sup>2</sup>    | 0.19        | Residential High Density             | RM-5                         | RH-20    |
| 044-350-004 <sup>2</sup>    | 0.14        | Residential High Density             | RM-5                         | RH-20    |
| 044-350-005 <sup>2</sup>    | 0.14        | Residential High Density             | RM-5                         | RH-20    |
| 044-350-006 <sup>2</sup>    | 0.15        | Residential High Density             | RM-5                         | RH-20    |

| Assessor's<br>Parcel Number | Acres (+/-)      | General Plan Land Use<br>Designation  | Zoning District <sup>1</sup> |                    |
|-----------------------------|------------------|---------------------------------------|------------------------------|--------------------|
|                             |                  |                                       | Existing                     | Proposed           |
| 044-350-007 <sup>2</sup>    | 0.15             | Residential High Density              | RM-5                         | RH-20              |
| 044-350-008 <sup>2</sup>    | 0.15             | Residential High Density              | RM-5                         | RH-20              |
| 044-350-009 <sup>2</sup>    | 0.15             | Residential High Density              | RM-5                         | RH-20              |
| 044-350-010 <sup>2</sup>    | 0.15             | Residential High Density              | RM-5                         | RH-20              |
| 044-350-011 <sup>2</sup>    | 0.14             | Residential High Density              | RM-5                         | RH-20              |
| 044-350-012 <sup>2</sup>    | 0.15             | Residential High Density              | RM-5                         | RH-20              |
| 044-350-013 <sup>2</sup>    | 0.20             | Residential High Density              | RM-5                         | RH-20              |
| 044-350-014 <sup>2</sup>    | 0.16             | Residential High Density              | RM-5                         | RH-20              |
| 044-350-015 <sup>2</sup>    | 0.14             | Residential High Density              | RM-5                         | RH-20              |
| 044-350-016 <sup>2</sup>    | 0.15             | Residential High Density              | RM-5                         | RH-20              |
| 044-350-017 <sup>2</sup>    | 0.16             | Residential High Density              | RM-5                         | RH-20              |
| 043-080-044 <sup>3</sup>    | 7.0 <sup>3</sup> | Residential High Density <sup>3</sup> | CG                           | RH-20 <sup>3</sup> |
| 044-150-039                 | 2.8              | Rural Residential                     | CT                           | RR                 |
| 044-150-048                 | 1.3              | Rural Residential                     | CT                           | RR                 |
| 044-150-037                 | 2.02             | Rural Residential                     | CT                           | RR                 |
| 044-150-027                 | 1.45             | Rural Residential                     | CT                           | RR                 |
| 044-150-035                 | 1                | Rural Residential                     | CT                           | RR                 |
| 044-150-026                 | 1                | Rural Residential                     | CT                           | RR                 |
| 044-150-036                 | 1                | Rural Residential                     | CT                           | RR                 |
| 044-150-031                 | 0.94             | Rural Residential                     | CT                           | RR                 |
| 044-150-033                 | 1.25             | Rural Residential                     | CT                           | RR                 |
| 044-150-032                 | 1                | Rural Residential                     | CT                           | RR                 |

1. RE = Residential Estate (4.6 acre minimum), RA = Residential Agricultural (2.3 acre minimum), RR = Rural Residential (1 acre minimum), RM-5 = Medium Density Residential –5,000 square foot minimum, RH-20 = Residential High Density 20 unit/acre minimum, CG = General Commercial, CT = Tourist/Destination Commercial, BP= Business Park, ILT = Limited Industrial.
2. Parcels rezoned within the Heritage Park site per Housing Element Program 11 to accommodate the affordable housing vacant land shortfall.
3. 7-acre portion of total 28.7 acre parcel zoned H-20 per Housing Element Program 11, and the remainder will continue as CG - General Commercial.

The proposed ordinance is intended to implement the adopted 6<sup>th</sup> Cycle Housing Element and Town of Loomis 2020 General Plan Land Use Element and Land Use Diagram in compliance with state law.





## **CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**

An Environmental Impact Report (EIR) (SCH#022050323) for the 2040 General Plan was certified by the Town Council on Tuesday April 9, 2024 (Resolution #24-19). The changes proposed in the Zoning Ordinance were addressed in that EIR. Additionally, the proposed amendments to the Zoning Ordinance are exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption). The Zoning Ordinance amendments do not include specific development projects but include modifications to comply with the programs adopted in the 6<sup>th</sup> cycle Housing Element.

## **NOTICING**

A notice of public hearing was published in the Loomis News on September 13<sup>th</sup>, 2024 for the Planning Commission hearing on this matter, and noticing for the Town Council hearing was published in the Sacramento Bee on September 27, 2024. Notices were posted at Town Hall, the Depot, and the Loomis Library, and landowners whose parcels were affected by Zoning Map modifications were mailed notification letters. The notice was also uploaded to the Town's website.

The proposed Zoning Ordinance Update can be found on the Town's website, along with the 2021 General Plan Housing Element and 2024 Land Use Element:

<https://loomis.ca.gov/zoning-ordinance-amendment/>

<https://loomis.ca.gov/documents/town-of-loomis-gp-2020-2040-volume-i/>

## **ATTACHMENTS**

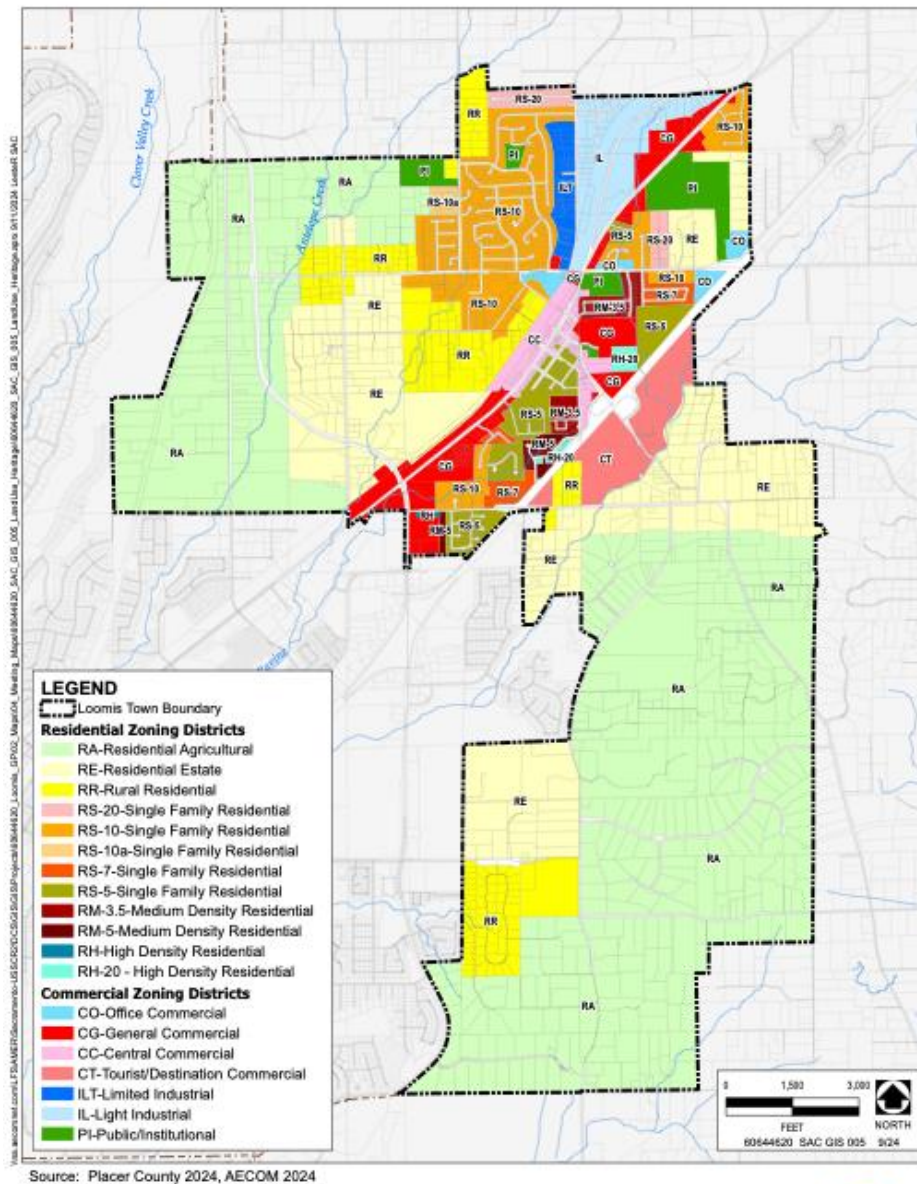
1. Draft Ordinance XX Amending Title 13 Zoning Ordinance of the Town of Loomis Municipal Code
2. Planning Commission Resolution #24-04 recommending the Town Council adopt the amendments to Town of Loomis Municipal Code Title 13 Zoning Ordinance
  - a. Findings

**ORDINANCE \_\_\_\_\_**

AN ORDINANCE OF THE TOWN COUNCIL  
OF THE TOWN OF LOOMIS  
AMENDING TITLE 13 ZONING ORDINANCE

The Town Council of the Town of Loomis does ordain as follows:

Section 1. Amendment: Title 13 of the Loomis Municipal Code is hereby amended to read as follows:

**Chapter 13.20 - ZONING MAP****Zoning Map**

Town of Loomis





## Chapter 13.24 - RESIDENTIAL ZONING DISTRICTS

- 13.24.010 - Purpose.
- 13.24.020 - Purposes of the residential zoning districts.
- 13.24.030 - Residential district land uses and permit requirements.
- 13.24.040 - Residential district general development standards.
- 13.24.050 - RS & RM district density—Parcel size—Site coverage.
- 13.24.060 - RE district standards.
- 13.24.070 - RS district standards.
- 13.24.080 - Clustered residential development.

### 13.24.010 - Purpose.

This chapter lists the land uses that may be allowed within the residential zoning districts established by Section 13.20.020, determines the type of land use permit/approval required for each use, and provides basic standards for site layout and building size. (Ord. 205 § 1 (Exh. A), 2003)

### 13.24.020 - Purposes of the residential zoning districts.

The purposes of the individual residential zoning districts and the manner in which they are applied are as follows.

A. **RA (Residential Agricultural) Zoning District.** The RA district is applied to areas appropriate for agricultural uses such as orchards, nurseries and vineyards, cattle grazing and very [low-density/low-density](#) residential uses, where proposed development and agricultural uses maintain existing natural vegetation and topography to the maximum extent feasible. The maximum allowable density is 4.6 acres per dwelling unit. The RA zoning district is consistent with and implements the residential agricultural land use designation of the general plan.

B. **RE (Residential Estate) Zoning District.** The RE district is applied to areas appropriate for large-lot single-family residential development, together with agricultural uses such as orchards, nurseries and vineyards, cattle grazing, where proposed development and agricultural uses maintain existing natural vegetation and topography to the maximum extent feasible. The maximum allowable density is 2.3 acres per dwelling unit. The RE zoning district is consistent with and implements the residential estate land use designation of the general plan.

C. **RR (Rural Residential) Zoning District.** The RR district is also applied to areas appropriate for large-lot single-family residential development, together with agricultural uses such as orchards and vineyards, where proposed development and agricultural uses maintain existing natural vegetation and topography to the maximum extent feasible, but where the keeping of large animals occurs only on parcels of one acre or larger. The maximum allowable density is one acre per dwelling unit. The RR zoning district is consistent with and implements the rural residential land use designation of the general plan.

D. **RS (Single-Family Residential) Zoning District.** The RS zoning district is applied to areas appropriate for neighborhoods of single-family homes, and related, compatible uses. The maximum allowable density ranges from one dwelling per half-acre, to two to six dwellings per acre, with the specific allowable density for each parcel shown on the zoning map by a numerical suffix to the RS map symbol (see Section 13.24.050). The RS-5 district is intended to be applied only within the downtown area of Loomis. The RS zoning district is consistent with and implements the residential - low density and residential - medium density land use designations of the general plan.

E. **RM (Medium Density Residential) Zoning District.** The RM zoning district is applied to areas appropriate for a variety of housing types, including small-lot single-family housing, and various types of multifamily housing (for example, duplexes, townhouses, and apartments). The maximum allowable density ranges from six to ten dwellings per acre, with the specific allowable density for each parcel shown on the zoning map by a numerical suffix to the RM map symbol (see Section 13.24.050). The RM zoning district is consistent with and implements the residential - medium-high density land use designation of the general plan.

F. **RH (High Density Residential) Zoning District.** The RH zoning district is applied to areas appropriate for various types of multifamily housing, including duplexes, townhouses and apartments. The maximum allowable density ranges from ten to fifteen units per acre. The RH zoning district is consistent with and implements the residential - high density land use designation of the general plan.

G. **RH-20 (High Density Residential – 20 Units Per Acre Minimum) Zoning District.** The purpose of this ~~overlay~~ zoning district is to provide adequate sites for multifamily housing at a minimum of twenty units per acre and up to 25 units per acre “by right” (without conditional use permit or other discretionary action), including sites for a minimum of one hundred twenty-nine that could accommodate very low and low-income units ~~at a minimum of twenty units per acre “by right” (without conditional use permit or other discretionary action).~~ The RH-20 zoning district is an overlay district that ~~is applied to a portion of “The Village at Loomis” project site. It provides flexibility in site planning by allowing up to seven acres of the project to be developed with high density residential.~~ Alternative standards to the RH development standards in Section 13.24.040 Table 2-4 and the RH Specific Use Regulations in Section 13.42.250 may be considered in order to achieve the goal of meeting affordable housing requirements. ~~The RH-20 zoning district is consistent with and implements the 2013-2024 Housing Element of the General Plan.~~ (Ord. 255 § 1, 2014; Ord. 205 § 1 (Exh. A), 2003)

### **13.24.025 – Residential incentives**

The Town shall allow residential incentives in compliance with state law, including but not limited to:

- A. Density bonuses for construction of units for low and very low-income households, qualifying residents (senior citizens) and persons and families of moderate income. See Chapter 13.32.020 – Eligibility for Bonus and Incentives.
- B. Allowing cluster development. See Chapter 13.24.080 – Clustered Residential Development.
- C. Reduced parking requirements. See Chapter 13.36.080 – Reduction of Parking Requirements and Chapter 11.16.070 Incentives and Alternatives.

### **13.24.030 - Residential district land uses and permit requirements.**

Table 2-2 identifies the uses of land allowed by this title in each residential zoning district, and the land use permit required to establish each use, in compliance with Section 13.22.030.

**NOTE:** Where the last column in the table (“Specific Use Regulations”) includes a section number, the regulations in the referenced section apply to the use. Provisions in other sections of this title may also apply. (Ord. 205 § 1 (Exh. A), 2003)

### **13.24.040 - Residential district general development standards.**

Subdivisions, new land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and established in compliance with the requirements in Tables 2-3, and 2-4 in addition to the applicable standards (e.g., landscaping, parking and loading, etc.) in Division 3 of this title.

| <b>TABLE 2-2</b><br><br><b>Allowed Land Uses and Permit Requirements for Residential Zoning Districts</b> | P Permitted Use, Zoning Clearance required<br>MUP Minor Use Permit required<br>UP Use Permit required<br>S Permit requirement set by Specific Use Regulations<br>— Use not allowed |                   |                   |                   |                   |                     |                           |
|---|--|-------------------|-------------------|-------------------|-------------------|---------------------|---------------------------|
| LAND USE <sup>(1)</sup>   | PERMIT REQUIRED BY DISTRICT  |                   |                   |                   |                   |                     | Specific Use Regulations  |
|   | RA   | RE                | RR                | RS                | RM <sup>(7)</sup> | RH <sup>(5,7)</sup> |                           |
| <b>AGRICULTURAL AND OPEN SPACE USES</b>   |  |                   |                   |                   |                   |                     |                           |
| Agricultural accessory structure  | P  | P                 | P                 | —                 | —                 | —                   | 13.42.040                 |
| Animal keeping  | S  | S                 | S                 | S                 | S                 | S                   | 13.42.060                 |
| <a href="#">Employee/farmworker housing</a>   | <a href="#">P</a>  | <a href="#">P</a> | <a href="#">P</a> | <a href="#">P</a> | <a href="#">P</a> | <a href="#">P</a>   | <a href="#">13.42.250</a> |
| Crop production, horticulture, orchard, vineyard  | P <sup>(2)</sup>   | P <sup>(2)</sup>  | P <sup>(2)</sup>  | —                 | —                 | —                   |                           |
| Plant nursery, retail   | MUP  | MUP               | —                 | —                 | —                 | —                   | 13.42.180                 |
| Plant nursery, wholesale, 5 acres or less   | MUP  | MUP               | MUP               | —                 | —                 | —                   | 13.42.180                 |
| Plant nursery, wholesale, more than 5 acres   | MUP  | MUP               | —                 | —                 | —                 | —                   | 13.42.180                 |
| Storage of petroleum products for on-site use   | P  | P                 | —                 | —                 | —                 | —                   |                           |
| Winery  | UP   | UP                | —                 | —                 | —                 | —                   | 13.42.290                 |
| <b>RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES</b>   |  |                   |                   |                   |                   |                     |                           |
| Club, lodge, private meeting hall   | UP   | UP                | UP                | —                 | —                 | —                   |                           |
| Golf course, country club   | UP   | UP                | UP                | UP                | —                 | —                   |                           |
| Equestrian facilities   | UP   | UP                | UP                | —                 | —                 | —                   |                           |
| Parks and playgrounds, public   | P  | P                 | P                 | P                 | P                 | P                   |                           |
| Private residential recreation facility   | MUP  | MUP               | MUP               | MUP               | MUP               | MUP                 |                           |
| Religious facility  | UP   | UP                | UP                | UP                | UP                | UP                  | 13.42.230                 |
| <b>RESIDENTIAL USES<sup>(4)</sup></b>   |  |                   |                   |                   |                   |                     |                           |
| <a href="#">Employee/farmworker housing</a>   | <a href="#">P</a>  | <a href="#">P</a> | <a href="#">P</a> | <a href="#">P</a> | <a href="#">P</a> | <a href="#">P</a>   | <a href="#">13.42.250</a> |
| Commercial cannabis activity  | —  | —                 | —                 | —                 | —                 | —                   | 13.46                     |

| <b>TABLE 2-2</b><br><br><b>Allowed Land Uses and Permit Requirements for Residential Zoning Districts</b> | P Permitted Use, Zoning Clearance required<br>MUP Minor Use Permit required<br>UP Use Permit required<br>S Permit requirement set by Specific Use Regulations<br>— Use not allowed |                  |                  |                  |                   |                     |                                 |
|---|--|------------------|------------------|------------------|-------------------|---------------------|---------------------------------|
|   | PERMIT REQUIRED BY DISTRICT  |                  |                  |                  |                   |                     | Specific Use Regulations        |
|   | RA   | RE               | RR               | RS               | RM <sup>(7)</sup> | RH <sup>(5,7)</sup> |                                 |
|   | <u>Supportive and transitional housing</u>   | —                | —                | —                | P                 | P                   |                                 |
|   | Home occupation  | P                | P                | P                | P                 | P                   | 13.42.120                       |
|   | Household pets (see also “animal keeping” above)   | P <sup>(2)</sup> | P <sup>(2)</sup> | P <sup>(2)</sup> | P <sup>(2)</sup>  | P <sup>(2)</sup>    | 13.42.060                       |
|   | Mobile home - In mobile home park  | P                | P                | P                | P                 | P                   | 13.42.160                       |
|   | Mobile home - Outside of mobile home park  | P                | P                | P                | P                 | P                   | 13.42.150                       |
|   | Mobile home - Special needs  | MUP              | MUP              | MUP              | MUP               | —                   | 13.42.170                       |
|   | Mobile home park   | UP               | UP               | UP               | UP                | UP                  | 13.42.160                       |
|   | Multifamily housing, 2 units   | —                | —                | —                | UP <sup>(6)</sup> | P <sup>(6)</sup>    | 13.42.250                       |
|   | Multifamily housing, 3 to 5 units  | —                | —                | —                | —                 | P <sup>(6)</sup>    | 13.42.250                       |
|   | Multifamily housing, 6 to 9 units  | —                | —                | —                | —                 | MUP <sup>(6)</sup>  | 13.42.250                       |
|   | Multifamily housing, 10 or more units  | —                | —                | —                | —                 | UP <sup>(6)</sup>   | MUP <sup>(6)</sup><br>13.42.250 |
|   | Organizational house (sorority, monastery, etc.)   | UP               | —                | —                | —                 | UP                  | UP                              |
|   | Residential accessory use or structure   | P                | P                | P                | P                 | P                   | 13.42.260                       |
|   | <u>Residential care facility, 6 or fewer clients</u>   | P                | P                | P                | P                 | P                   | <u>13.42.240</u>                |
|   | <u>Residential care facility, 7 or more clients</u>  | —                | —                | UP               | UP                | UP                  | -                               |
|   | <u>Residential care facility for the elderly (RCFE)</u>  | —                | UP               | UP               | UP                | UP                  | <u>13.42.240</u>                |
|   | <u>Residential care facility for the elderly (RCFE), 6 or fewer</u>  | P                | P                | P                | P                 | P                   | -                               |

|   |  |     |     |     |                   |                     |                          |
|---|--|-----|-----|-----|-------------------|---------------------|--------------------------|
| TABLE 2-2<br><br>Allowed Land Uses and Permit Requirements for Residential Zoning Districts | P Permitted Use, Zoning Clearance required           |     |     |     |                   |                     |                          |
|   | MUP Minor Use Permit required                        |     |     |     |                   |                     |                          |
|   | UP Use Permit required                               |     |     |     |                   |                     |                          |
|   | S Permit requirement set by Specific Use Regulations |     |     |     |                   |                     |                          |
|   | — Use not allowed                                    |     |     |     |                   |                     |                          |
| LAND USE <sup>(1)</sup>   | PERMIT REQUIRED BY DISTRICT                          |     |     |     |                   |                     | Specific Use Regulations |
|   | RA   | RE  | RR  | RS  | RM <sup>(7)</sup> | RH <sup>(5,7)</sup> |                          |
| <del>Residential care facility for the elderly (RCFE), 7 or more clients</del>              | UP   | UP  | UP  | UP  | UP                | UP                  | -                        |
| Rooming or boarding house   | —  | —   | —   | —   | UP                | UP                  |                          |
| <del>Second unit</del> Accessory dwelling unit  | P  | P   | P   | P   | P                 | —                   | 13.42.270                |
| Single-family dwelling  | P  | P   | P   | P   | P                 | —                   |                          |
| Single-room occupancy   | —  | —   | —   | —   | UP                | UP                  | 13.42.135                |
| Zero lot line single-family dwelling  | —  | —   | —   | P   | —                 | —                   | 13.42.300                |
| RETAIL TRADE  |  |     |     |     |                   |                     |                          |
| Accessory retail and services   | P  | P   | P   | P   | —                 | —                   | 13.42.030                |
| Hay/feed sales  | MUP  | MUP | MUP | —   | —                 | —                   | 13.42.110                |
| Produce stand   | MUP  | MUP | MUP | —   | —                 | —                   | 13.42.200                |
| SERVICES  |  |     |     |     |                   |                     |                          |
| Bed and breakfast inn (B&B)   | UP   | UP  | UP  | UP  | —                 | —                   | 13.42.070                |
| Adult day care - 6 or fewer clients   | P  | P   | P   | P   | P                 | P                   |                          |
| Adult day care - 7 or more clients  | MUP  | MUP | MUP | MUP | MUP               | MUP                 |                          |
| Cemetery  | UP   | UP  | UP  | —   | —                 | —                   |                          |
| Child day care - Large family day care home   | P  | P   | P   | MUP | MUP               | MUP                 | 13.42.080                |
| Child day care - Small family day care home   | P  | P   | P   | P   | P                 | P                   |                          |
| Child or adult day care center  | UP   | UP  | UP  | UP  | UP                | UP                  | 13.42.080                |
| Kennel, animal boarding   | UP   | UP  | —   | —   | —                 | —                   | 13.42.060                |
| Medical services - Extended care  | UP   | UP  | UP  | UP  | UP                | UP                  |                          |



| <b>TABLE 2-2</b><br><br><b>Allowed Land Uses and Permit Requirements for Residential Zoning Districts</b> | P Permitted Use, Zoning Clearance required           |                    |                    |                    |                    |                     |                          |
|---|--|--------------------|--------------------|--------------------|--------------------|---------------------|--------------------------|
|   | MUP Minor Use Permit required                        |                    |                    |                    |                    |                     |                          |
|   | UP Use Permit required                               |                    |                    |                    |                    |                     |                          |
|   | S Permit requirement set by Specific Use Regulations |                    |                    |                    |                    |                     |                          |
|   | — Use not allowed                                    |                    |                    |                    |                    |                     |                          |
| LAND USE <sup>(1)</sup>   | PERMIT REQUIRED BY DISTRICT                          |                    |                    |                    |                    |                     | Specific Use Regulations |
|   | RA   | RE                 | RR                 | RS                 | RM <sup>(7)</sup>  | RH <sup>(5,7)</sup> |                          |
| Public buildings and uses   | UP   | UP                 | UP                 | UP                 | UP                 | UP                  |                          |
| Syringe services program  | —  | —                  | —                  | —                  | —                  | —                   | 13.48                    |
| Veterinary clinic, animal hospital  | UP   | UP                 | —                  | —                  | —                  | —                   |                          |
| <b>TRANSPORTATION, COMMUNICATIONS, AND INFRASTRUCTURE</b>   |  |                    |                    |                    |                    |                     |                          |
| Pipeline, utility transmission or distribution line   | UP   | UP                 | UP                 | UP                 | UP                 | UP                  |                          |
| Sound wall  | MUP <sup>(3)</sup>                                   | MUP <sup>(3)</sup> | MUP <sup>(3)</sup> | MUP <sup>(3)</sup> | MUP <sup>(3)</sup> | MUP <sup>(3)</sup>  |                          |
| Telecommunications facility   | S  | S                  | S                  | S                  | S                  | S                   | 13.44                    |
| Utility facility  | UP   | UP                 | UP                 | UP                 | UP                 | UP                  |                          |
| Utility infrastructure  | P  | P                  | P                  | P                  | P                  | P                   |                          |
| Windmill for electricity generation   | UP   | UP                 | —                  | —                  | —                  | —                   | 13.42.280                |

#### Key to Zoning District Symbols

|           |                          |           |                            |
|-----------|--------------------------|-----------|----------------------------|
| <b>RA</b> | Residential Agricultural | <b>RS</b> | Single-Family Residential  |
| <b>RE</b> | Residential Estate       | <b>RM</b> | Medium Density Residential |
| <b>RR</b> | Rural Residential        | <b>RH</b> | High Density Residential   |

#### Notes:

- (1) See Division 8 for land use definitions.
- (2) Zoning clearance not required if the use complies with all other applicable town approval requirements and standards.
- (3) Solid walls in setback areas are discouraged in Loomis. A minor use permit for a maximum six-foot tall wall for a home existing as of May 2008 may be approved by the planning commission if they can find that a sound/solid wall is the only feasible alternative. Noise measurements (to be taken from the interior of the residence with windows closed) will be required with the application and reviewed in accordance with Table 3-3, Noise Standards for Short-Duration Events Near Residential Areas (13.30.070). Design must be compatible with the neighborhood and character of Loomis as determined by the planning commission.

(4) Supportive and Transitional housing shall be subject only to those restrictions that apply to other residential dwellings of the same type (e.g., single-family, multifamily) in the same zone.

(5) See 13.24.020(G) for RH-20 zone district.

~~(5)~~(6) Multifamily housing developments for special needs groups are permitted an increased density of 20 dwelling units per acre.

~~(6)~~(7) Property zoned RM or RH may be used to support commercial activity along Sierra College Boulevard between the town limits and Brace Road if: (a) the RM or RH property is adjacent to the commercially zoned property; (b) the commercially zoned property is immediately adjacent to Sierra College Boulevard; (c) the RM or RH property and the adjacent commercial property are under common ownership; (d) use of the RM or RH property is limited to supporting uses such as commercial parking, commercial or emergency driveways or drive aisles, lighting and landscaping; and (e) no buildings are built on the RM or RH property. In the case of such use, the development standards applicable to the RM or RH property shall be those governing development of the adjacent commercial property.

**TABLE 2-3 - RA, RE, AND RR DISTRICT DEVELOPMENT STANDARDS**

| Development Feature        | Requirement by Zoning District  |                          |                          |
|----------------------------|---|--------------------------|--------------------------|
|                            | RA<br>Residential<br>Agricultural   | RE<br>Residential Estate | RR<br>Rural Residential  |
| <b>Minimum lot size</b>    | <i>Minimum area and width for parcels proposed in new subdivisions.</i>   |                          |                          |
| Area (net)                 | 4.6 acres   | 2.3 acres                | 40,000 sf <sup>(1)</sup> |
| Width                      | 160 ft.   | 160 ft.                  | 135 ft.                  |
| Depth                      | 100 ft.   |                          |                          |
| Frontage                   | 100 ft., unless approved as a cul-de-sac lot or flag lot.   |                          |                          |
| <b>Residential density</b> | <i>Maximum number of dwelling units allowed on a parcel. The actual number of units allowed will be determined through subdivision or land use permit approval.</i>   |                          |                          |
| Maximum density            | 4.6 acres per unit  | 2.3 acres per unit       | 40,000 sf per unit       |
| Minimum density allowed    | Each legal parcel in a residential zoning district will be allowed one single-family dwelling, regardless of lot area; parcels may also be allowed an <u>second-unit accessory dwelling unit</u> in compliance with Section 13.42.270 ( <del>Second Units and Carriage Houses</del> <u>Accessory Dwelling Unit</u> ). |                          |                          |
| <b>Setbacks</b>            | <i>Minimum setbacks required. See Section 13.30.110 for exceptions.</i>   |                          |                          |
| Front                      | 50 ft. from property line (75 ft., if a public or private street or street easement is within setback area)   |                          |                          |
| Side - Interior (each)     | 25 ft.  |                          | 20 ft.                   |

| Development Feature  | Requirement by Zoning District  |                          |                         |
|----------------------|---|--------------------------|-------------------------|
|                      | RA<br>Residential<br>Agricultural   | RE<br>Residential Estate | RR<br>Rural Residential |
| Side - Corner        | Same as front setback   |                          |                         |
| Rear                 | 25 ft.  |                          | 20 ft.                  |
| Accessory structures | See Sections 13.42.040 (Agricultural Accessory Structures) and 13.42.260 (Residential Accessory Structures)   |                          |                         |
| Building separation  | 20 ft. between a garage and another structure on the site if needed for vehicular ingress and egress to and from the garage; 6 ft. between other structures on the same site.   |                          |                         |
| Lot coverage         | <i>Maximum percentage of total lot area that may be covered by structures.</i>  |                          |                         |
|                      | 20%; the review authority may allow up to 25% coverage on a nonconforming parcel that it determines is significantly smaller than the minimum area required by the zone (i.e., 25% or less of the required lot area). |                          | 20%                     |
| Height limit         | <i>Maximum allowable height of structures. See Section 13.30.050 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.</i>   |                          |                         |
| Maximum height       | 35 ft. and 2 stories  |                          |                         |
| Landscaping          | See Chapter 13.34 (Landscaping Standards)   |                          |                         |
| Parking              | See Chapter 13.36 (Parking and Loading)   |                          |                         |
| Signs                | See Chapter 13.38 (Signs)   |                          |                         |

**Notes:**

- (1) A minimum lot area less than 2.3 acres is allowed only where community water or sewer service is provided.
- (2) An existing parcel in the RR zone that is less than 24,000 sf may use the setbacks required for the RS zone.
- (3) Residential accessory structures on lots less than 20,000 square feet may not exceed 15'; all others require a MUP in order to be over 15' high, pursuant to Section 13.42.260(D)(2).
- (4) Second stories on lots less than 40,000 square feet in size are specifically governed by Section 13.42.265.

**TABLE 2-4 - RS, RM, AND RH DISTRICT DEVELOPMENT STANDARDS**

| Development Feature    | Requirement by Zoning District   |                                  |   |   |
|------------------------|--|----------------------------------|---|---|
|                        | RS<br>Single-Family Residential  | RM<br>Medium Density Residential | RH<br>High Density Residential          | <u>RH-20<sup>(4)</sup></u><br><u>High Density Residential</u> |
| Minimum lot size       | Minimum area and width for parcels proposed in new subdivisions.   |                                  |   |   |
| Area (net)             | See Section 13.24.050, Table 2-5   | 10,000 sf <sup>(1)</sup>         |   |   |
| Width                  |  | 60 ft.                           |   |   |
| Depth                  |  | 100 ft.                          |   |   |
| Residential density    | Maximum number of dwelling units allowed on a parcel. The actual number of units allowed will be determined through subdivision or land use permit approval.                   |                                  |   |   |
| Maximum density        | See Section 13.24.050, Table 2-5   | 1 unit per 3,000 sf of site area | <u>1 unit per 3,000 sf of site area</u> |   |
| Setbacks               | Minimum and, where noted, maximum setbacks required for primary structures. See Section 13.30.110 for exceptions to these requirements.  |                                  |   |   |
| Front                  | 20 ft.   | 15 ft., 25 ft. maximum allowed   |   |   |
| Side - Interior (each) | Both interior side setbacks shall total a minimum of 20 ft., with neither side less than 5 ft. 10 ft. is required in the RS-5 zoning district for a 2-story building wall.     |                                  |   |   |
| Side - Corner          | 20 ft.   | 15 ft.                           |   |   |
| Rear                   | 20 ft.   |                                  | 6 ft.                                   |   |
| Accessory structures   | See Section 13.42.260 (Residential Uses - Residential Accessory Structures)  |                                  |   |   |
| Building separation    | 20 ft. between a garage and another structure on the site, if needed for vehicular ingress and egress to and from the garage; 6 ft. between other structures on the same site. |                                  |   |   |
| Lot coverage           | Maximum percentage of total lot area that may be covered by structures.  |                                  |   |   |
|                        | See Table 2-5  |                                  | <del>40%</del> <u>50%</u>               |   |
| Height limit           | Maximum allowable height of structures. See Section 13.30.050 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.                 |                                  |   |   |
| Maximum height         | 35 ft., 2 stories in RS-20<br><br>30 ft., 2 stories  | 30 ft. and 2 stories             | <u>45 ft. and 3 stories</u>             |   |

| Development Feature | Requirement by Zoning District            |                                  |                                |   |
|---------------------|---|----------------------------------|--------------------------------|---|
|                     | RS<br>Single-Family Residential           | RM<br>Medium Density Residential | RH<br>High Density Residential | <u>RH-20<sup>(4)</sup></u><br><u>High Density Residential</u> |
|                     | elsewhere                                 |                                  |                                |   |
| Landscaping         | See Chapter 13.34 (Landscaping Standards) |                                  |                                |   |
| Parking             | See Chapter 13.36 (Parking and Loading)   |                                  |                                |   |
| Signs               | See Chapter 13.38 (Signs)                 |                                  |                                |   |

**Notes:**

- (1) A condominium, townhome, or planned development project may be subdivided with smaller parcels for ownership purposes, with their minimum lot area determined through the subdivision review process, provided that the overall development site complies with the lot area requirements of this chapter, and the total number of dwellings does not exceed the maximum density allowed by the applicable zoning district.
- (2) Residential accessory structures on lots less than 20,000 square feet may not exceed 15'; all others require a MUP in order to be over 15' high, pursuant to Section 13.42.260(D)(2).
- (3) Second stories on lots less than 40,000 square feet in size are specifically governed by Section 13.42.265.
- (4) The RH-20 ~~provides adequate sites for a minimum of one hundred twenty-nine very low and low-income units at~~allows a minimum of twenty units per acre and up to 25 units per acre “by right” (without conditional use permit or other discretionary action) and ~~the flexibility in site planning by allowing up to seven acres of the project to be developed with high-density residential. A to use~~ alternative standards to the RH development standards in Section 13.24.040 Table 2-4 and the RH Specific Use Regulations in Section 13.42.250 ~~may be considered~~ in order to ~~achieve the goal of meeting~~ facilitate affordable housing requirements.

(Ord. 290 § 2, 2022; Ord. 281 § 4, 2019; Ord. 255 § 1, 2014; Ord. 239 § 3, 2008; Ord. 230 §§ 1, 2, 2007; Ord. 225 §§ 1, 2, 2005; Ord. 224 § 1, 2005; Ord. 220 §§ 1, 2, 2005; Ord. 211 §§ 2, 3, 5, 6, 2004; Ord. 205 § 1 (Exh. A), 2003; Ord. 297, 1/9/2024)

**13.24.050 - RS & RM district density—Parcel size—Site coverage.**

The maximum allowable density, minimum parcel size requirements for new subdivisions, and maximum site coverage requirements for parcels in the RS and RM zoning districts are established by Table 2-5. The application of these requirements to property within the town is shown on the zoning map (Chapter 13.20) by means of a numerical suffix being appended to the RS and RM zoning map symbols. Each applicable suffix is shown in the “Zoning District and Suffix” column of Table 2-5.

**TABLE 2-5 - RS & RM DENSITY, PARCEL SIZE, AND SITE COVERAGE**



| Zoning District and Suffix | Maximum Number of Dwelling Units (units) per Parcel  | Minimum Lot Size              |        |        | Maximum Site Coverage |
|----------------------------|--|-------------------------------|--------|--------|-----------------------|
|                            |  | Area (net)                    | Width  | Depth  |                       |
| RS-20                      | 1 dwelling unit. Section 13.42.270 determines whether an <del>an carriage house or second unit</del> accessory dwelling unit may also be allowed | 20,000 sf                     | 100 ft | 100 ft | 25%                   |
| RS-10                      |  | 10,000 sf                     | 60 ft  | 100 ft | <del>30</del> 35%     |
| RS-10a                     |  | 10,000 sf avg. <sup>(2)</sup> | 60 ft  | 100 ft | <del>35</del> 0%      |
| RS-7                       |  | 7,000 sf                      | 60 ft  | 100 ft | 35%                   |
| RS-5                       |  | 5,000 sf                      | 55 ft  | 80 ft  | 40%                   |
| RM-5                       | 1 unit per 4,500 sf of site area   | 5,000 sf <sup>(1)</sup>       | 55 ft  | 80 ft  | 40%                   |
| RM-3.5                     | 1 unit per 3,500 sf of site area   | 3,500 sf <sup>(1)</sup>       | 50 ft  | 70 ft  | 50%                   |

**Notes:**

- (1) A condominium, townhome, or planned development project may be subdivided with smaller parcels for ownership purposes, with their minimum lot area determined through the subdivision review process, provided that the overall development site complies with the lot area requirements of this chapter, and the total number of dwellings does not exceed the maximum density allowed by the applicable zoning district.
- (2) Individual parcels may be less than 10,000 square feet provided that the average lot size for all the parcels in the subdivision is at least 10,000 square feet.

(Ord. 205 § 1 (Exh. A), 2003)

**13.24.060 - RE district standards.**

Subdivisions, other development and new land uses within the RE zoning district located immediately northwest of the intersection of Rocklin and Barton Roads shall comply with the following standards, as applicable.

~~A. Coordinated Planning. The planning of proposed subdivision and development in this residential estate designation is encouraged to be coordinated among the different property ownerships.~~

~~BA.~~ **Minimum Lot Area.** Proposed subdivisions shall be designed to provide parcels with a minimum of 4.6 acres along the Barton and Rocklin Road frontages, and a minimum of 2.3 acres when located away from Barton and Rocklin Roads.

~~CB.~~ **SetbacksVegetation Preservation.** Where there are existing native trees or slopes of more than 10 percent, proposed ~~To the extent feasible, bB~~ building sites should be set back from Rocklin Road and Barton Road to retain native vegetation and terrain features, and preserve the present appearance as a rural road corridor.

~~DC.~~ **Access.** Access to new parcels shall be provided by new roads from Barton Road and Rocklin Road, with no individual driveway access to Rocklin Road. There shall be a limit to no more than one curb cut per parcel for direct access to Rocklin Road. (Ord. 205 § 1 (Exh. A), 2003)

### 13.24.070 - RS district standards.

Development within the RS-10a zoning district on the site immediately south of the H. Clark Powers School on the west side of Humphrey Road shall comply with the following standards, consistent with Specific Area Policy 6, Section G of the Land Use and Community Development Element of the General Plan.

- A. The allowable density of two to six dwelling units per acre shall be distributed on the site with lower density on the edges of the parcel.
- B. An application proposing subdivision of the property shall demonstrate special attention to potential flooding and drainage issues, and any proposed project shall be designed to create no greater volume of storm water runoff to downstream properties after development. (Ord. 205 § 1 (Exh. A), 2003)

### 13.24.080 - Clustered residential development.

A. **Purpose and Intent.** This section provides for the subdivision of properties within large-lot residential zoning districts, whereby individual homesite parcels are clustered within carefully selected areas of the original parcel to be subdivided.

- 1. As provided by the general plan, clustered residential development is intended for use under very limited circumstances, where specific site characteristics of access, scenic rural character, slopes, soil stability, environmental resources, infrastructure or other similar factors are sufficiently sensitive or constraining to warrant a different approach to subdivision than provided by the normal minimum parcel size requirements of the applicable zoning district.
- 2. In these cases, the town may allow development to be clustered in restricted areas of the site, on parcels smaller than normally allowed by the applicable zoning district, in return for permanently maintaining the more sensitive areas in an undeveloped state, and provided that the total residential density does not exceed that allowed by the applicable zoning district and the general plan.
- 3. It is the intent of the town that the approval and construction of a clustered residential development shall not be used as justification for a subsequent amendment to the general plan designation or zoning of the overall site or any individual parcel.

B. **Where Allowed.** Clustered residential development in compliance with this section shall be allowed only within the RA, RE, ~~and RR~~, and RS zoning districts.

C. **Permit Requirement.** Clustered residential development shall require use permit approval in addition to tentative and final map approval. Use permit approval shall include conditions specifying a phasing schedule for the recordation of a final map and, where applicable, the installation of required improvements, and a date for the expiration of town approvals in the event the subdivision and development is not completed within the specified schedule.

D. **Maximum Density and Number of Parcels.** The maximum number of individual building sites allowed in a clustered residential development shall not exceed the number of parcels allowed through application of the minimum lot area requirements established for the applicable zoning district by this chapter. Net lot area (see definition of "lot area") shall be used to determine the number of allowable parcels.

E. **Parcel Area and Open Area Requirements.** The minimum area required of a parcel to be subdivided to qualify for clustered residential development, and the minimum area of parcels created through cluster division shall comply with the requirements of Table 2-6.

**TABLE 2-6 - MINIMUM PARCEL SIZE FOR CLUSTERED RESIDENTIAL**

| Zoning District | Minimum Area of Parcel to be Subdivided <sup>(1)</sup> | Minimum Area of Building Site Parcels <sup>(1) (2)</sup> | Minimum Area of Open Space Parcel <sup>(3)</sup> |
|-----------------|--|--|--|
| RA              | 40 acres   | 2.3 acres  | 40%  |
| RE              | <del>40</del> <u>20</u> acres                          | 1 acre   | 60%  |
| RR              | 10 acres   | 10,000 sf  | 50%  |
| <u>RS</u>       | <u>10 acres</u>  | <u>10,000 sf</u>   | <u>50%</u>                                       |

**Notes:**

- (1) Net lot area.
- (2) A minimum lot area of less than 2.3 acres may be approved [within the RA zoning district](#) only when community water or sewer service is provided.
- (3) The minimum area is expressed as a percentage of the gross area of the parcel to be subdivided.

**F. Design Standards.**

1. **Open Space Parcel Required.** A clustered residential development shall include at least one open space parcel, which shall not be developed with structures other than agricultural accessory buildings. The open space parcel may be used for any of the following, if specifically authorized by the use permit approval for the clustered development: crop production, orchards, or grazing; habitat or other nature preserves, water storage or recharge; scenic areas; or other similar open space use.
2. **Guarantee of Open Space.** The required open space parcel shall be maintained as open space in perpetuity. The permanent open space shall be guaranteed by an open space easement, or dedication of fee or partial fee title to a public or quasi-public agency (e.g., the town, a land trust, etc.).
3. **Site Design.**
  - a. Site disturbance shall be minimized by clustering, locating roads along contours, and building site selection.
  - b. Access to off-site roads shall be limited, with clustered parcels having access from interior roads wherever feasible.
  - c. Development shall be designed to be consistent with the character of the immediate surrounding areas as determined by the applicable zoning district.
  - d. Building site parcels shall be clustered and located within the parcel to be subdivided to minimize the visibility of proposed residential units and other structures from public roads and abutting parcels.
  - e. The clustered parcels and the overall development shall at no time be gated to limit public access to the roads within the site.

**G. Required Findings.** The approval of a use permit to allow a clustered residential development shall require that the review authority first make all of the following findings, in addition to those otherwise required for use permit approval by Section 13.62.050.

1. The proposed project will be more compatible with existing and future land uses adjacent to the site and in the vicinity than a conventional subdivision of the site;

2. The proposed project will more effectively and appropriately mitigate environmental impacts, including the avoidance and preservation of environmentally sensitive areas on the site than a conventional subdivision of the site; and
3. The proposed project will more effectively and appropriately maintain the rural character of Loomis in terms of the visibility of proposed structures and site improvements from public roads and adjacent parcels than a conventional subdivision of the site. (Ord. 212 §§ 8, 9, 2004; Ord. 211 § 3, 2004; Ord. 205 § 1 (Exh. A), 2003)

## **Chapter 13.26 - COMMERCIAL ZONING DISTRICTS**

- 13.26.010 - Purpose.
- 13.26.020 - Purposes of commercial zoning districts.
- 13.26.030 - Commercial district land uses and permit requirements.
- 13.26.040 - Commercial district general development standards.
- 13.26.050 - CO district standards.
- 13.26.060 - CG district standards.
- 13.26.070 - CT district standards.

### **13.26.010 - Purpose.**

This chapter lists the land uses that may be allowed within the commercial zoning districts established by Section 13.20.020, determines the type of land use permit/approval required for each use, and provides basic standards for site layout and building size. (Ord. 205 § 1 (Exh. A), 2003)

### **13.26.020 - Purposes of commercial zoning districts.**

The purposes of the individual commercial zoning districts and the manner in which they are applied are as follows.

- A. **CO (Office Commercial) District.** The CO zoning district is applied to areas appropriate for various types of office uses, together with similar and related compatible uses. The CO zoning district is consistent with and implements the office and professional land use designation of the general plan.
- B. **CG (General Commercial) District.** The CG zoning district is applied to areas appropriate for a range of retail and service land uses that primarily serve local residents and businesses, including shops, personal and business services, and restaurants. Residential uses may also be accommodated as part of mixed-use projects. The CG zoning district is consistent with the general commercial land use designation of the general plan.
- C. **CC (Central Commercial) District.** The CC zoning district is applied to areas within the historical downtown appropriate for a mixture of land uses, with primarily retail and pedestrian-oriented office uses on the ground floors of commercial structures, and residential units allowed on second or third floors. The CC zoning district is consistent with and implements the town center commercial land use designation of the general plan.
- D. **CT (Tourist/Destination Commercial) District.** The CT zoning district is applied to areas appropriate for a mixture of office/business park, retail commercial, lodging, conference center and other traveler-serving uses, local-serving entertainment uses, and residential uses as part of mixed-use structures. The CT zoning district is consistent with the tourist/destination commercial land use designation of the general plan. (Ord. 205 § 1 (Exh. A), 2003)

### **13.26.030 - Commercial district land uses and permit requirements.**

Table 2-6 identifies the uses of land allowed by this title in the commercial zoning districts, and the land use permit required to establish each use, in compliance with Section 13.22.030.

**NOTE:** Where the last column in the table ("Specific Use Regulations") includes a section number, the

regulations in the referenced section apply to the use. Provisions in other sections of this title may also apply. (Ord. 211 § 9, 2004; Ord. 205 § 1 (Exh. A), 2003)

### 13.26.040 - Commercial district general development standards.

Subdivisions, new land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and/or established in compliance with the requirements in Tables 2-7 and 2-8, in addition to the applicable development standards (e.g., landscaping, parking and loading, etc.) in Division 3 of this title.

| TABLE 2-6<br><br>Allowed Land Uses and Permit Requirements<br>for Commercial Zoning Districts |                                       | P                           | Permitted Use, Zoning Clearance required           |                    |                    |                             |
|---|---------------------------------------|-----------------------------|--|--------------------|--------------------|-----------------------------|
|   |                                       | MUP                         | Minor Use Permit required                          |                    |                    |                             |
|   |                                       | UP                          | Use Permit required                                |                    |                    |                             |
|   |                                       | S                           | Permit requirement set by Specific Use Regulations |                    |                    |                             |
|   |                                       | —                           | Use not allowed                                    |                    |                    |                             |
| LAND USE <sup>(1)</sup>   |                                       | PERMIT REQUIRED BY DISTRICT |  |                    |                    | Specific Use<br>Regulations |
|   |                                       | CO <sup>(56)</sup>          | CG <sup>(5)</sup>                                  | CC <sup>(56)</sup> | CT <sup>(67)</sup> |                             |
| INDUSTRY, MANUFACTURING AND PROCESSING, WHOLESALING   |                                       |                             |  |                    |                    |                             |
| Agricultural product processing   |                                       | —                           | —  | MUP                | —                  |                             |
| Laboratory - Medical, analytical (not experimental)   |                                       | UP                          | P  | —                  | —                  |                             |
| Recycling - Reverse vending machines  |                                       | —                           | P  | —                  | P                  | 13.42.210                   |
|   | Recycling - Small collection facility | —                           | MUP <sup>(34)</sup>                                | —                  | P                  | 13.42.210                   |
|   | Winery <sup>(7),(8),(9)</sup>         | —                           | UP   | UP                 | —                  | 13.42.290                   |
| RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES  |                                       |                             |  |                    |                    |                             |
| Auction   |                                       | —                           | —  | P                  | —                  |                             |
| Bar/tavern  |                                       | —                           | S  | S                  | S                  | 13.42.050                   |
|   | Club, lodge, private meeting hall     | UP                          | UP   | UP <sup>(3)</sup>  | MUP                | 13.26.070(C)                |
| Commercial recreation facility - Indoor   |                                       | —                           | MUP  | MUP                | MUP                |                             |
| Commercial recreation facility - Outdoor  |                                       | —                           | —  | —                  | UP                 |                             |
| Community center  |                                       | —                           | P  | P                  | MUP                | 13.26.070(C)                |
| Conference/convention facility  |                                       | —                           | —  | —                  | UP                 |                             |
| Equestrian facility   |                                       | —                           | —  | —                  | UP                 | 13.26.070(C)                |
|   | Fitness/health facility               | P                           | P  | P <sup>(3)</sup>   | P                  |                             |
| Library, museum   |                                       | —                           | —  | P                  | MUP                |                             |
| Night club  |                                       | —                           | —  | UP                 | UP                 | 13.42.050                   |



| <b>TABLE 2-6</b>   |  | <p>P Permitted Use, Zoning Clearance required</p> <p>MUP Minor Use Permit required</p> <p>UP Use Permit required</p> <p>S Permit requirement set by Specific Use Regulations</p> <p>— Use not allowed</p> |                     |                    |                    |   |
|--|--|---|---------------------|--------------------|--------------------|---|
| <b>Allowed Land Uses and Permit Requirements for Commercial Zoning Districts</b> |  |   |                     |                    |                    |   |
| LAND USE <sup>(1)</sup>  |  | PERMIT REQUIRED BY DISTRICT   |                     |                    |                    | Specific Use Regulations                |
|  |  | CO <sup>(56)</sup>  | CG <sup>(5)</sup>   | CC <sup>(56)</sup> | CT <sup>(67)</sup> |   |
| Park, playground   |  | P   | P                   | P                  | P                  |   |
| Religious facility   |  | P   | P                   | —                  | P                  | 13.42.230 13.26.070(C)                  |
| School - Elementary, middle, secondary   |  | UP  | UP                  | UP <sup>(3)</sup>  | —                  |   |
| School - Specialized education/training  |  | UP  | UP                  | UP <sup>(3)</sup>  | UP                 | 13.26.070(C)                            |
| Sports and entertainment assembly facility                                       |  | —   | —                   | —                  | UP                 |   |
| Studio - Art, dance, martial arts, music, etc.                                   |  | —   | P                   | P                  | P                  |   |
| Theater, auditorium  |  | —   | UP                  | UP                 | UP                 |   |
| <b>RESIDENTIAL USES<sup>(40),(9),(12)</sup></b>                                  |  |   |                     |                    |                    |   |
| Commercial cannabis activity   |  | —   | —                   | —                  | —                  | 13.46.                                  |
| Emergency shelter  |  | —   | P <sup>(112)</sup>  | P <sup>(112)</sup> | —                  | 13.42.245                               |
| Home occupation  |  | P   | P                   | P                  | P                  | 13.42.120                               |
| Household pets   |  | P <sup>(45)</sup>   | P <sup>(45)</sup>   | P <sup>(45)</sup>  | P <sup>(45)</sup>  | 13.42.060                               |
| Live/work unit   |  | —   | MUP                 | MUP                | —                  | 13.42.130                               |
| Multifamily housing  |  | —   | MUP <sup>(12)</sup> | UP <sup>(12)</sup> | —                  | 13.42.250                               |
| Multifamily housing in a mixed-use structure                                     |  | P <sup>(12)</sup>   | P <sup>(12)</sup>   | P <sup>(12)</sup>  | P <sup>(12)</sup>  | 13.42.140                               |
| Residential care facility, <del>7 or more clients</del>                          |  | <u>P</u> <u>UP</u>  | <u>P</u> —          | <u>P</u> —         | — <u>P</u>         | <u>13.42.240</u><br><u>13.26.070(C)</u> |
| <u>Single-room occupancy</u>   |  | <u>—</u>  | <u>UP</u>           | <u>—</u>           | <u>—</u>           | <u>13.42.135</u>                        |
| <u>Supportive and transitional housing</u> <sup>(9)</sup>                        |  | <u>P</u>  | <u>P</u>            | <u>P</u>           | <u>P</u>           |   |
| <b>RETAIL TRADE-</b>   |  |   |                     |                    |                    |   |
| Accessory retail uses  |  | P   | P                   | P                  | P                  | 13.42.030                               |
| Alcoholic beverage sales   |  | —   | S                   | S                  | S                  | 13.42.050                               |
| Artisan shop   |  | —   | P                   | P                  | P                  |   |

| TABLE 2-6<br><br>Allowed Land Uses and Permit Requirements<br>for Commercial Zoning Districts |  | P                           | Permitted Use, Zoning Clearance required           |                     |                     |                             |
|---|--|-----------------------------|--|---------------------|---------------------|-----------------------------|
|   |  | MUP                         | Minor Use Permit required                          |                     |                     |                             |
|   |  | UP                          | Use Permit required                                |                     |                     |                             |
|   |  | S                           | Permit requirement set by Specific Use Regulations |                     |                     |                             |
|   |  | —                           | Use not allowed                                    |                     |                     |                             |
| LAND USE <sup>(1)</sup>   |  | PERMIT REQUIRED BY DISTRICT |  |                     |                     | Specific Use<br>Regulations |
|   |  | CO <sup>(56)</sup>          | CG <sup>(5)</sup>                                  | CC <sup>(56)</sup>  | CT <sup>(67)</sup>  |                             |
| Assembly of building components   |  | —                           | MUP  | —                   | —                   |                             |
| Auto and vehicle sales  |  | —                           | MUP  | —                   | —                   |                             |
| Auto parts sales with no installation services  |  | —                           | P  | —                   | P                   |                             |
| Auto rental   |  | —                           | MUP  | —                   | MUP                 |                             |
| Building/landscape materials sales - Indoor   |  | —                           | P  | —                   | —                   |                             |
| Building/landscape materials sales - Indoor,<br>50,000 sf max.                                |  | —                           | P  | —                   | P                   |                             |
| Building/landscape materials sales - Outdoor  |  | —                           | MUP  | —                   | —                   | 13.42.180                   |
| Building/landscape materials sales - Outdoor,<br>15,000 sf max.                               |  | —                           | —  | MUP                 | —                   |                             |
| Construction and heavy equipment sales and<br>rental  |  | —                           | UP   | —                   | —                   |                             |
| Convenience store   |  | —                           | P  | P                   | P                   |                             |
| Drive-through retail  |  | —                           | UP   | —                   | UP                  | 13.42.090                   |
| Extended hour retail  |  | —                           | MUP <sup>(34)</sup>                                | MUP <sup>(34)</sup> | MUP <sup>(34)</sup> |                             |
| Farm supply and feed store  |  | —                           | P  | P                   | —                   |                             |
| Farmers market  |  | —                           | —  | MUP                 | MUP                 |                             |
| Fuel dealer (propane for home and farm use,<br>etc.)  |  | —                           | MUP  | —                   | —                   |                             |
| Furniture, furnishings and appliance store  |  | —                           | P  | P                   | P                   |                             |
| Gas station   |  | —                           | UP   | —                   | UP                  | 13.42.100                   |
| General retail - 10,000 sf or less  |  | —                           | P  | P                   | P                   |                             |
| General retail - 10,001 to 19,999 sf  |  | —                           | P <sup>(2)</sup>                                   | MUP                 | P <sup>(2)</sup>    |                             |
| General retail - 20,000 sf or more  |  | —                           | UP   | UP                  | UP                  |                             |

| <b>TABLE 2-6</b><br><br><b>Allowed Land Uses and Permit Requirements for Commercial Zoning Districts</b> | P Permitted Use, Zoning Clearance required<br>MUP Minor Use Permit required<br>UP Use Permit required<br>S Permit requirement set by Specific Use Regulations<br>— Use not allowed |                     |                    |                    |                          |
|--|--|---------------------|--------------------|--------------------|--------------------------|
| LAND USE <sup>(1)</sup>  | PERMIT REQUIRED BY DISTRICT  |                     |                    |                    | Specific Use Regulations |
|  | CO <sup>(56)</sup>   | CG <sup>(5)</sup>   | CC <sup>(56)</sup> | CT <sup>(67)</sup> |                          |
| Groceries, specialty foods - 10,000 sf or less   | —  | P                   | P                  | P                  |                          |
| Groceries, specialty foods - More than 10,000 sf   | —  | P <sup>(2)</sup>    | MUP                | UP                 |                          |
| Mobile home, boat, or RV sales   | —  | UP                  | —                  | —                  |                          |
| Office-supporting retail   | P  | P                   | P                  | P                  |                          |
| Outdoor retail sales and activities  | —  | P                   | P                  | P                  | 13.42.180                |
| Produce stand  | —  | MUP                 | MUP                | MUP                | 13.42.200                |
| Restaurant, cafe, coffee shop  | P  | P                   | P                  | P <sup>(2)</sup>   |                          |
| Second hand store  | —  | MUP                 | MUP                | —                  |                          |
| Shopping center  | —  | MUP                 | MUP                | MUP <sup>(2)</sup> |                          |
| Warehouse retail <sup>(10)</sup>   | —  | UP <sup>(104)</sup> | —                  | —                  |                          |
| <b>SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL</b>  |  |                     |                    |                    |                          |
| ATM  | P  | P                   | P                  | P                  |                          |
| Bank, financial services   | UP   | P                   | P                  | P                  |                          |
| Business support service   | P  | P                   | P                  | P                  |                          |
| <u>Low-barrier navigation center</u>   | <u>P</u>   | <u>P</u>            | <u>P</u>           | <u>P</u>           |                          |
| Medical services - Doctor office   | P  | P                   | P <sup>(3)</sup>   | MUP <sup>(2)</sup> |                          |
| Medical services - Clinic, lab, urgent care  | UP   | UP                  | P <sup>(3)</sup>   | MUP <sup>(2)</sup> |                          |
| Medical services - Extended care   | UP   | UP                  | —                  | —                  |                          |
| Office - Accessory   | P  | P                   | P                  | P                  |                          |
| Office - Business/service  | P  | P                   | P                  | P                  |                          |
| Office - Government  | MUP  | MUP                 | MUP                | MUP                |                          |
| Office - Processing  | MUP  | —                   | UP <sup>(3)</sup>  | —                  |                          |
| Office - Processing, 20,000 sf maximum   | MUP  | —                   | UP <sup>(3)</sup>  | MUP                |                          |

| TABLE 2-6   |  | <p>P Permitted Use, Zoning Clearance required</p> <p>MUP Minor Use Permit required</p> <p>UP Use Permit required</p> <p>S Permit requirement set by Specific Use Regulations</p> <p>— Use not allowed</p> |                     |                    |                     |                          |
|---|--|---|---------------------|--------------------|---------------------|--------------------------|
| Allowed Land Uses and Permit Requirements for Commercial Zoning Districts |  | PERMIT REQUIRED BY DISTRICT   |                     |                    |                     | Specific Use Regulations |
| LAND USE <sup>(1)</sup>   |  | CO <sup>(56)</sup>  | CG <sup>(5)</sup>   | CC <sup>(56)</sup> | CT <sup>(67)</sup>  |                          |
| Office - Professional   |  | P   | P                   | P <sup>(3)</sup>   | MUP                 |                          |
| <b>SERVICES - GENERAL</b>   |  |   |                     |                    |                     |                          |
| Adult day care - 14 or fewer clients                                      |  | P   | P                   | —                  | —                   |                          |
| Adult day care - 15 or more clients                                       |  | MUP   | MUP                 | —                  | —                   |                          |
| Catering service  |  | —   | P                   | —                  | MUP <sup>(2)</sup>  |                          |
| Child day care center   |  | P   | P                   | —                  | P                   | 13.42.080                |
| Drive-through service   |  | —   | UP                  | —                  | UP                  |                          |
| Equipment rental  |  | —   | MUP                 | —                  | —                   |                          |
| Kennel, animal boarding   |  | —   | MUP <sup>(34)</sup> | —                  | MUP <sup>(34)</sup> |                          |
| Lodging - Bed and breakfast inn (B&B)                                     |  | —   | P                   | P                  | MUP                 | 13.42.070                |
| Lodging - Hotel or motel  |  | —   | UP                  | UP                 | UP                  |                          |
| Lodging - Recreational vehicle (RV) park                                  |  | —   | UP                  | —                  | MUP                 | 13.42.220                |
| Maintenance service - Client site services                                |  | —   | P                   | —                  | —                   |                          |
| Mortuary, funeral home  |  | —   | UP                  | UP                 | —                   |                          |
| Personal services   |  | —   | P                   | P                  | P                   |                          |
| Personal services - Restricted  |  | —   | MUP <sup>(34)</sup> | —                  | —                   |                          |
| Public safety facility  |  | UP  | UP                  | UP                 | UP                  |                          |
| Repair service - Equipment, large appliances, etc.                        |  | —   | MUP                 | —                  | —                   |                          |
| Social service organization   |  | MUP   | P                   | MUP                | —                   |                          |
| Syringe services program  |  | —   | —                   | —                  | —                   | 13.48                    |
| Vehicle services - Major repair/body work                                 |  | —   | UP                  | —                  | —                   |                          |
| Vehicle services - Minor maintenance/repair                               |  | —   | MUP <sup>(2)</sup>  | —                  | MUP <sup>(2)</sup>  |                          |
| Veterinary clinic, animal hospital  |  | —   | UP                  | —                  | UP                  | 13.26.070(C)             |

|  |  |                             |  |                    |                    |                          |
|--|--|-----------------------------|--|--------------------|--------------------|--------------------------|
| TABLE 2-6<br><br>Allowed Land Uses and Permit Requirements for Commercial Zoning Districts |  | P                           | Permitted Use, Zoning Clearance required           |                    |                    |                          |
|  |  | MUP                         | Minor Use Permit required                          |                    |                    |                          |
|  |  | UP                          | Use Permit required                                |                    |                    |                          |
|  |  | S                           | Permit requirement set by Specific Use Regulations |                    |                    |                          |
|  |  | —                           | Use not allowed                                    |                    |                    |                          |
| LAND USE <sup>(1)</sup>  |  | PERMIT REQUIRED BY DISTRICT |  |                    |                    | Specific Use Regulations |
|  |  | CO <sup>(56)</sup>          | CG <sup>(5)</sup>                                  | CC <sup>(56)</sup> | CT <sup>(67)</sup> |                          |
| TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE  |  |                             |  |                    |                    |                          |
| Broadcasting studio  |  | MUP                         | P  | UP                 | MUP                |                          |
| Parking facility, public or commercial   |  | —                           | MUP  | MUP                | —                  |                          |
| Pipeline, utility transmission or distribution line  |  | UP                          | UP   | UP                 | UP                 |                          |
| Rest stop  |  | —                           | —  | —                  | MUP                |                          |
| Telecommunications facility  |  | S                           | S  | S                  | S                  | 13.44                    |
| Transit station or terminal  |  | —                           | MUP  | MUP                | MUP                |                          |
| Utility facility   |  | UP                          | UP   | UP                 | UP                 |                          |
| Utility infrastructure   |  | P                           | P  | P                  | P                  |                          |

### Key to Zoning District Symbols

|           |                    |           |                                |
|-----------|--------------------|-----------|--------------------------------|
| <b>CO</b> | Office Commercial  | <b>CC</b> | Central Commercial             |
| <b>CG</b> | General Commercial | <b>CT</b> | Tourist/Destination Commercial |

### Notes:

- (1) See Division 8 for land use definitions.
- (2) Use permit required when site abuts a residential zone.
- (3) Use not allowable on a site abutting a residential zone.
- (4) Zoning clearance not required if the use complies with all other applicable town approval requirements and standards.
- (5) Use permit approval required for all new construction.
- (6) Permit requirements established for the CT zoning district are for the replacement of land uses after initial site development. See Section 13.26.070.
- (7) Any winery use application within five hundred feet of an existing school, playground or church shall require use permit approval by the planning commission.
- (8) The maximum annual production capacity of the winery shall not exceed twenty thousand cases, unless permission is granted to allow additional cases during project review.
- (9) Supportive and Transitional housing shall be subject only to those restrictions that apply to other residential dwellings of the same type (e.g., single-family, multifamily) in the same zone.
- (10) Warehouse retail is allowed only at locations meeting all of the following criteria: (a) within one-half mile of an I-80 interchange; (b) at least one-half mile from land zoned Central Commercial (CC); and (c) on sites with an aggregate size of fifteen or more acres.
- [\(112\) Use exempt from restrictions identified in Note 65 above. Use permit not required for all new](#)



[construction.](#)

[\(12\) Multifamily housing developments for special needs groups are permitted an increased density of 20 dwelling units per acre.](#)

**TABLE 2-7 - CO AND CG DISTRICT DEVELOPMENT STANDARDS**

| Development Feature            | Requirement by Zoning District  |                          |
|--------------------------------|---|--------------------------|
|                                | CO<br>Office Commercial   | CG<br>General Commercial |
| <b>Minimum lot size</b>        | <i>Minimum area and width for parcels proposed in new subdivisions.</i>   |                          |
| Area (net)                     | 5,000 sf <sup>(1)</sup>   |                          |
| Width                          | Determined by the review authority through the subdivision process.   |                          |
| <b>Residential density</b>     | <i>Maximum number of dwelling units allowed in a project. The actual number of units allowed will be determined by the Town through subdivision or land use permit approval, as applicable.</i>   |                          |
| Maximum density                | 2 - 10 units per acre in a mixed-use project, subject to the General Plan specific area policies, Land Use and Community Development Element, Section G.  |                          |
| <b>Setbacks</b> <sup>(2)</sup> | <i>Minimum and, where noted, maximum setbacks required for primary structures. See Section 13.30.110 for exceptions to these requirements.</i>  |                          |
| Front                          | 15 ft minimum; offices shall be set back no more than 15 ft, except where an entry courtyard is provided, or where approved through Design Review.  |                          |
| Side - Interior (each)         | 15 ft along a lot line abutting an R zone, none required otherwise.   |                          |
| Side - Corner                  | 15 ft   |                          |
| Rear                           | 15 ft along a lot line abutting an R zone, none required otherwise.   |                          |
| <b>Floor area ratio (FAR)</b>  | <i>Maximum FAR allowed.</i>   |                          |
|                                | 0.60 maximum  |                          |
| <b>Lot coverage</b>            | <i>Maximum percentage of total lot area that may be covered by structures. When expressed as a range, the review authority may limit the maximum coverage allowed a specific project to less than the maximum of the range, as determined appropriate for the site and project.</i> |                          |
|                                | <del>35% to</del> 60%   | <del>525% to</del> 60%   |
| <b>Height limit</b>            | <i>Maximum allowable height of structures. See Section 13.30.050 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.</i>   |                          |
| Maximum height                 | 30 ft - 2 stories   | 35 ft - 2 stories        |
| <b>Landscaping</b>             | See Chapter 13.34 (Landscaping Standards)   |                          |

| Development Feature | Requirement by Zoning District          |                          |
|---------------------|---|--------------------------|
|                     | CO<br>Office Commercial                 | CG<br>General Commercial |
| Parking             | See Chapter 13.36 (Parking and Loading) |                          |
| Signs               | See Chapter 13.38 (Signs)               |                          |

**Notes:**

- (1) A commercial condominium, or a residential condominium, townhome, or planned development project may be subdivided with smaller parcels for ownership purposes, with their minimum lot area determined through the subdivision review process, provided that the overall development site complies with the lot area requirements of this chapter, and the total number of any dwellings is in compliance with the maximum density established by the applicable zoning district.
- (2) Ground-floor residential shall comply with the setback requirements and height limits of the RH zone.

**TABLE 2-8 - CC AND CT DISTRICT DEVELOPMENT STANDARDS**

| Development Feature        | Requirement by Zoning District   |   |
|----------------------------|--|---|
|                            | CC<br>Central Commercial   | CT<br>Tourist/Destination Commercial  |
| <b>Minimum lot size</b>    | <i>Minimum area and width for parcels proposed in new subdivisions.</i>  |   |
| Area (net)                 | 5,000 sf <sup>(1)</sup>  |   |
| Width, depth               | Determined by the review authority through the subdivision process.  |   |
| <b>Residential density</b> | <i>Maximum number of dwelling units allowed in a project. The actual number of units allowed will be determined by the Town through subdivision or land use permit approval, as applicable.</i>  |   |
| Maximum density            | <del>15 units per acre in a mixed-use project.</del> <u>20 units per acre</u>  | <del>2-10 units per acre in a mixed-use project.</del> 2 to 10 units per acre |
| <b>Setbacks</b>            | <i>Minimum and, where noted, maximum setbacks required for primary structures. See Section 13.30.110 for exceptions to these requirements.</i>   |   |
| Front                      | <b>Taylor Road</b> - No front setback allowed; buildings shall be placed at the property line except where a setback is authorized through design review, and except that up to 20 ft may be allowed for outdoor seating or eating areas with design review approval.<br><br><b>Horseshoe Bar Road</b> - 15 ft for landscaping and the preservation of existing buildings and landscaping. | 25 ft, landscaped   |

| Development Feature  | Requirement by Zoning District   |   |
|--|--|---|
|  | CC<br>Central Commercial   | CT<br>Tourist/Destination Commercial  |
| Side - Interior (each)<br><br>Side - Corner<br><br>Rear<br><br>Freeway | Sites on other streets - 15 ft.  |   |
|  | 105 ft along a property line abutting a residential zone or use, none required otherwise.  | 10 25-ft along a property line abutting a residential zone, none required otherwise.  |
|  | Same requirement as front setback.   |   |
|  | Same requirement as side setbacks. 10 ft   |   |
|  | N.A.   | 40 ft from the Interstate 80 right-of-way, or other distance approved as part of a Master Development Plan (Section 13.62.070). |
| Floor area ratio (FAR)   | Minimum FAR required and maximum FAR allowed.  |   |
|  | 0.25 minimum, 1.60 maximum; more than 0.60 may be approved only where parking is provided in a structure that does not detract from the pedestrian orientation of the downtown.  | Not applicable  |
| Lot coverage   | Maximum percentage of total lot area that may be covered by structures. When expressed as a range, the review authority may limit the maximum coverage allowed a specific project to less than the maximum of the range, as determined appropriate for the site and project. |   |
|  | 35% to 60 100%   | 25% to 40%  |
| Height limit<br><br>Maximum height                                     | Maximum allowable height of structures. See Section 13.30.050 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.   |   |
|  | 35 ft - 3 stories  | 35 ft - 3 stories; 45 ft allowed for hotels, motels, and theaters only, with fire department approval                           |
| Landscaping  | See Chapter 13.34 (Landscaping Standards)  |   |
| Parking  | See Chapter 13.36 (Parking and Loading)  |   |
| Signs  | See Chapter 13.38 (Signs)  |   |

**Notes:**

- (1) A commercial condominium, or a residential condominium, townhome, or planned development project may be subdivided with smaller parcels for ownership purposes, with the minimum lot area requirement determined through the subdivision review process, provided that the overall development site complies with the lot area requirements of this chapter, and the total number

of any dwellings is in compliance with the maximum density established by the applicable zoning district.

(Ord. 290 § 2, 2022; Ord. 285 § 1, 2020; Ord. 281 § 5, 2019; Ord. 255 § 1, 2014; Ord. 244 § 1, 2009; Ord. 238 § 1, 2007; Ord. 235 § 1, 2007; Ord. 205 § 1 (Exh. A), 2003; Ord. 297, 1/9/2024)

#### **13.26.050 - CO district standards.**

Proposed subdivisions, other development and new land uses within the CO zoning district at the southwest corner of I-80 and King Road shall comply with the following standards, consistent with Specific Area Policy 2, Section G of the Land Use and Community Development Element of the general plan.

A. **Riparian Corridor Protection.** The riparian corridors extending through this area shall be protected in compliance with Chapter 13.54, and consistent with the policies in the conservation of resources chapter of the general plan.

B. **Site Planning.** Proposed development shall be planned to provide:

1. A gradual transition of intensity between development adjacent to I-80 and neighboring residential areas, to minimize the potential for land use conflicts with residential uses, and problems for residents; and
2. Adequate access and circulation between Horseshoe Bar Road and King Road.

C. **Residential Uses.** Residential uses shall be developed with shared driveways to minimize access points on the new extension of Boyington Road, where determined by the review authority to be feasible. (See the Circulation Element of the general plan regarding the Boyington Road extension.) (Ord. 205 § 1 (Exh. A), 2003)

#### **13.26.060 - CG district standards.**

Proposed subdivisions, other development and new land uses within the CG zoning district shall comply with the following standards, as applicable.

A. **CG District North of the Raley's Center.** Proposed development shall comply with the following standards, consistent with Specific Area Policy 2, Section G of the Land Use and Community Development Element of the general plan.

1. **Riparian Corridor Protection.** The riparian corridors extending through this area shall be protected in compliance with Chapter 13.54, and consistent with the policies in the conservation of resources chapter of the general plan.
2. **Site Planning.** Proposed development shall be planned to provide:
  - a. A gradual transition of intensity between development adjacent to I-80 and existing commercial, and the neighboring residential areas, to minimize the potential for land use conflicts with residential uses, and problems for residents; and
  - b. Adequate access and circulation between Horseshoe Bar Road and King Road.
3. **Land Use Mix.** As determined by the review authority to be appropriate, site development should include a mixture of land uses consisting of three tiers: general commercial and/or office uses should be located adjacent to the Raley's center; low profile office structures should be placed in a second tier after the commercial uses; and medium- to medium-high density residential should be located adjacent to the existing residential areas to the north of this site.

B. **CG District on Taylor Road Northeast of Sierra College Boulevard.**

1. **Applicability.** The requirements of this subsection apply to the site identified as special land use policy area 4 on the general plan land use diagram, as consistent with Specific Area Policy 4, Section G of the Land Use and Community Development Element of the general plan.
2. **Site Planning.** The site shall be developed with commercial uses along the Taylor Road frontage, with office uses or multifamily residential behind the commercial, to buffer the adjacent single-family residential uses from the noise, glare, and activities associated with commercial uses. (Ord. 205 § 1 (Exh. A), 2003)

### **13.26.070 - CT district standards.**

Proposed subdivisions, other development and new land uses within the CT zoning district shall comply with the following requirements, consistent with Specific Area Policy 5, Section G of the Land Use and Community Development Element of the general plan.

#### **A. Allowable Land Uses and Permit Requirements.**

1. **Master Development Plan Required for Initial Site Development.** The initial development of a parcel within the CT zoning district after the effective date of rezoning to the CT district shall require that the property owner first obtain town approval of a Master Development Plan in compliance with Section 13.62.070.
2. **Master Development Plan Contents.** As submitted by the applicant and approved by the town, the master development plan shall specify the following.
  - a. **Allowed Land Uses, Densities and Building Intensities.** The land uses proposed and/or authorized as part of a master development plan may include any listed as "P," "MUP," "UP," and/or "S," within the CT zoning district in Section 13.26.030, Table 2-6.
  - b. A detailed overall site plan that complies with the design standards in subsection (B), and shows: all proposed land uses, structures, landscape areas, conservation areas for natural features; buffers; provisions for site access, internal and external circulation and parking; and all other details of site design.
  - c. Provisions for internal access to adjoining properties by means of proposed public and/or private roads or drives other than Horseshoe Bar and Brace Roads.
  - d. Architectural and other building design requirements and guidelines, to clearly define the appearance of approved structures;
  - e. Standards and guidelines for proposed signs, consistent with the requirements of Chapter 13.38.
  - f. Plans showing the approximate location and layout of proposed infrastructure and utilities, including any proposed or required extensions of existing lines for water, sewer, etc.
  - g. Project and parcel phasing, to the extent that phasing is known by the property owner, or owners in the case of multiple properties participating in a project proposal.
  - h. Any other information, requirements, and/or conditions of approval determined by the review authority to be appropriate.
3. **Site Redevelopment and/or Replacement Land Uses.** After initial site development and occupancy in compliance with an approved master development plan, the replacement of the initial use of a structure with a different use, and/or the replacement of an approved structure with a different structure and use shall be subject to the allowable land use and permit requirements of Section 13.26.030, Table 2-6.

**B. Design Standards.** Each master development plan and any subsequent proposals for replacement land uses or redevelopment after initial site development shall incorporate site planning and building design measures to accomplish all of the following, as required by the general plan.

1. Create an identity, appearance, and mix of land uses that provide for the integrated development of all parcels and that will be attractive to both travelers and town residents. The arrangement of uses on the overall site should be allowed to emphasize the creation of a destination or significant stopover for travelers, provide enhanced shopping and entertainment opportunities for town residents, and tie into the historic downtown area to support the economic viability of the downtown.
2. Provide traveler-oriented commercial uses that are accessed primarily by automobiles and concentrated near the Horseshoe Bar Road interchange. Uses on the site shall then transition to more locally-oriented commercial and office uses, laid out to provide a pedestrian orientation.
3. Provide primary access to commercial development from Horseshoe Bar Road, with limited, secondary access on Brace Road. Commercial uses shall not front on Brace Road and shall be set back and/or buffered from Brace Road to maintain the rural residential character of the roadway corridor.
4. Provide a design and appearance that will reinforce the rural character of Loomis by: integrating existing natural features, including significant trees and rock outcrops; building design that emphasizes low-profile structures, local native materials, and the local historic architectural vernacular, and site development incorporating appropriate vegetation, preferably native, that can act as a buffer and screen, as well as add to the ambiance of the development.
5. Provide for the long-term protection, preservation, and sustainability of the Secret Ravine riparian corridor, and its aquatic and terrestrial habitats.
6. Provide for adequate and appropriate access between separately owned parcels within the CT zoning district as determined by the review authority to be necessary to avoid unnecessary access points to public roads, traffic congestion and hazards on public roads.

**C. Limitations on Specific Land Uses.** The land uses allowed by Section 13.26.030 (Table 2-6) in the CT zoning district may be approved only when the review authority determines that they comply with the following limitations.

1. **Club, Lodge, Private Meeting Hall.** A club, lodge, or private meeting hall may be approved only within four hundred feet of Brace Road.
2. **Community Center.** A community center may be approved only within four hundred feet of Brace Road.
3. **Equestrian Facility.** Any proposed equestrian facility shall be oriented toward tourists and visitors to the town, with structures on the site and the activities offered comprising significant recreational tourism resources, and shall not be limited to the pasturing of animals.
4. **Religious Facility.** A religious facility may be approved only within four hundred feet of a residential zoning district, and/or Brace Road.
5. **Residential Care Facility for the Elderly (RCFE).** A [Residential Care Facility for the elderly](#) may be approved only within four hundred feet of a residential zoning district, and/or Brace Road.
6. **School - Specialized Education/Training.** A school within the CT zoning district offering specialized education and training shall offer courses only in office-related skills. Examples include computer-related training, graphics and illustration, writing, clerical and secretarial skills,

and other topics determined by the review authority to be similar. Such a school may be approved only within four hundred feet of Brace Road.

7. **Veterinary Clinic, Animal Hospital.** A veterinary clinic or animal hospital shall be limited to a small animal practice. (Ord. 205 § 1 (Exh. A), 2003)

### 13.26.080 - CC district standards.

Reserved.

## **Chapter 13.28 - INDUSTRIAL AND PUBLIC ZONING DISTRICTS**

- 13.28.010 - Purpose.
- 13.28.020 - Purposes of industrial and public districts.
- 13.28.030 - Industrial and public district land uses and permit requirements.
- 13.28.040 - Industrial and public zoning district development standards.
- 13.28.050 - BP district standards.
- 13.28.060 - ILT district standards.

### **13.28.010 - Purpose.**

This chapter lists the land uses that may be allowed within the industrial zoning districts established by Section 13.20.020, determines the type of land use permit/approval required for each use, and provides basic standards for site layout and building size. (Ord. 205 § 1 (Exh. A), 2003)

### **13.28.020 - Purposes of industrial and public districts.**

The purposes of the individual industrial and special purpose zoning districts and the manner in which they are applied are as follows.

A. **BP (Industrial/Business Park) District.** The BP zoning district is applied to areas appropriate for light industrial and business park land uses, including low-intensity manufacturing and assembly processes, research and development, and corporate headquarters offices. The land uses allowed and development standards required within the BP district are intended to protect adjacent areas from impacts while allowing indoor, clean, and quiet industry. Land uses in the BP zoning district are expected to be organized as a business park, with tenants that may include some commercial activities. The BP zoning district is consistent with and implements the business park land use designation of the general plan.

B. **ILT (Limited Industrial) District.** The ILT zoning district is applied to areas abutting residential zoning districts where only a limited range of industrial and manufacturing activities, warehousing, and office uses will be appropriate. Land uses allowed in the IL zoning district will not create objectionable noise, smoke, odor, dust, noxious gases, glare, heat, vibration, or industrial wastes. The IL zoning district is consistent with the light industrial land use designation of the general plan.

C. **IL (Light Industrial) District.** The IL zoning district is applied to areas appropriate for a wider variety of land uses that are more land-intensive manufacturing uses than allowed in the ILT district. These include industrial manufacturing, warehousing, offices, and assembly that may generate objectionable noise, smoke, odor, dust, noxious gases, glare, heat, vibration, and industrial wastes. The IL zoning district is consistent with and implements the light industry land use designation of the general plan.

D. **PI (Public/Institutional) District.** The PI zoning district is applied to areas appropriate for public facilities, utilities, and public gathering facilities including: public schools, libraries, government offices, etc. The PI zoning district is consistent with and implements the public/quasi-public land use designation of the general plan. (Ord. 205 § 1 (Exh. A), 2003)



### 13.28.030 - Industrial and public district land uses and permit requirements.

Table 2-9 identifies the uses of land allowed by this title in the industrial and public zoning districts, and the land use permit required to establish each use, in compliance with Section 13.22.030.

**NOTE:** Where the last column in the table ("Specific Use Regulations") includes a section number, the regulations in the referenced section apply to the use. Provisions in other sections of this title may also apply.

| TABLE 2-9<br><br>Allowed Uses and Permit Requirements for Industrial and Public Zoning Districts | P                           | Permitted Use, Zoning Clearance required           |                    |                   |                           |
|--|-----------------------------|--|--------------------|-------------------|---------------------------|
|  | MUP                         | Minor Use Permit required                          |                    |                   |                           |
|  | UP                          | Use Permit required                                |                    |                   |                           |
|  | —                           | Use not allowed                                    |                    |                   |                           |
|  | S                           | Permit requirement set by Specific Use Regulations |                    |                   |                           |
| LAND USE <sup>(1)</sup>  | PERMIT REQUIRED BY DISTRICT |  |                    |                   | Specific Use Regulations  |
|  | BP                          | ILT  | IL                 | PI                |                           |
| AGRICULTURE AND OPEN SPACE USES  |                             |  |                    |                   |                           |
| <a href="#">Employee/farmworker housing</a>  | <a href="#">=</a>           | <a href="#">UP</a>                                 | <a href="#">UP</a> | <a href="#">=</a> | <a href="#">13.42.250</a> |
| Plant nursery  | —                           | P  | P                  | —                 |                           |
| INDUSTRY, MANUFACTURING AND PROCESSING, WHOLESALING  |                             |  |                    |                   |                           |
| Agricultural product processing  | —                           | —  | P                  | —                 |                           |
| Artisan/craft product manufacturing  | MUP                         | P  | P                  | —                 |                           |
| Construction contractors   | —                           | MUP  | P                  | —                 |                           |
| Furniture and fixtures manufacturing, cabinet shop   | —                           | MUP <sup>(3)</sup>                                 | P                  | —                 |                           |
| Industrial research and development  | P                           | —  | P                  | —                 |                           |
| Laboratory - Medical, analytical, research and development                                       | UP                          | P  | P                  | —                 |                           |
| Laundry, dry cleaning plant  | —                           | —  | P                  | —                 |                           |
| Manufacturing/processing - Heavy   | —                           | —  | —                  | —                 |                           |
| Manufacturing/processing - Intensive   | —                           | —  | MUP                | —                 |                           |
| Manufacturing/processing - Light   | MUP                         | MUP  | P                  | —                 |                           |
| Media production   | P                           | MUP  | P                  | —                 |                           |
| Printing and publishing  | P                           | MUP  | P                  | —                 |                           |

| <b>TABLE 2-9</b><br><br><b>Allowed Uses and Permit Requirements for Industrial and Public Zoning Districts</b> | P                           | Permitted Use, Zoning Clearance required           |     |     |                          |
|--|-----------------------------|--|-----|-----|--------------------------|
|  | MUP                         | Minor Use Permit required                          |     |     |                          |
|  | UP                          | Use Permit required                                |     |     |                          |
|  | —                           | Use not allowed                                    |     |     |                          |
|  | S                           | Permit requirement set by Specific Use Regulations |     |     |                          |
| LAND USE <sup>(1)</sup>  | PERMIT REQUIRED BY DISTRICT |  |     |     | Specific Use Regulations |
|  | BP                          | ILT  | IL  | PI  |                          |
| Recycling - Scrap and dismantling yards  | —                           | —  | MUP | —   | 13.42.210                |
| Recycling - Small collection facility  | MUP                         | MUP  | MUP | MUP | 13.42.210                |
| Storage - Outdoor  | —                           | MUP <sup>(3)</sup>                                 | P   | —   | 13.42.190                |
| Storage - Personal storage facility (mini-storage)   | —                           | P  | P   | —   |                          |
| Storage - Warehouse, indoor storage  | P                           | P  | P   | —   |                          |
| Wholesaling and distribution   | P                           | P  | P   | —   |                          |
| Winery   | —                           | —  | MUP | —   | 13.42.290                |
| <b>RECREATION, EDUCATION AND PUBLIC ASSEMBLY USES</b>  |                             |  |     |     |                          |
| Adult oriented business  | —                           | —  | S   | —   | 13.40                    |
| Club, lodge, private meeting hall  | —                           | UP   | UP  | UP  |                          |
| Commercial recreation facility - Indoor  | —                           | —  | UP  | —   |                          |
| Community center   | —                           | UP   | UP  | MUP |                          |
| Fitness/health facility  | P                           | P  | P   | MUP |                          |
| Library, museum  | —                           | —  | —   | MUP |                          |
| Religious facility   | —                           | —  | —   | P   | 13.42.230                |
| Religious facility - Incidental, not during business hours   | —                           | —  | P   | P   | 13.42.230                |
| School - Elementary, middle, secondary   | —                           | —  | —   | UP  |                          |
| School - Specialized education/training  | MUP                         | MUP  | MUP | UP  |                          |
| Sports and active recreation facility  | —                           | —  | —   | UP  |                          |
| Studio - Art, dance, martial arts, music, etc.   | —                           | P  | P   | MUP |                          |

| TABLE 2-9<br><br>Allowed Uses and Permit Requirements for Industrial and Public Zoning Districts | P                           | Permitted Use, Zoning Clearance required           |                  |     |                          |
|--|-----------------------------|--|------------------|-----|--------------------------|
|  | MUP                         | Minor Use Permit required                          |                  |     |                          |
|  | UP                          | Use Permit required                                |                  |     |                          |
|  | —                           | Use not allowed                                    |                  |     |                          |
|  | S                           | Permit requirement set by Specific Use Regulations |                  |     |                          |
| LAND USE <sup>(1)</sup>  | PERMIT REQUIRED BY DISTRICT |  |                  |     | Specific Use Regulations |
|  | BP                          | ILT  | IL               | PI  |                          |
| RESIDENTIAL USES   |                             |  |                  |     |                          |
| Commercial cannabis activity   | —                           | —  | —                | —   | 13.46                    |
| Caretaker/employee unit  | MUP                         | MUP  | MUP              | MUP |                          |
| Emergency shelter  | —                           | —  | —                | UP  |                          |
| RETAIL TRADE   |                             |  |                  |     |                          |
| Accessory retail uses  | P                           | P  | P                | P   | 13.42.030                |
| Alcoholic beverage sales   | —                           | —  | P                | —   | 13.42.050                |
| Auto and vehicle sales and rental  | —                           | MUP  | P <sup>(2)</sup> | —   |                          |
| Auto parts sales   | —                           | P  | P                | —   |                          |
| Building and landscape material sales - Indoor   | —                           | P  | P                | —   |                          |
| Building and landscape material sales - Outdoor  | —                           | MUP  | P                | —   | 13.42.180                |
| Construction and heavy equipment sales and rental  | —                           | —  | P                | —   |                          |
| Farm supply and feed store   | —                           | —  | P                | —   |                          |
| Mobile home, boat, or RV sales   | —                           | —  | MUP              | —   |                          |
| Office - supporting retail   | P                           | P  | P                | —   |                          |
| Restaurant   | P                           | P  | P                | —   |                          |
| SERVICES - BUSINESS, FINANCIAL, PROFESSIONAL   |                             |  |                  |     |                          |
| Accessory service uses   | P                           | P  | P                | P   | 13.42.030                |
| ATM  | P                           | —  | —                | —   |                          |
| Business support service   | P                           | —  | P                | —   |                          |

| <b>TABLE 2-9</b><br><br><b>Allowed Uses and Permit Requirements for Industrial and Public Zoning Districts</b> | P                           | Permitted Use, Zoning Clearance required           |     |                  |                          |
|--|-----------------------------|--|-----|------------------|--------------------------|
|  | MUP                         | Minor Use Permit required                          |     |                  |                          |
|  | UP                          | Use Permit required                                |     |                  |                          |
|  | —                           | Use not allowed                                    |     |                  |                          |
|  | S                           | Permit requirement set by Specific Use Regulations |     |                  |                          |
| LAND USE <sup>(1)</sup>  | PERMIT REQUIRED BY DISTRICT |  |     |                  | Specific Use Regulations |
|  | BP                          | ILT  | IL  | PI               |                          |
| Medical services - Clinic, urgent care   | —                           | —  | —   | P                |                          |
| Medical services - Extended care   | —                           | —  | —   | P                |                          |
| Medical services - Hospital  | —                           | —  | —   | P                |                          |
| Medical services - Laboratory  | P                           | P  | P   | P                |                          |
| Office - Accessory   | P                           | P  | P   | P                |                          |
| Office - Government  | P                           | P  | P   | P                |                          |
| Office - Processing  | P                           | P  | —   | —                |                          |
| <b>SERVICES - GENERAL</b>  |                             |  |     |                  |                          |
| Adult day care   | P                           | P  | P   | P                |                          |
| Catering service   | P                           | P  | P   | —                |                          |
| Child day care center  | P                           | MUP  | MUP | P                | 13.42.080                |
| Equipment rental   | —                           | P <sup>(2)</sup>                                   | P   | —                | 13.42.180                |
| Kennel, animal boarding  | —                           | P <sup>(3)</sup>                                   | P   | P <sup>(2)</sup> | 13.42.060                |
| Maintenance service - Client site services   | —                           | MUP  | P   | —                |                          |
| Personal services - Restricted   | —                           | —  | MUP | —                |                          |
| Public safety facility   | UP                          | UP   | UP  | P                |                          |
| Repair service - Equipment, large appliances, etc.   | —                           | MUP  | P   | —                |                          |
| Syringe services program   | —                           | —  | —   | —                | 13.48                    |
| Vehicle services - Major repair/body work  | —                           | MUP <sup>(2)</sup>                                 | MUP | —                |                          |
| Vehicle services - Minor maintenance/repair  | —                           | MUP <sup>(2)</sup>                                 | P   | —                |                          |
| Veterinary clinic, animal hospital   | P                           | P  | P   | P                |                          |

|  |                             |  |     |     |                          |
|--|-----------------------------|--|-----|-----|--------------------------|
| TABLE 2-9<br><br>Allowed Uses and Permit Requirements for Industrial and Public Zoning Districts | P                           | Permitted Use, Zoning Clearance required           |     |     |                          |
|  | MUP                         | Minor Use Permit required                          |     |     |                          |
|  | UP                          | Use Permit required                                |     |     |                          |
|  | —                           | Use not allowed                                    |     |     |                          |
|  | S                           | Permit requirement set by Specific Use Regulations |     |     |                          |
| LAND USE <sup>(1)</sup>  | PERMIT REQUIRED BY DISTRICT |  |     |     | Specific Use Regulations |
|  | BP                          | ILT  | IL  | PI  |                          |
| TRANSPORTATION, COMMUNICATIONS AND INFRASTRUCTURE  |                             |  |     |     |                          |
| Ambulance, taxi, or limousine dispatch facility  | —                           | —  | P   | —   |                          |
| Broadcasting studio  | P                           | P  | P   | —   |                          |
| Pipeline, utility transmission or distribution line  | UP                          | UP   | UP  | UP  |                          |
| Telecommunications facility  | S                           | S  | S   | S   | 13.44                    |
| Transit station or terminal  | UP                          | UP   | UP  | UP  |                          |
| Truck or freight terminal  | —                           | —  | MUP | —   |                          |
| Utility facility   | MUP                         | MUP  | MUP | MUP |                          |
| Utility infrastructure   | P                           | P  | P   | P   |                          |
| Vehicle storage  | —                           | MUP <sup>(2)</sup>                                 | MUP | —   |                          |

#### Key to Zoning District Symbols

|            |                          |           |                      |
|------------|--------------------------|-----------|----------------------|
| <b>BP</b>  | Industrial/Business Park | <b>IL</b> | Light Industrial     |
| <b>ILT</b> | Limited Industrial       | <b>PI</b> | Public/Institutional |

#### Notes:

- (1) See Division 8 for land use definitions.
- (2) Use permit required when site abuts a residential zone.
- (3) The review authority shall ensure that proposed outdoor storage activities are compatible with any adjacent residential use.
- (4) Use not allowed if site abuts a residential zone

(Ord. 205 § 1 (Exh. A), 2003; Ord. 249 § 5, 2012; Ord. 281 § 6, 2019; Ord. 297, 1/9/2024)

#### 13.28.040 - Industrial and public zoning district development standards.

Subdivisions, new land uses and structures, and alterations to existing land uses and structures, shall be designed, constructed, and established in compliance with the requirements in Tables 2-10 and 2-11, in addition to any other applicable requirements of this chapter, and the development standards

(e.g., landscaping, parking and loading, etc.) in Division 3 of this title.

**TABLE 2-10 - BP, ILT, AND IL DISTRICT DEVELOPMENT STANDARDS**

| Development Feature        | Requirement by Zoning District  |   |   |
|----------------------------|---|---|---|
|                            | BP<br>Business Park   | ILT<br>Limited Industrial                                     | IL<br>Light Industrial                  |
| <b>Minimum lot size</b>    | <i>Minimum area and width for parcels proposed in new subdivisions.</i>   |   |   |
| Area (net)                 | 10,000 sf   |   |   |
| Width, depth               | Determined by the review authority through the subdivision process.   |   |   |
| <b>Residential density</b> | <i>Maximum number of dwelling units allowed in a project. The actual number of units allowed will be determined by the town through subdivision or land use permit approval, as applicable.</i> |   |   |
| Maximum density            | 1 caretaker/employee unit per parcel  |   |   |
| <b>Setbacks</b>            | <i>Minimum and, where noted, maximum setbacks required for primary structures. See Section 13.30.110 for exceptions to these requirements.</i>  |   |   |
| Front                      | 25 ft   | 15 ft   |   |
| Side - Interior (each)     | 25 ft; 50 ft adjacent to a residential zone   | 25 ft adjacent to a residential zone, none required elsewhere | None required; 5 ft minimum if provided |
| Side - Corner              | Same as front   |   |   |
| Rear                       | 50 ft adjacent to a residential zone; none required elsewhere.  |   | None required; 5 ft minimum if provided |
| <b>Lot coverage</b>        | <i>Maximum percentage of total lot area that may be covered by structures.</i>  |   |   |
|                            | 35% to 60%  | 50%   | 50%                                     |
| <b>Height limit</b>        | <i>Maximum allowable height of structures. See Section 13.30.050 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.</i>                           |   |   |
|                            | 30 ft - 2 stories; 1 story adjacent to any property line abutting a residential zone.   |   | 35 ft - 2 stories                       |
| <b>Landscaping</b>         | See Chapter 13.34 (Landscaping Standards)   |   |   |
| <b>Parking</b>             | See Chapter 13.36 (Parking and Loading)   |   |   |
| <b>Signs</b>               | See Chapter 13.38 (Signs)   |   |   |

**TABLE 2-11 - PI DISTRICT DEVELOPMENT STANDARDS**

| Development Feature     | PI (Public/Institutional) Zoning District Requirement                   |
|-------------------------|---|
| <b>Minimum lot size</b> | <i>Minimum area and width for parcels proposed in new subdivisions.</i> |

| <b>Development Feature</b> | <b>PI (Public/Institutional) Zoning District Requirement</b>  |
|----------------------------|---|
| Area (net)                 | 5,000 sf  |
| Width, depth               | Determined by the review authority through the subdivision process.   |
| <b>Residential density</b> | <i>Maximum number of dwelling units allowed in a project. The actual number of units allowed will be determined by the town through subdivision or land use permit approval, as applicable.</i> |
| Maximum density            | 1 caretaker/employee unit per parcel  |
| <b>Setbacks</b>            | <i>Minimum and, where noted, maximum setbacks required for primary structures. See Section 13.30.110 for exceptions to these requirements.</i>  |
| Front                      | None required, except as established through design review, and/or minor use permit or use permit approval.   |
| Sides                      |   |
| Rear                       |   |
| <b>Lot coverage</b>        | <i>Maximum percentage of total lot area that may be covered by structures.</i>  |
|                            | 50%   |
| <b>Height limit</b>        | <i>Maximum allowable height of structures. See Section 13.30.050 (Height Limits and Exceptions) for height measurement requirements, and height limit exceptions.</i>                           |
|                            | 30 ft - 2 stories   |
| <b>Landscaping</b>         | See Chapter 13.34 (Landscaping Standards)   |
| <b>Parking</b>             | See Chapter 13.36 (Parking and Loading)   |
| <b>Signs</b>               | See Chapter 13.38 (Signs)   |

(Ord. 205 § 1 (Exh. A), 2003)

### **13.28.050 - BP district standards.**

The property within the BP zoning district located north of the railroad and east of Sierra College Boulevard shall be developed as a business park, in compliance with the following standards, consistent with Specific Area Policy 1, Section G of the Land Use and Community Development Element of the general plan.

- A. **Access.** Business park development shall require access from Sierra College Boulevard, with no access to the site through the residentially-designated areas to the north and west.
- B. **Site Planning.** The site shall be planned to provide a self-contained, campus-like character (i.e., buildings of similar or compatible architecture with shared circulation and parking, with substantial setbacks from streets and other property boundaries) with extensive landscaping throughout.
- C. **Residential Buffer.** Proposed development shall be separated from the north and west property lines by a buffer of dense landscaping at least fifty feet in width. Development adjacent to the buffer shall be limited to low-profile, one-story structures. Parking areas shall be separated from the buffer by buildings. No outdoor storage or business activity areas shall be allowed, except for



outdoor sitting, eating and recreation areas for employees. (Ord. 205 § 1 (Exh. A), 2003)

### **13.28.060 - ILT district standards.**

Unless different hours of operation are allowed by use permit, a land use within the ILT zoning district may engage in its primary business activity only between the hours of seven a.m. and seven p.m., Monday through Friday; and eight a.m. and five p.m. on Saturday. A land use within the ILT zoning district shall not operate on Sunday unless authorized by use permit. (Ord. 205 § 1 (Exh. A), 2003)

## **Chapter 13.30 - GENERAL PROPERTY DEVELOPMENT AND USE STANDARDS**

- 13.30.010 - Purpose.
- 13.30.020 - Applicability.
- 13.30.040 - Fences and walls.
- 13.30.045 - Entry structures and adjoining walls.
- 13.30.050 - Height limits and exceptions.
- 13.30.060 - Mechanical equipment placement.
- 13.30.070 - Noise standards.
- 13.30.080 - Outdoor lighting.
- 13.30.090 - Performance standards.
- 13.30.100 - Screening.
- 13.30.110 - Setback regulations and exceptions.
- 13.30.120 - Solid waste/recyclable materials storage.
- 13.30.130 - Undergrounding of utilities.

### **13.30.010 - Purpose.**

This chapter expands upon the zoning district development standards of Division 2 by addressing additional details of site planning, project design, and the operation of land uses. The intent of these standards is to ensure that proposed development is compatible with existing and future development on neighboring properties, and produces an environment of stable and desirable character, consistent with the general plan and any applicable specific plan. (Ord. 205 § 1 (Exh. A), 2003)

### **13.30.020 - Applicability.**

The requirements of this chapter shall apply to all proposed development and new land uses, except as specified in Chapter 13.72, and shall be considered in combination with the standards for the applicable zoning district in Division 2, and those in Division 4. If there is a conflict, the standards in Division 4 shall control. (Ord. 205 § 1 (Exh. A), 2003)

### **13.30.040 - Fences and walls.**

A. **Applicability.** The requirements of this section apply to all fences and walls unless otherwise stated.

1. **Fences and Walls in the Flood Hazard Areas.** A fence or wall in an area subject to flooding identified on a Federal Flood Insurance Rate Map (FIRM) on file in the department shall require a building permit, and shall comply with all requirements of the town engineer in addition to the requirements of this section.
2. **Exemptions.** These regulations do not apply to fences or walls required by regulations of a state or federal agency, or by the town for reasons of public safety. Deer fencing is exempt from the height restrictions.

B. **Height Limitations.** Each fence, wall, hedge and berm otherwise allowed shall comply with the height limitations shown in Table 3-1. See also Figure 3-1. A fence or wall with a height greater than six

feet and a length greater than fifty feet shall require design review in compliance with Section 13.62.040, except for open and wire fencing in the RA, RE, and RR zoning districts.

**TABLE 3-1 - MAXIMUM HEIGHT OF FENCES AND WALLS**

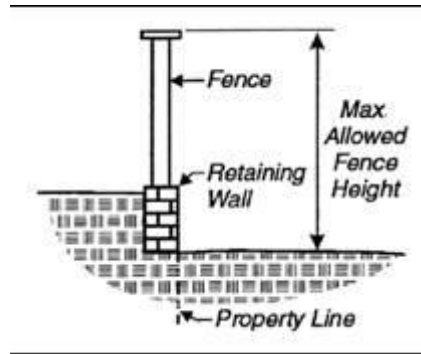
| <b>Location</b>  | <b>Maximum Height <sup>(1)</sup></b>  |
|--|---|
| Within front yard setback  | <b>Berms, solid wall or fencing:</b> 3 ft. for all districts<br><b>Open fencing</b> (See subsection F of this section): 6 ft. anywhere within front setback in the RA, RE and RR districts; 3 ft. as required for solid fencing in all other districts.<br>See also Section 13.30.050(E) (Height Limit at Street Corners).  |
| Within side and rear yard setbacks   | <b>Solid wall or fencing:</b> 6 ft. <sup>(2)</sup> ; berms shall not exceed 3 ft.   |
| Within street side setback   | <b>Berms, solid wall or fencing:</b> 6 ft. except RA, RE and RR where maximum height is 3 ft. <sup>(2)</sup> . See also Section 13.30.050(E). Fencing exceeding a height of 4 ft. shall be set back a minimum of 3 ft. from back of sidewalk if sidewalk exists to allow for the planting of landscaping to mitigate the visual impact of the fence mass.<br><b>Open fencing:</b> 6 ft. anywhere within street side setback in the RA, RE and RR; 3 ft. as required for solid fencing in other districts. |
| At intersections of alleys, streets, and driveways within sight visibility areas. See 13.30.050(E) (Height Limit at Street Corners). | 3 ft.   |
| Outside of a required setback  | As determined by the height limit for structures within the applicable zoning district.   |
| Within a zone where no setback is required, and not adjacent to a street   | 8 ft.   |

**Notes:**

- (1) Additional height may be authorized through design review approval (Section 13.62.040).
- (2) See special provisions for entryways in Section 13.30.045.
- (3) Fences and walls may be allowed up to eight feet in height when the portions of the fence above six feet are of an open design (e.g., lattice, wrought iron or grille work), provided that a building permit may be required.

**C. Measurement of Heights.**

1. Fence height shall be measured as the vertical distance between the finished grade at the base of the fence and the top edge of the fence material.
2. The height of fencing atop a wall shall be measured from the base of the wall.
3. In cases where elevation of the finished grade within six feet of the base of the fence differs from one side of the fence to the other (as when a fence is placed at the top of a slope or on a retaining wall), the height shall be measured from the side with the lowest natural grade; except that a safety fence with a height of forty-eight inches shall be allowed in all cases. See Figure 3-1.
4. Berm heights shall be measured as the vertical distance between the natural grade at the base prior to construction and the top edge of the berm.



**Figure 3-1 - Fence Height Measurement**

**D. Specific Fencing and Wall Requirements.**

1. **Fencing Between Different Land Uses.** Fencing between different land uses shall be provided in compliance with Section 13.30.100.
2. **Swimming Pools, Spas and Similar Features.** Swimming pools/spas and other similar water features shall be fenced in compliance with building code requirements, regardless of the other requirements of this section.
3. **Outdoor Equipment, Storage, and Work Areas.** Screening of nonresidential outdoor uses and equipment adjacent to a residential use shall be provided in compliance with Section 13.30.100.
4. **Temporary Fencing.** Temporary fencing may be necessary to protect archaeological or historic resources, trees, or other similar sensitive features during site preparation and construction. This fencing shall be approved by the director.

**E. Prohibited Materials.** The following fence materials are prohibited unless approved by the director for animal control, special security needs, or required by a town, state or federal law or regulation.

1. Barbed wire, or electrified fence, except within the RA, RE or RR zoning districts, and where authorized by the director within other zoning districts;
2. Razor wire in conjunction with a fence or wall, or by itself within any zoning district, except where authorized by the director in the IL zoning district.

**F. Open Fence Design Requirements in the RA, RE and RR Districts.** Support posts or columns for open fences, may not exceed six feet in height or twenty-four inches in width (excluding one and one-half inches of veneer) and are to be spaced no closer than eight feet on center. Obscured lights are allowed on each post (not directed to neighboring properties or interfering with drivers' visibility).

**G.** Walls shall be textured (includes brick). (Ord. 205 § 1 (Exh. A), 2003; Ord. 212 §§ 1—6, 2004; Ord. 239 § 1, 2008)

**13.30.045 - Entry structures and adjoining walls.**

**A. Purpose.** The purpose of this section is to assure that entries to subdivisions and to private residences are suitable, appropriately scaled and unobtrusive.

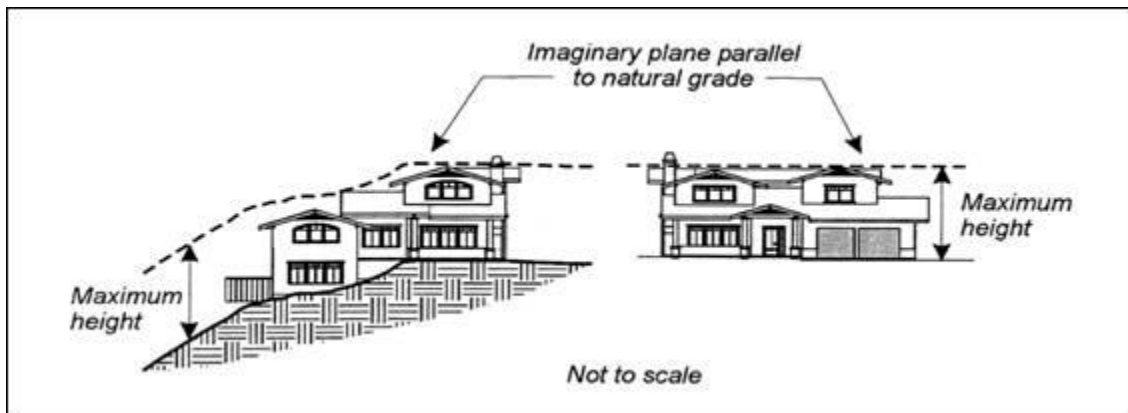
**B. Applicable Zones.** Entries, pillars and adjoining walls are only allowed in the RA, RE and RR zoning districts or on lots of forty thousand square feet or more.

**C. Entry Structure.** An entry structure, one per parcel forty thousand square feet in size and above, shall not exceed eight feet in height declining to a maximum of six feet at the edges nor exceed

thirty feet in angled wing wall length on each side measured from the gate or entry opening to a maximum depth of twenty-five feet (unless the director approves additional length to allow for vehicular waiting area). Any lighting shall be obscured, preferably located on faces of the columns (lights are included in the total height measurement, and may not exceed eighteen inches in height); and not directed onto neighboring properties or interfering with drivers visibility. If a gate is located at the entry way, its location shall not cause any vehicle waiting for the gate to open to physically obstruct any public road or private road used by the public. (Ord. 239 § 2, 2008)

### 13.30.050 - Height limits and exceptions.

- A. **Purpose.** This section describes the required methods for measuring the height of structures in compliance with the height limits established by this title, and exceptions to those height limits.
- B. **Maximum Height of Structures.** The height of each structure shall not exceed the height limit established for the applicable zoning district by Division 2, except as otherwise provided by this section.
- C. **Height Measurement.** The maximum allowable height shall be measured as the vertical distance from the natural grade of the site to an imaginary plane located the allowed number of feet above and parallel to the grade. See Figure 3-2. The location of natural grade shall be established in a manner consistent with parcels in the vicinity as determined by the director, and shall not be artificially raised to gain additional building height.



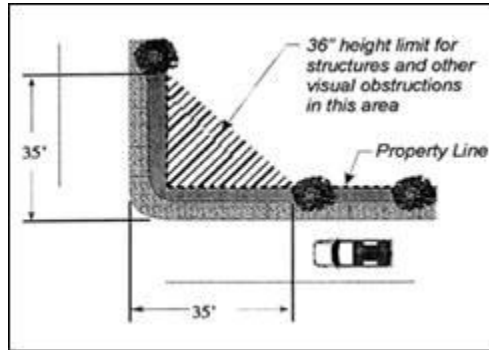
**Figure 3-2 - Height Measurement**

- D. **Exceptions to Height Limits.** The following structures and structural features may exceed the height limits of this title as noted:
1. Chimneys, cupolas, flag poles, monuments, spires, theater scenery lofts, towers, vents, mechanical equipment screening, water tanks and similar structures, may exceed the height limit of the applicable zoning district by a maximum of eight feet, except where a greater height is authorized in compliance with following subsection (C)(2) through design review approval.
  2. The height limits of Division 2 may be increased by a maximum of twenty percent through design review approval in compliance with Section 13.62.040, and subject to the approval of the fire chief.
  3. Telecommunications facilities, including antennas, poles, towers and necessary mechanical appurtenances, may exceed the height limit established for the applicable zoning district in compliance with Chapter 13.44.
- E. **Height Limit at Street Corners.** Development proposed adjacent to any public or private street or alley intersection in other than the CC (Central Commercial) zoning district shall be designed to provide a traffic safety visibility area for pedestrian and traffic safety. See Figure 3-3.

1. **Measurement of Visibility Area.** A traffic safety visibility area is a triangle measured as follows, and may include private property and/or public right-of-way.

The visibility area shall be defined by measuring thirty-five feet from the intersection of the extension of the front and street side curb lines (or the right-of-way lines where there is no curb) and connecting the lines across the property.

2. **Height Limit.** No structure, sign or landscape element shall exceed thirty-six inches in height within the traffic safety visibility area, unless approved by the public works director, except for trees with their canopy trimmed to a minimum of eight feet above grade. (Ord. 205 § 1 (Exh. A), 2003)



**Figure 3-3 - Required Traffic Safety Visibility Area**

(Ord. 205 § 1 (Exh. A), 2003)

#### **13.30.060 - Mechanical equipment placement.**

Ground-mounted mechanical equipment located outside of a structure shall comply with the setback requirements of the applicable zoning district. Examples of this equipment include swimming pool pumps and filters, heating, ventilation, and air conditioning, and similar equipment. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.30.070 - Noise standards.**

A. **Purpose.** This section implements the policies of the noise element of the general plan, and provides standards for noise mitigation that are intended to protect the community health, safety and general welfare by limiting exposure to the unhealthful effects of noise.

B. **Applicability.** No use, activity or process shall exceed the maximum allowable noise levels established by this section, except for the following noise sources:

1. **Emergencies.** Public safety warning devices (e.g., ambulance, fire, and police sirens), sound for alerting persons to the existence of an emergency, or the performance of authorized emergency work;
2. **State or Federal Preempted Activities.** Any activity regulated by state or federal law;
3. **Public Health and Safety Activities.** Construction, maintenance, and/or repair operations by public agencies and/or utility companies or their contractors that are serving public interests, and/or protecting the public health, safety and general welfare;
4. **Parks.** Public agency sanctioned recreational activities and programs conducted in public parks; and
5. **Solid Waste Collection.** The authorized collection of solid waste.

C. **Noise Source Standards.**

1. **Noise Level Limitations.** No use, activity or process within the town shall generate noise in excess of the levels identified by Tables 3-2 and 3-3, as the noise is measured at the property line of a sensitive noise source identified in Tables 3-2 and 3-3.
  - a. If the measured ambient noise level exceeds the applicable noise level standard in any category shown in Table 3-2, the applicable standards shall be adjusted to equal the ambient noise level.
  - b. If the intruding noise source is continuous and cannot reasonably be discontinued or stopped to allow measurement of the ambient noise level, the noise level measured while the source is in operation shall be compared directly to the applicable noise level standards identified in Table 3-2.

Notwithstanding the above requirements, no person shall allow or cause the generation of any noise of a type, volume, pitch, tone, repetition or duration that would be found to be a nuisance by a reasonable person beyond the boundaries of the property where the noise is generated.

**TABLE 3-2 - MAXIMUM ALLOWABLE NOISE LEVEL BY RECEIVING LAND USE**

| Noise Sensitive Land Use         | Outdoor Activity Areas <sup>(1) (2)</sup> | Interior Spaces     |                     |
|----------------------------------|---|---------------------|---------------------|
|                                  | dBA L <sub>dn</sub>                       | dBA L <sub>dn</sub> | dBA L <sub>eq</sub> |
| Residential                      | 65  | 45                  | N.A.                |
| Transient lodging                | 65  | 45                  | N.A.                |
| Hospitals, extended care         | 65  | 45                  | N.A.                |
| Theater, auditorium              | N.A.                                      | N.A.                | 35                  |
| Religious facility, meeting hall | 65  | N.A.                | 40                  |
| Offices                          | N.A.                                      | N.A.                | 45                  |
| School, library, museum          | N.A.                                      | N.A.                | 45                  |
| Playground, park                 | 70  | N.A.                | N.A.                |

**Notes:**

- (1) Where the location of outdoor activity areas is unknown, the exterior noise level standard shall be applied to the property line of the receiving land use.
- (2) Where it is not possible to reduce noise in outdoor activity areas to 65 dB L<sub>dn</sub>/CNEL or less using a practical application of the best-available noise reduction measures, an exterior noise level of up to 70 dB L<sub>dn</sub>/CNEL may be allowed provided that available exterior noise level reduction measures have been implemented and interior noise levels are in compliance with this table.

**TABLE 3-3 - NOISE STANDARDS FOR SHORT-DURATION EVENTS NEAR RESIDENTIAL AREAS**

| Duration of Sound (Minutes per Hour) | Maximum Allowable Sound Level <sup>(1)</sup> |                          |
|--------------------------------------|--|--------------------------|
|                                      | Day/Evening dB (7 am to 10 pm)               | Night dB (10 pm to 7 am) |
| 30 - 60                              | 50   | 40                       |
| 15 - 30                              | 55   | 45                       |
| 5 - 15                               | 60   | 50                       |
| 1 - 5                                | 65   | 55                       |
| Less than 1 minute                   | 70   | 60                       |

**Notes:**

- (1) If the offensive noise contains a steady, audible tone (such as a screech or hum), is a repetitive noise such as hammering, or contains speech or music, the maximum allowable sound level shall be reduced by 5 dB.
- (2). **Acoustical Analysis Required.** Where the director determines that a proposed nonresidential use on a site adjacent to a residential zoning district may generate noise in excess of any limit established by Table 3-2, and/or where the use may generate noise in outdoor areas in excess of 60 dBA, the land use permit application for the use shall include an acoustical analysis by a qualified professional approved by the director.
  - a. **Contents.** The analysis shall determine the potential for stationary source noise impacts to neighboring land uses, include field measurements to determine more precise locations for existing and projected future noise levels (based on traffic projections in the circulation element of the general plan or as otherwise accepted by the town), and recommend appropriate mitigation measures.
  - b. **Preferred Mitigation Measures for Receptor Sites.** When development is subject to high noise levels requiring mitigation, the following measures shall be considered and preference shall be given where feasible in the following order:
    - i. Site layout, including setbacks, open space separation and shielding of noise sensitive uses with non-noise-sensitive uses;
    - ii. Acoustical treatment of buildings; or
    - iii. Structural measures: construction of earth berms and/or wood or concrete barriers.
- (3). **Limitation on Hours of Construction.** In order to allow construction schedules to take advantage of the weather and normal daylight hours, and to ensure that nearby residents as well as nonresidential activities are not disturbed by the early morning or late night activities, the town has established the following limits on construction.

**TABLE 3-4 - ALLOWABLE HOURS OF CONSTRUCTION**

| Day                          | Allowable Hours  |
|------------------------------|--|
| Monday through Friday        | 7:00 a.m. to 7:00 p.m.   |
| Saturday                     | 8:00 a.m. to 7:00 p.m.   |
| Sunday and National Holidays | Construction activities may be allowed by the commission or council only between 9 a.m. and 5 p.m. |

4. **Limitation on Truck Deliveries.** Truck deliveries to a commercial or industrial parcel adjacent to a residential zoning district shall be limited to the daylight hours unless the director authorizes other delivery times based on the determination that there is either no feasible alternative, or there are overriding transportation and traffic management benefits to scheduling deliveries at night.



D. **Noise Receptor Standards.** Where noise-sensitive land uses are proposed in areas exposed to existing or projected noise levels in excess of the standards in Tables 3-2 and 3-3, the town shall require an acoustical analysis as part of the environmental review process so that noise mitigation may be included in the project design, so that proposed structures are designed to limit intruding noise in interior rooms to forty-five dBA Ldn. At the discretion of the director, the requirement for an acoustical analysis may be waived if all of the following conditions are satisfied:

1. The development is for less than five single-family dwellings or less than ten thousand square feet of total gross floor area for office buildings, churches or meeting halls;
2. The noise source in question consists of a single roadway or railroad for which up-to-date noise exposure information is available. An acoustical analysis will be required if the noise source is a stationary noise source, or if there are multiple noise sources that could affect the project;
3. The projected future noise exposure at the exterior of proposed buildings or outdoor activity areas does not exceed sixty-five dBA Ldn;
4. The topography of the area is essentially flat; and
5. Effective noise mitigation, as determined by the director, is incorporated into the project design. Such measures can include, but are not limited to, the use of building setbacks, building orientation, noise barriers. If closed windows are required for compliance with interior noise level standards, air conditioning or a mechanical ventilation system will be required.

E. **Noise Measurement.** Exterior noise levels shall be measured at the property line of the noise sensitive land use receiving the noise. Noise measurement shall be made with a sound level meter using the 'A' weighted scale at slow meter response. Fast meter response shall be used only for an impulsive noise. (Ord. 211 § 8, 2004; Ord. 205 § 1 (Exh. A), 2003)

### **13.30.080 - Outdoor lighting.**

Outdoor lighting on private property shall comply with the following requirements.

A. Outdoor light fixtures shall be limited to a maximum height of twenty feet or the height of the nearest building, whichever is less. Outdoor light fixtures associated with warehouse retail uses may exceed twenty feet but shall not exceed the height of the principal roofline of warehouse structure.

B. Lighting shall be energy-efficient, and shielded or recessed so that:

1. The light source (i.e., bulb, etc.) is not visible from off the site; and
2. Glare and reflections are confined to the maximum extent feasible within the boundaries of the site.

Each light fixture shall be directed downward and away from adjoining properties and public rights-of-way, so that no light causes areas off the site to be directly illuminated.

C. No lighting on private property shall produce an illumination level greater than one footcandle on any property within a residential zoning district except on the site of the light source.

D. No permanently installed lighting shall blink, flash, or be of unusually high intensity or brightness, as determined by the director. (Ord. 290 § 2, 2022; Ord. 285 § 1, 2020; Ord. 205 § 1 (Exh. A), 2003)

### **13.30.090 - Performance standards.**

- A. **Purpose.** This section provides performance standards that are designed to minimize various potential operational impacts of land uses and development within the town, and promote compatibility with adjoining areas and land uses.
- B. **Applicability.** The provisions of this section apply to all new and existing land uses, including permanent and temporary uses in all zoning districts, unless an exemption is specifically provided. Uses existing on the effective date of this section shall not be altered or modified thereafter to conflict with these standards.
- C. **Air Emissions.** No visible dust, gasses, or smoke shall be emitted, except as necessary for the heating or cooling of structures, and the operation of motor vehicles on the site.
- D. **Combustibles and Explosives.** The use, handling, storage, and transportation of combustibles and explosives shall comply with the Uniform Fire Code, and California Code of Regulations Title 19.
- E. **Dust.** Activities that may generate dust emissions (e.g., construction, grading, commercial gardening and similar operations) shall be conducted to limit the emissions beyond the site boundary to the maximum extent feasible. Appropriate methods of dust management shall include the following, subject to approval by the public works director.
1. **Scheduling.** Grading shall be designed and grading activities shall be scheduled to ensure that repeat grading will not be required, and that completion of the dust-generating activity (e.g., construction, paving or planting) will occur as soon as possible.
  2. **Operations During High Winds.** Clearing, earth-moving, excavation operations or grading activities shall cease when the wind speed exceeds twenty-five miles per hour averaged over one hour.
  3. **Limiting the Area of Disturbance.** The area disturbed by clearing, demolition, earth-moving, excavation operations or grading shall be minimized at all times.
  4. **Dust Control.** Fugitive dust emissions shall be controlled by regular watering, paving or other treatment of permanent on-site roads and construction roads, the covering of trucks carrying loads with dust content, and/or other dust-preventive measures (e.g., hydroseeding, etc.).
  5. **Revegetation.** Graded areas shall be revegetated as soon as possible to minimize dust and erosion. Disturbed areas of the construction site that are to remain inactive longer than three months shall be seeded and watered until grass cover is grown and maintained; and
  6. **Fencing.** Appropriate fences or walls shall be constructed to contain dust within the site as required by the public works director.
- F. **Ground Vibration.** No ground vibration shall be generated that is perceptible without instruments by a reasonable person at the property lines of the site, except for vibrations from temporary construction or demolition activities, and motor vehicle operations.
- G. **Light and Glare.** Light or glare from mechanical or chemical processes, or from reflective materials used or stored on a site, shall be shielded or modified to prevent emission of light or glare beyond the property line. Outdoor lighting shall comply with the requirements of Section 13.30.080.
- H. **Liquid Waste.** No liquid shall be discharged into a public or private body of water, sewage system, watercourse or into the ground, except in compliance with applicable regulations of the Regional Water Quality Control Board.
- I. **Noise.** The town's noise standards are in Section 13.30.070.
- J. **Odor.** No obnoxious odor or fumes shall be emitted that are perceptible without instruments by a reasonable person at the property line of the site.

K. **Radioactivity, Electrical Disturbance or Electromagnetic Interference.** None of the following shall be emitted:

1. Radioactivity, in a manner that does not comply with all applicable state and federal regulations; or

2. Electrical disturbance or electromagnetic interference that interferes with normal radio or television reception, or with the function of other electronic equipment beyond the property line of the site; or that does not comply with all applicable Federal Communications Commission (FCC) and other applicable state and federal regulations. (Ord. 205 § 1 (Exh. A), 2003)

### **13.30.100 - Screening.**

This section establishes standards for the screening and separation of adjoining residential and nonresidential land uses, equipment and outdoor storage areas, and surface parking areas.

A. **Screening Between Different Land Uses.** A commercial or industrial land use proposed on a site adjacent to a residential zoning district shall provide screening at the parcel boundary as follows. Other nonresidential uses adjacent to a residential use may also be required by the director to comply with these requirements.

1. The screen shall consist of plant materials and a solid wall of masonry or similar durable material, a minimum of six feet in height.
2. The maximum height of the wall shall comply with the provisions of Section 13.30.040.
3. Proposed walls and fences shall be designed to incorporate decorative features on both sides, as approved by the director, to avoid the appearance of long, unbroken flat planes without visual interest. Examples of decorative features include regularly spaced columns or pilasters, offsets and setbacks for portions of the wall or fence, and/or wells for trees or other landscaping.
4. A landscaping strip with a minimum width of five feet shall be installed adjacent to screening walls, except that ten feet of landscaping shall be provided between a parking lot and a screening wall, in compliance with Section 13.34.040(C)(4)(d).

5. To receive a waiver or approval for a substitute for this requirement, applicants must fill out the Town's Development Planning Application. The director may waive or approve a substitute for this requirement if the director first determines that:

- a. The intent of this section can be successfully met by means of alternative screening methods; or
- b. Physical constraints on the site make the construction of the required screening infeasible; or
- c. The physical characteristics of the site or adjoining parcels make the required screening unnecessary.

Building permit applications for the subject projects may only be submitted after design review approval and will only be approved by the Town staff in conformance with the design review approval. Please note that any revisions to the plans at the building permit stage may require additional review by the Planning Commission.

B. **Mechanical Equipment, Loading Docks, and Refuse Areas.**

1. Roof or ground mounted mechanical equipment (e.g., air conditioning, heating, ventilation ducts, and exhaust, etc.), loading docks, refuse storage areas, and utility services (electrical transformers, gas meters, etc.) shall be screened from public view from adjoining public

streets and rights-of-way and adjoining areas zoned for residential uses.

2. The method of screening shall be architecturally compatible with other on-site development in terms of colors, materials, and architectural style.

C. **Outdoor Storage and Work Yards.** Land uses with outdoor storage of materials, recycling facility-processing centers, waste resource and waste recycling operations, and similar uses shall comply with the screening requirements established by Section 13.42.190.

D. **Outdoor Building Materials and Garden Supply Areas.** Outdoor building materials and garden supply areas shall be screened with fencing, landscaping, meshing, walls, or similar material to minimize visibility of the storage area. (Ord. 205 § 1 (Exh. A), 2003)

### **13.30.110 - Setback regulations and exceptions.**

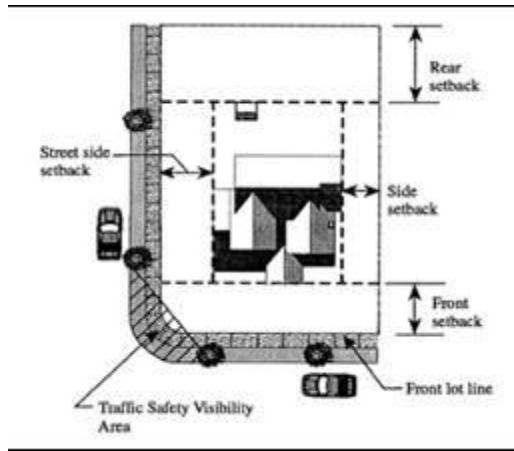
A. **Purpose.** This section provides standards for the use and minimum size of setbacks. These standards provide open areas around structures for: visibility and traffic safety; access to and around structures; access to natural light, ventilation and direct sunlight; separation of incompatible land uses; and space for privacy, landscaping and recreation.

#### **B. Setback Requirements.**

1. **Minimum Setbacks for All Structures.** Each structure shall comply with the setback requirements of the applicable zoning district, and with any setbacks established for specific uses by Division 4, except as otherwise provided by this section. No portion of any structure, including eaves or roof overhangs, shall extend beyond a property line; or into an access easement or street right-of-way.
2. **Infill Development Within Previously Approved Projects.** Where the town has established specific setbacks for individual vacant parcels through the approval of a specific plan, subdivision map, or other entitlement, those setbacks shall apply to continuing development within the approved project instead of the setbacks required by this title.
3. **Exemptions from Setback Requirements.** The minimum setback requirements of this title apply to all development and new land uses, except the following:
  - a. A projection into a required setback allowed by subsection E;
  - b. A fence or wall six feet or less in height above the grade of the site, when located outside of a front or street side setback;
  - c. Decks, earthworks, free-standing solar devices, steps, terraces, and other site design elements that are placed directly upon grade and do not exceed a height of eighteen inches above the surrounding grade at any point;
  - d. A sign in compliance with Chapter 13.38;
  - e. A water well, related equipment and structures not exceeding a height of forty-eight inches above grade;
  - f. A retaining wall less than thirty inches in height above finish grade. Embankments to be retained that are over forty-eight inches in height shall be benched so that no individual retaining wall exceeds a height of thirty-six inches, and each bench is a minimum width of thirty-six inches.

C. **Measurement of Setbacks.** Setbacks shall be measured as follows, except that the director may require different setback measurement methods where he or she determines that unusual parcel configuration makes the following infeasible or ineffective. For a street with a planting strip between curb and sidewalk, the setback shall be measured from the back of the sidewalk. See Figure 3-4.

1. **Front Yard Setbacks.** The front yard setback shall be measured at right angles from the nearest point on the front property line of the parcel (or edge of access easement on a private street) to the nearest point of the wall of the structure, except as follows. The front property line is the most narrow dimension of a lot adjacent to a street.
  - a. **Developed Residential Blocks.** In any full block with a street frontage of three hundred feet or more and six hundred feet or less in an RS, RM, or RH zoning district, where fifty percent or more of the parcels along the block face have been improved with structures, the required front setback for a new structure shall be the greater of the following:
    - i. The minimum front setback required for the applicable zoning district; or
    - ii. The average of the actual front setbacks of the existing structures along the same block face.
  - b. **Averaging.** In a residential zoning district, where fifty percent or more of the parcels in any one block, exclusive of the frontage adjoining the side of a corner parcel, has been improved with structures at the time of adoption of this title, and the front yards of the parcels vary in depth up to six feet, the required front yard depth for the applicable zoning district shall not apply, but rather, the required front setback block shall be not less than the average depth of the front yards of the parcels with existing structures. No structure shall be placed closer to a street line than any applicable official plan line, which may have been established for the street, or than any future width line designated in compliance with this title.
  - c. **Flag Lots.** For a parcel with a fee ownership strip extending from a street or right-of-way to the building area of the parcel, the front setback shall be measured from the nearest point of the wall of the structure to the point where the access strip meets the bulk of the parcel; establishing a building line parallel to the lot line nearest to the public street or right-of-way.
  - d. **Corner Lots.** The measurement shall be taken from the nearest point of the wall of the structure to the nearest point of the most narrow street frontage property line. If the property lines on both street frontages are of the same length, the property line to be used for front yard setback measurement shall be determined by the director.
2. **Side Yard Setbacks.** The side yard setback shall be measured at right angles from the nearest point on the side property line of the parcel to the nearest point of the wall of the structure; establishing a setback line parallel to the side property line, which extends between the front and rear yards.
3. **Street Side Yard Setbacks.** The side yard on the street side of a corner parcel shall be measured from the nearest point on the side property line bounding the street, or the edge of an easement for a private road, or the inside edge of the sidewalk, whichever results in the greatest setback from the roadway.
4. **Rear Yard Setbacks.** The rear yard shall be measured at right angles from the nearest point on the rear property line to the nearest line of the structure, establishing a setback line parallel to the rear property line.
  - a. The director shall determine the location of the required rear yard setback on a double-frontage parcel.
  - b. Where a parcel has no rear lot line because its side lot lines converge to a point, an assumed line five feet long within the parcel, parallel to and at a maximum distance from the front lot line, shall be deemed to be the rear lot line for the purpose of determining the depth of the required rear yard.



**Figure 3-4 - Location and Measurement of Setbacks**

**D. Limitations on Uses of Setbacks.**

1. **Structures.** Required setback areas shall not be occupied by structures other than:
  - a. The fences and walls permitted by Section 13.30.040; and
  - b. The projections into setbacks allowed by subsection F.
2. **Storage.** No front or street side setback shall be used for the accumulation, placement or storage of automobiles or other motor vehicles, building materials, scrap, junk or machinery except for the following:
  - a. Automobiles or other motor vehicles regularly in use, that are parked within a designated off-street parking area; and
  - b. Building materials required for construction on the parcel, immediately before and during a construction project which has a valid building permit in force.
3. **Parking.** Required residential parking spaces shall not be located within required setback areas. Temporary (overnight) parking is allowable within required setback areas only on paved driveways, in compliance with Section 13.36.070.
4. **Storage of Habitable Trailer Prohibited.** No habitable trailer shall be stored or parked within any required street setback area in any nonresidential zoning district except where limited display areas are authorized through minor use permit approval (Section 13.62.050).
5. **Mechanical Equipment.** See Section 13.30.060.

**E. Allowed Projections into Setbacks.** Architectural features attached to the primary structure may extend beyond the wall of the structure and into the front, side and rear yard setbacks, in compliance with Table 3-3. See also Figure 3-5.

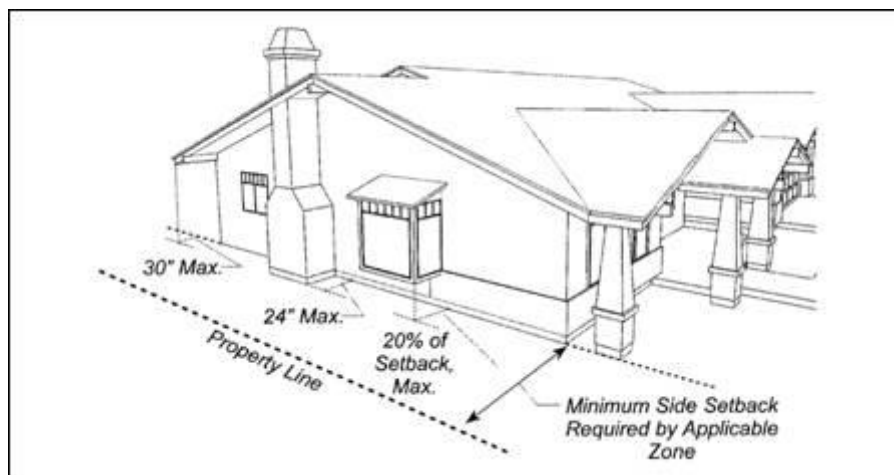
**TABLE 3-3 - ALLOWED PROJECTIONS INTO SETBACKS**

| Projecting Feature   | Allowed Projection into Specified Setback |                       |                     |
|--|---|-----------------------|---------------------|
|  | Front Setback                             | Side Setback          | Rear Setback        |
| Balcony, deck, landing, porch, stairway: Uncovered, unenclosed, and less than 30 in. above grade | May project to property line              |                       |                     |
| Balcony, deck, landing, porch, stairway: Uncovered and unenclosed, 30 in or more above grade     | 5 ft                                      | 36 in. <sup>(1)</sup> | 5 ft <sup>(1)</sup> |

| Projecting Feature   | Allowed Projection into Specified Setback                              |  |   |
|--|--|--|---|
|  | Front Setback  | Side Setback   | Rear Setback                                      |
| Balcony, deck, landing, porch, stairway: Which may be roofed but is otherwise unenclosed | 25% of setback to a maximum of 5 ft in downtown, not allowed elsewhere | 20% of side setback in downtown, not allowed elsewhere | 20% of setback in downtown, not allowed elsewhere |
| Balcony, deck, landing, porch stairway: Covered and enclosed                             | Not allowed in setback   |  |   |
| Bay windows, and similar projecting features   | 36 in.   | 20% of setback <sup>(1)</sup>                          | 36 in.  |
| Chimney/fireplace, 6 ft. or less in breadth  | 24 in. <sup>(1)</sup>  | 24 in. <sup>(1)</sup>                                  | 24 in. <sup>(1)</sup>                             |
| Cornice, eave, awning, roof overhang   | 5 ft   | 30 in. <sup>(1)</sup>                                  | 5 ft <sup>(1)</sup>                               |

**Notes:**

(1) Feature may project no closer than 36 inches to any side property line.



**Figure 3-5 - Examples of Allowed Projections into Side Setbacks**

**E. Setback Requirements for Specific Structures:**

1. **Accessory Structures.** See Section 13.42.260.
2. **Fences.** See Section 13.30.040.
3. **Decks and Other Site Design Elements.** Detached decks, freestanding solar devices, steps, terraces, and other site design elements which are placed directly upon the grade, and which exceed a height of eighteen inches above the surrounding grade at any point, shall conform to the setback requirements of this title for detached accessory structures. (Note: site design elements less than eighteen inches above grade are exempt.)
4. **Swimming Pools, Hot Tubs, Etc.** A swimming pool, hot tub, or spa on a parcel of fifteen thousand square feet or less shall be set back a minimum of five feet from side and rear property lines, and shall not be located within a front setback. A swimming pool, hot tub, or spa on a parcel larger than fifteen thousand square feet shall comply with the setback requirements of the applicable zoning district. All equipment associated with a pool, hot tub and/or spa on any parcel shall comply with the setback requirements of the applicable zoning district.
5. **Mechanical Equipment.** See Section 13.30.060.



G. **Design Review Process for Alternative Setbacks.** See Section 13.62.060, which describes the variance and minor variance procedures.

(Ord. 205 § 1 (Exh. A), 2003)

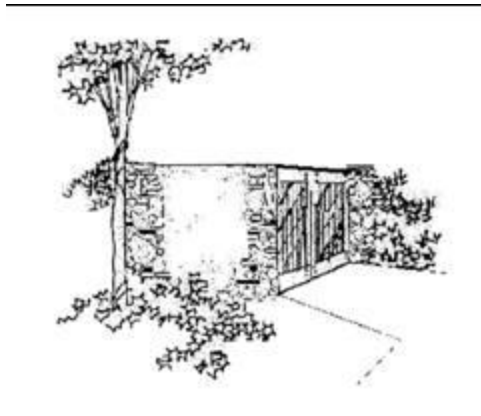
#### **13.30.120 - Solid waste/recyclable materials storage.**

A. **Purpose.** This section provides standards which recognize the town's support for and compliance with the California Solid Waste Reuse and Recycling Access Act (Public Resources Code Sections 42900 through 42911).

B. **Applicability.** These requirements apply to new multifamily residential and nonresidential development, or changes to existing multifamily residential or nonresidential development that increase gross floor area by twenty-five percent or more.

C. **Extent of Storage Area Required.** Solid waste and recyclables storage areas shall be provided in the number, dimensions, and types required by the local waste hauler. Additional storage areas may be required, as deemed necessary by the director.

D. **Enclosure Requirements.** Storage areas shall be fully enclosed by a six-foot high masonry wall or other solid enclosure that is architecturally compatible with adjacent structures. Gates shall be solid and continuously maintained in working order. Landscaping shall be provided to soften and screen the enclosure in compliance with Chapter 13.34. See Figure 3-6. (Ord. 205 § 1 (Exh. A), 2003)



**Figure 3-6 - Solid Waste Enclosure**

#### **13.30.130 - Undergrounding of utilities.**

All electric and telephone facilities, fire alarm conduits, street lighting wiring, cable television and other wiring conduits, and similar facilities shall be placed underground by the developer. The council may grant a modification, including a complete waiver of the undergrounding requirement, after considering the general purposes and nature of the proposed development. (Ord. 205 § 1 (Exh. A), 2003)

### **Chapter 13.32 - ~~AFFORDABLE~~ HOUSING - INCENTIVES**

- 13.32.010 - Purpose.
- 13.32.020 - Eligibility for bonus and incentives.
- 13.32.030 - Types of bonuses and incentives allowed.
- 13.32.040 - Continued availability.
- 13.32.050 - Location and type of designated units.
- 13.32.060 - Processing of bonus requests.
- 13.32.070 - Density bonus agreement.
- 13.32.080 - Control of resale.

### 13.32.010 - Purpose.

As required by Government Code Section 65915, this chapter offers incentives for the development of housing that is affordable to the types of households and qualifying residents identified in Section 13.32.020. This chapter is intended to implement the requirements of Government Code Sections 65302, 65913, and 65915, et seq., and the housing element of the general plan. (Ord. 205 § 1 (Exh. A), 2003)

### 13.32.020 - Eligibility for bonus and incentives.

In order to be eligible for a density bonus and other incentives as provided by this chapter, a proposed housing development shall comply with the following requirements, and satisfy all other applicable provisions of this title, except as provided by Section 13.32.030.

A. **Resident Requirements.** The housing development be designed and constructed so that ~~at least:~~

1. ~~at least t~~Twenty percent of the total number of proposed units are for lower income households, as defined in Health and Safety Code Section 50079.5; or
2. ~~at least t~~Ten percent of the total number of proposed units are for very low income households, as defined in Health and Safety Code Section 50105; or
3. ~~at least f~~Fifty percent of the total number of proposed units are for qualifying residents (senior citizens) as defined by Civil Code Section 51.2; or
4. ~~at least t~~Twenty percent of the total dwelling units in a condominium project as defined in Civil Code Section 1351(f), for persons and families of moderate income, as defined in Health and Safety Code Section 50093; ~~or:~~
5. the project is defined as an “affordable housing” or “senior housing” project eligible for density bonus in compliance with California Government Code Section 65915.

A density bonus granted in compliance with Section 13.32.030 shall not be included when determining the number of housing units that is equal to the percentages required above.

B. **Minimum Project Size to Qualify for Density Bonus.** The density bonus provided by this chapter shall be available only to a housing development of five or more units.

C. **Condominium Conversion Projects.** A condominium conversion project shall comply with the eligibility and other requirements in Government Code Section 65915.5. (Ord. 205 § 1 (Exh. A), 2003)

### 13.32.030 - Types of bonuses and incentives allowed.

The amount of a density bonus, and the extent of other incentives allowed a housing development shall be determined by the council in compliance with this section.

A. **Extent of Bonus and Incentives Allowed.** A housing development that satisfies all applicable provisions of this chapter shall be entitled to a density bonus as identified in subsection B, and at least one of the other incentives identified in subsection C, except:

1. As provided by Government Code Section 65915.5 for a condominium conversion project; and
2. That if an applicant agrees to construct both twenty percent of the total units for lower income households and ten percent of the total units for very low income households, the developer is entitled to a density bonus and at least one additional incentive identified in this section.

If a density bonus and/or other incentives cannot be accommodated on a site due to strict compliance with the provisions of this title, the council may waive or modify other development standards as necessary to accommodate all bonus units and other incentives to which the development is entitled.

**B. Density Bonus.** The calculation of a density bonus in compliance with this subsection that results in fractional units shall be rounded up to the next whole number, as required by state law. For the purposes of calculating a bonus, the residential units do not have to be based upon individual subdivision maps or parcels.

1. **General Bonus.** A density bonus for a housing development that complies with the eligibility requirements in Sections 13.32.020(A)(1), (A)(2), or (A)(3) shall consist of at least a twenty-five percent increase in the number of dwelling units normally allowed by the applicable general plan designation and zoning district, unless a lesser percentage is elected by the applicant.
2. **Bonus for Condominium Project.** A density bonus for a condominium project that complies with the eligibility requirements in Section 13.32.020(A)(4) shall consist of at least a ten percent increase in the number of dwelling units normally allowed by the applicable general plan designation and zoning district, unless a lesser percentage is elected by the applicant.

**C. Other Incentives.** A qualifying project shall be entitled to at least one of the following concessions or incentives identified by Government Code Section 65915(b), in addition to the density bonus allowed by subsection B:

1. A reduction in the site development standards of this title (e.g., site coverage limitations, setbacks, reduced parcel sizes, and/or parking requirements), or architectural design requirements that exceed the minimum building standards approved by the California Building Standards Commission in compliance with Health and Safety Code Section 18901 et seq.;
2. Approval of mixed-use zoning not otherwise allowed by this title in conjunction with the housing development, if nonresidential land uses will reduce the cost of the housing development, and the nonresidential land uses are compatible with the housing development and the existing or planned development in the area where the project will be located; and/or
3. Other regulatory incentives or concessions proposed by the developer or the town that will result in identifiable cost reductions.

The council shall approve one or more of the above incentives, notwithstanding the other provisions of this chapter, unless it makes a written finding, based on substantial evidence, that the additional concession or incentive is not required in order to provide for affordable housing costs as defined in Health and Safety Code Section 50052.5, or for rents for the targeted units to be set in compliance with Government Code Section 65915(c).

**D. Applicant Requested Incentives.** An applicant may submit to the town a request for specific incentives or concessions in compliance with this section, and may request a meeting with the director. The council shall grant the concession or incentive requested by the applicant unless the council makes a written finding, based upon substantial evidence, of either of the following:

1. The concession or incentive is not required in order to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for rents for the targeted units to be set as specified in Section 13.32.040(B); or
2. The concession or incentive would have a specific adverse impact, as defined in Government Code Section 65589.5(d)(2), upon public health and safety, or the physical

environment, or on any real property listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.32.040 - Continued availability.**

The planning permit application for the affordable housing development shall include procedures proposed by the developer to maintain the continued affordability of the units that qualified the housing development for a density bonus and other incentives, in compliance with this section.

A. **Duration of Affordability.** The applicant shall agree to, and the town shall ensure the continued availability of the units that qualified the housing development for a density bonus and other incentives, as follows.

1. **Lower Income Units.** The continued availability of lower income units shall be maintained for thirty years, or a longer time if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.
2. **Low and Moderate Income Units - Development with Public Funding.** A housing development that receives a direct financial contribution as an additional incentive in compliance with Section 13.32.030 through participation in the cost of infrastructure, write-down of land costs, or subsidizing the cost of construction, shall maintain the availability of low- and moderate-income units for a minimum of thirty years, as required by Government Code Section 65916.
3. **Moderate Income Units in Condominium.** The continued availability of moderate income units in a condominium project shall be maintained for a minimum of ten years.

B. **Rent Cost Requirements.** The rents charged for the housing units in the development that qualify the project for a density bonus and other incentives, shall not exceed the following amounts during the period of continued availability required by this section:

1. Thirty percent of sixty percent of the area median income, for units targeted for lower income households, as defined in Health and Safety Code Section 50079.5; and
2. Thirty percent of fifty percent of the area median income, for units targeted for very low income households, as defined in Health and Safety Code Section 50105. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.32.050 - Location and type of designated units.**

A. **Location/Dispersal of Units.** As required by Government Code Section 65915(g), the location of the designated units within the qualifying housing development may be at the discretion of the developer. However, the designated units shall be reasonably dispersed throughout the project where feasible, shall contain on average the same number of bedrooms as the non-designated units in the project, and shall be compatible with the design or use of remaining units in terms of appearance, materials, and finished quality.

B. **Phasing.** If a project is to be phased, the density bonus units shall be phased in the same proportion as the non-density bonus units, or phased in another sequence acceptable to the town. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.32.060 - Processing of bonus requests.**

A. **Permit Requirement.** A request for a density bonus and other incentives shall be evaluated and decided through use permit approval in compliance with Section 13.62.050, provided that the decision of the commission on a use permit application shall be a recommendation to the council, and the density bonus and other incentives shall be approved by the council.

**B. Findings for Approval.** In addition to the findings required by Section 13.62.050 for the approval of a use permit, the approval of a density bonus shall require that the review authority first make all of the following additional findings:

1. The residential development will be consistent with the general plan;
2. The approved number of dwellings can be accommodated by existing and planned infrastructure capacities;
3. Adequate evidence exists to indicate that the project will provide affordable housing in a manner consistent with the purpose and intent of this chapter;
4. In the event that the town does not grant at least one financial concession or incentive as defined in Government Code Section 65915 in addition to the density bonus, that additional concessions or incentives are not necessary to ensure affordable housing costs as defined in Health and Safety Code Section 50052.5, or for rents for the targeted units to be set as specified in Government Code Section 65915(c); and
5. There are sufficient provisions to guarantee that the units will remain affordable for the required time period. (Ord. 205 § 1 (Exh. A), 2003)

**13.32.070 - Density bonus agreement.**

**A. Procedures.** An applicant requesting a density bonus, shall draft, and agree to enter into, a density bonus agreement ("agreement") with the town. The terms of the draft agreement shall be reviewed and revised as appropriate by the town manager, and/or the town attorney.

**B. Execution of Agreement.**

1. Following execution of the density bonus agreement by all parties, the town shall record the completed agreement on the parcels designated for the construction of designated dwelling units, at the county recorder's office.
2. The approval and recordation shall take place at the same time as the final map or, where a map is not being processed, before issuance of building permits for the units.
3. The agreement shall be binding to all future owners, developers, and/or successors-in-interest.

**C. Agreement Contents.** The density bonus agreement shall include at least the following information:

1. The total number of units approved for the housing development, including the number of designated dwelling units;
2. A description of the household income group to be accommodated by the housing development, and the standards and methodology for determining the corresponding affordable rent or affordable sales price and housing cost consistent with HUD Guidelines;
3. The marketing plan for the affordable units;
4. The location, unit sizes (square feet), and number of bedrooms of the designated dwelling units;
5. Tenure of the use restrictions for designated dwelling units of the time periods required by Section 13.32.040;
6. A schedule for completion and occupancy of the designated dwelling units;
7. A description of the additional incentive(s) being provided by the town;

8. A description of the remedies for breach of the density bonus agreement by the owners, developers, and/or successor(s)-in-interest of the project; and
9. Other provisions to ensure successful implementation and compliance with this chapter.

D. **Agreement Provisions.** The density bonus agreement shall include at least the following provisions:

1. The developer shall give the town the continuing right-of-first-refusal to lease or purchase any or all of the designated dwelling units at the appraised value;
2. The deeds to the designated dwelling units shall contain a covenant stating that the developer or successors-in-interest shall not assign, lease, rent, sell, sublet, or otherwise transfer any interests for designated units without the written approval of the town;
3. When providing the written approval, the town shall confirm that the price (rent or sale) of the designated dwelling unit is consistent with the limits established for low- and very low-income households, as published by HUD;
4. The town shall have the authority to enter into other agreements with the developer, or purchasers of the designated dwelling units, to ensure that the required dwelling units are continuously occupied by eligible households;
5. Applicable deed restrictions, in a form satisfactory to the town attorney, shall contain provisions for the enforcement of owner or developer compliance. Any default or failure to comply may result in foreclosure, specific performance, or withdrawal of the certificate of occupancy.
6. In any action taken to enforce compliance with deed restrictions, the town attorney shall, if compliance is ordered by a court of competent jurisdiction, take all action that may be allowed by law to recover all of the town's costs of action including legal services.

E. **For-Sale Housing Conditions.** In the case of for-sale housing developments, the density bonus agreement shall provide for the following conditions governing the initial sale and use of designated dwelling units during the applicable use restriction period:

1. Designated dwelling units shall be owner-occupied by eligible very low or low income households, or by qualified residents in the case of senior housing; and
2. The initial purchaser of each designated dwelling unit shall execute an instrument or agreement approved by the town which:
  - a. Restricts the sale of the unit in compliance with this chapter during the applicable use restriction period;
  - b. Contains provisions as the town may require to ensure continued compliance with this chapter and state law; and
  - c. Shall be recorded against the parcel containing the designated dwelling unit.
3. The applicable restriction period shall be a minimum of ten years for projects with density bonus without financial subsidy or assistance and a minimum of thirty years for projects receiving financial assistance in compliance with Section 13.32.040.

F. **Rental Housing Conditions.** In the case of rental housing developments, the density bonus agreement shall provide for the following conditions governing the use of designated dwelling units during the use restriction period:

1. The rules and procedures for qualifying tenants, establishing affordable rent, filling

vacancies, and maintaining the designated dwelling units for qualified tenants;

2. Provisions requiring owners to annually verify tenant incomes and maintain books and records to demonstrate compliance with this chapter;
3. Provisions requiring owners to submit an annual report to the town, which includes the name, address, and income of each person occupying the designated dwelling units, and which identifies the bedroom size and monthly rent or cost of each unit; and
4. The applicable use restriction period shall comply with the time limits for continued availability in Section 13.32.040. (Ord. 205 § 1 (Exh. A), 2003)

### **13.32.080 - Control of resale.**

In order to maintain the availability of for-sale affordable housing units constructed in compliance with this chapter, the following resale conditions shall apply.

- A. The price received by the seller of an affordable unit shall be limited to the purchase price plus an increase based on the Sacramento metropolitan area consumer price index, an amount consistent with the increase in the median income since the date of purchase, or the fair market value, whichever is less. Prior to offering an affordable housing unit for sale, the seller shall provide written notice to the town of their intent to sell. The notice shall be provided by certified mail to the director.
- B. Home ownership affordable units constructed, offered for sale, or sold under the requirements of this section shall be offered to the town or its assignee for a period of at least ninety days from the date of the notice of intent to sell is delivered to the town by the first purchaser or subsequent purchasers. Home ownership affordable units shall be sold and resold from the date of the original sale only to households as determined to be eligible for affordable units by the town according to the requirements of this section. The seller shall not levy or charge any additional fees nor shall any “finders fee” or other monetary consideration be allowed other than customary real estate commissions and closing costs.
- C. The owners of any affordable unit shall attach and legally reference in the grant deed conveying title of the affordable ownership unit a declaration of restrictions provided by the town, stating the restrictions imposed in compliance with this section. The grant deed shall afford the grantor and the town the right to enforce the attached declaration of restrictions. The declaration of restrictions shall include all applicable resale controls, occupancy restrictions, and prohibitions as required by this section.
- D. The town shall monitor the resale of ownership affordable units. The town or its designee shall have a ninety-day option to commence purchase of ownership affordable units after the owner gives notification of intent to sell. Any abuse in the resale provisions shall be referred to the town for appropriate action. (Ord. 205 § 1 (Exh. A), 2003)

## **Chapter 13.36 - PARKING AND LOADING**

- 13.36.010 - Purpose.
- 13.36.020 - Applicability.
- 13.36.030 - General parking regulations.
- 13.36.040 - Number of parking spaces required.
- 13.36.050 - Disabled/handicapped parking requirements.
- 13.36.060 - Bicycle parking.
- 13.36.070 - Motorcycle parking.
- 13.36.080 - Reduction of parking requirements.
- 13.36.090 - Parking design and development standards.
- 13.36.100 - Driveways and site access.
- 13.36.110 - Loading space requirements.

### **13.36.010 - Purpose.**

The requirements of this chapter are intended to ensure that sufficient off-street parking facilities are provided for all uses, and that parking facilities are properly designed, attractive, and located to be unobtrusive while meeting the needs of the specific use. (Ord. 205 § 1 (Exh. A), 2003)

### **13.36.020 - Applicability.**

Each land use and structure, including a change or expansion of a land use or structure shall provide off-street parking and loading areas in compliance with this chapter. A land use shall not be commenced and a structure shall not be occupied until the improvements required by this chapter are completed and approved by the director. (Ord. 205 § 1 (Exh. A), 2003)

### **13.36.030 - General parking regulations.**

- A. **Parking and Loading Spaces to be Permanent.** Each parking and loading space shall be permanently available, marked, and maintained for parking or loading purposes for the use it is intended to serve. The approval of a limited term permit (Section 13.62.030) may allow the temporary use of a parking or loading space for other purposes.
- B. **Parking and Loading to be Unrestricted.** An owner, lessee, tenant, or other person having control of the operation of a premises for which parking or loading spaces are required by this chapter shall not prevent, prohibit or restrict authorized persons from using the spaces without the prior approval of the director.
- C. **Vehicles for Sale.** No vehicle, trailer or other personal property shall be parked on private property for the purpose of displaying the vehicle, trailer, or other personal property for sale, hire, or rental, unless the property is appropriately zoned, approved by the town for that use, and the person or business at that location is licensed to sell vehicles, trailers, or other personal property. However, one vehicle or trailer owned by the owner, renter, or lessee of the property may be displayed for the purpose of sale for a maximum of one month.
- D. **Recreational Vehicle Parking.** The storage (parking for any period longer than seventy-two hours) of recreational vehicles and/or boats in a residential zoning district shall be allowed only when all portions of the vehicle or boat are located entirely within the property boundaries and do not extend into the public right-of-way. Parking within setback areas shall also comply with Section 13.30.110(D). (Ord. 205 § 1 (Exh. A), 2003)

### **13.36.040 - Number of parking spaces required.**

Each land use shall be provided the number of off-street parking spaces required by this section. See Sections 13.36.100, and 13.36.110 for off-street parking requirements for bicycles and motorcycles, respectively.

#### **A. Parking Requirements by Land Use.**

1. Each land use shall provide the number of off-street parking spaces required by Table 3-7, except where a greater number of spaces is required through minor use permit or use permit approval.
2. A land use not specifically listed by Table 3-7 shall provide parking as required by the director. The director shall use the requirements Table 3-7 as a guide in determining the number of off-street parking spaces required.
3. In any case where Table 3-7 establishes a parking requirement based on floor area in square feet (for example: one space per one thousand sf of floor area), the floor area shall be construed to mean gross interior floor area.
4. A single use with accessory components shall provide parking for each component. For



example, a hotel with a meeting room shall provide the parking spaces required by Table 3-7 for a hotel (i.e., the guest rooms), and for a meeting room.

B. **Expansion of Structure, Change in Use.** When a structure is enlarged, or when a change in its use requires more off-street parking than the previous use, additional parking spaces shall be provided in compliance with this chapter except where the number of additional spaces required is ten percent or less of the number of existing spaces. See also Chapter 13.72.

C. **Multi-Tenant Sites.** A site with multiple tenants shall provide the aggregate number of parking spaces required for each separate use; except where the site is developed as an integrated center with shared parking and no spaces reserved for a particular use, parking shall be provided as required by Table 3-7 for a shopping center. When a multi-tenant center includes one or more uses that will need more parking than retail uses (for example, a fitness center, restaurant, or theater) additional parking shall be required for the non-retail use unless a parking reduction is approved in compliance with 13.36.050.

D. **Excessive Parking.** The town discourages a land use being provided more off-street parking spaces than required by this chapter, to avoid the inefficient use of land, unnecessary pavement, and excessive storm water runoff from paved surfaces. The provision of off-street parking spaces in excess of the requirements in Table 3-7 is allowed only with minor use permit approval, and when additional landscaping and pedestrian amenities are also provided to the satisfaction of the review authority.

E. **Bench or Bleacher Seating.** Where fixed seating is provided as benches, bleachers, pews, or similar seating, a seat shall be defined as eighteen inches of bench space for the purpose of calculating the number of required parking spaces as provided in Table 3-7.

F. **Nonconforming Parking.** A structure with nonconforming off-street parking may be physically changed or undergo a change in use subject to the following provisions.

1. **Residential Uses.** No additional parking spaces shall be required, provided the change does not increase the number of dwelling units, nor eliminate the only portion of the site that can be used for the required or existing parking or access.
2. **Nonresidential Uses.** The number of existing parking spaces shall be maintained on the site and additional parking shall be provided in compliance with this chapter for any additional floor area. If the use of the structure is changed to one that requires more parking than the previous use, the difference between the parking spaces required for the previous use and the new use shall be provided.
3. **Waiver by Director.** The director may waive covered parking requirements when a nonconforming structure is proposed for rehabilitation if the director determines that the existing structure location, lot size, or topography renders the requirement unreasonable.

#### G. Exceptions.

1. The Town shall not impose or enforce any off-street automobile parking requirement if the project is located within one-quarter mile of public transit or paratransit stop with service at least eight times per day, and meets at least one of the following criteria:
  - a. Dedication of a minimum of 20% of the total number of housing units to very low, low-or moderate-income households, students, the elderly, or persons with disabilities; or
  - b. Is subject to parking reductions based on any other applicable law.
2. See Section 13.36.080 regarding reduction of parking requirements.

**TABLE 3-7 - PARKING REQUIREMENTS BY LAND USE**

| LAND USE TYPE  | VEHICLE SPACES REQUIRED  |
|--|--|
| <b>Manufacturing Processing and Warehousing</b>                          |  |
| All manufacturing, industrial and processing uses, except the following. | 1 space for each 200 sf of office area;<br>1 space for each 1,000 sf of ground and/or building area devoted to other than office;<br>1 space for each 5,000 sf of open storage;<br>1 space for each company vehicle. |
| Recycling facilities   |  |
| Scrap/dismantling yard   | 1 space for each 300 sf of gross building area, plus 1 space for each 10,000 sf of gross yard area.  |
| Small collection facility  | Determined by minor use permit.  |
| Research and development, laboratories                                   | 1 space for each 300 sf of floor area, plus 1 space for each company vehicle.  |
| <b>Recreation, Education, Public Assembly</b>                            |  |
| Clubs, lodge, private meeting hall                                       | 1 space for each 100 sf of floor area.   |
| Dance floor  | 1 space for each 30 sf of floor area.  |
| Equestrian facilities - Commercial stables                               | 1 space for each 5 horses boarded.   |
| Golf   | 4 spaces per hole, plus as required by this table for accessory uses (e.g., pro shop, bar, restaurant, banquet room, etc.).  |
|  | 1 space for each tee.  |
|  | 3 spaces for each hole, plus as required by this table for accessory uses (e.g., game room, food service, etc.).   |
| Commercial recreation facility - Indoor                                  |  |
| Arcades  | 1 space for each 200 sf of floor area.   |
| Bowling alleys   | 5 spaces for each alley.   |
| Pool and billiard rooms  | 2 spaces for each table.   |
| Skating rinks  | 1 space for each 100 sf of rink area.  |
| Commercial recreation facility - Outdoor                                 | Determined by use permit.  |

| LAND USE TYPE  | VEHICLE SPACES REQUIRED   |
|--|---|
| Fitness/health facility  | 1 space for each 200 sf of floor area.  |
| Library, museum  | 1 space for each 300 sf of floor area.  |
| Religious facility   | 1 space for each 4 seats, or 1 space for each 75 sf of floor area, whichever is greater; plus 1 space for each classroom or office. |
| Schools (public and private)   |   |
| Kindergarten and nursery schools   | 1 space per employee plus 1 space per 10 children.  |
| Elementary/junior high   | 1 space per employee plus 1 space per 8 students.   |
| High school  | 1 space per employee plus 1 space per 4 students.   |
| Colleges and universities (including trade, business, and art/music/dancing schools) | 1 space per 1.5 students.   |
| Studios (art, dance, music, photography, etc.)                                       | 1 space for each 200 sf of floor area.  |
| Swimming pools (public, private and commercial)                                      | 1 space for each 100 sf of pool area.   |
| Tennis/racquetball/handball or other courts  | 2 spaces for each court, plus 1 space for each 300 sf of floor area for accessory uses.   |
| Theaters, auditoriums and places of assembly   | 1 space for each 7 seats, or 1 space for each 75 sf of floor area, whichever is greater.  |
| LAND USE TYPE  | VEHICLE SPACES REQUIRED   |
| <b>Residential Uses</b>  |   |
| <a href="#">Emergency shelter</a>  | <a href="#">1 space for every 3 beds, plus two manager spaces, plus 1 space for each 2 employees on largest shift</a>               |
| Live/work unit   | <a href="#">1.52</a> spaces.  |
| Mobile home  |   |
| Individual mobile home   | 1 covered space for each unit.  |
| Mobile home park   | 1 covered space for each unit plus 0.5 uncovered guest parking space and 0.25 parking space for each unit for vehicle storage.      |
| Multifamily dwelling   | <a href="#">Studio or 1 bedroom unit – 1 space per unit; Units with 2 or more bedrooms – 1.5 spaces per unit;</a>                   |

| LAND USE TYPE  | VEHICLE SPACES REQUIRED  |
|--|--|
|  | <del>Guest parking – 1 space per 4 units, 2 covered spaces per unit, plus 1 additional space for each bedroom over 3, plus guest parking at a ratio of 1 uncovered space per each 53 units.</del>  |
| Multifamily dwelling in a mixed-use project                                | <del>Studio or 1 bedroom unit – 1 space per unit;<br/>Units with 2 or more bedrooms – 1.5 spaces per unit;<br/>Guest parking – 1 space per 4 units</del><br>Studio or 1 bedroom unit – 1 space per unit<br>2 or 3 bedroom unit – 2 spaces per unit<br>guest parking – 1 space per each 54 units.   |
| Organizational house   | 1 covered or uncovered space for each bedroom.   |
| Residential care homes   |  |
| Six or fewer clients   | 2 covered spaces.  |
| Seven or more clients  | 1 space for each 2 residential units, plus 1 space for each 4 units for guests and employees.  |
| Rooming and boarding houses  | 1 covered or uncovered space for each bedroom.   |
| <u>Accessory dwelling units</u>  | 1 off-street, all-weather surface parking space for each studio and one bedroom unit and 2 off-street, all-weather surface parking spaces for two- and <del>three</del> -three-bedroom units, plus the off-street parking required for the main dwelling.  |
| Senior housing project   | 1 space for each two units, with half the spaces covered, plus 1 guest parking space for each 10 units.<br><br><u>No off-street parking shall be required if the development is within ¼ mile of a Placer County Transit or Placer Commuter Express bus stop, has unobstructed access to the stop or paratransit service to a fixed bus route service with service at least eight times per day.</u> |
| Single-family dwelling   | 2 covered spaces, plus 1 additional space for each bedroom over 3.   |
| <u>Single room occupancy</u>   | <u>1 space for each two units, plus 1 additional space if onsite management office is required.</u>  |
| <b>Retail Trade</b>  |  |
| All “Retail Trade” uses listed in Section 13.26.030, Table 2-6, except the | 1 space for each 200 sf of floor area, plus 1 space per 200 sf of outdoor sales area.  |

| LAND USE TYPE  | VEHICLE SPACES REQUIRED   |
|--|---|
| following  |   |
| Appliances, building materials, and furniture stores | 1 space for each 500 sf of indoor display area for first 10,000 sf, 1 space for each 1,000 sf of indoor display area over 10,000; 1 space for each 1,000 sf of outdoor display area.  |
| Auto and vehicle sales and rental                    | 1 space for each 400 sf of floor area for showroom and office, plus 1 space for each 2,000 sf of outdoor display area, plus spaces as required by this section for parts sales ("retail trade," above), and vehicle services.   |
| Bar, night club                                      | 1 space for each 50 sf of seating area and waiting/lounge area exclusive of dance floor, plus 1 space for each 30 sf of dance floor.  |
| Convenience store                                    | 1 space for each 250 sf of floor area.  |
| Plant nursery, garden supply store                   | 1 space for each 2,000 sf of site area; 1 loading space, 15 ft. x 30 ft., for each acre.  |
| Produce stand or other outdoor vendor                | 3 spaces minimum, located at least 20 feet off the public right-of-way or 20 feet from the front property line with no automobile maneuvering permitted in the public right-of-way. The minor use permit may require additional parking, depending on the nature of the sales proposed. |
| Restaurant   | 1 space for each 60 sf of dining area.  |
| Shopping center                                      | 1 space for each 250 sf of floor area for centers of less than 30,000 sf, and 1 space per 300 sf for centers of 30,000 sf or more.  |
| LAND USE TYPE  | VEHICLE SPACES REQUIRED   |
| <b>Service Uses</b>                                  |   |
| Banks and financial services                         | 1 space for each 300 sf of floor area plus 4 tandem stacking spaces for each outdoor teller or teller station.  |
| Car wash   |   |
| Self-service   | 1 drying space for each stall.  |
| Full service   | 10 spaces, plus 6 spaces for each wash lane for queuing and drying area.  |
| Child day care                                       |   |
| Large family day care homes                          | 3 spaces minimum; may include spaces  |

| LAND USE TYPE   | VEHICLE SPACES REQUIRED  |
|---|--|
| Child/adult care centers                                  | provided to fulfill residential parking requirements and on-street parking so long as it abuts the site.   |
|   | 1 space for each employee plus 1 space for each 10 children.   |
| Equipment rental  | 1 space for each 300 sf of floor area; none required for outdoor storage and rental area provided sufficient area is provided within the yard to accommodate all customer vehicles entirely on-site. |
| Laundry - Dry cleaning pick-up facilities and Laundromats | 1 space for each 250 sf of floor area.   |
| Laundry - Laundries and dry cleaning plants               | 1 space for each 1,000 sf of floor area.   |
| Lodging   |  |
| Bed and breakfast inn                                     | 1 space for each guest room plus 2 covered spaces for the resident family.   |
| Hotel or motel  | 1 space for each unit, plus 2 manager spaces, plus 1 space for each 2 employees on largest shift, plus required spaces for accessory uses.   |
| Recreational vehicle (RV) park                            | 1 space per RV space.  |
| Medical services  |  |
| Clinics, offices, and laboratories                        | 1 space for each 200 sf of floor area, or 4 spaces for each doctor, whichever is greater.  |
| Extended care   | 1 space for each 3 beds or patients the facility is licensed to accommodate.   |
| Hospitals   | 1 space for each 250 sf of floor area.   |
| Mortuaries and funeral homes                              | 1 space for each 4 seats in sanctuary.   |
| Offices   |  |
| Business, service, government                             | 1 space for each 250 sf of floor area.   |
| Processing  | 1 space for each 150 sf of floor area.   |
| Professional  | 1 space for each 300 sf of floor area.   |
| Personal services   |  |
| All personal service uses except the following            | 1 space for each 250 sf of floor area.   |

| LAND USE TYPE                                 | VEHICLE SPACES REQUIRED   |
|---|---|
| Barber/beauty shops                           | 2 spaces for each barber or beautician, with a minimum of 4 spaces.                           |
| Pet grooming                                  | 1 space for each 400 sf of floor area.  |
| Service stations                              | 1 space for each 250 sf of floor area, plus 3 spaces for each service bay.                    |
| Storage                                       |   |
| Outdoor                                       | 1 space for each 3,000 sf of lot area.  |
| Personal storage facilities (mini-storage)    | 4 spaces for manager office.  |
| Vehicle services                              | 4 spaces per service bay, plus spaces for any office as required by this section for offices. |
| LAND USE TYPE                                 | VEHICLE SPACES REQUIRED   |
| <b>Service Uses (continued)</b>               |   |
| Veterinary clinics, animal hospitals, kennels | 1 space for each 250 sf of floor area.  |
| Kennels separate from other facilities        | 1 space per employee plus 2 spaces.   |

(Ord. 216 § 10, 2005; Ord. 205 § 1 (Exh. A), 2003)

### **13.36.050 - Disabled/handicapped parking requirements.**

Parking spaces for the disabled shall be provided in compliance with the Uniform Building Code (UBC), the Federal Accessibility Guidelines, and/or California Code of Regulations Title 24, as applicable. These spaces shall count toward fulfilling the off-street parking requirements of this chapter. (Ord. 205 § 1 (Exh. A), 2003)

### **13.36.060 - Bicycle parking.**

Each multifamily project and nonresidential land use shall provide bicycle parking in compliance with this section.

#### **A. Number of Bicycle Spaces Required.**

1. Multifamily projects shall provide bicycle parking spaces equal to a minimum of ten percent of the required vehicle spaces, unless separate secured garage space is provided for each unit. The bicycle spaces shall be distributed throughout the project.
2. Retail commercial and office uses shall provide bicycle parking spaces equal to a minimum of five percent of the required vehicle spaces, distributed to serve customers and employees of the project.

**B. Bicycle Parking Design and Devices.** Each bicycle parking space shall include a stationary parking device to adequately secure the bicycle, shall be a minimum of two feet in width and six feet in length, with a minimum of seven feet of overhead clearance, and shall be conveniently located and generally within proximity to the main entrance of a structure. (Ord. 205 § 1 (Exh. A), 2003)

### 13.36.070 - Motorcycle parking.

Parking lots with fifty or more parking spaces shall provide motorcycle parking spaces conveniently located near the main entrance of a structure, accessed by the same aisles that provide access to the automobile parking spaces in the parking lot.

A. **Number of Spaces Required.** A minimum of one motorcycle parking space shall be provided for each fifty automobile spaces or fraction thereof.

B. **Space Dimensions.** Motorcycle spaces shall have minimum dimensions of four feet by seven feet. (Ord. 205 § 1 (Exh. A), 2003)

### 13.36.080 - Reduction of parking requirements.

A. **Shared On-Site Parking.** Where two or more adjacent nonresidential uses have distinct and differing peak parking usage periods, (e.g. a theater and a bank), a reduction in the required number of parking spaces may be allowed through use permit approval. Approval shall also require a recorded covenant running with the land, recorded by the owner of the parking lot, guaranteeing that the required parking will be maintained exclusively for the use or activity served for the duration of the use or activity.

B. **Waiver of Parking.** The director may reduce or waive the number of parking spaces required by Section 13.36.040 based on quantitative information provided by the applicant that documents the need for fewer spaces (e.g., sales receipts, documentation of customer frequency, information on parking standards required for the proposed land use by other cities, etc.). [The director may also waive any requirement for off-street parking for new development in the Central Commercial \(CC\) zoning district for property adjacent to Taylor Road and where the developer has entered into a parking agreement and can demonstrate sufficient parking capacity nearby and in compliance with applicable accessibility requirements.](#)

C. **Waiver of Parking - Downtown Off-Hour Uses.** The review authority for a land use or development permit application within the downtown area identified by the general plan may waive the parking requirements of this chapter for land uses that are determined by the review authority to operate exclusively at night, when their peak parking demand occurs after the evening peak period parking demand within the downtown generally, and adequate on-street or public parking is available.

D. **Alternative Parking Arrangements.** Other alternatives to the parking requirements of this chapter may be approved by the review authority for projects within the downtown where the applicant executes an agreement with the town to:

1. Pay a parking in-lieu fee, if an in-lieu fee program is established by the council;
2. Waive the right to protest the formation of a parking district, if a parking district is formed by the council; or
3. Provide some other fair share contribution acceptable to the review authority, where authorized by the council.

The agreement shall be recorded prior to the issuance of a building permit for the project.

E. **Off-Site Parking in the Downtown.** Where approved by the review authority, parking required for a use proposed within the downtown may be located in a common or shared parking facility away from the site of the proposed use.

1. **Evaluation of Proposal.** In considering a request for shared off-site parking, the review authority shall consider how the distance between the parking area and the proposed use may affect whether the off-site facility will satisfy the parking needs of the proposed use.
2. **Guarantee of Continued Availability.** Required parking spaces that are approved off-site



shall be committed by a recordable covenant, lease, or other agreement, acceptable to the town attorney. The parties to the covenant, lease, or agreement shall include the owners, and if applicable, the lessees of the off-site parking spaces and the owners, and if applicable, the lessees of the subject site, with covenants reflecting the conditions of approval and the approved off-site parking plan.

### 3. **Loss of Off-Site Spaces.**

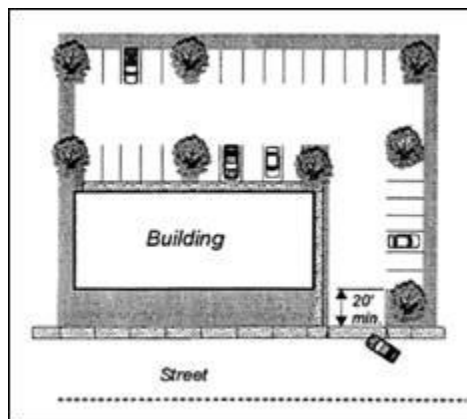
- a. **Notification to the Town.** The owner/operator of a business that uses approved off-site spaces to satisfy its parking requirements shall immediately notify the director of a change of ownership or use of the property for which the spaces are required, and of termination or default of the agreement between the parties.
- b. **Effect of Termination of Agreement.** Upon notification that a lease for required off-site parking has terminated, the director shall determine a reasonable time in which one of the following shall occur:
  - i. Substitute parking is provided that is acceptable to the director; or
  - ii. The size or capacity of the use is reduced in proportion to the parking spaces lost. (Ord. 205 § 1 (Exh. A), 2003)

### **13.36.090 - Parking design and development standards.**

Required parking areas shall be designed and constructed as follows.

A. **Access to Parking.** Access to parking shall be provided as follows for all parking areas other than garages for individual dwelling units.

1. Parking areas shall provide suitable maneuvering area so that vehicles exit to a street in a forward direction. Parking lots shall be designed to prevent access at any point other than at designated access drives. Single-family homes and duplexes are exempt from this requirement.
2. An industrial use located on Taylor or Rippey Roads, and commercial uses that provide fifty or more parking spaces shall have access driveways that are not intersected by a parking aisle, parking space, or another access driveway for a minimum distance of twenty feet from the street right-of-way, to provide a stacking area for vehicles entering and exiting the parking area. See Figure 3-7.
3. A minimum unobstructed clearance height of fourteen feet shall be maintained above areas accessible to vehicles within nonresidential uses.



**Figure 3-7 - Queuing Area**

B. **Access to Adjacent Sites.** Applicants for nonresidential development are encouraged to

provide on-site vehicle access to parking areas on adjacent nonresidential properties to provide for convenience, safety, and efficient circulation. A joint access agreement running with the land shall be recorded by the owners of the abutting properties, as approved by the director, guaranteeing the continued availability of the shared access between the properties.

Shared pedestrian access between adjacent properties, including residential developments is also strongly encouraged.

- C. Location. Parking areas shall be located as follows:
1. Residential parking shall be located on the same parcel as the uses served.
  2. Nonresidential parking shall be located on the same parcel as the uses served or within three hundred feet of the parcel (within five hundred feet in the downtown) if shared parking or public parking facilities are used to meet parking requirements.
  3. Nonresidential parking shall not be located within a required front yard setback area. Parking (not including loading or loading docks) may be located within a required side or rear yard setback area, provided it is separated from the side or rear property line by a minimum of five-foot landscaped area or in the event the adjacent lot is residentially zoned, by a minimum of ten-foot landscaped setback area.
  4. Nonresidential parking within the downtown area identified by the general plan shall not be located between a building and the fronting street.

D. **Parking Stall and Lot Dimensions.** Each parking stall, aisle, and other parking lot features shall comply with the minimum dimension requirements in Table 3-9, and as illustrated in Figure 3-8 except that, within all parking lots with noncovered spaces designed so that thirty-three and one-third percent of the required number of parking spaces shall be sized for compact cars (nine feet in width and sixteen feet in length) in order to provide for tree wells and shall be clearly marked "Compact Cars Only" in nonresidential projects. Compact parking spaces shall be distributed throughout the parking lot as determined by the director. Residential garages shall comply with the "General Parking Stall Dimension Requirements" in Table 3-9.

TABLE 3-9 - MINIMUM PARKING STALL AND LOT DIMENSIONS

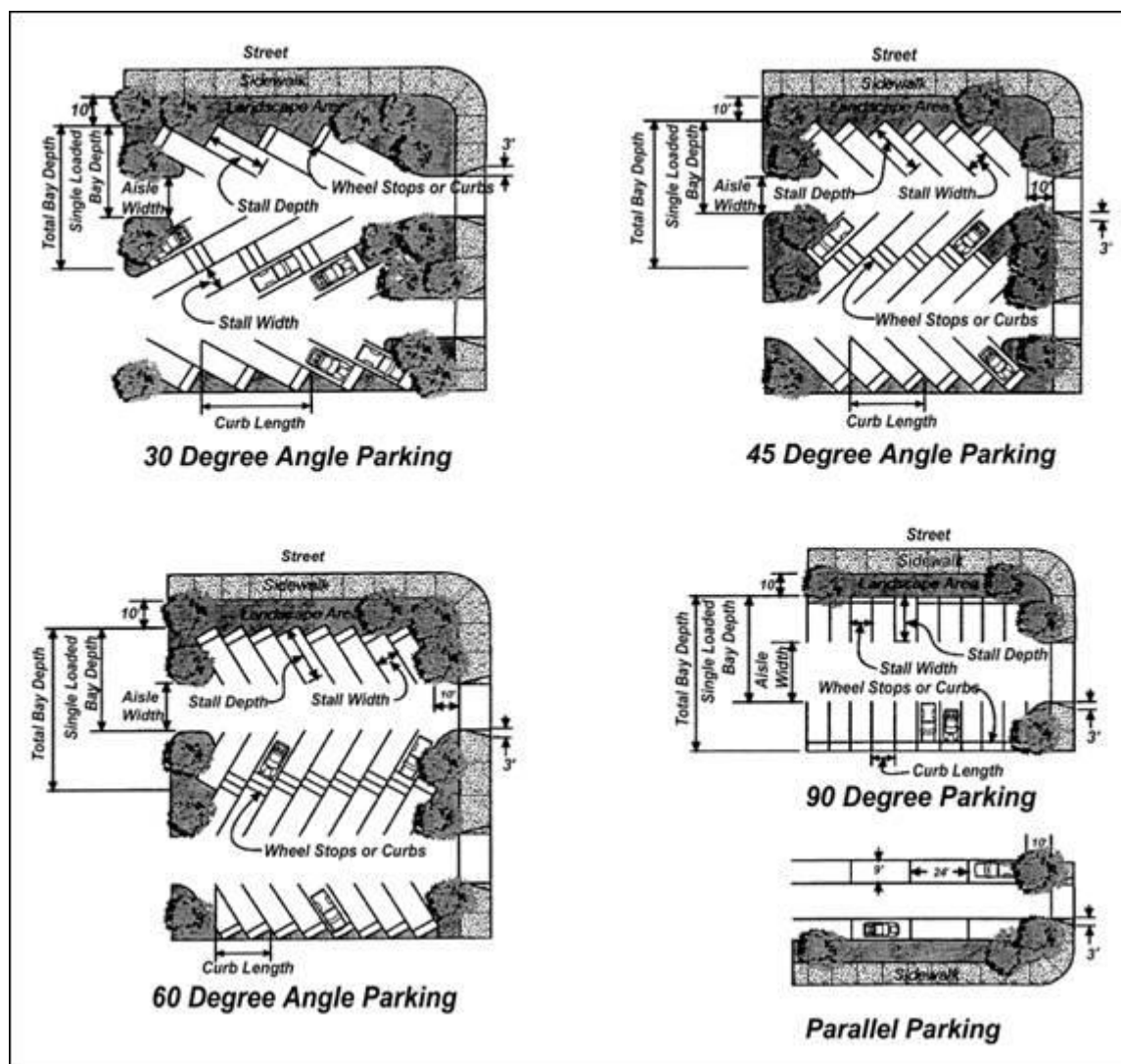
| General Parking Stall Dimension Requirements     |        |
|--|--------|
| Length   | Width  |
| 20 feet, including bumper overhang. <sup>1</sup> | 10 ft. |

<sup>1</sup> Industrial uses to allow up to twenty percent of the required parking stalls to be compact, nine feet by sixteen feet (only in order to provide area for orchard style trees) as approved by the director or commission.

| One-Way Traffic and Double-Loaded Aisles |              |  |   |                           |
|--|--------------|--|---|---------------------------|
| Parking angle (degrees)                  | Curb length  | Interior stall depth, with bumper overhang | Perimeter stall depth, with bumper overhang | Aisle width (travel lane) |
| 30                                       | 18 ft.       | 16 ft. 6 in.                               | 17 ft. 10 in.                               | 13 ft.                    |
| 45                                       | 12 ft. 8 in. | 18 ft. 10 in.                              | 20 ft. 6 in.                                | 15 ft.                    |
| 60                                       | 10 ft. 5 in. | 19 ft. 7 in.                               | 21 ft. 10 in.                               | 19 ft.                    |
| 90                                       | 10 ft.       | 20 ft.                                     | 20 ft.                                      | <del>13</del> 24 ft.      |

| Two-Way Traffic and Double-Loaded Aisles |              |  |   |                           |
|--|--------------|--|---|---------------------------|
| Parking angle (degrees)                  | Curb length  | Interior stall depth, with bumper overhang | Perimeter stall depth, with bumper overhang | Aisle width (travel lane) |
| 30                                       | 18 ft.       | 16 ft. 6 in.                               | 17 ft. 10 in.                               | 24 ft.                    |
| 45                                       | 12 ft. 8 in. | 18 ft. 10 in.                              | 20 ft. 6 in.                                | 24 ft.                    |
| 60                                       | 10 ft. 5 in. | 19 ft. 7 in.                               | 21 ft. 10 in.                               | 24 ft.                    |
| 90                                       | 10 ft.       | 20 ft.                                     | 20 ft.                                      | 24 ft.                    |

| Parallel Parking Spaces |             |                      |   |                           |
|-------------------------|-------------|----------------------|---|---------------------------|
| Parking angle (degrees) | Stall width | Interior stall depth | Perimeter stall depth, with bumper overhang | Aisle width (travel lane) |
| N.A.                    | 9 ft.       | 24 ft.               | N.A.  | 12 ft. — One-way traffic  |
|                         |             |                      |   | 16 ft. — Two-way traffic  |



### Figure 3-8 - Parking Lot Dimensions

- E. **Landscaping.** Landscaping shall be provided in compliance with Section 13.34.040(C).
- F. **Lighting.** See Section 13.30.080.
- G. **Striping and Identification.** Parking spaces shall be clearly outlined with four-inch wide lines painted on the parking surface. Car pool spaces shall be clearly identified for car pool use only. The re-striping of any parking space or lot shall require the approval of a re-striping plan by the director.
- H. **Surfacing.** Parking spaces and maneuvering areas shall be paved and permanently maintained with asphalt, concrete or other all-weather surfacing approved by the director. Required parking in the RA, RE, or RR zoning districts may be surfaced with gravel, decomposed granite, or other all-weather surface at the discretion of the review authority.
- I. **Wheel Stops/Curbing.** Continuous concrete curbing at least six inches high and six inches wide shall be provided for parking spaces located adjacent to fences, walls, property lines, landscaped areas, and structures. Individual wheel stops may be provided in lieu of continuous curbing when the parking is adjacent to a landscaped area, and the drainage is directed to the landscaped area.

When provided, wheel stops shall be placed to allow for two feet of vehicle overhang area within the dimension of the parking space.

(Ord. 205 § 1 (Exh. A), 2003; Ord. 216 § 1, 2005; Ord. 218 § 3, 2005; Ord. 229 § 1, 2006; Ord. 285 § 1, 2020; Ord. 290 § 2, 2022)

#### 13.36.100 - Driveways and site access.

Each driveway providing site access from a street, alley or other public right-of-way shall be designed, constructed and maintained as follows:

- A. **Number of Driveways.**
  - 1. **Multifamily and Nonresidential Projects.** A multifamily or nonresidential project on a parcel of two acres or less shall be limited to a maximum of two driveways, unless the director and town engineer determine that more than two driveways are required to accommodate the traffic for the project. Whenever a property has access to more than one street, access shall be generally limited to the lowest volume street where the impact of a new access will be minimized.
  - 2. **Single-Family Dwellings and Duplexes.** A single-family dwelling or duplex shall be allowed one driveway. A circular driveway may be allowed on a parcel with seventy feet or more of street frontage. A parcel within the RA, RE, or RR zoning districts with a frontage of two hundred feet or more may have two separate driveways, provided that they are separated by a minimum of one hundred feet, or lesser distance as approved by the town engineer based on consideration of site topography and traffic safety.
  - 3. **Shared Driveways on Arterials.** The use of shared driveways for adjacent parcels located on Barton Road, Brace Road, Horseshoe Bar Road, King Road, Rocklin Road, Sierra College Boulevard, and Taylor Road shall be required where determined by the review authority to be feasible.
- B. **Distance from Street Corners.** Each driveway shall be located a minimum of one hundred fifty feet from the nearest intersection, as measured from the centerline of the driveway to the centerline of the nearest travel lane of the intersecting street. For parcels with frontages less than one hundred fifty feet, the minimum distance shall be one hundred feet unless a lesser distance is approved by the town engineer.
- C. **Driveway Spacing.** Driveways shall be separated along the street frontage as follows:

1. **Single-family and Duplex Residential Development.** Driveways shall be separated by at least six feet, unless a shared, single driveway is approved by the director. The six-foot separation does not include the transition or wing sections on each side of the driveway; and
2. **Multifamily and Nonresidential Development.** Where two or more driveways serve the same or adjacent multifamily or nonresidential development, the centerline of the driveways shall be separated by a minimum of fifty feet. Exceptions to this standard shall be subject to the approval of the town engineer.

**D. Driveway Width and Length.**

1. **Single-Family Dwellings.** Each single-family dwelling shall be provided a driveway with a minimum length of twenty feet from the back of the sidewalk, or the edge of the right-of-way where there is no sidewalk.
2. **Nonresidential Uses.** A driveway for a nonresidential use shall have a minimum paved width of thirteen feet for a one-way driveway and twenty-six feet for a two-way driveway. The maximum driveway width shall be thirty feet, exclusive of the area provided for a median divider.
3. **Signalized Driveways for Warehouse Retail Uses.** A signalized driveway shall have two-way paved access and shall not exceed a maximum paved width of sixty feet.

**E. Clearance from Obstruction.** The nearest edge of a driveway curb cut shall be at least three feet from the nearest property line, the centerline of a fire hydrant, utility pole, traffic signal, light standards, or other similar facilities. Street trees shall be a minimum of ten feet from the driveway access, measured at the trunk. Driveways shall have an overhead clearance of fourteen feet in height except within a parking structure which may be reduced to seven feet, six inches.

**F. Traffic Safety Visibility Area.** Structures or landscaping over thirty inches in height shall not be allowed within a traffic safety visibility area. See Section 13.20.050(E).

**G. Surfacing.** Within the commercial, industrial, RS, RM, and RH zones, driveways shall be paved and permanently maintained with asphalt, concrete, or paving units. Within other zoning districts, the director may authorize the use of other all-weather surfacing, where the director determines that a surface other than asphalt or concrete is consistent with the driveways of similar properties in the vicinity, and that the alternate surface will not impair accessibility for emergency vehicles. A driveway with a slope of fifteen percent or more shall be paved with asphalt or concrete in all cases.

(Ord. 205 § 1 (Exh. A), 2003; Ord. 285 § 1, 2020; Ord. 290 § 2, 2022)

**13.36.110 - Loading space requirements.**

**A. Number of Loading Spaces Required.** Nonresidential uses shall provide off-street loading spaces in compliance with Table 3-11, below. Requirements for uses not listed shall be determined by the director based upon the requirements for comparable uses.

**TABLE 3-11 - REQUIRED LOADING SPACES**

| Type of Land Use                   | Loading Spaces Required  |
|------------------------------------|--|
| Commercial uses                    | 1 space for each 10,000 sf of floor area over the first 10,000.                            |
| Warehouse retail uses              | 1 space for each 36,000 sf of floor area over the first 10,000.                            |
| Manufacturing, and industrial uses | 1 space, plus one additional space for each 10,000 sf of floor area over the first 10,000. |
| Office uses and public uses        | 1 space for each 25,000 sf of floor area.  |

B. **Standards for Loading Areas.** Off-street loading areas shall be provided as follows. These standards and the requirements of subsection A may be reduced by the review authority where the review authority first determines that the operating, shipping and delivery characteristics of the use do not require the number or type of loading spaces required by this section.

1. **Dimensions.** Loading spaces shall be a minimum of twelve feet in width, forty feet in length, with fourteen feet of vertical clearance.
2. **Lighting.** Loading areas shall have lighting capable of providing adequate illumination for security and safety. Lighting shall also comply with the provisions of Section 13.30.080.
3. **Loading Ramps.** Plans for loading ramps or truck wells shall be accompanied by a profile drawing showing the ramp, ramp transitions and overhead clearances.
4. **Location.** Loading spaces shall be:
  - a. As near as possible to the main structure and limited to the rear two-thirds of the parcel, if feasible;
  - b. Situated to ensure that the loading facility is screened from adjacent streets;
  - c. Situated to ensure that loading and unloading takes place on site and in no case faces a public street, or is located within a required front yard setback, adjacent public right-of-way, or other on-site traffic circulation areas;
  - d. Situated to ensure that vehicular maneuvers occur on site; and
  - e. Situated to avoid adverse impacts upon neighboring residential properties and located no closer than one hundred feet from a residential zoning district unless adequately screened, and authorized through design review approval.
5. **Screening.** Loading areas shall be screened from abutting parcels and streets with dense landscaping or solid masonry walls with a minimum height of six feet.
6. **Striping.** Loading spaces shall be striped, and identified for "loading only." The striping and "loading only" notations shall be continuously maintained in a clear and visible manner. (Ord. 205 § 1 (Exh. A), 2003; Ord. 285 § 1, 2020; Ord. 290 § 2, 2022)

## Chapter 13.42 - STANDARDS FOR SPECIFIC LAND USES

- 13.42.010 - Purpose.
- 13.42.020 - Applicability.
- 13.42.030 - Accessory retail and service uses.
- 13.42.040 - Agricultural accessory structures.
- 13.42.050 - Alcoholic beverage sales.
- 13.42.060 - Animal keeping.
- 13.42.070 - Bed and breakfast inns (B&Bs).
- 13.42.080 - Child day care facilities.
- 13.42.090 - Drive-in and drive-through facilities.
- 13.42.100 - Gas stations.
- 13.42.110 - Hay and feed sales.
- 13.42.120 - Home occupations.
- 13.42.130 - Live/work units.
- 13.42.140 - Mixed-use projects.
- 13.42.150 - Mobile homes.
- 13.42.160 - Mobile home parks.

- 13.42.165 - Mobile home park conversion.
- 13.42.170 - Mobile home as a temporary accessory dwelling.
- 13.42.180 - Outdoor retail sales and activities.
- 13.42.190 - Outdoor storage.
- 13.42.200 - Produce stands.
- 13.42.210 - Recycling facilities.
- 13.42.220 - Recreational vehicle parks.
- 13.42.230 - Religious facilities.
- 13.42.240 - Residential care facilities for the elderly.
- 13.42.245 - Residential uses—Emergency shelter.
- 13.42.250 - Residential uses—Multifamily housing.
- 13.42.260 - Residential uses—Residential accessory uses and structures.
- 13.42.265 - Residential uses—Second stories.
- 13.42.270 - Residential uses—~~Second units and carriage houses~~Accessory Dwelling Units.
- 13.42.275 - Single-room occupancy
- 13.42.280 - Windmills for electricity generation.
- 13.42.290 - Wineries.
- 13.42.300 - Zero lot line residential developments.

#### **13.42.010 - Purpose.**

This chapter provides site planning, development, and/or operating standards for certain land uses that are allowed by Division 2 within individual or multiple zoning districts, and for activities that require special standards to mitigate their potential adverse impacts. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.42.020 - Applicability.**

The land uses and activities covered by this chapter shall comply with the provisions of the sections applicable to the specific use, in addition to all other applicable provisions of this title.

- A. **Where Allowed.** The uses that are subject to the standards in this chapter shall be located in compliance with the requirements of Division 2.
- B. **Land Use Permit Requirements.** The uses that are subject to the standards in this chapter shall be authorized by the land use permit required by Division 2, except where a land use permit requirement is established by this chapter for a specific use.
- C. **Development Standards.** The standards for specific uses in this chapter supplement and are required in addition to those in Divisions 2 and 3.
  1. The applicability of the standards in this chapter to the specific land uses listed is determined by Sections 13.24.030, 13.26.030, and 13.28.030.
  2. In the event of any conflict between the requirements of this chapter and those of Divisions 2 or 3, the requirements of this chapter shall control. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.42.030 - Accessory retail and service uses.**

Retail sales and services, including restaurants, pharmacies and the sale of retail merchandise, are allowed accessory to a primary commercial, industrial, or institutional use where authorized by Division 2, in compliance with the following standards.

- A. **General Standard.** There shall be no external evidence of any commercial activity other than the primary use of the site (e.g., no signs, windows with merchandise visible from adjoining streets, etc.), nor access to any space used for the accessory retail or service use other than from within the primary structure.
- B. **Commercial and Industrial Zoning Districts.** Restaurants and retail sales are permitted in the commercial and PI zoning districts incidental and accessory to offices, hospitals and other medical

facilities; pharmacies are allowed accessory to hospitals and other medical facilities. Accessory restaurants, retail sales and other services are allowed in the industrial zoning district to serve on-site employees.

C. **Residential and Special Purpose Zoning Districts.** Clubs, lodges, and country clubs, social or recreational establishments in the RA, RE, RR, and RS zones may engage in retail sales for members and guests only.

D. **Review and Approval Required.** Accessory retail uses shall be subject to design review in compliance with Section 13.62.040. In order to approve an accessory retail or service use, the review authority shall first find that there will be no adverse effects on adjacent existing or potential residential uses from excessive traffic, noise or other effects of the accessory use. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.42.040 - Agricultural accessory structures.**

Agricultural accessory structures shall comply with the following requirements. Produce stands are instead subject to the requirements of Section 13.42.200.

A. **Timing of Installation.** An agricultural accessory structure shall only be constructed concurrent with or after the construction of a primary structure on the same site, unless:

1. The site is within the RA, RE, or RR zoning districts, is one acre or larger, and the proposed structure is a garage, or a barn, other structure used for confining animals and/or housing farm equipment or supplies, or a noncommercial greenhouse in compliance with Section 13.42.260(E)(3); or
2. Construction in advance of a primary structure is authorized through minor use permit approval.

B. **Setback Requirements.** An agricultural accessory structure shall comply with the setback requirements of the applicable zoning district, except where Section 13.42.060 establishes a different requirement for an animal keeping structure. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.42.050 - Alcoholic beverage sales.**

A. **Purpose.** The town wishes to pay special attention to establishments that sell alcohol because of their potential to create problems including littering, loitering, public intoxication and disturbances. At the same time, the town wishes to avoid imposing unduly burdensome requirements on local businesses by requiring commission or council approval of these uses.

B. **Permit Requirement.** The owner of an on- or off-sale liquor establishment shall obtain an alcoholic beverage permit from the planning director prior to commencing operations. This permit requirement shall not apply to liquor establishments in existence or those with all required land use approvals as of August 10, 2001, until such time as these establishments come under new ownership. However, a permit holder who is not grandfathered and is issued a different type of liquor license thereafter, shall file a supplemental land use application, and their permit shall be subject to additional land use conditions at the discretion of the planning director.

C. **Location Requirements.**

1. **Off-Sale.** An off-sale liquor establishment shall be separated by a minimum of five hundred feet from all schools, religious facilities, public parks and playgrounds.
2. **On-Sale.** An on-sale liquor establishment shall be separated by a minimum of three hundred feet from all schools, religious facilities, public parks and playgrounds with the exception of Blue Anchor Park where no separation shall be required.
  - a. The planning commission may grant exemptions from the three-hundred-foot separation requirement for on-site sales on a case by case basis, if the planning



commission finds that granting the exemption would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity. In approving the exemption, the Planning Commission may impose reasonable conditions to ensure compliance with this finding.

- b. The procedure for granting exemption shall be the same as in Section 13.64.070, but only approved by the planning commission.
3. The distance shall be measured between the nearest point of the grounds, in use as part of a school, religious facility, public park or playground, and the primary public entrance of the liquor establishment, along the shortest route intended and available for public passage.

D. **Operating Standards.** Each on- or off-sale liquor establishment shall comply with all of the following standards at all times.

1. **Complaints.** The owner shall designate him or herself, or one or more persons responsible for addressing complaints about operations and maintenance, and for responding to concerns of adjacent property owners and other members of the community. Each liquor establishment shall have a phone directory public telephone listing. Written notice of the designated person shall be on file with the town at all times.
2. **Consumption.** No alcoholic beverages shall be consumed on the premises of an off-sale liquor establishment that is not also an on-site liquor establishment.
3. **Employee Training.** All servers should, within ninety days of employment, complete an approved course in responsible beverage service training, including a review of pertinent state laws such as Alcoholic Beverage Control (ABC) and Penal Code provisions dealing with sale to minors; the effects of alcohol on people, including the impairment of driving skills; and methods of dealing with intoxicated customers and recognizing minors.
4. **Graffiti.** The owner or operator shall eliminate graffiti within seventy-two hours of notification by the town.
5. **Laws.** The establishment shall be maintained and operated in a manner that complies with all applicable laws, rules, and regulations.
6. **Noise.** Noise generated by the establishment shall not exceed sixty dBA at the property line if the abutting property is in a residential zoning district or occupied by a residential use, or sixty-five dBA at the property line if the abutting property is in a nonresidential zoning district or is occupied by a nonresidential use.
7. **Nuisance.** The establishment shall be maintained and operated in a manner that does not create or allow a public or private nuisance.
8. **Operation.** The establishment shall be maintained and operated in a manner that minimizes the congregation of individuals, loud noise, violence, on-site drunkenness, public urination, solicitation, loitering, and littering.
9. **Permit Posting.** A copy of the permit for alcohol sales shall be posted on the premises in a conspicuous place where it may be readily viewed by the public.
10. **Telephones.** Each public telephone located on an off-sale premises (or located in an adjacent area under the control of the off-sale licensee) shall be equipped with devices or mechanisms that prevent persons from calling into that public telephone, if requested by the chief of police.
11. **Trash.** Off-sale liquor establishments shall have litter and trash receptacles at convenient locations inside and outside the premises, and the operators shall remove trash and debris

on a daily basis to an enclosed trash receptacle.

E. **Conditions of Approval.** In addition to ensuring compliance with the operating standards in subsection D, the director is assigned the discretion to impose conditions on permits for alcohol sales that are reasonably calculated to mitigate adverse land use impacts that may otherwise occur as a result of operating a particular liquor establishment.

F. **Permit Issuance.** The director shall either approve or disapprove a permit for alcohol sales within ten days if the application for alcohol sales is deemed complete, and all other required permits by the town have been approved. The director or town staff shall inform the applicant as soon as possible of any information missing from the application. If the applicant has requested an exemption from the separation requirement pursuant to subsection (C)(2), the ten-day period will begin following final action by the planning commission. If the planning commission's decision is appealed, the ten-day period will begin following final action on the appeal by the town council.

G. **Revocation.** Except as otherwise provided by this section, a permit for alcohol sales may be revoked in the same manner as a use permit, for failure to comply with the standards in this section or any conditions of approval. As part of the revocation proceedings, the planning commission may issue a warning, suspend a permit for a specified amount of time, or permanently revoke the permit, based on the seriousness of the underlying misconduct and the applicant's apparent ability to operate the establishment in compliance with applicable standards and conditions in the future. The commission shall make written findings in support of its decision.

H. **Appeal.** The director's decision may be appealed to the planning commission within ten days of the decision. A planning commission decision may be appealed to the council in the same manner, and under the same circumstances, as an appeal of a decision to revoke a use permit. (Ord. 273 § 1, 2017; Ord. 205 § 1 (Exh. A), 2003)

#### 13.42.060 - Animal keeping.

The provisions of this section are intended to assist in maintaining the town's agricultural character while ensuring that the raising and maintenance of animals does not create adverse impacts on adjacent properties by reason of dust, noise, visual blight, odor, bright lights, or insect infestations.

A. **Pre-Existing Uses.** Any legally established animal keeping use that became nonconforming upon adoption of this section shall be permitted to continue subject to Chapter 13.72.

#### B. Allowable Animal Keeping Activities and Permit Requirements.

1. **Activities and Permit Requirements.** Animal keeping, including related animal husbandry activities (breeding, judging, etc.) is allowed only in compliance with the limitations on use and permit requirements in Table 4-1, and as provided by subsection E.

**TABLE 4-1 - ALLOWABLE ANIMAL KEEPING AND PERMIT REQUIREMENTS**

| Type of Animal                       | Permit Requirement by Zoning District |    |    |                  |       |
|--------------------------------------|---------------------------------------|----|----|------------------|-------|
|                                      | RA                                    | RE | RR | RS               | RM/RH |
| Aviary, fewer than 20 birds confined | P                                     | P  | P  | P                | —     |
| Aviary, 20 or more birds confined    | P                                     | P  | P  | —                | —     |
| Beekeeping                           | P                                     | P  | P  | —                | —     |
| Dog boarding kennels                 | UP                                    | UP | —  | —                | —     |
| Dog or cat breeding kennels          | P                                     | P  | P  | —                | —     |
| Fish farming                         | P                                     | P  | P  | —                | —     |
| Fowl and poultry                     | P                                     | P  | P  | P <sup>(2)</sup> | —     |
| Hogs and swine                       | P                                     | P  | —  | —                | —     |

| Type of Animal               | Permit Requirement by Zoning District |    |     |     |       |
|------------------------------|---------------------------------------|----|-----|-----|-------|
|                              | RA                                    | RE | RR  | RS  | RM/RH |
| Horses and cows              | P                                     | P  | MUP | —   | —     |
| Household pets               | P                                     | P  | P   | P   | P     |
| Large animals <sup>(1)</sup> | P                                     | P  | P   | MUP | —     |
| Rabbit breeding              | P                                     | P  | P   | P   | —     |
| Small animals <sup>(1)</sup> | P                                     | P  | P   | P   | P     |
| Worm farming                 | P                                     | P  | P   | P   |       |

**Key to permit requirements:**

|     |   |
|-----|---|
| P   | Permitted animal keeping, no town approval required for the specified animal keeping activity, provided that it complies with the standards in subsections C through F. |
| MUP | Minor use permit approval required in compliance with Section 13.62.050.  |
| —   | Type of animal or activity not allowed.   |

**Notes:**

- (1) See Table 4-2 for definitions of small and large animals.  
(2) Maximum of four hens allowed if property is under one-half acre in size.

2. **Minor Use Permit Requirement.** Where Table 4-1 allows a specified animal keeping use subject to minor use permit approval, the purpose of the discretionary review shall include the evaluation of how the proposed animals will be housed and/or confined, and whether the location, size, and design of the area on the site for animal keeping will be adequate to allow compliance with the other standards of this section without unreasonable effort on the part of the animal manager. In approving a minor use permit in compliance with this section, the review authority may limit the maximum number of animals allowed on the site as appropriate to the characteristics of the site, the surrounding land uses, and the species of animals proposed.

- C. **Animal Keeping Standards.** All animal keeping shall comply with the standards in Table 4-2.

**TABLE 4-2 - ANIMAL KEEPING STANDARDS**

| Type of Animal or Facility <sup>(6)</sup>               | Max. No. of Animals per Site <sup>(1)</sup>   | Minimum Lot Area <sup>(2)</sup> | Minimum Setbacks <sup>(3) (7)</sup> |                            |
|---|---|---------------------------------|-------------------------------------|----------------------------|
|   |   |                                 | From Side/Rear Property Lines       | From Streets and Dwellings |
| Aviary for 20 or more birds other than fowl and poultry | 20 per acre   | 1/2 acre                        | 25 ft                               | 50 ft                      |
| Dogs and cats   | 4 animals total on a site less than 1 acre;<br><br>4 of each species on a site of 1 acre or more. | None required                   | None required                       | None required              |

| Type of Animal or Facility <sup>(6)</sup>  | Max. No. of Animals per Site <sup>(1)</sup>   | Minimum Lot Area <sup>(2)</sup>                                   | Minimum Setbacks <sup>(3) (7)</sup>   |   |
|--|---|---|---|---|
|  |   |   | From Side/Rear Property Lines   | From Streets and Dwellings  |
| <b>Fowl and poultry</b> <sup>(4) (5)</sup>   | 12 per acre   | 1/2 acre <sup>(5)</sup>   | 20 ft   | 20 ft   |
| <b>Hogs and swine</b>  | 1 per acre  | 2 acres   | 50 ft   | 100 feet  |
| <b>Horses and cows</b>   | 2 per acre  | 1 acre  | 25 ft   | 50 ft   |
| <b>Other household pets and small animals</b> - Including pygmy goats (and other similar, small breeds), birds, chinchillas, guinea pigs, hamsters, pot belly pigs, rabbits, rodents, and other non-poisonous small animals, not raised for commercial purposes. | 4 animals total on a site less than 1 acre;<br><br>4 of each species on a site of 1 acre or more, where allowed by Table 4-1. | None for 4 or fewer animals;<br><br>1 acre for 5 or more animals. | None on a site of less than 1 acre;<br><br>10 ft on a site of 1 acre or more. | None on a site of less than 1 acre;<br><br>25 ft on a site of 1 acre or more. |
| <b>Large animals</b> - Emus, goats, llamas, miniature horses and donkeys, ostriches, sheep, and similar-sized animals.   | 6 per acre  | 1/2 acre  | 25 ft   | 50 feet for accessory structure, none for pasture.                            |

**Notes:**

- (1) Offspring allowed in addition to maximum number until weaned.
- (2) Minimum lot area required for the keeping of animals.
- (3) Minimum setbacks from all property lines for barns, shelters, pens, coops, cages, and other areas and structures where animals are kept in concentrated confinement; but not including areas continuously maintained as pasture. Animals shall not be kept in any required front yard setback except in pasture areas.
- (4) Guinea hens, peacocks, roosters, swans and geese are prohibited in the RS zoning district.
- (5) Maximum of four hens allowed if property is under one-half acre in size.
- (6) Animal slaughtering shall be prohibited in the RS zone.
- (7) The zoning administrator may reduce required side and rear yard setbacks to as little as zero for large lots after taking into account the lot size, structure size, and use of the proposed animal structure and determining that: (a) the structure will not interfere with emergency vehicle access; (b) the structure will comply with any required setback from dwellings; and (c) the proposed use of the structure will not create a nuisance. A proposed use will be considered to create a nuisance if the use is likely to cause discomfort or annoyance to any reasonable person of normal sensitivity residing in the area.

**D. Maintenance and Operational Standards.** All animal keeping shall comply with all of the following maintenance and operational standards.

1. **Odor and Vector Control.** All animal enclosures, including, but not limited to, pens, coops, cages and feed areas shall be maintained free from litter, garbage and the accumulation of manure, so as to discourage the proliferation of flies, other disease vectors and offensive odors. Each site shall be maintained in a neat and sanitary manner, and in compliance with Placer County environmental health department and animal control standards.

2. **Containment.** All animals shall be effectively contained on the site, and shall not be allowed to run free on any parcel in a separate ownership or in a public right-of-way.
3. **Waterway Protection.** The keeping of horses or cattle within fifty feet of any waterway shall first require director approval of a good housekeeping plan to protect the waterway from the polluting effects of runoff from the animal keeping area.
4. **Erosion and Sedimentation Control.** In no case shall an animal keeping operation be managed or maintained so as to produce sedimentation on any public road, adjoining property, or in any drainage channel. In the event sedimentation occurs, the keeping of animals outdoors on the site shall be deemed a nuisance and may be subject to abatement.
5. **Noise Control.** Animal keeping shall comply with the noise standards established by Section 13.30.070.
6. Animals must be kept according to local and state animal control welfare laws.

E. **Animal Husbandry Project Exception.** The keeping or raising of a calf, horse, goat, sheep, hog, chickens, rabbits, birds or other animals as a 4-H or Future Farmers of America (FFA) project is not subject to the requirements of this section, provided that:

1. A minimum of one-half acre of site area shall be required for each large animal, hog or swine;
2. The project animals shall be confined in a pen or fenced area that is located not closer than twenty-five feet to any dwelling other than on the project site; except that a hog or swine shall not be located closer than one hundred feet from any dwelling other than on the project site;
3. The number of animals complies with the limitations in subsection C; and
4. The animal keeping complies with the maintenance and operational standards in subsection D.

F. **Kennels and Animal Boarding.** Each kennel and other small animal boarding facility shall comply with the following standards:

1. **Minimum Site Area.** An animal boarding facility may be approved only on a parcel of 2.3 acres or larger.
2. **Enclosure Within Building.** All animal boarding establishments shall have space available for each animal within an entirely enclosed building. Animals shall be kept in an enclosed building from seven p.m. to seven a.m. (nine a.m. on weekends).
3. **Noise Control.** The building used for animal boarding shall be insulated, or otherwise constructed and maintained so that no noise from animals within the building is audible at the property line of the site. When the animals are outside of the building, barking or similar noise from the animals shall not occur longer than five minutes over a period of one hour. If the barking or similar noise occurs, as determined by the director from evidence submitted, the administrative citation process may be initiated.
4. **Management.** A manager of the facility shall be present on the site at all times. (Ord. 250 § 2, 2012; Ord. 249 §§ 2—4, 2012; Ord. 218 §§ 1, 2, 2005; Ord. 205 § 1 (Exh. A), 2003)

### **13.42.070 - Bed and breakfast inns (B&Bs).**

This section establishes standards for the development and operation of bed and breakfast inns (B&B). The intent of these provisions is to ensure that compatibility between the B&B and nearby residential uses.

A. **Exterior Appearance.** The exterior appearance of the structure housing the B&B in a residential zoning district shall not be altered from its original residential character except for allowed signs, and any structural modifications necessary to comply with Title 24 of the California Code of Regulations.

B. **Limitation on Guest Rooms.** The B&B shall be limited to five guest rooms.

C. **Limitation on Services Provided.** Service shall be limited to the rental of bedrooms or suites; and meal/beverage service shall be provided for registered guests only. Separate/additional kitchens for guests are not allowed. A B&B within a residential zoning district shall not be used for receptions, private parties, or similar activities, unless the activities are specifically authorized by the use permit approval for the B&B.

D. **Off-Street Parking.** Off-street parking shall be provided at a ratio of one space for each guest room, plus two covered spaces for the on-site owner/manager of the B&B. Parking shall not be located in the required front and side yard setback; and any night lighting for the parking area shall be limited to the minimum number of fixtures and illumination levels necessary for safety, and shall comply with Section 13.30.080.

E. **Signs.** See Chapter 13.38. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.42.080 - Child day care facilities.**

A. **Applicability.** Child day care facilities shall comply with the following standards. These standards apply in addition to the other provisions of this title and requirements imposed by the California Department of Social Services (DSS). DSS licensing is required for all facilities.

B. **Standards for Large Family Day Care Homes.** As required by state law, a large family day care home shall be approved if it complies with the following standards:

1. **Location Requirements.** In order to avoid the concentration of intensive, nonresidential land uses in residential neighborhoods, maintain residential character, and compatibility with adjacent residential uses, no large family day care home shall be located within five hundred feet of an existing large family day care home, or child day care center. In no case shall a residential property be directly abutted by a large family day care center on two or more sides.
2. **Parking, Drop-off Area.**
  - a. At least two off-street parking spaces shall be provided exclusively for dropping off and picking up children. The driveway may be used to provide the off-street parking required by Section 13.36.040, if the parking will not obstruct any required drop-off and pick up areas nor block any sidewalks or other public access. Alternative parking and drop-off arrangements may be approved by the director based on traffic and pedestrian safety considerations.
  - b. A home located on a street with a speed limit of thirty-five miles per hour or greater shall provide a drop-off/pick-up area designed to prevent vehicles from backing onto the street (e.g., circular driveway).
3. **Outdoor Activity Areas.**
  - a. Any side or rear yard areas intended for day care use shall be enclosed with a fence or wall to separate the children from neighboring properties.
  - b. Outdoor recreation equipment over eight feet in height shall be set back a minimum of five feet from perimeter property lines.
4. **Noise.** Noise generated from the large family day care home shall not exceed the standards

in Section 13.30.070.

5. **Additional Standards.** Each large family day care home shall comply with applicable building and fire codes, and standards adopted by the state, and Social Services Department licensing requirements (California Code of Regulations, Title 22, Division 2).

C. **Standards for Child Day Care Centers.**

1. **Minimum Site Area.** The minimum site area for a child day care center shall be ten thousand square feet.
2. **Fencing.** A six-foot high solid decorative fence or wall shall be constructed on all property lines, except in the front yard. Fences or walls shall provide for safety with controlled points of entry. Fences and walls shall be provided in combination with landscape materials to help mitigate the appearance of long, flat walls.
3. **Parking and Loading.**
  - a. Off-street parking shall be provided as required through the use permit process, but shall be a minimum of one space per employee on the largest shift.
  - b. Picking up and dropping off of children shall not create unsafe conditions. Loading and unloading of children from vehicles shall only be allowed in the driveway or in an approved parking area.
4. **Noise.** Potential noise sources shall be identified during the use permit process, and noise attenuation and sound dampening shall be addressed.
5. **Activity/Play Areas.** The facility shall be provided with both indoor and outdoor play areas in compliance with state requirements. (Ord. 205 § 1 (Exh. A), 2003)

**13.42.090 - Drive-in and drive-through facilities.**

This section establishes standards for the development and operation of a retail or service use providing drive-in/drive-through facilities.

A. **General Standards.** Drive-in and drive-through facilities shall be designed and operated to mitigate problems of congestion, excessive pavement, litter, and noise.

B. **On-Site Circulation Standards.** Drive-through facilities shall be provided internal circulation and traffic control as follows, provided that the review authority may approve alternate circulation and traffic control arrangements where it first finds that the alternate design will, given the characteristics of the site, be equally effective in ensuring on- and off-site pedestrian and vehicular traffic safety and minimizing traffic congestion.

1. **Aisle Design.**
  - a. The entrance/exit of any drive-through aisle shall be at least fifty feet from an intersection of public rights-of-way (measured at the closest intersecting curbs) and at least twenty-five feet from the edge of any driveway on an adjoining parcel.
  - b. Drive-through aisles shall be designed with a minimum ten-foot interior radius at curves and a minimum ten-foot width.
2. **Stacking Area.** A clearly identified area shall be provided for vehicles waiting for drive-through service that is physically separated from other on-site traffic circulation.
  - a. The stacking area shall accommodate a minimum of five cars for each drive-through window in addition to the vehicle receiving service.

- b. The stacking area shall be located at and before the menu board, teller window, etc.
  - c. Separation of the stacking area from other traffic shall be by concrete curbing or paint striping on at least one side of the lane.
  - d. Stacking areas parallel to streets or public rights-of-way shall be discouraged.
3. **Walkways.** Pedestrian walkways should not intersect the drive-through aisles, but when necessary, they shall have clear visibility and shall be emphasized by enhanced paving.

C. **Signs.**

- 1. **Directional Signs.** Each entrance to, and exit from, any drive aisle shall be clearly marked to show the direction of traffic flow by signs and pavement markings or raised curbs.
- 2. **Menu Boards.** Menu boards shall not exceed twenty-four square feet in area, with a maximum height of six feet, and shall face away from public rights-of-way. Outdoor speakers shall be located at least fifty feet from any residentially zoned/occupied parcel. (Ord. 205 § 1 (Exh. A), 2003)

**13.42.100 - Gas stations.**

This section establishes standards for the development and operation of service stations.

A. **Location.** A service station shall be allowed only on a corner parcel at the intersection of either two major streets, or a major and a minor street. No more than two service stations shall be allowed at any intersection.

B. **Site Requirements.** A service station may be approved only on a site with a minimum area of fifteen thousand square feet, and a minimum frontage of one hundred feet on each street.

C. **Site Access/Driveway Standards.**

- 1. A service station shall be provided no more than two vehicular access points to/from the public right-of-way.
- 2. Curb cuts for service station driveways shall be separated by a minimum of thirty feet from edge-to-edge.
- 3. Driveways shall not be located closer than fifty feet to the end of a curb corner nor closer than twenty-five feet to an interior property line.
- 4. The width of a driveway shall not exceed twenty-five feet, measured at the sidewalk.
- 5. Each pump island shall be provided a stacking area that can accommodate a minimum of three waiting vehicles.

D. **Setbacks.** Pump islands shall be located a minimum of fifteen feet from any property line to the nearest edge of the pump island; however, a canopy or roof structure over a pump island may encroach up to ten feet within this distance. When the property line is a street right-of-way line, at least five feet in width along the line shall be landscaped.

E. **Landscaping.** Landscaping shall comprise a minimum of ten percent of the service station site area, exclusive of required setbacks, and shall be provided and permanently maintained in compliance with the following regulations, as well as those in Chapter 13.36.

- 1. A minimum fifteen-foot wide, inside dimension, and six-inch high curbed landscaped planter area shall be provided along the front property line, except for openings to allow vehicular circulation to adjacent properties, and along side and rear property lines adjoining residentially zoned parcels. Where adjoining a perimeter wall, the planter areas shall have a



minimum inside dimension of six feet, and shall include trees planted not more than sixteen feet apart.

2. An on-site planter area of not less than two hundred square feet shall be provided at the corner of two intersecting streets. Landscaping in this planter shall not exceed a height of thirty inches.
3. Additional landscaping may be required by the director to screen the service station from adjacent properties.

F. **Lighting.** Exterior light sources, including canopy, perimeter, and flood shall be energy efficient, stationary, and shielded or recessed within the roof canopy to ensure that all light is directed away from adjacent properties and public rights-of-way. Lighting shall not be of a high intensity so as to cause a traffic hazard, be used as an advertising element, or adversely affect adjacent properties, in compliance with Section 13.30.080.

G. **Service Bays.** The entrance to any service bay shall be located and designed to minimize visibility from adjacent properties.

H. **Screening.** A service station site that adjoins a residential zoning district shall be provided an eight-foot high decorative masonry wall along the common property line, compatible with on-site development and adjacent properties. Restroom entrances otherwise visible from adjacent properties or public rights-of-way shall be concealed from view by planters or decorative screening.

I. **Indoor Activities Only.** Activities and operations shall be conducted entirely within an enclosed structure, except for:

1. The dispensing of petroleum products, water and air from pump islands;
2. The provision of emergency service of a minor nature; and
3. The sale of items via vending machines, which shall be placed next to the main structure in a designated area not to exceed thirty-two square feet, and which shall be screened from public view.

J. **Parking.** Off-street parking shall be provided in compliance with Chapter 13.36. Vehicles shall not be parked on sidewalks, parkways, driveways or alleys, and shall not be parked on the premises for the purpose of sale.

K. **Scrap and Other Materials.** Used or discarded vehicle parts or equipment, junked or wrecked vehicles shall not be stored in any open area outside of the main structure.

L. **Restrooms.** Each service station shall maintain one or more restrooms available for use by the general public without charge. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.42.110 - Hay and feed sales.**

Where allowed by Division 2, hay and feed sales in a residential zoning district shall require that the owner of the business live on the same site where the sales occur, and that no more than one truck shall be stored in conjunction with the business. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.42.120 - Home occupations.**

This section provides location and operational standards for home occupations. These standards are intended to allow for reasonable opportunities for employment within the home, while avoiding changes to the residential character of a dwelling that accommodates a home occupation, or the surrounding neighborhood.

A. **Permit Requirement.** The director is authorized to approve one or more home occupation

activities accessory to the primary residential use of the site in conjunction with a town business license.

B. **Limitations on Use.** The following are examples of business activities that may be approved as home occupations, and uses that are prohibited as home occupations.

1. **Allowed Home Occupations.** The following and other uses determined by the director to be similar may be approved by the director in compliance with this section.
  - a. Art and craft work (ceramics, painting, photography, sculpture, etc.);
  - b. Tailors, sewing, etc.; and
  - c. Office-only uses, including an office for an architect, attorney, consultant, counselor, insurance agent, tutor, writer, etc., and electronic commerce.
2. **Uses Prohibited as Home Occupations.** The following are examples of business activities that are not incidental to or compatible with residential activities, and are, therefore, prohibited as home occupations.
  - a. Adult entertainment activities/businesses;
  - b. Animal hospitals and boarding facilities;
  - c. Automotive and other vehicle repair and service (body or mechanical), painting, storage, or upholstery, or the repair, reconditioning, servicing, or manufacture of any internal combustion or diesel engines, or of any motor vehicle, including automobiles, boats, motorcycles, or trucks;
  - d. Commercial cabinet or furniture making, and similar uses;
  - e. Contractor's storage yards;
  - f. Dismantling, junk, or scrap yards;
  - g. Exercise studios (not including one-on-one personal trainers);
  - h. Medical clinics, laboratories, or doctor's offices;
  - i. Personal services as defined in Division 6, but not including licensed massage therapists and physical therapists;
  - j. On-site sales (mail order businesses may be allowed where there is no stock-in-trade on the site);
  - k. Uses which require explosives or highly combustible or toxic materials;
  - l. Welding and machine shop operations; or
  - m. Other uses the director determines to be similar to those listed above.

C. **Operating Standards.** Home occupations shall comply with all of the following operating standards.

1. **Accessory Use.** The home occupation shall be clearly secondary to the full-time use of the property as a residence.
2. **Location of Home Occupation Activities.** All home occupation activities shall occur entirely within:
  - a. The main dwelling, and shall not exceed twenty-five percent of the gross floor area or

one room, whichever is greater; or

- b. The garage or other approved accessory structure. Use of a garage shall not interfere with the ability to maintain the required number of parking spaces on the site.
3. **Visibility.** The use shall not require any modification not customarily found in a dwelling, nor shall the home occupation activity be visible from the adjoining public right-of-way, or from neighboring residential properties.
4. **Display, Signs.** There shall be no window display or advertising signs, other than one name plate not exceeding one square foot in area. There shall be no display of merchandise, equipment, stock-in-trade, or other identification of the home occupation activity on the premises.
5. **Parking.** The use shall not negatively impact on-street parking in the neighborhood.
6. **Safety.** Activities conducted and equipment or material used shall not change the fire safety or occupancy classifications of the premises. The use shall not employ the storage of flammable, explosive, or hazardous materials beyond those normally associated with a residential use.
7. **Off-Site Effects.** No home occupation activity shall create dust, electrical interference, fumes, gas, glare, light, noise, odor, smoke, toxic/hazardous materials, vibration, or other hazards or nuisances as determined by the director.
8. **Employees.** A home occupation shall have no on-site employees other than full-time residents of the dwelling.
9. **Customers or Deliveries.** The frequency of visitors, customers, or deliveries shall not exceed that normally and reasonably occurring for a residence. On-site presence of clients shall be limited to one client or family at a time.
10. **Motor Vehicles.** There shall be no motor vehicles used or kept on the premises, except residents' passenger vehicles, and/or one pickup truck, van, or similar vehicle not exceeding one ton carrying capacity. The commission may authorize other types and/or additional vehicles with use permit approval.
11. **Utility Service Modifications.** No utility service to the dwelling shall be modified solely to accommodate a home occupation, other than as required for normal residential use. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.42.130 - Live/work units.**

This section provides standards for the development of new live/work units and for the reuse of existing commercial and industrial structures to accommodate live/work opportunities. Live/work units are intended to be occupied by business operators who live in the same structure that contains the commercial activity or industry.

- A. **Limitation on Use.** The nonresidential component of a live/work project shall be a use allowed within the applicable zoning district by Division 2.
- B. **Access.** Each live/work unit shall have an access clearly separate from other live/work units or other uses within the structure.
- C. **Density.** One live/work unit shall be allowed for each three thousand square feet of lot area.
- D. **Minimum Floor Area.** The minimum net floor area of a live/work space shall be seven hundred fifty square feet. A minimum of thirty percent of the gross floor area shall be for studio/business use.

E. **Occupancy.** Live/work quarters shall be occupied and used only by a business operator, caretaker, or a family of which at least one member shall be the business operator.

F. **Residential Uses.** All of the live/work quarters shall be used or arranged for residential purposes (e.g., bathroom, closet, kitchen, and sleeping area).

G. **Parking.** Each live/work unit shall be provided with at least two off-street parking spaces. The review authority may modify this requirement for the use of existing structures with limited parking.

H. **Prohibited Uses.** A live/work unit shall not be established or used in conjunction with the following activities:

1. Adult-oriented businesses;
2. Vehicle maintenance or repair (e.g., body or mechanical work, including boats and recreational vehicles), vehicle detailing and painting, upholstery, etc.);
3. Storage of flammable liquids or hazardous materials beyond that normally associated with a residential use;
4. Welding, machining, or any open flame work; and
5. Any other uses, as determined by the director to not be compatible with residential activities. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.42.135 – Single room occupancy.**

~~This section establishes when and under what circumstances single room occupancy (SRO) will be allowed.~~

~~A. **Location.** A single room occupancy (SRO) facility shall comply with the requirements of this section, where allowed by Chapter 13.42, of this title along with the general regulations within the allowed zones.~~

~~B. **Application.** A proposed SRO facility shall require site plan review in compliance with section 13.44.050 of this chapter. Where specified in this title, an SRO facility shall require approval of a use permit in compliance with sections 13.24 and 13.44.050 of this title.~~

~~C. **Design and Development Standards.** The use of a single room occupancy shall comply with the following standards:~~

##### ~~1. **Single Room Occupancy Facilities**~~

~~a. **Common Area:** Four (4) square feet per living unit shall be provided, with at least two hundred (200) square feet in the area of interior common space, excluding the cleaning supply room, laundry facilities and common hallways.~~

~~b. **Laundry Facilities:** Laundry facilities must be provided in a separate room at the ratio of one washer and one dryer for every twenty (20) units or fractional number thereof, with at least one washer and dryer per floor.~~

~~c. **Cleaning Supply Room:** A cleaning supply room or utility closet with a washtub with hot and cold running water shall be provided on each floor of the SRO facility.~~

~~d. **Bicycle Parking:** A minimum of one bicycle parking space shall be provided for every three (3) SRO units, subject to the criteria of section 13.36.060 of this chapter.~~

~~e. **Trash Enclosure:** An SRO facility shall provide a trash enclosure, subject to the criteria of section 13.30.120 of this chapter.~~

~~f. **Vehicle Parking:** Off-street parking shall be provided consistent with section 13.36.40 of this chapter.~~

~~2. **Single Room Occupancy Units**~~

~~a. **Unit Size:** Unit Size: An SRO unit shall have a minimum size of one hundred fifty (150) square feet and a maximum of four hundred (400) square feet.~~

~~b. **Occupancy:** An SRO unit shall accommodate a maximum of two (2) persons.~~

~~c. **Bathroom:** An SRO unit is not required to but may contain partial or full bathroom facilities. A partial bathroom facility shall have at least a toilet and sink; a full facility shall have a toilet, sink and bathtub, shower or bathtub/shower combination. If a full bathroom facility is not provided, common bathroom facilities shall be provided in accordance with the California building code for congregate residences with at least one full bathroom per floor.~~

~~d. **Kitchen:** An SRO unit is not required to but may contain partial or full kitchen facilities. A full kitchen includes a sink, a refrigerator and a stove, range top or oven. A partial kitchen is missing at least one of these appliances. If a full kitchen is not provided, common kitchen facilities shall be provided with at least one full kitchen per floor.~~

~~e. **Closet:** Each SRO unit shall have a separate closet.~~

~~f. **Code Compliance:** SRO units shall comply with all requirements of the California building code.~~

~~3. **Accessibility.** All SRO units and facilities shall comply with all applicable accessibility and adaptability requirements. All common areas shall be fully accessible.~~

~~4. **Management.**~~

~~a. **Facility Management:** An SRO facility with fifteen (15) or more units shall provide on-site management. An SRO facility with less than fifteen (15) units shall provide a management office on site.~~

~~5. **Tenancy.** Tenancy of SRO units shall be limited to thirty (30) or more days.~~

~~6. **Existing Structures.** An existing structure may be converted to an SRO facility, consistent with the provisions of this section and the development standards of the zone regulations of the zones in which the SRO is an authorized use.~~

~~7. **Business License.** The organization or company operating the SRO facility shall obtain a town business license before commencing operations, in accordance with title 5, chapter 5.04 of this code.~~

~~**D.Low Barrier Navigation Center.** Development of Low Barrier Navigation Centers are allowed by right in areas zoned for mixed uses and nonresidential zones permitting multifamily uses if it meets specified requirements. See Section 13.24.040 and Section 13.26.040.~~

### **13.42.140 - Mixed-use projects.**

This section provides standards for the design of mixed-use projects.

A. **Design Considerations.** A mixed-use project shall be designed to achieve the following objectives.

1. The design shall provide for internal compatibility between the different uses.

2. Potential noise, odors, glare, pedestrian traffic, and other potentially significant impacts on residents shall be minimized to allow a compatible mix of residential and nonresidential uses on the same site.
3. The design of the mixed-use project shall take into consideration potential impacts on adjacent properties and shall include specific design features to minimize potential impacts.
4. The design of a mixed-use project shall ensure that the residential units are of a residential character, and that privacy between residential units and between other uses on the site are maximized.
5. The design of the structures and site planning shall encourage integration of the street pedestrian environment with the nonresidential uses through the use of plazas, courtyards, walkways, and street furniture.
6. Site planning and building design shall be compatible with and enhance the adjacent and surrounding residential neighborhood in terms of scale, building design, color, exterior materials, roof styles, lighting, landscaping, and signage.

~~B. **Preferred Mix of Uses.** Mixed-use projects that provide commercial and/or office space on the ground floor with residential units above (vertical mix) are encouraged over projects that provide commercial structures on the front portion of the lot with residential uses placed at the rear of the lot (horizontal mix).~~

**B. Maximum Density.** When residential dwelling units are combined with office, or retail commercial uses in a single building or on the same parcel, ~~the maximum density shall be fifteen dwelling units per net acre.~~ the maximum density shall be in compliance with Section 13.24.040 Table 2-4 and Section 13.26.040 Tables 2-7 and 2-8.

**C. Location of Units.** Residential units shall not occupy ground floor space within the first fifty feet of floor area measured from each building face adjacent to a street, or any ground floor space in the CC zoning district.

**D. Loading Areas.** Commercial loading areas shall be located as far as possible from residential units and shall be screened from view from the residential portion of the project to the maximum extent feasible.

**E. Refuse and Recycling Areas.** Areas for the collection and storage of refuse and recyclable materials shall be located on the site in locations that are convenient for both the residential and nonresidential uses.

~~F. **Lighting.** All lighting for commercial uses shall be designed to minimize adverse impacts to residential units, in compliance with Section 13.30.080. Lighting for the commercial uses shall be appropriately shielded to not negatively impact the residential units.~~

**G. Noise.** All residential units shall be designed to minimize adverse impacts from nonresidential project noise, in compliance with Section 13.30.070.

**H. Design Review.** All proposed mixed-use projects are subject to Design Review per Section 13.62.040.

~~I. **Hours of Operation.** A mixed-use project proposing a commercial component that will operate outside of the hours from 8:00 a.m. to 6:00 p.m. shall require minor use permit approval to ensure that the commercial use will not negatively impact the residential uses within the project. (Ord. 205 § 1 (Exh. A), 2003)~~

### **13.42.150 - Mobile homes.**

This section provides requirements and development standards for the use of mobile homes as single-

family dwellings outside of mobile home parks.

A. **Site and Coach Requirements.** A mobile home may be located on a parcel outside of a mobile home park if the mobile home and the parcel comply with the following standards:

1. The parcel is within a zoning district that allows single-family dwellings;
2. The site and coach shall comply with all zoning, subdivision, and development standards applicable to a conventional single-family dwelling on the same parcel;
3. The mobile home shall be placed on a permanent foundation system;
4. The mobile home is certified under the National Mobile Home Construction and Safety Standards Act of 1974, and has been constructed after January 1, 1989.

B. **Design and Development Standards.** The use of a mobile home for a single-family dwelling or an accessory dwelling unit shall comply with the following standards.

1. The exterior siding and trim shall be of materials and treatment found in conventionally built residential structures in the surrounding area.
2. The roofing material shall be of a material and treatment found on conventionally built residential structures in the surrounding area.
3. The exterior roofing and siding materials and treatment, including trim, of the mobile home and the required garage shall be compatible.
4. The roof shall have eave and gable overhangs of not less than twelve inches measured from the vertical side of the home. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.42.160 - Mobile home parks.**

Each new mobile home park shall comply with the following minimum standards. The review authority may impose other, more restrictive, requirements in the interest of public health, safety, and welfare.

A. **Overall Mobile Home Park Site Standards.** The site for the mobile home park shall comply with the following standards.

1. Minimum site area: ten acres.
2. Maximum density: eight units per acre.
3. **Boundary Greenbelt Building Setback.** Each park shall provide a building setback and a greenbelt planting strip of at least ten feet in width where trees shall be planted and where general screening and/or a fence shall be provided. Where any portion of the park fronts on a public street, the setback shall be twenty-five feet.
4. **Perimeter Wall/Fence.** A six-foot high solid masonry wall, or a solid wood fence with masonry posts spaced at intervals not less than thirty feet shall be provided around the entire perimeter of the mobile home park subject to the setback requirements of this section.
5. **Parking.** Parking shall be provided in compliance with Chapter 13.36.
6. **Landscaping.** Landscaping shall be provided in compliance with Chapter 13.34.
7. **Recreational Vehicle Parking.** A supplemental parking area for recreational vehicles may be allowed as part of the use permit approval for the project.
8. **Accessory Uses.** A mobile home park may contain accessory retail and service uses for

the convenience of the residents provided that these uses shall be located within the park interior, and shall comply with Section 13.42.030.

**B. Individual Mobile Home Site Standards.** Each individual mobile home site shall comply with the following standards:

1. **Minimum Site Area.** Individual mobile home sites and contiguous public walkway areas shall contain a minimum of three thousand square feet of area for a single-wide mobile home unit and four thousand square feet for a double-wide mobile home;
2. **Parcel Dimensions.** Individual mobile home parcels shall be a minimum of forty feet in width and seventy feet in length;
3. **Setbacks.** Individual mobile homes shall be set back five feet from all lot lines, including front and rear, except for any side or rear line abutting the mobile home park property line, in which case the minimum setback shall be twenty-five feet;
4. **Carport.** Each mobile home site shall be provided an individual carport, with its location and design as approved through the mobile home park use permit. (Ord. 205 § 1 (Exh. A), 2003)

### **13.42.165 - Mobile home park conversion.**

**A. Purpose.** The town of Loomis wishes to ensure that any proposed conversion of an existing mobile home park to any other use is preceded by adequate notice, that the social and fiscal impacts of the proposed conversion are adequately defined prior to consideration of a proposed conversion and that relocation and other assistance is provided park residents, consistent with the provisions of the ordinance codified in this chapter and Sections 65863.7 and 664427.4 of the California Government Code.

**B. Notice Required for Vacancy Rate in Excess of Twenty Percent.** Whenever twenty percent or greater of the total number of spaces in existence in the mobile home park are vacant or otherwise uninhabited and such situation was not caused by physical disaster, including, but not limited to, fire, flood, storm, earthquake, landslide, or by another natural condition beyond the control of the owner or operator of the mobile home park, the owner or operator of the park shall file with the director a written notice informing the town of the current vacancy rate in the park. For purposes of this chapter, a mobile home site is "uninhabited" or "vacant" when it is either: (1) unoccupied by a mobile home, or (2) occupied by a mobile home in which no persons reside. A mobile home shall not be considered vacant for purposes of this chapter if rent is being paid pursuant to a bona fide rental or lease agreement and the mobile home is merely unoccupied. The written notice to the director shall clearly state any known reasons for the vacancy rate to be in excess of twenty percent and whether or not the property owner intends in the immediate future to convert the mobile home park to another use.

**C. Permit Required.** In addition to any other required discretionary permit applications, the conversion of an existing mobile home park to any other use shall require the use permit review by the commission in accordance with Section 13.62.050. Each such application shall include the following and any additional information as may be required by this chapter and the director.

1. A detailed narrative description of the proposed use to which the mobile home park is to be converted, including whether any other discretionary approvals are required.
2. The proposed timetable for implementation of the conversion, closure or cessation of use of the land as a mobile home park and development of the site.
3. Evidence that any tenant's rent had not been increased within the two months prior to the filing of an application for conversion of a mobile home park, and a statement from the applicant that the rent at the mobile home park shall not be increased for two years from the date of filing of the conversion application or until the date of commencement of relocation activities.



4. A report on the impact of the conversion of the mobile home park on its residents and a disposition/relocation plan addressing the availability of replacement housing for existing tenants of the mobile home park consistent with Section 65863.7 of the California Government Code in accordance with subsection D of this section.
5. Upon filing an application for a use permit for conversion, the director shall inform the application of the requirements of Civil Code Section 798.56 and Government Code 65863.8 regarding notification of the mobile home park residents concerning the proposed conversion. The director shall specify in writing to the applicant the information that must be submitted in order to adequately notify all existing tenants as required by the California Government Code, the California Civil Code, and this chapter.
6. A list of the names and addresses of all residents occupying a mobile home space within the park as of the date of submitting the application.
7. A supply of envelopes, pre-addressed labels for each park resident, and postage in an amount deemed sufficient by the director to permit notification to the residents as required by this division. The applicant shall promptly supply additional envelopes, pre-addressed labels, and postage upon request of the department.

**D. Conversion Impact Report Required.** The department shall select a consultant to perform a conversion impact study within thirty days of the receipt of a written request from the applicant. The applicant shall be notified, in writing, of the estimated cost of the study and shall deposit that sum with the department prior to the commencement of any work on the study. The town will then contract with a consultant for the preparation of the conversion impact study. If at any time during the contract period, additional monies are needed to complete the conversion impact study, the applicant will be advised, in writing, of the amount that is required. Before any additional work is performed on the conversion study, the applicant shall provide the additional sum to the department. Any excess funds remaining upon completion of the impact study shall be returned to the applicant.

1. The conversion impact study shall be tailored to address the specific problems and needs of each application and mobile home park. However, each study shall contain the following information:
  - a. The location of all comparable mobile home parks within southern Placer County, including the park name, number of comparable lots, number of vacancies, lease rates and terms, policies and restrictions on the type of mobile homes and residents accepted, amenities offered, and proximity to services (bus stops, grocery stores, etc.). If the comparable parks with available spaces equal to, or greater than, the mobile home park identified in the application for a conversion permit, the study area shall be expanded until the number of available lots in comparable mobile home parks are identified, but in no case shall the study extend beyond fifty miles of the town limits;
  - b. The number of residents in the mobile home park, together with the following information: names and addresses; current lease or rental rates and terms; length of occupancy; and age, condition, and the size of the affected mobile homes. Information on household income, ages, and physical disabilities, if any, of residents shall also be included whenever possible;
  - c. A determination based on the information provided in subsections (D)(1)(a) and (D)(1)(b) of this section, on the number of homeowners of the affected park who are able to relocate their mobile homes to a comparable mobile home park;
  - d. The average vacancy rate, mobile home lot lease rates, and tenant rental rates in the affected mobile home park for each of the three years prior to the filing of the application for a conversion permit;

- e. The number of evictions, and the reason(s) for each eviction, in the affected mobile home park during the three years prior to the filing of the application for a conversion permit;
- f. The estimated reasonable cost of relocating the mobile homes identified in subsection (D)(1)(b) of this section to available lots in comparable mobile home parks within the impact study area. The cost of relocating shall include the costs of dismantling, packing, moving, reassembling, rebuilding, and unpacking, as necessary, the mobile home, all personal property, skirting, tiedowns, and other foundation and stabilizing materials, and all other associated structures and property;
- g. Determine the fair market value of each mobile home, and all associated fixed property, which cannot be relocated to a comparable mobile home park. In determining fair market value, the consultant shall consider the mobile homes in their current location, assuming the continuation of the mobile home park in a safe, sanitary, and well-maintained condition and competitive lease rates. The consultant shall specify why the mobile home cannot be relocated to a comparable mobile home park and the basis for determining the value of the mobile home;
- h. The availability and cost of renting housing of comparable size and quality in the town for each mobile home park tenant;
- i. A relocation plan which will include a timetable for implementing the physical relocation of mobile homes, implementation of relocation assistance, and conversion of the park to one or more uses, or cessation or closure of use of the land as a mobile home park;
- j. An identification of relocation assistance for each resident based on subsection (D)(1)(f) of this section;
- k. A list of persons, firms, and organizations with proven expertise in the fields of housing and relocation of persons displaced from housing. Those listed shall be qualified in assisting residents and tenants in locating replacement housing, rendering financial advice on qualifying for various types of housing, explaining the range of housing alternatives available, gathering the presenting to persons needing housing relocation assistance adequate information as to available housing, and/or being able to transport persons unable to drive to housing alternatives. These lists shall include the names, addresses, telephone numbers, and fee schedules of persons who are qualified appraisers of mobile homes. The information shall include an explanation of the services which the housing specialists can provide;
- l. Any other information which the department determines is needed to address the specific issues raised by the application, the impact study, and in order to implement this division.

**E. Required Findings for Conversion.** In approving a use permit for a mobile home park conversion, the commission shall find that the proposed conversion meets the following requirements in addition to the other requirements of this chapter:

1. That the proposed use of the property is consistent with the general plan and any and all of its elements, any applicable specific plan or planned unit development plan or similar mechanism provided for in state law or town ordinances and this chapter;
2. That the residents of the mobile home park have been adequately notified of the proposed conversion, including information pertaining to the anticipated timing of the proposed conversion;
3. That there exists land zoned for new or replacement comparable mobile home parks or

adequate space is available in other comparable mobile home parks within Placer County, or an acceptable nearby county, for the residents who will be displaced;

4. That the conversion will not result in the displacement of very-low, low-, or moderate-income mobile home residents or senior citizens over the age of sixty-two who cannot afford rents charged in other mobile home parks within the Placer County unless otherwise approved by the commission;
5. That the age type, size and style of mobile homes to be displaced as a result of the conversion will be able to be relocated into other comparable mobile home parks within Placer County, or that the applicant has agreed to purchase any mobile home that cannot be relocated at its in-place value as provided for in this chapter;
6. That any mobile home residents displaced as a result of the conversion shall be compensated by the applicant for all reasonable costs incurred as a result of their relocation;
7. That the relocation plan mitigates the impacts of the displacement of individuals or households for a reasonable transition period and mitigates the impacts of any long-term displacement.

F. **Conditions of Approval.** The commission shall impose any necessary and appropriate conditions of approval to satisfy and implement the intent, purpose, and content of this chapter in addition to those of the use permit (Section 13.62.050(G)). The commission shall require the applicant to enter into an agreement with the town to ensure compliance with, and the fulfillment of, the conditions of approval. Such conditions may include, without limitation, the following:

1. An effective date of termination of tenancy of not less than six months from the date of the approval of the conversion permit (as required by Civil Code 798.56.(f)) so as to provide sufficient time for the relocation of the mobile homes to other parks;
2. Payment of relocation assistance to each resident who resided in the park at the time of, or subsequent to, the filing of the conversion permit application;
3. Time for payment of relocation assistance, including payment to residents who relocate within thirty days of approval of the conversion permit;
4. Full payment to each part resident of the resident's reasonable costs of relocation, which may include:
  - a. For homeowners, who are unable to relocate, a determination of a fair price for their mobile homes based on information contained in the impact study and received at the public hearing,
  - b. For homeowners who relocate within the study area, the actual costs of dismantling, moving, re-assembling, and rebuilding, as necessary, the mobile home, skirting, tiedowns, and other foundation and stabilizing materials, and all other associated structures and property; packing, moving, and unpacking all personal property; and in-transit costs for meals, lodging and gas,
  - c. For homeowners who relocate their mobile home to a mobile home park outside of the impact study area, or to a location other than a mobile home park, assistance may consist of the estimated cost they would have incurred had they relocated to the closest mobile home park which would accept their mobile home, as determined by the impact study,
  - d. For tenants, the costs may include all reasonable expenses incurred in moving to a new location, up to a maximum distance of twenty miles,

- e. Relocation assistance to full-time, very-low, low-, and moderate-income residents and senior citizens over the age of fifty-two residing in the park for a minimum period of twelve months following closure of the mobile home park,
  - f. A guarantee that all tenants sixty-two years of age or older and all tenants who are medically proven to be permanently disabled shall not have to pay an increase in rent over the amount currently paid for a period of two years following relocation,
  - g. Indemnification for any damage to personal property of the resident caused by the relocation, reasonable living expenses of displaced park residents from the date of actual displacement to the date of occupancy at the new site; payment of any security deposit required at the new site; and the difference between the rent paid in the existing park and any higher rent at the new site for the first twelve months of the relocated tenancy. When any tenant has given notice of intent to move prior to town approval of the use permit, eligibility to receive moving expenses shall be forfeited;
5. In order to facilitate a proposed conversion, closure, or cessation of use of a mobile home park, the residents and applicant(s) may agree to mutually satisfactory conditions. To be valid, however, such an agreement shall be in writing, shall include a provision stating that the resident is aware of the provisions of this division, shall include a copy of this division as an attachment, shall include a provision in at least ten-point type which clearly informs the resident that he has the right to seek the advice of an attorney of his or her choice prior to signing the agreement with regard to his or her rights under such agreement and shall be drafted in the form and content otherwise required by applicable state law;
  6. Each year, on the anniversary date of the approval of the original conversion permit, the relocation assistance provided for by the approving body shall be increased by an amount equivalent to the increase in the cost-of-living index for the Sacramento area, published by the U.S. Department of Labor. The index shall be for the quarterly period closest to the anniversary date of the permit.

**G. Issuance of Grading and/or Building Permits.** No building permit shall be issued for the development of or on any real property which is being converted from a mobile home park pursuant to this chapter unless and until the applicant has filed with the director a verified statement made under penalty of perjury that all conditions of approval have been met or otherwise incorporated into the final project plans including the payment of all required relocation assistance required pursuant to this chapter. Such statement shall identify in itemized form each payee, the amount paid, the date of payment, and the type of relocation or other assistance for which each such payment was made.

**H. Violations.** In addition to any remedies or penalties for noncompliance with any town ordinance as provided elsewhere in the municipal code, any park owner or applicant who violates any rights of any mobile home owner or mobile home tenant established under this chapter shall be liable to the person for actual damages caused by such violation, plus costs and reasonable attorney's fees. In addition, no park owner shall take any willful action to threaten, retaliate against or harass.

**I. Nonbankruptcy Exemption.** An applicant for a conversion permit may file, subsequent to approval of a conversion permit, the application for total or partial exemption from the obligation to provide relocation assistance in accordance with this subsection. Such an application shall be based on the applicant's statement that the imposition of full relocation obligations would eliminate substantially all reasonable use or economic value of the property. Such basis may only be established, if it is demonstrated that the imposition of such obligations would eliminate the reasonable use or economic value of the property for alternate uses, and that continued use of the property as a mobile home park would eliminate substantially all reasonable use or economic value of the property. The application shall, at a minimum, contain the following:

1. Statements of profit and loss from the operations of the mobile home park for the five-year period prior to the date of the application or request, certified by a certified public

accountant;

2. If the applicant contends that continued use of the property as a mobile home park necessitates repairs or improvements, or both, and that the cost thereof makes continuation of the park economically unfeasible, the applicant shall submit, to the director, a statement made under penalty of perjury by a general contractor licensed as such pursuant to the laws of the state, certifying that such contractor has thoroughly inspected the entire mobile home park, that such contractor has determined that certain repairs and improvements must be made to the park to maintain the park in a decent, safe, and sanitary condition, the minimum period of time in which such improvements or repairs must be made, and itemized statement of such improvements and repairs, and the estimated cost thereof. The applicant shall also submit a statement verified by a certified public accountant as to the necessary increase in rental rates of mobile home sites within the park within the next five years required to pay for such repairs or improvements. If the director requires an analysis of the information submitted by the general contractor, the director may procure the services of another such licensed contractor to provide such written analysis, and the cost thereof shall be borne by the applicant;
3. The estimated total cost of relocation assistance which would otherwise be required to be provided pursuant to this subsection;
4. An estimate by a qualified real estate appraiser of the value of the park if it were permitted to be developed consistent with the general plan, applicable zoning, and/or any proposal submitted by the applicant and an estimate of the value of such park by such appraiser if use of the property as a mobile home park is continued;
5. Such other information which the applicant believes to be pertinent, or which may be required by the director. (Ord. 226 § 2, 2005)

#### **13.42.170 - Mobile home as a temporary accessory dwelling.**

This section establishes standards for the location, placement and operation of a mobile home outside of a mobile home park, as a temporary residence during the construction of a permanent dwelling on the same site, or to address a verified personal hardship.

A. **Temporary Residence During Construction.** A building permit may be issued for a mobile home in conjunction with the issuance of a building permit for the construction of a permanent dwelling on the same site, in compliance with the following requirements:

1. **Minimum Site Area.** The site shall be a minimum of one acre.
2. **Utilities and Services.** All other services (i.e., waste water disposal, water source, utilities, etc.) shall first be in place.
3. **Permit for Permanent Dwelling.** A valid building permit shall have been issued for the permanent dwelling on the site.
4. **Time Limit.** The permit for the temporary mobile home shall expire six months from the date of issuance; provided that the commission may extend the permit for one additional six-month period.

#### **B. Temporary Dwelling for Persons in Need or Care and Supervision.**

1. **Limited Term Permit.** The director may grant a limited term permit in compliance with Section 13.62.030 for the use of a mobile home as an accessory dwelling when it is demonstrated, to the satisfaction of the director, that there is a clear need to alleviate a verified personal hardship relating to age, health or loss of residence by fire, earthquake or similar circumstance. The approval of the permit shall comply with the following

provisions:

- a. **Agreement for Removal.** Prior to the issuance of a building permit for the hardship mobile home, the property owner shall enter into an agreement approved by the town manager, which specifies that the use of the mobile home may continue only as long as the identified hardship exists. The agreement shall be in a form approved by the town attorney, shall also be in recordable form, and, when executed, shall be recorded by the town clerk;
- b. **Evidence of Need.** If the placement and use of the mobile home is for the care of a disabled person, sufficient evidence, to the satisfaction of the director, shall be provided by the applicant to ensure that:
  - i. The person for whom the care and supervision is to be provided is physically or mentally disabled to the extent that the person requires immediate and full-time care and supervision by the occupant of the other dwelling on the premises,
  - ii. The establishment of the mobile home is necessary in order to provide the required care and supervision of the disabled person, and
  - iii. Sufficient proof of the physical or mental disability has been provided to the director by a letter or certificate from a licensed medical care provider;

A public hearing is not required for the limited term permit; however, the director may conduct a public hearing on the permit and may give notice of the hearing in a manner that the director determines reasonable under the specific circumstances of the permit.

2. **Standards.** The placement and use of a mobile home shall be allowed only in compliance with the following requirements.
  - a. **Minimum Site Area.** The parcel for which the mobile home is proposed shall be a minimum of eight thousand square feet.
  - b. **Number of Mobile Homes.** Only one mobile home shall be allowed on any parcel.
  - c. **Accessory Dwelling Only.** The mobile home shall serve only as an accessory dwelling for a period of up to one year (see subsection (C)) and shall be removed from the premises within sixty days after the expiration of the permit, or when the occupancy is no longer necessary for the provision of care and supervision of the disabled person, whichever first occurs.
  - d. **Water and Sanitation.** Water and sanitation services shall be approved by the Placer County Environmental Health Department, South Placer Metropolitan Utility District (SPMUD), and/or the Placer County Water Association (PCWA), as applicable.
  - e. **Building Permit.** A valid building permit shall have been issued, landscaping or screening provided as required by the director, and all fees paid.
3. **Extension of Permit.** The permit may be extended annually by the director upon satisfactory compliance, by the applicant, of the requirements of this section, for up to five years. An extension that proposes to exceed the five year period shall require minor use permit approval.
4. **Conditions of Approval.** The director may impose any conditions on the permit, or any extension, deemed necessary to ensure the applicant's compliance with the following:
  - a. The requirements of services to be provided to the subject parcel;

- b. The provisions of the municipal code; and
- c. Any additional conditions deemed necessary by the director.

5. **Termination of Approval on Property Sale.** In the event the parcel is sold, the town approval for the temporary accessory mobile home shall become void, and the mobile home shall be removed within thirty days of the completion of the sale. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.42.180 - Outdoor retail sales and activities.**

A. **Applicability.** The provisions of this section apply to temporary and permanent facilities for outdoor display and sales (e.g., garden nurseries, lumber yards, and similar uses where merchandise is displayed for sale).

B. **Temporary Outdoor Displays and Sales.** See Section 13.62.030.

C. **Permanent Outdoor Displays and Sales.** The permanent outdoor display and sale of merchandise is allowed subject to the following standards.

1. The outdoor display of merchandise shall not exceed a height of ten feet above finished grade, unless a greater height is allowed through the approval of a use permit.
2. Outdoor sales areas shall not encroach into required setback areas. In zoning districts where no setback area is required, the outdoor sales area shall be set back a minimum of ten feet from adjoining property lines unless otherwise allowed through the approval of a use permit.
3. Displayed merchandise shall occupy a fixed, specifically approved location that does not disrupt the normal function of the site or its circulation, and does not encroach upon driveways, landscaped areas, parking spaces, or pedestrian walkways. A display shall not obstruct intersection visibility or otherwise create hazards for vehicle or pedestrian traffic.
4. The outdoor display and sales area shall be directly related to a business occupying a permanent structure on the subject parcel.
5. Outdoor sales and activity areas other than vehicle sales lots, produce stands, and nursery product sales shall be screened from the view of adjoining public rights-of-way by decorative walls, fences, or landscaping.
6. Additional signs, beyond those normally allowed for the subject use, shall not be provided as a result of the outdoor display and sales area.

D. **Outdoor Eating Areas.** An outdoor eating area may be allowed accessory and incidental to a restaurant with indoor eating area on the same site, provided that the outdoor eating area shall also comply with the parking requirements of Section 13.36.040 for restaurants.

E. **Business Use of the Public Right-of-Way Within the CC Zoning District.** The display of merchandise, newsracks and sidewalk dining and seating may be permitted on any town public right-of-way within the CC zone subject to compliance with the following criteria, in addition to the requirements of subsection D.

1. **Location Requirements, and Sidewalk Clear Zone.** A paved pedestrian walkway shall be maintained between property line and edge of curb, free and clear of and obstructions.
  - a. The display of merchandise, newsracks and sidewalk dining shall not obstruct sidewalk pedestrian traffic; accessibility to vehicles parked adjacent to the curb, or create health or safety hazards.

- b. The placement of merchandise, newsracks or tables and/or chairs shall be limited to the sidewalk area frontage adjacent to the use.
  - c. All merchandise, newsrack, and/or outdoor dining and seating areas must be level with sidewalk, and handicap accessible.
- 2. **Encroachment Permit Required.** The applicant shall obtain a revocable encroachment permit.
  - a. An encroachment permit will not be approved for portable or other signs within the public right-of-way, with the exception of banners advertising town-wide functions such as the Eggplant Festival.
  - b. Upon approval of the encroachment permit the applicant shall obtain all required building/electrical permits.
- 3. **Sidewalk Cafes.** Sidewalk cafes shall be used only as seating areas.
  - a. Storage, kitchen, any permanent facilities or restroom uses are not allowed.
  - b. Tables and/or chairs must be movable unless otherwise approved by the director upon concurrence with other town departments.
  - c. The storage of tables and chairs during non-business hours within the right-of-way is not allowed.
  - d. Outdoor speakers or amplified music shall require minor use permit approval to ensure that sound levels do not cause problems for other land uses in the vicinity.
  - e. The service of alcoholic beverages is not allowed.
  - f. An outdoor sidewalk dining or seating may be open; partially covered or enclosed by means of awnings, canopies or similar protective structure.
  - g. The roofing material covering an outdoor cafe may be temporary, fixed, or retractable and can extend into the public right-of-way from the face of the building a distance up to the minimum six-foot clear zone dimension, or a maximum distance of ten feet from the face of building, whichever is less. The width and height of awnings and canopies shall comply with the uniform building code. Awnings, canopies, or similar protective shelter shall be fire-treated or non-flammable.
  - h. Decorative/accent lighting may be incorporated into the outdoor cafe awning, canopy, etc. and must meet all town code requirements.
- 4. **Insurance.** Applicant shall obtain, maintain and provide proof of a comprehensive general liability insurance in an amount of one million dollars or more (for each occurrence), naming the town as additionally insured. Proof of same shall be submitted prior to issuance of the encroachment permit and shall be provided annually thereafter. The applicant's insurance shall be primary.
- 5. **Issuance of Permit.** Once all requirements are met, the town shall provide the encroachment permit. (Ord. 205 § 1 (Exh. A), 2003)

#### 13.42.190 - Outdoor storage.

Outdoor storage and work areas shall comply with the following requirements.

- A. **Enclosure and Screening Required.** Outdoor storage areas shall be entirely enclosed by a solid wall or fence as approved by the director with a minimum height of six feet and a maximum height



of eight feet.

B. **Maximum Height of Stored Materials.** Materials within the storage area shall not be higher than the fence, except with minor use permit approval.

C. **Landscaped Setback.** In any case where an outdoor storage area abuts a street right-of-way, the required screening wall or fence shall be set back from the right-of-way as required by the applicable zoning district, and the setback area shall be landscaped to the approval of the director, and in compliance with Chapter 13.34.

D. **Cargo Containers.** The use of a cargo container for storage outside of a building shall be allowed only within the IL zoning district, when entirely screened from the view of streets and residential areas. The director may authorize the use of a cargo container for storage on the site of a construction project while work in compliance with a valid building permit is occurring on the site. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.42.200 - Produce stands.**

This section establishes standards for the development and operation of produce stands, where allowed by Division 2.

A. **Limitation on Products.** Sales from a produce stand located in other than a commercial zoning district shall be limited to agricultural products grown on the same site, such as vegetables, fruits, nuts, firewood, etc.

B. **Maximum Size.** A produce stand shall not exceed four hundred square feet in floor area, or dimensions of twenty feet on each side, with a maximum height of fifteen feet.

C. **Access.** The location and type of access to a public road from the produce stand site shall require an encroachment permit and the approval of the town engineer. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.42.210 - Recycling facilities.**

This section establishes standards and procedures for the siting and operation of various types and sizes of commercial recycling facilities where allowed by Division 2.

A. **Reverse Vending Machines.** Reverse vending machines shall comply with the following standards.

1. **Accessory Use Only.** Each machine shall be installed only as an accessory use to an allowed primary use.
2. **Location Requirements.** If located outside of a structure, a machine shall not occupy parking spaces required by the primary use.
3. **Signs.** Sign area shall not exceed four square feet for each machine, exclusive of operating instructions. The sign area shall be subject to the overall site sign area limitations in Section 13.38.060.
4. **Lighting.** Each machine shall be illuminated to ensure comfortable and safe operation if the machine is accessible between dusk and dawn. The light source shall be shielded so that glare and reflections are confined within the boundaries of the site.

B. **Small Collection Facilities.** A small collection facility shall comply with the following standards.

1. **Location Requirements.** A small collection facility shall:
  - a. Not be located within fifty feet of any parcel zoned or occupied for residential use; and
  - b. Be set back at least ten feet from any public right-of-way, and not obstruct vehicular or

pedestrian circulation.

2. **Maximum Size.** A small collection facility shall not occupy more than six hundred square feet nor three parking spaces, not including space that would be periodically needed for the removal of materials or exchange of containers.
3. **Appearance of Facility.** Collection containers and site fencing shall be of a color and design that is compatible and harmonious with the surrounding uses and neighborhoods.
4. **Operating Standards.** Small collection facilities shall:
  - a. Not use power-driven processing equipment, except for reverse vending machines;
  - b. Accept only glass, metal or plastic containers, paper, and reusable items; and
  - c. Use containers that are constructed with durable waterproof and rustproof materials, secured from unauthorized removal of material, and shall be of a capacity sufficient to accommodate materials collected and the collection schedule.
5. **Signs.** Signs may be provided as follows:
  - a. Identification signs are allowed with a maximum area of fifteen percent for each side of the structure or twelve square feet, whichever is greater. In the case of a wheeled facility, the side shall be measured from the ground to the top of the container;
  - b. Signs shall be both compatible and harmonious with the character of their location; and
  - c. Directional signs consistent with Chapter 13.38 may be approved by the director if found necessary to facilitate traffic circulation, or if the facility is not visible from the public right-of-way.
6. **Parking Requirements.**
  - a. No additional parking space shall be required for customers of a small collection facility located in the established parking lot of the primary use. One additional space shall be provided for the attendant, if needed.
  - b. Mobile recycling units shall have an area clearly marked to prohibit other vehicular parking during hours when the mobile unit is scheduled to be present; and
  - c. Use of parking spaces by the patrons and the attendant shall not reduce available parking spaces below the minimum number required for the main use unless a parking study shows that existing capacity is not fully utilized during the time the recycling facility would be on the site. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.42.220 - Recreational vehicle parks.**

The location, development and operation of a recreational vehicle (RV) park shall comply with the following requirements.

- A. **Minimum Site Area.** The site for an RV park shall be a minimum of one acre, where not part of a mobile home park.
- B. **Maximum Density.** The number of RV spaces in a park shall not exceed fifteen units per acre of site area.
- C. **Parking Space Area and Width.** Each RV space shall be at least one thousand eight hundred square feet in area, and a minimum width of thirty feet.
- D. **Setbacks.** Each recreational vehicle space shall be located a minimum of five feet from any

side property line and ten feet from any rear property line.

E. **Screening.** A minimum twenty-five-foot wide landscaped buffer area shall be provided along all public streets adjoining the park. A minimum ten-foot wide landscaped buffer area shall be provided along all interior property lines. No RV space shall encroach into the landscaped buffer areas.

F. **Parking.** One parking spur shall be provided for each RV space. The maximum grade for the last twenty-five feet of any spur shall be two percent. At least seventy percent of all spurs shall be designed to accommodate both a motor vehicle (e.g., auto, truck, etc.) and a trailer. Parking spurs shall not be located closer together than forty feet on center.

G. **Roadways.** Each RV space shall abut and have direct access to a roadway of at least twenty-four feet in width, which shall be surfaced with asphaltic concrete or a double chip seal, or an appropriate alternative approved by the review authority.

H. **Signs.**

1. **Sign Program.** An overall sign program shall be prepared for each RV park, including any proposed free-standing signs and signs on structures. The plan may also provide for internal signs (those not visible from off-site roadways or adjoining property) that are strictly directional in nature.
2. **Type and Area of Signs Allowed.** An RV park shall be allowed up to eighty square feet of sign area visible from external roadways and adjoining property, consisting of up to two free-standing signs and one wall sign.
  - a. A single sign shall not exceed forty square feet in total area.
  - b. The maximum height of a free-standing sign shall be twenty-five feet.

I. **Accessory Commercial Uses.** An RV park may provide commercial uses for the convenience of campers as approved by the review authority, provided that the uses shall not occupy more than five hundred square feet for each fifty spaces, and shall otherwise comply with the requirements of Section 13.42.030.

J. **Manager's Quarters.** Living quarters may be provided for the use of a caretaker or manager. The living quarters may be either a mobile home or permanent dwelling unit. (Ord. 205 § 1 (Exh. A), 2003)

### **13.42.230 - Religious facilities.**

This section establishes standards for the development of new religious facilities, and related accessory uses.

A. **Minimum Site Area.** The minimum parcel size shall be the larger of the following requirements.

1. **New Structures.** The construction of a new religious facility shall require a minimum site area of one acre.
2. **Existing Structures.** All other religious facilities shall comply with the minimum parcel size required by the applicable zoning district.

B. **Minimum Setbacks.** A new religious facility shall be set a minimum of fifty feet from the front property line and any street side property line, and twenty-five feet from interior side and rear property lines. Where the applicable zoning district requires a greater setback, the larger of the setback requirements shall apply.

C. **Exterior Lighting.** Exterior lighting shall be prohibited within the setback areas identified above, and where allowed, shall comply with Section 13.30.080.

D. **Off-Street Parking.** Parking shall be provided in compliance with Chapter 13.36 and the following:

1. Required off-street parking shall be provided on-site or on a contiguous parcel (off-site). If provided off-site, parking shall be permanently reserved for the exclusive use of the religious facility unless a shared parking reduction is approved in compliance with Section 13.36.050(B);
2. If off-site parking is provided, a direct pedestrian corridor and/or sidewalk from the church use to the off-site parking site shall be provided to eliminate the potential risks associated with pedestrians utilizing the street for access; and
3. If the town is advised by customers or tenants in the vicinity of the facility that a parking or traffic problem exists as a result of the religious facility use, the director may require the property owner to prepare a parking demand analysis and/or traffic study. If the study indicates that there is a traffic problem, the applicant shall be required to provide mitigation measures to be reviewed and approved by the commission. Mitigation measures may include, but are not limited to, the following:
  - a. Alternate hours of operation;
  - b. Restrictions on the maximum number of seats and/or increase the number of services; and/or
  - c. The provision of secure additional parking. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.42.240 - Residential care facilities for the elderly.**

A. **Purpose.** The town council finds that special regulations relating to the establishment and operation of assisted care facilities for the elderly, licensed by the state of California as such, are necessary in order to implement this title in a manner that, will protect the health, safety and general welfare of the residents of the town and promote the provision of affordable housing for the elderly.

B. **Minimum Site Area.** A care facility for the elderly shall require a minimum lot area of fifteen thousand square feet.

C. **Design Review.** The facility shall require design review approval prior to issuance of a building permit to ensure the compatibility of its architectural design with the design of residential structures in the surrounding neighborhood, including the potential need for the screening of parking spaces.

#### **D. Site Planning and Design Standards.**

1. **Parking Requirements.** Each facility shall be provided ~~off-street~~ parking as required by Section 13.36.040 for “Residential Care ~~Facilities~~Homes” or “~~Senior Housing Projects~~Medical Services – Extended Care” as applicable; provided that the parking requirements of Section 13.36.040 may be adjusted by the review authority as part of the use permit approval, based upon the unique project parking demands as documented by a parking study for the specific facility.
2. **Site Coverage.** The structure or structures which comprise the facility (including structures associated with any on-site employee housing) shall not exceed a maximum site coverage of twenty percent of the first three thousand square feet, and fifteen percent of the additional site area upon which the structures are to be located, exclusive of any public or private street right-of-way. For sites greater than one hundred fifty thousand square feet, the maximum allowable site coverage shall be determined by use permit approval, but shall not be less than is permitted by the applicable zoning district for a parcel of one hundred fifty thousand square feet.

~~E. **Limitations on Residents.** No person who is not a resident of the facility may be cared for at the~~

~~facility. The age and number of residents shall comply with the following requirements.~~

~~1. **Minimum Age.** At least seventy-five percent of the residents occupying the facility (other than staff or employees of the facility) shall be at least sixty-two years of age or, if younger, have needs compatible with other residents.~~

~~2. **Maximum Number.** The maximum number of persons who may reside in a facility (including resident employees) shall be determined by the gross area of the site, as follows.~~

| <b>Site Area (Gross)</b> | <b>Maximum Allowable Number of Residents</b>               |
|--------------------------|--|
| 15,000 to 20,000 sf      | 10   |
| 20,001 to 40,000 sf      | 15   |
| 40,001 to 60,000 sf      | 20   |
| 60,001 to 100,000 sf     | 25   |
| 100,001 to 150,000 sf    | 30   |
| 150,001 sf and greater   | As determined by use permit approval, but not less than 30 |

**FE. Compliance with Other Laws and Regulations.** The assisted care facility for the elderly shall comply with all local, ~~state~~state, and federal requirements and shall be licensed as a residential care facility for the elderly by the state of California.

**GE. Findings Required for Approval.** The approval of a use permit shall require that the commission in first make all of the following findings, in addition to those otherwise required for a use permit by Section 13.62.050:

1. Adequate water, sanitation, public utilities and services will be provided to the site upon which the facilities are located to ensure that the proposed use is not detrimental to public health and safety;
2. Public street or private road access to the facilities will be provided at a level adequate to serve the residents, employees and visitors of the facility;
3. The facility will not cause excessive noise, traffic, or other disturbances to an existing residential neighborhood or result in significantly adverse impacts on public services and resources; and
4. The site for the facility is physically suitable for the type and intensity of the use being proposed. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.42.245 - Residential uses—Emergency shelter.**

This section establishes standards for the development of new emergency shelters.

A. “Emergency shelters” are as defined by Section 50801(e) of the California Health and Safety Code as 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 an inability to pay.

B. All emergency shelters and operations shall be conducted within a building. No exterior operations shall be allowed.

C. Emergency shelters shall be in compliance with all building codes and fire standards, ~~and~~

parking standards for the CC and CG zone districts.

- D. Emergency shelters shall be in compliance with all county and state health and safety requirements for food, medical, and other supportive services if these are provided on-site.
- E. Emergency shelters shall provide on-site waiting and intake areas that are screened from public view.
- F. There shall be at least one staff member of the emergency shelter on-site at all times while temporary residents are present.
- G. Security lights shall be provided to the satisfaction of the Planning Director.
- H. The applicant shall coordinate with the Town and the Placer County Sheriff Department to prepare a security plan for the facility. The name(s) and contact information for responsible parties shall be provided.
- I. Emergency shelters shall establish and maintain set hours for client intake/discharge. Said hours shall be posted at the entry to the facility.

J. Emergency shelters shall be in compliance with the parking standards required by Section 13.36.040 for emergency shelters.

K. Emergency shelters shall maintain a minimum three hundred foot separation from other emergency shelters. (Ord. 255 § 1, 2014)

#### **13.42.250 - Residential uses—Multifamily housing.**

New or remodeled multifamily projects (fifty percent or more of building area remodeled) and employee/farmworker housing use allowed in zones as described in Section 13.32.022, and affordable housing projects as described in Section 13.32.020 shall comply with the standards of this section.

A.—Limitation on Use in RS Zoning District. A multifamily project allowed by Division 2 within the RS zoning district may be approved only on a corner parcel of at least ten thousand square feet.

A. **Density.** Supportive and transitional housing intended to benefit, in whole or in part, persons identified as having special needs as defined in Section 51312 of the California Health and Safety Code and multifamily housing developments proposing five or more units and providing affordable rent as defined in Section 13.80.202 are permitted an increased density of 20 dwelling units per acre.

B. **Accessory Structures.** Accessory structures and uses (e.g., car washing areas, bicycle storage, garages, laundry rooms, recreation facilities, etc.) shall be finished with materials and colors that complement the primary structure(s) on the site. ~~have an architectural style, materials and colors similar to the dwelling units.~~

CG. **Building Façades Adjacent to Streets.** In a multifamily project of three or more units, at least fifty percent of the façade of each building adjacent to a public street shall be occupied by habitable space. Each façade adjacent to a street shall have at least one entry into an individual dwelling unit.

D. **Design Review.** Multi-family residential projects are subject to design review per Section 13.62.040.

E. **Front Yard Paving.** No more than forty-five percent of the front yard setback area shall be paved for walkways, driveways, and/or other hardcover pavement.

F. **Garage Requirements.** A garage for a multifamily unit shall comply with the following requirements, in addition to the applicable parking requirements of Chapter 13.36.

1. **Front Setback.** A garage for a multifamily dwelling shall be set back from the front property

line at least ten feet further than the facade of the dwelling, to reduce visual impact from the street.

2. **Side Setbacks.** When a maintenance easement is granted by the owner of the adjacent parcel to the approval of the director, a garage may be built to the side property line on that side, but shall be located at least eight feet from the other side property line. Otherwise, a garage shall be set back a minimum of five feet from side property lines.
3. **Rear Setback.** A garage shall be set back a minimum of five feet from the rear property line.
4. **Façade Width, Parking Orientation.** The front facade of any garage shall not exceed a width of twenty-five feet. Tandem parking is permitted.
5. **Door Orientation.** No garage door for a multifamily unit shall face directly onto a street.

**G. Open Space.** Each multifamily residential project except duplexes shall provide permanently maintained outdoor open space for each dwelling unit (private space), and for all residents (common space), in addition to required setback areas.

1. **Area Required.** Private and common open space shall be provided as required by Table 4-3.

**TABLE 4-3 - MULTIFAMILY OPEN SPACE REQUIREMENTS**

| Project Size      | Common Open Space Required | Private Open Space Required |
|-------------------|----------------------------|-----------------------------|
| 3 to 4 units      | 200 sf                     | 150 sf per unit             |
| 5 to 10 units     | 500 sf                     |                             |
| 11 to 30 units    | 1,000 sf                   |                             |
| 31 and more units | 2,000 sf                   |                             |

2. **Configuration of Open Space.** Required open space areas shall be designed and located as follows. The review authority may allow required open space to be in different locations and/or with different dimensions where it determines that the alternative approach will provide open space of equivalent utility and aesthetic quality.
  - a. **Location on Site.** Required open space areas shall be easily accessible, continuous, usable site elements. Private open space shall be at the same level as, and immediately accessible from within the unit.
  - b. **Dimensions.** Private open space areas shall have a minimum dimension of ten feet, and a configuration that would accommodate a rectangle of at least one hundred square feet. Common open space areas shall have a minimum dimension of twenty feet.
3. **Maintenance and Control of Common Open Space.** Required common open space shall be controlled and permanently maintained by the owner of the property or by a homeowners' association. Provisions for control and maintenance shall be included in any property covenants of a common interest development.

**GH. Outdoor Lighting.** Outdoor lighting shall be installed and maintained along all vehicular access ways and major walkways, in compliance with Section 13.30.080. The lighting shall be directed onto the driveways and walkways within the development and away from adjacent properties. Lighting of at least one foot candle shall also be installed and maintained within all covered and enclosed parking areas and shall be screened to minimize glare onto public sidewalks. All proposed lighting shall be shown on the required landscape plan.

**HI. Storage.** A minimum of one hundred cubic feet of lockable storage area shall be provided for each dwelling outside of the unit, with a minimum dimension of thirty inches.



**II. Television Antennas.** Exterior television antennas other than satellite dishes less than thirty-nine inches in diameter are not allowed, except for a single common, central antenna, with underground cable service to all dwelling units. This restriction shall be included in any property covenants of a common interest development.

**JK. Window Orientation.** Where one or more windows are proposed ten feet or less from a side lot line, or ten feet from another residential structure on the same site, design review shall ensure, to the extent feasible, that the windows are located and/or screened to provide privacy for residents of both structures. (Ord. 205 § 1 (Exh. A), 2003)

**L. Employee/Farmworker Housing.** When allowed by Section 13.24.040 Table 2-2 in the applicable zone, employee/farmworker housing and dwelling units are subject to the requirements of this section. Employee/farmworker housing of up to 6 units is allowed where single-family residential is allowed, including the RA, RE, RR, RS, RM and RH zoning districts. Employee/farmworker housing of up to 12 units or 36 beds, whichever is greater, is allowed with the same land use approvals as would be required for a proposed crop production, horticulture, orchard, or vineyard use in the RA, RE and/or RR zoning districts.

### **13.42.260 - Residential uses—Residential accessory uses and structures.**

This section provides standards for specific residential accessory uses and structures, where allowed by Chapter 13.24. The provisions of this section do not apply to ~~residential second units and carriage houses~~accessory dwelling units, which are instead regulated by Section 13.42.270. See also Section 13.42.040.

**A. Relationship to Primary Use.** An accessory use and/or structure shall be incidental to the primary residential use of the site, and shall not alter the character of the primary use.

**B. Timing of Installation.** A residential accessory structure shall only be constructed concurrent with or after the construction of the primary structure on the same site, unless:

1. The site is within the RA, RE, or RR zoning districts, is one acre or larger, and the proposed structure is a garage; or
2. Construction in advance of a primary structure is authorized through minor use permit approval.

**C. Attached Structures.** An accessory structure attached to the main structure shall comply with all zoning district requirements applicable to the main structure, including height limits, site coverage, and setbacks; and shall also comply with any applicable requirements of subsection E.

**D. Detached Structures.** An accessory structure that is detached from the main structure shall comply with the following standards, except where subsection E establishes a different requirement for a specific type of accessory structure.

**1. Setbacks.**

- a. **Front Setback.** An accessory structure shall not be located within a required front yard setback.
- b. **Side and Rear.** An accessory structure not exceeding ten feet in height shall maintain side and rear yard setbacks of at least five feet. An accessory structure with a height greater than ten feet shall comply with the setback requirements of the applicable zoning district.
- c. **Separation Between Structures.** An accessory structure shall maintain a six-foot separation from other accessory structures and the primary dwelling unit.

**2. Height Limitations.** The height of an accessory structure shall not exceed fifteen feet,



except on lots having a lot area of twenty thousand square feet or larger where a greater height is authorized through minor use permit approval. Residential accessory structures shall not be constructed with corrugated fiberglass material, unpainted metal or reflective materials (exclusive of the nonreflective glass).

3. **Coverage and Size Limitations.** The aggregate coverage of accessory structures in required side and rear yard setbacks shall not exceed five hundred square feet, or ten percent of the combined area of the required side and rear yard setbacks for the primary dwelling, whichever is greater. The maximum site coverage for all structures on a parcel shall comply with the requirements of the applicable zoning district.

E. **Standards for Specific Accessory Uses and Structures.** The following requirements apply to the specific types of accessory structures listed, in addition to the requirements of subsections A through C, as applicable.

1. **Antennas.** Antennas shall comply with the requirements of Chapter 13.44.
2. **Garages.** A garage for a single- or multifamily dwelling in the RS-5, RS-7, RM, and RH zoning districts shall comply with the following requirements:
  - a. **Front Setback.** Garages shall comply with the following setback requirements, to reduce visual impact from the street:
    - i. **Multifamily Dwellings.** A garage for a multifamily dwelling shall be set back from the front property line at least ten feet further than the facade of the dwelling,
    - ii. **Single-Family Dwellings.** Within a proposed subdivision of five or more parcels, the garages for at least seventy percent of the dwelling units shall be set back from the front property line at least ten feet further than the facade of the dwelling, to reduce visual impact from the street;
  - b. **Side Setbacks.** When a maintenance easement is granted by the owner of the adjacent parcel to the approval of the director, a garage may be built to the side property line on that side, but shall be located at least eight feet from the other side property line. Otherwise, a garage shall be set back a minimum of five feet from side property lines;
  - c. **Rear Setback.** A garage shall be set back a minimum of five feet from the rear property line;
  - d. **Facade Width, Parking Orientation.** The front facade of any garage shall not exceed a width of twenty-five feet. Tandem parking is permitted;
  - e. **Door Orientation.** No garage door for a multifamily unit shall face directly onto a street.
3. **Greenhouses.** An accessory greenhouse may occupy up to four hundred square feet for each dwelling unit in the RS, RM, and RH zoning districts, and one thousand square feet or five percent of the parcel area, whichever is smaller, in the RA, RE, and RR zoning districts.
4. **Guest Houses.** Guest houses shall comply with the requirements for ~~second units or carriage houses~~accessory dwelling units, as applicable, in Section 13.42.270.
5. **Home Occupations.** Home occupations are subject to the requirements of Section 13.42.120.
6. **Patio Covers.** A patio cover that is attached to or detached from the main dwelling, and open on at least three sides, may be located within the required rear yard setback subject to

the following:

- a. The six-foot separation from the main dwelling required by subsection (C)(1) above does not apply;
  - b. The structure shall comply with the coverage and size limitations of subsection (C)(3) above; and
  - c. No part of the patio cover shall be closer than ten feet to a property line.
7. **Tennis and Other Recreational Courts.** Non-commercial outdoor tennis courts and courts for other sports, including basketball and racquetball, accessory to a residential use shall comply with the following requirements:
  - a. **Fencing.** Shall comply with Section 13.30.040; and
  - b. **Lighting.** Court lighting shall require minor use permit approval, and shall not exceed a maximum height of twenty feet, measured from the court surface. The lighting shall be directed downward, shall only illuminate the court, and shall not illuminate adjacent property, in compliance with Section 13.30.080.
8. **Workshops or Studios.** An accessory structure intended solely or primarily for engaging in artwork, crafts, light hand manufacturing, or mechanical work, is subject to the following standards when located in a residential zoning district:
  - a. **Limitation on Use.** An accessory structure may be constructed or used as a workshop or studio in any residential zoning district solely for: non-commercial hobbies or amusements; maintenance of the main structure or yards; artistic endeavors, including painting, photography, or sculpture; maintenance or mechanical work on vehicles owned or operated by the occupants; or for other similar purposes. Any use of an accessory workshop for any commercial activity shall comply with Section 13.42.120; and
  - b. **Floor Area.** A workshop shall not occupy an area larger than twenty-five percent of the floor area of the main structure; except that where a workshop is combined with a garage, see subsection (D)(3) of this section. (Ord. 225 § 3, 2005; Ord. 205 § 1 (Exh. A), 2003)

F. **Employee/farmworker housing.** When allowed by Section 13.24.040 Table 2-2 in the applicable zone, employee/farmworker housing and dwelling units are subject to the requirements of this section.

#### **13.42.265 - Residential uses—Second stories.**

This section establishes when and under what circumstances second stories will be allowed on residential structures.

- A. **Purpose.** The purpose of this section is to provide for the orderly development of properties while protecting the reasonable privacy, current neighborhood pattern, and peaceful use of existing and future residents.
- B. **Two-Story Residential Structures on Lots and Additions.** New two-story residential units (not within a new subdivision being initially developed) and second story additions may only be permitted as follows:
  1. **Window Placement.** No standard window within the second story (a window with less than sixty-two inches of clearance from the floor), ledge, balcony, deck, door, sliding glass door or similar structure shall be:

- a. Located within seventy-five feet of a property line adjacent to an existing neighbor's "yard area of major use;" or
- b. If within seventy-five feet, have an angle of view onto an existing neighbor's "yard area(s) of major use" of more than thirty degrees.

C. **Exterior Lots in New Subdivisions.** No two-story structure or addition shall be allowed within a new subdivision on any parcel less than forty thousand square feet on the exterior of the subdivision unless adjacent to a street or similar proscribed area (i.e., wide easement) that provides a distance of privacy.

D. **Individual Design Review.** New two-story residential units (excluding ~~second units but not carriage homes~~ accessory dwelling units) and second story additions require individual design review with public review and approval as follows:

1. An application for individual design review shall be made to the department, including an individual review checklist in accordance with the Second Story Construction Guidelines, and accompanied by the plans for the project.
2. Notice of pending application and proposed decision shall be given by mail to adjacent property owners (properties sharing a common boundary with the subject property, the property or properties located directly across the street, and the next properties located diagonally across the street from the subject property), stating that the application is available for review and comment for ten days following the date on the notice.
3. The proposed decision shall become final ten calendar days after it is mailed unless a written request for a hearing is filed with the director by the applicant or by the owner or occupier of an adjacent property within that time (these time limits may be extended by written request of the applicant).
4. If a request for a hearing on a project is received, the director may set it for hearing, or defer action and refer the request to the commission, so that the commission may instead make the decision. (Ord. 230 § 3 (part), 2007)

### 13.42.270 - Residential uses—~~Second units and carriage houses~~ Accessory dwelling units

This section establishes standards for residential ~~second units and carriage houses~~ accessory dwelling units, where allowed by Division 2.

A. **Purpose.** The purpose of this section is to allow and regulate accessory dwelling units and junior accessory dwelling units in compliance with California Government Code Sections 65852.2 and 65852.22 and, in doing so, to increase the supply of affordable housing in the Town.

AB. **Compliance or Design Requirement.** Plan check shall be required for compliance with applicable zoning regulations and applicable building and construction requirements set forth in Division 6 (Planning Permit Procedures), Title 11 (Buildings and Construction) and Title 12 (Development). A second unit shall require a zoning compliance check by the planning director. A carriage house shall require design review (Section 13.62.040).

1. Ministerial Review Time. Except as set forth in paragraph (2) below, applications must be acted upon within 60 days from the date the town receives a complete application if there is an existing single-family or multifamily dwelling on the lot, or the application shall be deemed approved.
2. If the applicant requests a delay, the 60-day period shall be tolled for the period of the delay.
3. Exception to Review Time. If the permit application to create a purely ministerial ADU or JADU is submitted with an application to construct a new dwelling, the following shall apply:

- a. The ADU or JADU shall not be subject to the 60-day approval period but shall instead be subject to the approval period for the new dwelling. However, the ADU or JADU itself shall be considered without a public hearing. An ADU or JADU may only be constructed concurrently with or after the construction of a new dwelling unit on the same lot. A certificate of occupancy for an ADU shall not be issued prior to the certificate of occupancy for the new primary dwelling unit.

4. The town has acted upon the application if it:

- a. Approves or denies the building permit for the ADU and/or JADU;
- b. Informs the applicant in writing that changes to the proposed project are necessary to comply with this section or any applicable regulation; or
- c. Determines that the ADU does not qualify for ministerial approval.

C. **Precedence in Provisions.** Applications shall comply with the standards outlined in this chapter and the zoning district in which the ADU or JADU is located. In the event of a conflict between the development standards set forth in the zone and the standards of this chapter, the provisions of this chapter shall take precedence.

D. **ADUs and JADU Allowed Locations.** ADUs and JADUs may only be located in the following locations:

1. Lots zoned to allow single-family or multifamily dwelling residential use, including an existing or proposed single-family or multifamily dwelling.
2. Lots zoned to allow non-residential uses and developed with legal nonconforming single-family and/or multi-family dwellings, where the legal non-conforming dwelling is used as a residence and not a commercial use or short-term rental.

E. **Lot Area.** There is no minimum lot area to establish an ADU or JADU.

F. **Number of Units.** A lot may have no more than one ADU (attached, detached or converted) and one JADU, except for multifamily lots.

G. **Permitted ADUs and JADUs.** The following types of ADUs and JADUs require compliance with this subsection **G** and other development standards do not apply.

1. Attached or Detached ADUs. One attached or detached ADU up to 1,200 square feet of floor area, a height of 16' or less, and 4' minimum side and rear yard setbacks.
2. Converted ADUs. One ADU or JADU that is within the proposed or existing space of a primary dwelling, or an accessory structure. A converted ADU may include an expansion of up to 75 square feet for any use beyond the same dimensions as the existing structure. Accessory structures may include an additional expansion of up to 150 square feet to accommodate ingress and egress. Converted ADUs or JADUs shall comply with the following:
  - a. The space has exterior access from the proposed or existing single-family dwelling.
  - b. The side and rear setbacks are sufficient for fire and safety.
  - c. The junior accessory dwelling unit complies with the requirements of pursuant to Government Code Section 65852.22 Multifamily Lots. Either converted or detached ADUs are allowed, but not both. A JADU may not exceed 500 square feet of floor area.
3. Multifamily Lots. Either converted or detached are allowed, but not both

- a. **Converted ADUs.** A minimum of one ADU may be converted from livable or non-livable space. Additional ADUs may be converted within the portions of existing multifamily dwelling structures that are not used as livable space, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, up to a maximum of 25% of the existing multifamily dwelling units. Each ADU shall comply with building code standards for dwellings.
  - b. **Detached ADUs.** Not more than two ADUs that are located on a lot that has an existing multifamily dwelling, but are detached from that multifamily dwelling, are subject to 16' maximum height and 4' side and rear setbacks.
- 5. **Size.** ADUs shall comply with the following minimum and maximum size limitations:
  - a. **Minimum Size for ADU and JADU:** 150 square feet ("efficiency unit" per California Health and Safety Code section 17958.1).
  - b. **Maximum Size for ADUs:**
    - i. **Detached ADUs.**
      - (a) 1,200 square feet.
    - ii. **Attached ADUs.**
      - (a) A maximum of 1,200 square feet or 50% of the floor area of the primary dwelling, whichever is less, but at least 850 square feet is allowed for a one-bedroom ADU and at least 1,000 square feet is allowed for an ADU with more than one bedroom even when these building square footages are more than 50% of the floor area of the primary dwelling.
  - c. **The floor area of an attached ADU shall not exceed 50% of the floor area of the primary dwelling.**
- 6. **Height Limit.** The height limit for a ~~second unit or carriage house~~ accessory dwelling unit within the downtown shall be twenty-five feet. Outside the downtown, the height limit shall be as required by the applicable zoning district.
- 7. **Setbacks for attached or detached ADUs.**
  - a. **Side and rear setbacks.** A minimum of 4' for structures up to 16' in height. Structures greater than 16' are subject to the setbacks for the zone in which they are located.
  - b. **Nonconforming Structure.** ADUs that are created in the same location as an existing legally non-conforming structure may maintain the nonconforming setbacks. Any expansions of the existing legally non-conforming structure shall comply with the above setbacks.
- 8. **Space Between Buildings.** A 10' minimum separation shall be required between an attached or detached ADU and any other building. This building separation may be reduced to 6', provided there are no health and safety concerns, as set forth in the Building Code.
- 9. **Design Standards.** Standards set forth in this section apply to the exterior of any ADU. Applications shall demonstrate compliance with the following:
  - a. **Architecture.** The architectural style, exterior materials and colors of the accessory dwelling unit shall be compatible with the primary dwelling.
  - b. **Lighting.** Outdoor lighting must be hooded, fully shielded, and aimed downward.

Light trespass that results in glare is prohibited.

## 10. Parking

- a. Replacement of Existing Parking. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an ADU or converted to an ADU/JADU, those parking spaces need not be replaced; however, on-site parking must be available for both the primary dwelling and each ADU.
- b. On-Site ADU Parking. One parking space per ADU shall be provided. Guest parking spaces shall not be required for ADUs under any circumstances. Parking spaces for ADUs must comply with the following requirements:
  - i. May be tandem parking on a driveway.
  - ii. Minimum 3' from side property lines. Larger setbacks may be required based on site specific or fire and life safety conditions, as determined by the Fire Department and/or the Building Department, whichever is more restrictive.
  - iii. Not within a required on-site turnaround area.
- c. Exemptions. No parking shall be required for any of the following or in any of the following circumstances:
  - i. The ADU is deed restricted as an affordable housing unit.
  - ii. The ADU is located within one-half mile walking distance of public transit.
  - iii. The ADU is located within an architecturally and historically significant historic area.
  - iv. The ADU is located on a property within a locked gate community.
  - v. On-street parking permits are required but not offered to the occupant of the ADU.
  - vi. A car share vehicle is located within one block of the ADU.

## H. Additional Standards.

- 1. Access. The ADU or JADU shall have independent exterior access from the primary dwelling. Interior access between the ADU or JADU and the primary dwelling unit is allowed.
- 2. Addresses. The addresses of both the primary building and ADU shall be clearly visible from the public right-of-way.
- 3. Fire Sprinklers. All types of ADUs and/or JADUs shall not be required to provide fire sprinklers if they are not required for the primary dwelling. A JADU shall not be considered a separate or new residential unit. Fire sprinklers may be utilized as mitigation in an alternate materials and methods proposal to provide equivalency when compliance with the California Fire Code requirement is not feasible.
- 4. Kitchen.
  - a. ADUs shall contain a full kitchen.
  - b. JADUs shall contain an efficiency kitchen, which includes a cooking facility with appliances and a food preparation counter and storage cabinets that are of reasonable size of the JADU.



5. Nonconformities. Conversions of legal nonconforming structures to ADUs or JADUs shall not be required to correct nonconforming zoning conditions, but shall be required to meet all current building, electrical and fire code standards.
6. Owner Occupancy. For JADUs only, the property owner shall permanently reside, as evidenced by documentation satisfactory to the town, in either the primary dwelling or the JADU.
7. Rental Unit. The ADU or JADU shall not be rented for a period of less than 30 consecutive calendar days.
8. Vehicular Access.
  - a. The ADU and JADU shall utilize the same vehicular access that serves the primary buildings, unless the Fire Department, Town Engineer, and the Public Works Department finds that a secondary access will not degrade existing safety or traffic concerns. The ADU and/or JADU with new vehicular access to streets or alleys is subject to design review and compliance with Town standards for residential driveway placement and dimension.
9. Utility Connections and Fees. All ADUs and JADUs shall connect to public utilities, including but not limited to water, electric, and sewer services. ADUs and JADUs permitted under this chapter shall not be considered new residential uses for the purposes of installing a new or separate utility connection between the ADU or JADU and the utility; or calculating connection fees or capacity charges for utilities, including water and sewer service, unless the accessory structure is constructed with a new primary dwelling.
  - a. New construction. The town may require a new or separate utility connection directly between the ADU and the utility. Consistent with California Government Code Section 66013, the connection may be subject to a connection fee or capacity charge that shall be proportionate to the burden of the proposed ADU, based upon either its square feet or the number of its drainage fixture unit (DFU) values, as defined in the current adopted California Plumbing Code, upon the water or sewer system. This fee or charge shall not exceed the reasonable cost of providing this service.
  - b. Impact Fees. No impact fees shall be imposed on an ADU less than 750 square feet in size. Any impact fees charged for an ADU of 750 square feet or more shall be charged proportionately in relation to the square footage of the primary dwelling.
  - c. Onsite Wastewater Treatment System. An ADU proposed to be connected to an onsite wastewater treatment system shall require a percolation test completed within the last five years, or, if the percolation test has been recertified, within the last 10 years prior as part of the application submittal. Approval by Placer County Environmental Health is required.
  - d. Onsite Water Well System. An ADU proposed to be connected to an onsite water well shall complete all health, safety, and capacity tests and obtain approval by Placer County Environmental Health prior to permit issuance.
- I. **Affordable Housing Unit.** In order to encourage the use of ADUs to provide affordable housing as defined by the California Department of Housing and Community Development, the following described fee refunds shall be available. In order to obtain the incentive, the property owner must limit by deed restriction, covenant, and/or other instrument the occupancy of the ADU, based on the income limits and applicable rental rates established annually by the state of California. The town may impose conditions and penalties for noncompliance with the affordability restrictions.
  1. Deed Restriction. If the owner has requested the incentives in this section, prior to the issuance of a building permit, the property owner shall record a deed restriction with the County

Recorder's Office, the form and content of which is satisfactory to the town Attorney. The deed restriction document shall notify future owners of the owner occupancy requirements, prohibition restrictions on short-term rentals, and annual reporting requirements. The deed restriction shall remain in effect for a minimum of 10 years.

J. **Notification.** No public notice or hearing shall be required unless the ADU and/or JADU do not meet the standards of this chapter or requires a discretionary permit. The noticing and appeal requirements shall follow the requirements of the discretionary permit.

(Ord. 205 § 1 (Exh. A), 2003; Ord. 216 § 7, 2005; Ord. 230 § 3 (part), 2007; Ord. 234 § 1, 2007)

### **13.42.275 - Single room occupancy.**

This section establishes when and under what circumstances single room occupancy (SRO) will be allowed.

A. **Location.** A single room occupancy (SRO) facility shall comply with the requirements of this section, where allowed by Chapter 13.42, of this title along with the general regulations within the allowed zones.

B. **Application.** A proposed SRO facility shall require site plan review in compliance with section 13.44.050 of this chapter. Where specified in this title, an SRO facility shall require approval of a use permit in compliance with sections 13.24 and 13.44.050 of this title.

C. **Design and Development Standards.** The use of a single room occupancy shall comply with the following standards.

#### 1. Single Room Occupancy Facilities

- a. **Common Area:** Four (4) square feet per living unit shall be provided, with at least two hundred (200) square feet in the area of interior common space, excluding the cleaning supply room, laundry facilities and common hallways.
- b. **Laundry Facilities:** Laundry facilities must be provided in a separate room at the ratio of one washer and one dryer for every twenty (20) units or fractional number thereof, with at least one washer and dryer per floor.
- c. **Cleaning Supply Room:** A cleaning supply room or utility closet with a washtub with hot and cold running water shall be provided on each floor of the SRO facility.
- d. **Bicycle Parking:** A minimum of one bicycle parking space shall be provided for every three (3) SRO units. subject to the criteria of section 13.36.060 of this chapter.
- e. **Trash Enclosure:** An SRO facility shall provide a trash enclosure, subject to the criteria of section 13.30.120 of this chapter.
- f. **Vehicle Parking:** Off-street parking shall be provided consistent with section 13.36.40 of this chapter.

#### 2. Single Room Occupancy Units

- a. **Unit Size:** Unit Size: An SRO unit shall have a minimum size of one hundred fifty (150) square feet and a maximum of four hundred (400) square feet.
- b. **Occupancy:** An SRO unit shall accommodate a maximum of two (2) persons.
- c. **Bathroom:** An SRO unit is not required to but may contain partial or full bathroom facilities. A partial bathroom facility shall have at least a toilet and sink; a full facility shall have a toilet, sink and bathtub, shower or bathtub/shower combination. If a full



bathroom facility is not provided, common bathroom facilities shall be provided in accordance with the California building code for congregate residences with at least one full bathroom per floor.

d. **Kitchen:** An SRO unit is not required to but may contain partial or full kitchen facilities. A full kitchen includes a sink, a refrigerator and a stove, range top or oven. A partial kitchen is missing at least one of these appliances. If a full kitchen is not provided, common kitchen facilities shall be provided with at least one full kitchen per floor.

e. **Closet:** Each SRO unit shall have a separate closet.

f. **Code Compliance:** SRO units shall comply with all requirements of the California building code.

3. **Accessibility.** All SRO units and facilities shall comply with all applicable accessibility and adaptability requirements. All common areas shall be fully accessible.

4. **Management.**

a. **Facility Management:** An SRO facility with fifteen (15) or more units shall provide on-site management. An SRO facility with less than fifteen (15) units shall provide a management office on site.

5. **Tenancy.** Tenancy of SRO units shall be limited to thirty (30) or more days.

6. **Existing Structures.** An existing structure may be converted to an SRO facility, consistent with the provisions of this section and the development standards of the zone regulations of the zones in which the SRO is an authorized use.

7. **Business License.** The organization or company operating the SRO facility shall obtain a town business license before commencing operations, in accordance with title 5, chapter 5.04 of this code.

D. **Low Barrier Navigation Center.** Development of Low Barrier Navigation Centers are allowed by right in areas zoned for mixed uses and nonresidential zones permitting multifamily uses if it meets specified requirements. See Section 13.24.040 and Section 13.26.040.

~~B.—**Limitation on Number of Units.** Not more than one second unit or one carriage house shall be approved on a single parcel, where allowed by Section 13.24.030.~~

~~C.—**Limitation on Carriage House Locations.** A carriage house may be approved only within the downtown area defined by Figure 3-3, Chapter III of the General Plan (Land Use and Community Development).~~

~~D.—**Minimum Site Area.** The minimum site area required for a parcel to qualify for a second unit or carriage house is as follows:~~

~~1.—**Carriage House.** A parcel proposed for a carriage house shall have a minimum area of five thousand square feet, a minimum width of fifty feet, a minimum depth of one hundred feet and a minimum buildable pad of four hundred square feet, exclusively for the additional unit.~~

~~2.—**Second Unit.** A second unit may be placed only on a parcel of twenty thousand square feet or larger.~~

~~E.—**Relationship to Primary Use.** A second unit or carriage house shall be incidental to the primary single-family residential use of the site, and shall not alter the character of the primary use.~~

~~1.—**Timing of Construction.** A second unit or carriage house shall only be constructed~~

~~concurrent with or after the construction of the primary dwelling.~~

~~2.—**Architecture.** The architectural style, exterior materials and colors of the second unit or carriage house shall be compatible with the primary dwelling.~~

~~G.—**Window Placement.** No standard window within the second story (a window with less than sixty-two inches of clearance from the floor), ledge, balcony, deck, door, sliding glass door or similar structure shall be located:~~

~~1.—Within seventy-five feet of a property line adjacent to an existing neighbor's "yard area of major use," or~~

~~2.—If within seventy-five feet, have an angle of view onto an existing neighbor's "yard area(s) of major use" of more than thirty degrees.~~

~~H.—**Rental of Unit.** A second unit or carriage house may be rented, although rental is not required.~~

~~I.—**Second Unit Floor Area Limitation.** A second unit shall not exceed the maximum floor area requirements provided by Table 4-4.~~

#### **TABLE 4-4—SECOND UNIT MAXIMUM FLOOR AREA**

~~—**Notes:**~~

~~—(1)—A parcel that qualifies for a second unit and is of sufficient size to be subdivided in compliance with the applicable zoning district may have a second unit with no floor area limitation, provided that both units are located to meet the setback requirements that would apply to primary dwellings on the future parcels.~~

~~—(2)—A site that would qualify for a second unit, with an existing dwelling of 1,400 square feet or less (not including a garage) as of July 31, 2001, may be developed with one additional dwelling, with no restriction on the floor area of the new unit.~~

~~J.—**Carriage House Standards.** A carriage house shall comply with the following standards, in addition to those in subsections A through G, as applicable:~~

~~1.—**Maximum Floor Area.** The total habitable floor area of a carriage house shall not exceed six hundred forty square feet.~~

~~2.—**Setbacks.** A carriage house (located over a garage) shall be located to the rear of the primary dwelling on the parcel, and shall comply with the following setback requirements:~~

~~a.—**Separation from Primary Dwelling.** No portion of a carriage house shall be placed closer than twenty feet from the primary dwelling.~~

~~b.—**Side Setbacks.** When a maintenance easement is granted by the owner of the adjacent parcel to the approval of the director, a carriage house may be built to the side property line on that side, but shall be located at least eight feet from the other side property line. Otherwise, a carriage house shall be set back a minimum of five feet from the side property lines.~~

~~c.—**Rear Setback.** A carriage house shall be set back a minimum of ten feet from the rear property line.~~

~~d.—**Allowed Projections Into Setbacks.** Balconies and bays may extend up to five feet into the rear setback or separation from the primary dwelling. (Ord. 234 § 1, 2007; Ord. 230 § 3 (part), 2007; Ord. 216 § 7, 2005; Ord. 205 § 1 (Exh. A), 2003)~~

### **-13.42.280 - Windmills for electricity generation.**

A windmill proposed for the generation of electricity, hereafter referred to as a “windmill,” shall comply with the requirements of this section.

A. **Limitation on Location.** A windmill shall be located only on a parcel within the RA or RE zoning districts.

B. **Permit Requirement.** A windmill shall require use permit approval in compliance with Section 13.62.050, and a building permit. Notice for the public hearing required by Section 13.62.050 prior to use permit approval shall comply with the requirements of Chapter 13.78; provided that the director may choose to also provide notice by placing a display advertisement of at least one-eighth page in a newspaper of general circulation within the town, if the director determines that this notice is necessary due to circumstances specific to the proposed installation.

C. **Application Requirements.** The use permit application shall include all information and materials required by Section 13.62.050, and the following:

1. Standard drawings and an engineering analysis of the system’s tower, showing compliance with the Uniform Building Code (UBC), and certification by a California-licensed professional mechanical, structural, or civil engineer. A “wet stamp” shall not be required on the drawings and analysis if the application demonstrates that the system is designed to meet the most stringent wind requirements (UBC wind exposure D), the requirements for the worst seismic class (UBC Seismic 4), and the weakest soil class, with a soil strength of not more than one thousand pounds per square foot.
2. A line drawing of the electrical components of the system in sufficient detail to allow for a determination that the manner of installation conforms to the National Electric Code.
3. Information demonstrating that the system will be used primarily to reduce on-site consumption of electricity.
4. Evidence that the provider of electric utility service to the site has been informed of the applicant’s intent to install an interconnected customer-owned electricity generator, unless the applicant intends, and so states in the application, that system will not be connected to the electricity grid.
5. Evidence that the proposed height of the windmill tower does not exceed the height recommended by the manufacturer or distributor of the system.

D. **Minimum Site Area.** A windmill shall only be located on a parcel that complies with the minimum lot area requirements of the applicable zoning district (i.e., 4.6 acres in the RA zoning district and 2.3 acres in the RE zoning district).

E. **Windmill Design Standards.**

1. **Setback Requirements.** A windmill shall not be located closer to a property line than the height of the tower.
2. **Height Limit.** A windmill tower shall not exceed a maximum height of sixty-five feet on a parcel less than five acres, or a maximum height of eighty feet on a parcel of five acres or more; provided that, in all cases, the system shall comply with all applicable Federal Aviation Administration (FAA) requirements, including Subpart B (commencing with Section 77.11) of Part 77 of Title 14 of the Code of Federal Regulations regarding installations close to airports, and the State Aeronautics Act (Part 1 (commencing with Section 21001) of Division 9 of the Public Utilities Code).
3. **Windmill Turbine.** The turbine proposed for the system shall have been approved by the California Energy Commission (CEC) as qualifying under the Emerging Renewables Fund of the CEC’s Renewables Investment Plan, or certified by a national program recognized and

approved by the CEC.

F. **Noise Standards.** A windmill shall be designed, installed, and operated so that noise generated by the system shall not exceed the lesser of sixty decibels (dBA), or the maximum noise levels established by Section 13.30.070 for the applicable zoning district, as measured at the closest neighboring inhabited dwelling, except during short-term events including utility outages and severe wind storms. (Ord. 205 § 1 (Exh. A), 2003)

### **13.42.290 - Wineries.**

A winery shall comply with the following standards.

A. **Minimum Site Area.** The site for a proposed winery shall comply with the minimum lot area requirements established by the applicable zoning district.

B. **Setback Requirements.** All structures and outdoor activity areas associated with a winery in a residential zoning district shall be set back a minimum of the required setbacks.

C. **Standards Established by Use Permit Approval.** The approval of a use permit for a winery in a residential zoning district shall require that the review authority establish specific requirements for the following aspects of project design and operation, as appropriate to the specific site and its surroundings.

1. The maximum annual production capacity of the winery in cases and/or gallons of wine;
2. Off-street parking requirements;
3. The type of special events allowed on the site (e.g., receptions, concerts, fund- raising events, etc.), and the maximum number of events allowed annually; and
4. Solid and liquid waste disposal, as permitted by the Placer County Environmental Health Department, SPMUD, and Regional Water Quality Control Board.
5. Whether the facility may offer wine tasting to the public, the maximum floor area allowed for wine tasting, and the allowed hours of operation.

D. **Standards Established for Wineries in the CC and CG Zoning District.** The approval of a winery in a commercial zoning district shall comply with the following standards, as appropriate to the specific site and its surroundings:

1. Off-street parking requirements shall be determined by the director based on Chapter 13.36 of this title and the requirements for those uses most similar to the proposed use(s);
2. Events involving public roadways, lands require a special event permit with the town and issuance of an encroachment permit by the public works department;
3. Approval of the solid and liquid waste disposal, by the Placer County Environmental Health Department, SPMUD and the public works director (in accordance with the requirements of the Regional Water Quality Control Board);
4. Receipt of a permit for alcoholic beverage sales from the town prior to occupancy.

In addition to conditions of approval addressing the above issues, the review authority may also require any additional conditions of approval authorized by Section 13.62.050. (Ord. 244 § 1, 2009; Ord. 205 § 1 (Exh. A), 2003)

### **13.42.300 - Zero lot line residential developments.**

This section establishes standards for the development of zero lot line/small lot residential

developments, where allowed by Section 13.24.030.

- A. **Dwelling Placement.** Zero lot line development shall place a detached single-family dwelling adjacent to one interior side lot line with a zero (0 feet) required setback, while maintaining a ten-foot setback on the other side. To accomplish this, the parcel adjacent to the zero side yard shall be held under the same ownership at the time of initial construction and shall provide for either a zero setback or a minimum of ten feet. The opposite side yard (from the zero setback side) shall be permanently maintained free of any obstructions, other than a required solid decorative masonry garden wall which shall be architecturally treated on both sides and be subject to the approval of the director. The masonry wall shall intersect with the rear property line.
- B. **Maintenance Easement.** In order to provide for maintenance and repair of a structures located on the zero lot line, a permanent five-foot wide wall/maintenance easement shall be provided on the parcel adjacent to the zero lot property line which, with the exception of walls and/or fences, shall be kept clear of structures. This easement shall be shown on the parcel/tract map and incorporated into each deed transferring title to the subject property.
- C. **Roof Design.** The roofs of the structures shall be designed to ensure that water runoff from the dwelling located on the common lot line is limited to the easement area;
- D. **Minimum Parcel Size.** Each parcel shall be a minimum of three thousand five hundred square feet in area, shall front on a public street and shall have a minimum width of fifty feet, with a minimum frontage of forty feet.
- E. **Outdoor Open Space.** Each dwelling shall have a minimum of two hundred square feet of private useable outdoor open space, with minimum dimensions of ten feet;
- F. **Private Streets or Alleys.** Private streets or alleys may be allowed in order to provide vehicular access to individual units as well as to provide for waste collection and other public/private services. Alleys shall not be used for parking.
- G. **Projections Prohibited.** Structures or architectural elements shall not project over any property line.
- H. **Rights-of-Way.** The zero side yard shall not be located adjacent to any private or public right-of-way.
- I. **Walls.** The walls of the structure located on the zero lot line shall be constructed with low maintenance solid decorative masonry or masonry veneer, subject to the approval of the director. (Ord. 205 § 1 (Exh. A), 2003)

## **Chapter 13.62 - PERMIT APPROVAL OR DISAPPROVAL**

- 13.62.010 - Purpose.
- 13.62.020 - Zoning clearance.
- 13.62.030 - Limited term permit.
- 13.62.040 - Design review.
- 13.62.050 - Use permit and minor use permit.
- 13.62.060 - Variance and minor variance.
- 13.62.070 - Master development plan.

### **13.62.010 - Purpose.**

- A. **Permit Review Procedures.** This chapter provides procedures for the final review, and approval or disapproval of the land use permit applications established by this title.
- B. **Subdivision Review Procedures.** Procedures and standards for the review and approval of

subdivision maps are found in the town's subdivision ordinance.

C. **Application Filing and Initial Processing.** Where applicable, the procedures of this chapter are carried out after those described in Chapter 13.60, for each application. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.62.020 - Zoning clearance.**

A. **Purpose.** Zoning clearance is the procedure used by the town to verify that a proposed structure or land use complies with the permitted list of activities allowed in the applicable zoning district, and the development standards applicable to the use.

B. **Applicability.** Where Division 2 or other provision of this title requires a zoning clearance as a prerequisite to establishing a land use, the zoning clearance shall be required at the time of department review of any building, grading, or other construction permit, or other authorization required by this title for the proposed use.

C. **Review and Approval.** The director shall issue the zoning clearance after determining that the request complies with all provisions of this title applicable to the proposed use. An approval may be in the form of a stamp, town staff signature, or other official notation on approved plans, a letter to the applicant, or other certification, at the discretion of the director. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.62.030 - Limited term permit.**

A. **Purpose.** This section establishes procedures for the granting of ministerial limited-term permits for short-term activities.

B. **Applicability.** A limited-term permit allows the short-term activities listed in subsection E, that may not comply with the normal development or use standards of the applicable zoning district, but may otherwise be acceptable because of their temporary nature.

C. **Review Authority.** Limited-term permits may be approved or disapproved by the director, in compliance with this section.

D. **Exempt Temporary Activities.** The following temporary activities are allowed without the necessity of obtaining a limited-term permit. Temporary activities that do not fall within the following categories shall comply with subsection E.

1. **Construction Yards—On-Site.** On-site contractors' construction yards, for an approved construction project. The construction yard shall be removed immediately upon completion of the construction project, or the expiration of the building permit authorizing the construction project, whichever occurs first.
2. **Emergency Facilities.** Emergency public health and safety needs/activities.
3. **Garage Sales.** Garage sales, not to exceed three per year, and two consecutive days.
4. **Public Property, or Public Right-of-Way.** Activities conducted on public property that are approved by the council or as otherwise required by the municipal code.
5. **Use of an RV or Travel Trailer for Temporary Lodging.** The overnight occupancy of a recreational vehicle or travel trailer in a residential zoning district by houseguests, not to exceed two weeks in any twelve-month period.
6. **Fund-Raising Car Washes.** Fund-raising car washes on property within a commercial, industrial zone, or on institutional property.
7. **Events on Sites Approved for Public Assembly.** An event on the site or within a religious facility, school, golf course, theater, or other similar facility designed, and approved by the

town for public assembly.

8. **Temporary Work Trailers.** A trailer or mobile home used as a temporary work site for employees of a business, provided that:
  - a. The use is authorized by a building permit for the trailer, and the building permit for the permanent structure;
  - b. The use is appropriate because:
    - i. The trailer or mobile home will be in place during construction or remodeling of a permanent commercial or manufacturing structure for a maximum of one year, or upon expiration of the building permit for the permanent structure, whichever first occurs; or
    - ii. The applicant has demonstrated that the temporary work site is a short-term necessity for a maximum of one year, while a permanent work site is being obtained; and
  - c. The trailer is removed prior to final building inspection or the issuance of a certificate of occupancy for the permanent structure.

E. **Allowed Temporary Uses.** A limited term permit may authorize the following temporary activities within the specified time limits, but in no event for more than twelve months. Other temporary or short-term activities that do not fall within the categories defined below shall instead comply with the land use permit requirements and development standards that otherwise apply to the property.

1. **Events.** Arts and crafts exhibits, carnivals, circuses, concerts, fairs, farmer's markets, festivals, flea markets, food events, outdoor entertainment/sporting events, rodeos, rummage sales, second hand sales, and swap meets for up to seven consecutive days, or six three-day weekends, within a twelve-month period, allowed only on nonresidential properties.
2. **Location Filming.** The temporary use of a specific site for the location filming of commercials, movies, videos, etc., for the time specified by the director, but not to exceed twelve months.
3. **Model Homes.** A model home or model home complex may be authorized prior to the completion of subdivision improvements in compliance with the following standards.
  - a. A paved, off-street parking lot with two space per model home unit, handicapped parking in compliance with Section 13.36.060, and landscaping shall be provided. The review authority may allow the use of on-street parking in lieu of a parking lot where it is demonstrated that two spaces per model home can be accommodated immediately in front of the model home complex; no parking spaces will be located in front of an occupied residence; and handicapped accessibility to the sales office in compliance with Section 13.36.060 will be maintained.
  - b. Individual utility connections shall be provided to each model home.
  - c. The sales office, any arbor not in compliance with applicable setback requirements, and any off-street parking shall be converted back to residential use and/or removed prior to the issuance of the final occupancy permit or within fourteen days from the sale of the last lot in the subdivision, whichever occurs first.
  - d. Landscape and irrigation plans shall be reviewed as part of the limited term permit, and all model home complex landscaping shall comply with the town's water efficient landscape requirements. No irrigation shall cross a property line.

- e. The model home complex shall be used to sell only units within the subdivision within which the complex is located.
  - f. If a temporary sales trailer is used, the trailer shall be:
    - i. Accessible to the handicapped;
    - ii. Equipped with a screening skirt around the base;
    - iii. In compliance with applicable building code requirements for restroom facilities for a workplace with employees; and
    - iv. Removed within seven days of the issuance of the temporary final for the model homes.
  - g. The subdivision developer and house building must be the same.
  - h. The subdivision final map shall be recorded.
  - i. The installation of underground improvements in front of the model homes shall be completed.
  - j. The subdivision grading shall be completed.
  - k. The water system shall be completed, and in service so that fire hydrants are accessible, and a fire response plan must be completed and submitted.
  - l. All weather access for fire equipment shall be provided and maintained to the satisfaction of the fire department.
  - m. Model home sign permits will be issued only after all subdivision improvements are completed and accepted by the town.
  - n. Model home permits will be finalized and the model homes will be allowed to be open to the public only after all subdivision improvements are completed and accepted by the town.
  - o. The review authority may require other conditions of approval deemed necessary to protect the public health, safety, and general welfare of persons residing or working in the neighborhood.
4. **Seasonal Sales Lots.** Seasonal sales activities (e.g., Halloween, Thanksgiving, Christmas, etc.) including temporary residence/security trailers, on nonresidential properties, for up to thirty-five days.
  5. **Temporary Real Estate Sales Offices.** A temporary real estate sales office may be established within the area of an approved development project, solely for the first sale of homes. An application for a temporary real estate office may be approved for a maximum of one year from the date of approval.
  6. **Temporary Residence.** A mobile home as a temporary residence of the property owner when a valid building permit for a new single-family dwelling is in force. The permit may be approved for up to one year, or upon expiration of the building permit, whichever occurs first. The use of a mobile home as a temporary residence in cases of personal hardship is subject to Section 13.42.170.
  7. **Temporary Structures.** A temporary classroom, office, or similar structure, including a manufactured or mobile unit, may be approved for a maximum of one year from the date of approval, as an accessory use or as the first phase of a development project.



8. **Similar Temporary Activities.** A temporary activity that the director determines is similar to the other activities listed in this subsection, and compatible with the applicable zoning district and surrounding land uses.

F. **Development Standards.** The director shall establish the following standards based on the type of temporary use, using the requirements of the applicable zoning district and Divisions 3 and 4 for guidance:

1. Access, floor areas, heights, landscaping, off-street parking, setbacks, signs, utilities, and other structure and property development improvements and features;
2. Measures for removal of the activity and site restoration, to ensure that no changes to the site would limit the range of possible future land uses otherwise allowed by this title; and
3. Limitation on the duration of approved “temporary structures,” to a maximum of one year, so that they shall not become permanent or long-term structures.

G. **Application Filing and Processing.** An application for a limited-term permit shall be filed and processed in compliance with Chapter 13.60. It is the responsibility of the applicant to establish evidence in support of the findings required by subsection F.

H. **Project Review, Notice and Hearing.** Each application shall be reviewed by the director to ensure that the proposal complies with all applicable requirements of this title.

1. **Public Notice.** Prior to a decision on a limited term permit, the town shall provide notice of a public hearing in compliance with Chapter 13.78. The notice shall state that the director will decide whether to approve or disapprove the limited term permit application on a date specified in the notice, and that a public hearing will be held only if requested in writing by any interested person prior to the specified date for the decision.
2. **Hearing.** When a hearing is requested, notice of the hearing shall be provided in compliance with Chapter 13.78, and the director shall conduct the public hearing prior to a decision on the application in compliance with Chapter 13.78.

I. **Findings and Decision.** A limited-term permit may be approved by the director only after the director first finds that the requested activity complies with applicable standards, and therefore the establishment, maintenance, or operation of the temporary activity would not be detrimental to the public health, safety, or welfare of persons residing or working in the neighborhood of the proposed activity.

J. **Post Approval Procedures.** The procedures and requirements in Chapter 13.64, and those related to appeals and revocation in Division 7, shall apply following the decision on a limited-term permit application.

1. **Condition of the Site Following Temporary Activity.** Each site occupied by a temporary activity shall be cleaned of debris, litter, or other evidence of the temporary activity on completion or removal of the activity, and shall thereafter be used in compliance with the provisions of this title. A bond may be required before initiation of the activity to ensure cleanup after the activity is finished.
2. **Performance Security for Temporary Structures.** Prior to issuance of a limited-term permit the applicant shall provide performance security in a form and amount acceptable to the director to guarantee removal of all temporary structures within thirty days following the expiration of the limited-term permit. (Ord. 205 § 1 (Exh. A), 2003)

#### **13.62.040 - Design review.**

A. **Purpose.** Design review is intended to ensure that the design of proposed development and new land uses assists in maintaining and enhancing the small-town, historic, and rural character of the

community. Therefore, the purposes of these procedures and requirements are to:

1. Recognize the interdependence of land values and aesthetics and encourage the orderly and harmonious appearance of development within the community;
2. Ensure that new uses and structures enhance their sites and are compatible with the highest standards of improvement in the surrounding neighborhoods;
3. Retain and strengthen the visual quality and attractive character of the community;
4. Assist project developers in understanding the town's concerns for the aesthetics of development, and
5. Ensure that development complies with all applicable town standards and guidelines, and does not adversely affect community health, safety, aesthetics, or natural resources.

B. **Applicability.** Design review approval shall be required for the following:

1. All proposed nonresidential development and new land uses, and for multifamily housing projects per 13.42.250
2. All proposed mixed-use projects per 13.42.140
3. , and for ~~The~~ construction of two or more single-family dwellings by the same developer on adjacent parcels within the downtown area, and/or within a new subdivision of five or more parcels. ~~Design review shall also be required for~~
4. Any exterior additions and facade changes to these projects, except existing single-family dwellings.

Design review shall be required in addition to all other land use permit or approval requirements of this title, and the municipal code.

C. **Review Authority.** Design review shall be conducted by the commission for any project that requires the approval of a use permit, variance, or master development plan, and by the director for any project that requires a minor use permit, minor variance, zoning clearance, or subdivision approval for five or more parcels.

D. **Application Filing and Processing.** An application shall be prepared, filed, and processed in compliance with Chapter 13.60. It is the responsibility of the applicant to provide evidence in support of the findings required by subsection F.

E. **Project Review and Findings.** The applicable review authority shall evaluate each proposed project to ensure that the project:

1. Complies with this section;
2. Provides architectural design, building massing and scale appropriate to and compatible with the site surroundings and the community;
3. Provides attractive and desirable site layout and design, including, but not limited to, building arrangement, exterior appearance and setbacks, drainage, fences and walls, grading, landscaping, lighting, signs, etc.;
4. Provides efficient and safe public access, circulation and parking;
5. Provides appropriate open space and landscaping, including the use of water efficient landscaping;
6. Is consistent with the general plan; and
7. Complies with any applicable design guidelines and/or adopted design review policies.

F. **Decision.** The review authority shall approve or disapprove an application for design review approval concurrently with the approval or disapproval of any other land use permit (i.e., master development plan, use permit, minor use permit, variance or minor variance, zoning clearance) required for the project, if the design review application is filed with the town at the same time. Design review approval shall require that the review authority first find that the project, as proposed or with changes resulting from the review process and/or conditions of approval, will comply with all project review criteria in subsection E.

G. **Conditions of Approval.** The review authority may require any reasonable conditions of approval to ensure that the project will comply with the findings required by subsection F.

H. **Post Approval Procedures.** The procedures and requirements in Chapter 13.64, and those related to appeals and revocation in Division 7, shall apply following the decision on an application for design review.

I. **Exceptions.** The design review process shall not apply to projects performing an Urban Lot Split, as defined in Section 13.80.020.

(Ord. 205 § 1 (Exh. A), 2003)

### **13.62.050 - Use permit and minor use permit.**

A. **Purpose.** A use permit or minor use permit provides a process for reviewing uses and activities that may be appropriate in the applicable zoning district, but whose effects on site and surroundings cannot be determined before being proposed for a specific site.

B. **Applicability.** A use permit or minor use permit is required to authorize proposed land uses identified by Division 2 as being allowable in the applicable zoning district subject to the approval of a use permit or minor use permit.

C. **Review Authority.** Use permits shall be approved or disapproved by the commission; minor use permits shall be approved or disapproved by the director, provided that the director may choose to refer any minor use permit application to the commission for hearing and decision. A minor use permit application shall be determined exempt from the California Environmental Quality Act (CEQA) in compliance with state law and the town's CEQA Guidelines or it shall be processed as a use permit.

D. **Application Filing and Processing.** An application for a use permit or minor use permit shall be completed, filed and processed in compliance with Chapter 13.60. It is the responsibility of the applicant to provide evidence in support of the findings required by subsection F.

E. **Project Review, Notice and Hearing.** Each application shall be reviewed by the director to ensure that the proposal complies with all applicable requirements of this title.

1. **Use Permit.** The commission shall conduct a public hearing on an application for a use permit prior to a decision on the application. Notice of the public hearing shall be provided, and the hearing shall be conducted in compliance with Chapter 13.78.
2. **Minor Use Permit.** Prior to a decision on a minor use permit, the town shall provide notice of a public hearing in compliance with Chapter 13.78.
  - a. **Public Notice.** The notice shall state that the director will decide whether to approve or disapprove the minor use permit application on a date specified in the notice, and that a public hearing will be held only if requested in writing by any interested person prior to the specified date for the decision.
  - b. **Hearing.** When a hearing is requested, notice of the hearing shall be provided in compliance with Chapter 13.78, and the director shall conduct the public hearing prior to a decision on the application in compliance with Chapter 13.78.

F. **Findings and Decision.** The review authority may approve or disapprove an application for use permit or minor use permit approval. The review authority shall record the decision and the findings on which the decision is based. The review authority may approve a use permit or minor use permit only after first finding all of the following:

1. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title and the municipal code;
2. The proposed use is consistent with the general plan and any applicable specific plan;
3. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and future land uses in the vicinity;
4. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints; and
5. Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

G. **Conditions of Approval.** In approving a use permit or minor use permit, the review authority may impose any reasonable conditions (e.g., the placement, height, nature and extent of the use; buffers, landscaping and maintenance, off-site improvements, performance guarantees, screening, surfacing, time limits, etc.), including conditions which establish standards for development that are more restrictive than the applicable requirements of this title, to ensure that the approval will comply with the findings required by subsection F.

H. **Post Approval Procedures.** The procedures and requirements in Chapter 13.64, and those related to appeals and revocation in Division 7, shall apply following the decision on an application for use permit or minor use permit approval.

(Ord. 205 § 1 (Exh. A), 2003)

### **13.62.060 - Variance and minor variance.**

A. **Purpose.** This section allows variances from the development standards of this title only when, because of special circumstances applicable to the property, including location, shape, size, surroundings, topography, or other physical conditions, the strict application of the standards denies the property owner privileges enjoyed by other property owners in the vicinity and in the same zoning district.

B. **Applicability.** A variance may be granted to waive or modify any requirement of this title except: allowed land uses; residential density; specific prohibitions (for example, prohibited signs), or procedural requirements.

C. **Review Authority.** A variance application shall be reviewed, and approved or disapproved by the commission, except that the director may grant a minor variance to reduce any of the following requirements of this title up to a maximum of twenty-five percent.

1. Distance between structures;
2. Parcel dimensions (not area);
3. Setbacks;
4. Structure height;
5. On-site parking, loading, and landscaping; or

6. Sign regulations (other than prohibited signs).

The director may choose to refer any minor variance application to the commission for hearing and decision.

D. **Application Filing and Processing.** An application shall be filed in compliance with Chapter 13.60. It is the responsibility of the applicant to provide evidence in support of the findings, as required by subsection F.

E. **Project Review, Notice and Hearing.** Each application shall be reviewed by the director to ensure that the proposal complies with this section, and all other applicable requirements of this title.

1. **Variance.** The commission shall conduct a public hearing on an application for a variance prior to a decision. Notice of the public hearing shall be provided, and the hearing shall be conducted in compliance with Chapter 13.78.
2. **Minor Variance.** Prior to a decision on a minor variance, the town shall provide notice of a public hearing in compliance with Chapter 13.78. The notice shall state that the director will decide whether to approve or disapprove the minor variance application on a date specified in the notice, and that a public hearing will be held only if requested in writing by any interested person prior to the specified date for the decision. When a hearing is requested, notice of the hearing shall be provided in compliance with Chapter 13.78, and the director shall conduct the public hearing prior to a decision on the application in compliance with Chapter 13.78.

F. **Findings and Decision.** The review authority may approve a variance or minor variance, with or without conditions, only after first making all of the following findings, as applicable.

1. **General Findings.**
  - a. There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, topography, or other conditions), so that the strict application of this title denies the property owner privileges enjoyed by other property owners in the vicinity and within the same zoning district;
  - b. Granting the variance is necessary for the preservation and enjoyment of substantial property rights enjoyed by other property owners in the same vicinity and zoning district and denied to the property owner for which the variance is sought; and
  - c. The variance is consistent with the general plan and any applicable specific plan.
2. **Findings for Off-Street Parking Variances.** For a nonresidential development project proposing to locate a portion of the required parking at an off-site location, or provide in-lieu fees or facilities instead of the required on-site parking spaces, the review authority shall first make both of the following findings, as required by Government Code Section 65906.5, instead of those required by subsection (D)(1) above.
  - a. The variance would be an incentive to, and a benefit for, the subject nonresidential development; and
  - b. The variance would facilitate access to the subject nonresidential development by patrons of public transit facilities.
3. **Finding for Reasonable Accommodation.** The review authority may also grant a variance to the site planning or development standards of this title in compliance with this section, based on the finding that the variance is necessary to accomplish a reasonable accommodation of the needs of a disabled person in compliance with the Americans with Disabilities Act (ADA).

G. **Conditions of Approval.** In approving a variance, the review authority:

1. Shall impose conditions to ensure that the variance does not grant special privileges inconsistent with the limitations on other properties in the vicinity and zoning district in which the property is located; and
2. May impose any reasonable conditions (e.g., the placement, height, nature and extent of the use; buffers, landscaping and maintenance, off-site improvements, performance guarantees, screening, surfacing, etc.) to ensure that the approval complies with the findings required by subsection F.

H. **Post Approval Procedures.** The procedures and requirements in Chapter 13.64, and those related to appeals and revocation in Division 7, shall apply following the decision on an application for a variance or minor variance.

(Ord. 205 § 1 (Exh. A), 2003)

### **13.62.070 - Master development plan.**

A. **Purpose.** Where required by the applicable zoning district, a master development plan provides a process for the review of initial parcel development in relation to surrounding sites in the same district, on parcels where sensitive site characteristics, general plan policies, complex and/or multi-use projects, require comprehensive review by the town, including planning commission input, and a decision by the council.

B. **Applicability.** A master development plan is required to authorize proposed land uses identified by Division 2 as being allowable in the applicable zoning district subject to the approval of a master development plan.

C. **Review Authority.** A master development plan shall be approved or disapproved by the council after review and a recommendation by the commission.

D. **Application Filing and Processing.** An application for a master development plan shall be completed, filed and processed in compliance with Chapter 13.60, and any requirements of the applicable zoning district. It is the responsibility of the applicant to provide evidence in support of the findings required by subsection F.

E. **Project Review, Notice and Hearing.** Each application shall be reviewed by the director to ensure that the proposal complies with all applicable requirements of this title.

1. **Notice and Hearings.** The commission and council shall each conduct at least one public hearing regarding a proposed master development plan. Notice of the hearings shall be given in compliance with Chapter 13.78.
2. **Commission Recommendation.** After a public hearing, the commission shall forward a written recommendation, and reasons for the recommendation, to the council whether to approve, approve in modified form, or disapprove the proposed master development plan, based on the findings in subsection F.
3. **Council Decision.** Upon receipt of the commission's recommendation and after a public hearing, the council shall approve, approve in modified form, or disapprove the proposed master development plan based on the findings in subsection F.

F. **Findings and Decision.** The review authority may recommend or approve a master development plan only after first finding all of the following:

1. Each proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this title and the municipal code;

2. Each proposed use is consistent with the general plan and any applicable specific plan;
3. The master development plan provides an effective and efficient circulation system for all property covered by the plan, with roadway capacities appropriate to the volume of traffic to be generated by each proposed use;
4. The arrangement of proposed land uses on the site and the design of proposed structures will ensure compatibility between the proposed uses in terms of their traffic generation characteristics, parking and loading requirements, scale, hours of operation, and other external effects;
5. The design, location, size, and operating characteristics of the uses and structures proposed on the site are and will be compatible with the existing and future land uses in the vicinity;
6. The site is physically suitable for the type, density and intensity of use being proposed, including access, utilities, and the absence of physical constraints; and
7. Granting the permit would not be detrimental to the public interest, health, safety, convenience, or welfare, or materially injurious to persons, property, or improvements in the vicinity and zoning district in which the property is located.

G. **Conditions of Approval.** In approving a master development plan, the review authority may impose any reasonable conditions (e.g., the placement, height, nature and extent of the use; buffers, landscaping and maintenance, off-site improvements, performance guarantees, screening, surfacing, time limits, etc.) to ensure that the approval will comply with the findings required by subsection F.

H. **Post Approval Procedures.** The procedures and requirements in Chapter 13.64, and those related to appeals and revocation in Division 7, shall apply following the decision on an application for master development plan approval.

(Ord. 205 § 1 (Exh. A), 2003)

## Chapter 13.80 - DEFINITIONS

### 13.80.010 - Purpose.

This chapter provides definitions of terms and phrases used in this title that are technical or specialized, or that may not reflect common usage. If any of the definitions in this chapter conflict with definitions in other provisions of the municipal code, these definitions shall control for the purposes of this title. If a word is not defined in this chapter, or in other provisions of the town of Loomis municipal code, the director shall determine the correct definition. (Ord. 205 § 1 (Exh. A), 2003)

### 13.80.020 - Definitions of specialized terms and phrases.

As used in this title, the following terms and phrases shall have the meaning ascribed to them in this section, unless the context in which they are used clearly requires otherwise.

#### A. Definitions, A.

**Abut** means having property lines, street lines, or zoning district lines in common.

**Accessory dwelling unit (ADU)** means an attached or detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the primary dwelling unit. An accessory dwelling unit also includes the following: a) an efficiency unit, b) a manufactured home, as defined in Section 18007 of the California Health and Safety Code, c) a carriage unit, and d) repurposed existing space within the footprint of the existing primary dwelling converted into an independent living unit.

**Accessory retail or services** mean the retail sale of various products, or the provision of certain personal services within a health care, hotel, office, or industrial complex, to employees or customers. Examples of these uses include pharmacies, gift shops, and food service establishments within hospitals; convenience stores and food service establishments within hotel, office and industrial complexes; and barber and beauty shops within residential care facilities.

**Accessory structure** means a structure that is physically detached from, secondary and incidental to, and commonly associated with a primary structure on the same site. See also **Agricultural accessory structure**, and **Residential accessory uses and structures**.

**Accessory use** means a use customarily incidental to, related and clearly subordinate to a primary use on the same parcel, which does not alter the primary use nor serve property other than the parcel where the primary use is located.

**Adult-oriented business** means a business based upon materials or performances that depict, describe, or relate to **specified sexual activities** or **specified anatomical areas**, as defined in the municipal code.

**Affordable rent** means monthly housing expenses, including a reasonable allowance for utilities, for rental units reserved for very low or low income households, not exceeding the following calculations:

1. **Very low income** means fifty percent of median income as defined by state law (Health and Safety Code Section 50105) and the HUD income limits.
2. **Low income** means eighty percent of median income as defined by state law (Health and Safety Code Section 50079.5) and the HUD income limits.
3. **Extremely low income** means thirty percent of the median income as defined by state law (Health and Safety Code Section 50106) and the HUD income limits.

**Affordable sales price** means a sales price at which very low and low income households can qualify for the purchase of designated dwelling units, calculated on the basis of underwriting standards of mortgage financing available for the development.

**Agent** means a person authorized in writing by the property owner to represent and act for a property owner in contacts with town employees, committees, commissions, and the council, regarding matters regulated by this title.

**Agricultural accessory structure** means a structure for sheltering or confining animals, or agricultural equipment, hay, feed, etc. Examples of these structures include barns, noncommercial greenhouses, coops, corrals, and pens. Does not include pasture fencing.

**Agricultural products processing** means the processing of harvested crops to prepare them for on-site marketing or processing and packaging elsewhere. Examples of this land use include the following:

- Alfalfa cubing
- Corn shelling
- Cotton ginning
- Custom grist mills
- Custom milling of flour, feed and grain
- Dairies (but not feedlots, see instead **livestock operations, sales yards, feedlots, stockyards**)
- Drying of corn, rice, hay, fruits and vegetables
- Grain cleaning and custom grinding
- Hay baling and cubing



Precooling and packaging of fresh or farm-dried fruits and vegetables

Sorting, grading and packing of fruits and vegetables

Tree nut hulling and shelling

Does not include wineries, which are separately defined.

**Agriculture** means and includes the activities defined by this title under the terms **agricultural accessory structure, agricultural products processing, animal keeping, and crop production, horticulture, orchard, vineyard, plant nursery, and winery**; and as defined by the state of California under the term **agricultural use** in Government Code Section 51200 (the “Williamson Act”).

**Alcoholic beverage sales** mean the retail sale of beer, wine, and/or distilled spirits for on-premises or off-premises consumption.

**Alley** means a public or private roadway that provides vehicle access to the rear or side of parcels having other public street frontage, that is not intended for general traffic circulation.

**Allowed use** means a use of land identified by Division 2 as a permitted or conditional use that may be established with land use permit and, where applicable, design review and/or building permit approval, subject to compliance with all applicable provisions of this title.

**Alteration** means any construction or physical change in the internal arrangement of rooms or the supporting members of a structure, or a change in the external appearance of any structure, not including painting.

**Ambulance, taxi, or limousine dispatch facility** means a base facility from which taxis and limousines are dispatched, and/or where ambulance vehicles and crews standby for emergency calls.

**Animal keeping.** See Section 13.42.060.

**Apartment.** See **Multifamily housing**.

**Applicant** means any person who is filing an application requesting an action who is:

1. The owner or lessee of property;
2. A party who has contracted to purchase property contingent upon that party’s ability to acquire the necessary approvals required for that action in compliance with this title, and who presents written authorization from the property owner to file an application with the town; or
3. The agent of either of the above who presents written authorization from the property owner to file an application with the town.

**Approval** means and includes both approval and approval with conditions.

**Arborist** means: (1) A person currently certified by the Western Chapter of the International Society of Arboriculture as an expert on the care of trees; (2) a consulting arborist who satisfies the requirements of the American Society of Consulting Arborists; or (3) other qualified professionals who the director determines have gained through experience the qualifications to identify, remove, or replace trees.

**Architectural feature** means an exterior building feature including roof, windows, doors, porches, etc.

**Artisan/craft product manufacturing** means establishments manufacturing and/or assembling small products primarily by hand, including jewelry, pottery and other ceramics, as well as small glass and metal art and craft products.

**Artisan shop** means a retail store selling art glass, ceramics, jewelry, paintings, sculpture, and other handcrafted items, where the store includes an area for the crafting of the items being sold.

**Assessed value** means the value of a structure as shown in the records of the county assessor.

**Assisted living facility** means a residential building or buildings that also provide housing, personal and health care, as permitted by the Department of Social Services, designed to respond to the daily, individual needs of the residents. Assisted living facilities may include kitchenettes (small refrigerator, sink and/or microwave oven) within individual rooms. Assisted living facilities are required to be licensed by the California Department of Social Services, and do not include skilled nursing services.

**Attached** means connected, or solidly incorporated together, through the extension of a common wall or similar main component for at least five feet and not capable of being removed without damage to the structure and not simply joined together by a breezeway or similar smaller connecting structure.

**Attic** means the area located between the uppermost plate and the roof or ridge of a structure.

**Auto and vehicle sales/rental** means a retail or wholesale establishment selling and/or renting automobiles, trucks and vans, trailers, motorcycles, and bicycles (bicycle sales are also included under “General retail”). May also include repair shops and the sales of parts and accessories, incidental to vehicle dealerships. Does not include: the sale of auto parts/accessories separate from a vehicle dealership (see **auto parts sales**); mobile home, recreational vehicle, or watercraft sales (see **mobile home, RV and boat sales**); tire recapping establishments (see **vehicle services**); businesses dealing exclusively in used parts, (see **recycling—scrap and dismantling yards**); or **gas stations**, which are separately defined.

**Auto parts sales** means and includes stores that sell new automobile parts, tires, and accessories. Establishments that provide installation services are instead included under “Vehicle services—repair and maintenance—minor.” Does not include tire recapping establishments, which are found under “Vehicle services” or businesses dealing exclusively in used parts, which are included under “Recycling—scrap and dismantling yards.”

**Auto repair.** See **vehicle services**.

**Automated teller machine (ATM)** means computerized, self-service machines used by banking customers for financial transactions, including deposits, withdrawals and fund transfers, without face-to-face contact with financial institution personnel. The machines may be located at or within banks, or in other locations.

## **B. Definitions, B.**

**Bank, financial services** means financial institutions including:

- Banks and trust companies
- Credit agencies
- Holding (but not primarily operating) companies
- Lending and thrift institutions
- Other investment companies
- Securities/commodity contract brokers and dealers
- Security and commodity exchanges
- Vehicle finance (equity) leasing agencies

See also, **automated teller machine**.

**Bar/tavern** means a business where alcoholic beverages are sold for on-site consumption, which are

not part of a larger restaurant. Includes bars, taverns, pubs and similar establishments where any food service is subordinate to the sale of alcoholic beverages. May also include beer brewing as part of a microbrewery ("brew-pub"), and other beverage tasting facilities. Does not include adult-oriented businesses.

**Bed and breakfast inn (B&B)** means a residential structure with one or more bedrooms rented for overnight lodging, where meals may be provided subject to applicable Environmental Health Department regulations. Does not include room rental, which is separately defined (see **Boarding/rooming house**).

**Building and landscape materials sales** mean retail establishments selling hardware, lumber and other large building materials, plant materials and other landscaping materials. Includes paint, wallpaper, glass, fixtures. Includes all these stores selling to the general public, even if contractor sales account for a major proportion of total sales. Establishments primarily selling electrical, plumbing, heating, and air conditioning equipment and supplies are classified in **Wholesaling and distribution**.

**Building height.** See Section 13.30.050.

**Business support service** means an establishment within a building that provides services to other businesses. Examples of these services include:

- Blueprinting
- Computer-related services (rental, repair)
- Copying and quick printing services
- Film processing and photofinishing (retail)
- Outdoor advertising services
- Mailing and mail box services
- Protective services (other than office related)
- Security systems services

#### C. Definitions, C.

**Cabinet shop.** See **furniture and fixtures manufacturing, cabinet shops**.

**California Environmental Quality Act (CEQA)** means state law (California Public Resources Code Sections 21000 et seq.) requiring public agencies to document and consider the environmental effects of a proposed action, prior to allowing the action to occur.

**California Public Utilities Commission (CPUC)** means the governmental agency which regulates the terms and conditions of public utilities in the state.

**Card room** means an establishment offering legal gambling activities in compliance with a state license.

**Caretaker/employee unit** means a permanent residence that is secondary or accessory to the primary use of the property, and used for housing a caretaker employed on the site of any nonresidential use where needed for security purposes or to provide twenty-four-hour care or monitoring of people, plants, animals, equipment, or other conditions on the site.

~~**Carriage house** means a secondary residential unit located over a detached garage.~~

**Catering service** means a business that prepares food for consumption on the premises of a client.

**Cemetery, mausoleum, columbarium** means an interment establishment engaged in subdividing property into cemetery lots and offering burial plots or air space for sale. Includes animal cemeteries; cemetery, mausoleum, crematorium and columbarium operations, and full-service mortuaries and funeral parlors accessory to a cemetery or columbarium.

**Change of use** means the replacement of an existing use on a lot or parcel, or any portion thereof, by a new use, or a change in the nature of an existing use; but does not include a change of ownership, tenancy, or management associated with a use for which the previous nature of the use will remain substantially unchanged.

**Club, lodge, private meeting hall** means permanent, headquarters-type and meeting facilities for organizations operating on a membership basis for the promotion of the interests of the members, including facilities for:

- Business associations

- Civic, social and fraternal organizations

- Labor unions and similar organizations

- Political organizations

- Professional membership organizations

- Other membership organizations

- Includes grange halls and similar facilities.

**Commercial recreation facility—indoor** means establishments providing indoor amusement and entertainment services for a fee or admission charge, including:

- Bowling alleys

- Coin-operated amusement arcades

- Dance halls, clubs and ballrooms

- Electronic game arcades (video games, pinball, etc.)

- Ice skating and roller skating

- Pool and billiard rooms as primary uses

This use does not include adult-oriented businesses, which are separately defined. Four or more electronic games or coin-operated amusements in any establishment, or a premises where fifty percent or more of the floor area is occupied by amusement devices, are considered an electronic game arcade as described in this definition; three or fewer machines are not considered a land use separate from the primary use of the site.

**Commercial recreation facility—outdoor** means a facility for various outdoor recreational activities, where a fee is charged for use. Examples include:

- Amusement and theme parks

- Go-cart tracks

- Golf driving ranges

- Miniature golf courses

- Water slides

May also include commercial facilities customarily associated with the above outdoor commercial recreational uses, including bars and restaurants, video game arcades, etc.

**Commercial zoning district** means any of the commercial zoning districts established by Section 13.20.020.

**Community center** means a multi-purpose meeting and recreational facility typically consisting of one or more meeting or multi-purpose rooms, kitchen and/or outdoor barbecue facilities, that are available for use by various groups for such activities as meetings, parties, receptions, dances, etc.

**Condominium** means as defined by Civil Code Section 1315, a development where undivided interest in common in a portion of real property is coupled with a separate interest in space called a unit, the boundaries of which are described on a recorded final map or parcel map.

**Conference/convention facility** means one or more structures accommodating multiple assembly, meeting, and/or exhibit rooms, and related support facilities (e.g., kitchens, offices, etc.).

**Construction contractors** mean office, and indoor and/or outdoor storage facilities operated by, or on behalf of a contractor licensed by the state of California for storage of large equipment, vehicles, and/or other materials commonly used in the individual contractor's type of business; storage of scrap materials used for repair and maintenance of contractor's own equipment; and buildings or structures for uses such as repair facilities.

**Construction/heavy equipment sales and rental** means retail establishments selling or renting construction, farm, or other heavy equipment. Examples include cranes, earth-moving equipment, tractors, combines, heavy trucks, etc.

**Convenience store** means a retail store of three thousand five hundred square feet or less in gross floor area, which carries a range of merchandise oriented to convenience and/or travelers' shopping needs.

**County** means the county of Placer, state of California.

**Crop production, horticulture, orchard, vineyard** means commercial agricultural production field and orchard uses, including the production of the following, primarily in the soil on the site and not in containers, other than for initial propagation prior to planting in the soil on the site, and/or in containers occupying one acre or less:

Field crops

Flowers and seeds

Fruits

Grains

Melons

Ornamental crops

Tree nuts

Trees and sod

Vegetables

Wine and table grapes

Also includes associated crop preparation services and harvesting activities, such as mechanical soil preparation, irrigation system construction, spraying, crop processing and retail sales in the field, not

including **sales sheds**, which are instead defined under **produce stand**. Does not include **greenhouses** which are instead defined under **plant nursery**, and **residential accessory use or structure**, or **containerized crop production**, which is instead defined under **plant nursery**.

#### D. Definitions, D.

**Day care** means facilities that provide nonmedical care and supervision of minor children for periods of less than twenty-four hours. These facilities include the following, all of which are required to be licensed by the California State Department of Social Services:

1. **Child day care center** means commercial or nonprofit child day care facilities designed and approved to accommodate fifteen or more children. Includes infant centers, preschools, sick-child centers and school-age day care facilities. These may be operated in conjunction with a school or church facility, or as an independent land use.
2. **Large family day care home** means as provided by Health and Safety Code Section 1596.78, a home that regularly provides care, protection, and supervision for seven to fourteen children, inclusive, including children under the age of ten years who reside in the home, for periods of less than twenty-four hours per day, while the parents or guardians are away.
3. **Small family day care home** means as provided by Health and Safety Code Section 1596.78, a home that provides family day care for eight or fewer children, including children under the age of ten years who reside in the home.
4. **Adult day care facility** means a day care facility providing care and supervision for adult clients.

**Deer fencing** means a fence that protects property from damage by deer or other animals. It is generally a maximum of eight feet in height, with posts of metal or wood, and open fencing material such as netting, wire or plastic mesh. It may also include such fencing added atop other allowable fences.

**Density** means the number of housing units per acre, unless otherwise stated, for residential uses.

**Density bonus** means as defined by state law (Government Code Section 65915 et seq.), an increase of at least twenty-five percent over the maximum density otherwise allowed by the applicable zoning district, that is granted to the owner/developer of a housing project who agrees to construct a prescribed percentage of dwelling units that are affordable to households of very low and/or low income. When determining the number of dwelling units that shall be affordable, the units authorized by the density bonus shall not be included in the calculation.

**Department** means the town of Loomis planning and building department, referred to in this title as the "department."

**Development** means any construction activity or alteration of the landscape, its terrain contour or vegetation, including the erection or alteration of structures. New development is any construction, or alteration of an existing structure or land use, or establishment of a land use, after the effective date of the ordinance codified in this title.

**Development agreement** means a contract between the town and an applicant for a development project, in compliance with the municipal code, and Government Code Sections 65864 et seq. A development agreement is intended to provide assurance to the applicant that an approved project may proceed subject to the policies, rules, regulations and conditions of approval applicable to the project at the time of approval, regardless of any changes to town policies, rules, and regulations after project approval. In return, the town may be assured that the applicant will provide infrastructure and/or pay fees required by a new project.

**Diameter of a tree** means trunk diameter measured at fifty-four inches above the ground (also known

as “Diameter at breast height,” or “DBH”). In the case of a trunk that is divided into limbs at a point below fifty-four inches, the trunk diameter shall be measured at the narrowest diameter of the trunk between the base of the tree and fifty-four inches above the ground.

**Director** means the town of Loomis planning director, or designee of the director.

**Disabled** means any person who has a physical or mental impairment that substantially limits one or more major life activities; anyone who is regarded as having such an impairment or anyone who has a record of such impairment. People who are currently using illegal substances are not covered under the Fair Housing Act, unless they have a separate disability.

**Discretionary permit** means a town land use review and entitlement process where the review authority exercises discretion in deciding to approve or disapprove the permit. Includes minor use permits, use permits, minor variances, variances, design review approval, master development plans, and subdivision maps.

**Diseased tree** means a tree afflicted by, but not limited to, any of the following: insect infestation, heart rot, exfoliation, slime flux, crown rot, leaf scorch, root fungus, structural defects or weaknesses.

**District.** See **zoning district**.

**Downtown** means the “downtown/town center area” shown in Figure 3-3 of the general plan.

**Drip line** means a line that may be drawn on the ground around a tree directly under its outermost branch tips and which identifies that location where rainwater tends to drip from the trees. When depicted on a map, the drip line will appear as an irregular shaped circle that follows the contour of the tree’s branches as seen from overhead.

**Drive-through sales or services** mean a facility where food or other products may be purchased, or where services may be obtained by motorists without leaving their vehicles. Examples of drive-through sales facilities include fast-food restaurants, drive-through coffee, dairy product, photo stores, pharmacies, etc. Examples of drive-through service facilities include drive-through bank teller windows, dry cleaners, etc., but do not include automated teller machines (ATMs), gas stations or other vehicle services, which are separately defined.

**Duplex.** See **multifamily housing**.

**Dwelling, dwelling unit, or housing unit** means a room or group of internally connected rooms that have sleeping, cooking, eating, and sanitation facilities, but not more than one kitchen, which constitute an independent housekeeping unit, occupied by or intended for one household on a long-term basis.

## E. Definitions, E.

**Easement** means a grant of one or more of the property rights by the property owner to and/or for the use by the public, a corporation or another person or entity.

**Emergency shelter** means 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 an inability to pay.

**Employee/farmworker housing** means privately-operated employee and farmworker housing units and does not include government-owned and -operated migrant worker facilities. In general, employee housing is privately-owned housing that houses six or more employees and meets the following:

1. Living quarters provided in connection with any work, whether or not rent is involved.
2. Housing in a rural area that is (a) provided by someone who is not an agricultural employer, and (b) provided for agricultural workers employed by any agricultural employer.

**Environmental Impact Report (EIR)** means an informational document used to assess the physical

characteristics of an area and to determine what effects will result if the area is altered by a proposed action, prepared in compliance with the California Environmental Quality Act (CEQA).

**Equestrian facility** means a commercial facility for horses, donkeys, and/or mules, examples of which include horse ranches, boarding stables, riding schools and academies, horse exhibition facilities (for shows or other competitive events), and barns, stables, corrals and paddocks accessory and incidental to these uses. Does not include the simple pasturing of horses, donkeys, and/or mules, which is instead included in “Animal keeping” as regulated by Section 13.42.060.

**Equipment rental** means a service establishment that may offer a wide variety of household and business equipment, furniture, and materials for rental. Does not include construction equipment rental, which is separately defined.

**Extended hour retail** means any business that is open to the public between the hours of 11:00 p.m., and 6:00 a.m.

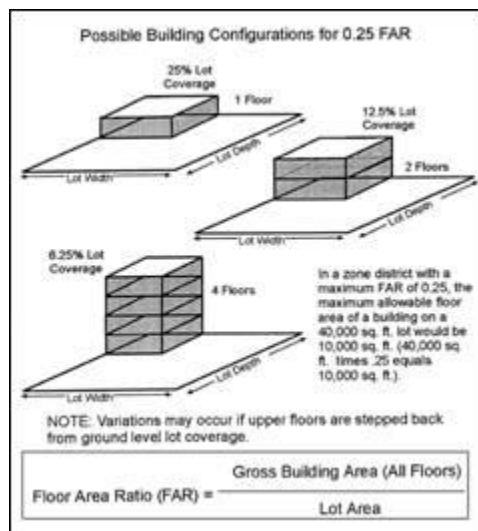
#### F. Definitions, F.

**Family** means one or more persons living together in a dwelling unit.

**Farm supply and feed store** means a retail business selling supplies for use in soil preparation and maintenance, the planting and harvesting of crops, the keeping and raising of farm animals, and other operations and processes pertaining to farming and ranching. Does not include the sale, rental, or repair of farm machinery and equipment, which is instead included in the definition of **construction and heavy equipment sales and rental**.

**Feasible** means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social and technological factors.

**Floor area ratio (FAR)** means the ratio of floor area to total lot area. FAR restrictions are used to limit the maximum floor area allowed on a site (including all structures on the site). The maximum floor area of all structures (measured from exterior wall to exterior wall) permitted on a site (including carports) shall be determined by multiplying the floor area ratio (FAR) by the total net area of the site (FAR x Net Site Area = Maximum Allowable Floor Area). See Figure 8-1.



**Figure 8-1 - Floor Area Ratio**

**Fuel dealer** means a retail trade establishment that sells fuel oil, butane, propane and liquefied petroleum gas (LPG), bottled or in bulk, to consumers.

**Fueling station** means a motor vehicle fueling component of a warehouse retail store, where warehouse consumers purchase bulk fuel from said warehouse retail store. Fueling stations are located



adjacent to and operate in conjunction with a warehouse retail store. Fueling stations are an ancillary use of a warehouse retail use and are subject to siting and design requirements of the CG General Commercial zone Section 13.26.040 and are not subject to Section 13.42.100 regarding gas stations.

**Furniture/fixtures manufacturing, cabinet shop** means manufacturers producing: wood and metal household furniture and appliances; bedsprings and mattresses; all types of office furniture and public building furniture and partitions, shelving, lockers and store furniture; and miscellaneous drapery hardware, window blinds and shades. Includes furniture re-upholstering businesses, wood and cabinet shops, but not sawmills or planing mills, which are instead included under “Manufacturing—heavy.”

**Furniture, furnishings and appliance store** means a store that primarily sells the following products and related services, that may also provide incidental repair services:

- Computers and computer equipment
- Draperies
- Floor coverings
- Furniture
- Glass and chinaware
- Home appliances
- Home furnishings
- Home sound systems
- Interior decorating materials and services
- Large musical instruments
- Lawn furniture
- Movable spas and hot tubs
- Office furniture
- Other household electrical and gas appliances
- Outdoor furniture
- Refrigerators
- Stoves
- Televisions

#### G. **Definitions, G.**

**Garage or carport** means parking space and shelter for automobiles or other vehicles, where the size of the parking space complies with the provisions of Chapter 13.36.

1. A garage is an attached or detached accessory structure with a door, enclosed on at least three sides.
2. A carport is an attached or detached accessory structure enclosed on not more than two sides.

A garage or carport complies with the requirements of this title for **covered parking spaces**.

**Gas station** means a retail business selling gasoline and/or other motor vehicle fuels, and related products. Where allowed by Division 2, a gas station may also include a **convenience store, vehicle services**, and/or **trailer rental (auto and vehicle sales or rental)**, which are separately defined.

**General plan** means the town of Loomis general plan, including all its elements and all amendments thereto, as adopted by the town council in compliance with Government Code Sections 65300 et seq., and referred to in this title as the “general plan.”

**General retail** means stores and shops selling many lines of merchandise. Examples of these stores and lines of merchandise include:

Antique stores

Art galleries, retail

Art supplies, including framing services

Auction rooms

Bicycles

Books, magazines, and newspapers

Cameras and photographic supplies

Clothing, shoes, and accessories

Collectibles (cards, coins, comics, stamps, etc.)

Department stores

Drug stores and pharmacies

Dry goods

Fabrics and sewing supplies

Florists and houseplant stores (indoor sales only—outdoor sales are **building and landscape materials sales**)

Hobby materials

Jewelry

Luggage and leather goods

Musical instruments, parts and accessories

Orthopedic supplies

Religious goods

Small wares

Specialty shops

Sporting goods and equipment

Stationery

Toys and games

Variety stores

**Golf course, country club** means golf courses, and accessory facilities and uses including: clubhouses with bar and restaurant, locker and shower facilities; driving ranges; “pro shops” for on-site sales of golfing equipment; and golf cart storage and sales facilities.

**Grade** means the ground surface immediately adjacent to the exterior base of a structure, typically used as the basis for measurement of the height of the structure.

**Grocery store** means a retail business where the majority of the floor area open to the public is occupied by food products packaged for preparation and consumption away from the store.

**Guest house** means a detached structure accessory to a single-family dwelling, accommodating living/sleeping quarters, but without kitchen or cooking facilities.

#### H. Definitions, H.

**Habitable space** means space within a dwelling unit for living, sleeping, eating, or cooking.

**Health/fitness facility** means a fitness center, gymnasium, health and athletic club, which may include any of the following: sauna, spa or hot tub facilities; indoor tennis, handball, racquetball, archery and shooting ranges and other indoor sports activities. Does not include adult entertainment businesses.

**Height.** See Section 13.30.050.

**Home occupation** means the conduct of a business within a dwelling unit or residential site, employing only the occupants of the dwelling, with the business activity being subordinate to the residential use of the property.

**Hotel or motel** means a facility with guest rooms or suites, with or without kitchen facilities, rented to the general public for transient lodging. Hotels typically include a variety of services in addition to lodging; for example, restaurants, meeting facilities, personal services, etc. Also includes accessory guest facilities such as swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, etc.

**Household pets** mean the keeping/raising of birds, cats, dogs, or other common household pets, as determined by the director, accessory to a residential use.

#### I. Definitions, I.

**Independent living center/senior apartment** means independent living centers and senior apartments and are multifamily residential projects reserved for senior citizens, where common facilities may be provided (for example, recreation areas), but where each dwelling unit has individual living, sleeping, bathing, and kitchen facilities.

**Industrial research and development (R&D)** means a facility for scientific research, and the design, development and testing of electrical, electronic, magnetic, optical and computer and telecommunications components in advance of product manufacturing, and the assembly of related products from parts produced off-site, where the manufacturing activity is secondary to the research and development activities. Includes pharmaceutical, chemical and biotechnology research and development. Does not include soils and other materials testing laboratories (see **laboratory**), or medical laboratories (see **medical service—clinic, laboratory, urgent care**).

**Industrial zoning district** means any of the industrial zoning districts established by Section 13.20.020.

**Intensification of use** means a change in the use of a structure or site, where the new use is required by this title to have more off-street parking spaces than the former use; or a change in the operating characteristics of a use (for example, hours of operation), which generates more activity on the site.

J. **Definitions, J.** No specialized terms beginning with the letter “J” are defined at this time.

K. **Definitions, K.**

**Kennel, animal boarding** means a commercial facility for the grooming, keeping, boarding or maintaining of five or more dogs (four months of age or older), or five or more cats except for dogs or cats for sale in pet shops, or patients in animal hospitals. See also **veterinary clinic, animal hospital**.

**Kitchen** means a room or space within a building used or intended to be used for the cooking or preparation of food, which includes any of the following: refrigerator, stove, oven, range top, dishwasher, kitchen sink.

L. **Definitions, L.**

**Laboratory—medical, analytical, testing** means a facility for testing, analysis, and/or research. Examples of this use include medical labs, soils and materials testing labs, and forensic labs.

**Land use** means the purpose for which land or a structure is designed, arranged, intended, occupied, or maintained.

**Land use permit** means authority granted by the town to use a specified site for a particular purpose. **Land use permit** includes use permits, minor use permits, limited term permits, variances, minor variances, design review, master development plans, and zoning clearances, as established by Division 6 of this title.

**Large family day care home.** See **day care**.

**Laundry, dry cleaning plant** means a service establishment engaged primarily in high volume laundry and garment services, including: carpet and upholstery cleaners; diaper services; dry cleaning and garment pressing; commercial laundries; linen supply. These facilities may include accessory customer pick-up facilities. These facilities do not include coin-operated laundries or dry cleaning pick-up stores without dry cleaning equipment; see **personal services**.

**Library, museum** means public or quasi-public facilities, examples of which include: aquariums, arboretums, art galleries and exhibitions, botanical gardens, historic sites and exhibits, libraries, museums, planetariums, and zoos. May also include accessory retail uses such as a gift/book shop, restaurant, etc.

**Live/work unit** means an integrated housing unit and working space, occupied and utilized by a single household in a structure, either single-family or multifamily, that has been designed or structurally modified to accommodate joint residential occupancy and work activity, and which includes:

1. Complete kitchen space and sanitary facilities in compliance with the building code; and
2. Working space reserved for and regularly used by one or more occupants of the unit.

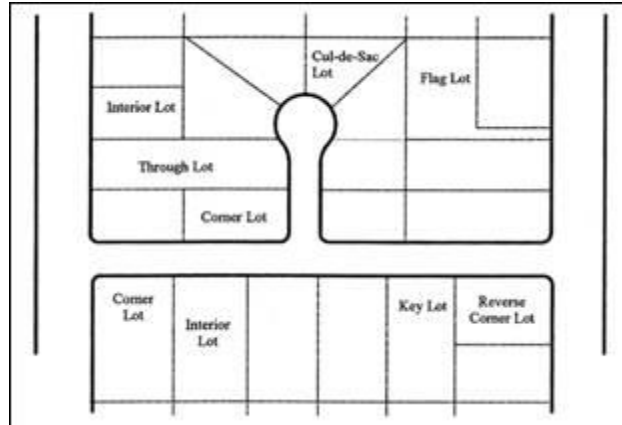
**Lot area** means gross lot area is the total area included within the lot lines of a lot, exclusive of adjacent dedicated street rights-of-way. Net lot area is the gross area of the lot, exclusive of easements for streets or driveways that are not for the exclusive use of the lot on which the easement is located.

**Lot, or parcel** means a recorded lot or parcel of real property under single ownership, lawfully created as required by applicable Subdivision Map Act and town ordinance requirements, including this title. Types of lots include the following. See Figure 8-2 (Lot Types).

1. **Corner lot** means a lot located at the intersection of two or more streets, where they intersect at an interior angle of not more than one hundred thirty-five degrees. If the intersection angle is more than one hundred thirty-five degrees, the lot is considered an interior lot.
2. **Flag lot** means a lot having access from the building site to a public street by means of private

right-of-way strip that is owned in fee.

3. **Interior lot** means a lot abutting only one street.
4. **Key lot** means an interior lot, the front of which adjoins the side property line of a corner lot.
5. **Reverse corner lot** means a corner lot, the rear of which abuts a key lot.
6. **Through lot** means a lot with frontage on two generally parallel streets.



**Figure 8-2 - Lot Types**

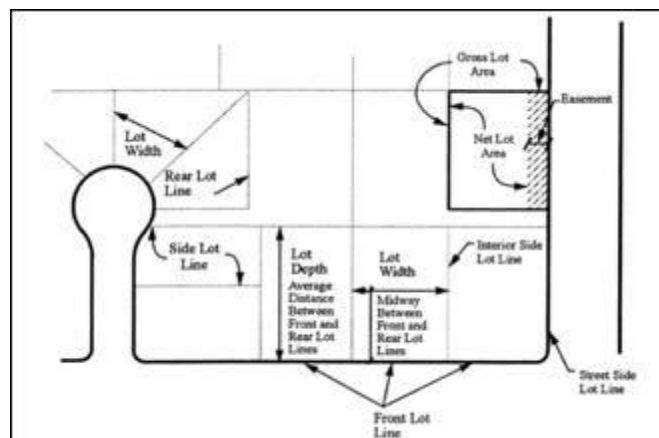
**Lot coverage.** See **site coverage**.

**Lot depth** means the horizontal distance between the front and the rear lot lines measured longitudinally at the midpoints of the front and rear lot lines.

**Lot frontage** means the boundary of a lot adjacent to a public street right-of-way.

**Lot line or property line** means any recorded boundary of a lot. Types of lot lines are as follows (see Figure 8-3 (Lot Features)):

1. **Front lot line** means on an interior lot, the property line separating the parcel from the street. The front lot line on a corner lot is the line with the shortest frontage. (If the street-fronting lot lines of a corner lot are equal in length, the front lot line shall be determined by the director.) On a through lot, both lot lines are front lot lines and the lot is considered to have no rear lot line.
2. **Interior lot line** means any lot line not abutting a street.
3. **Rear lot line** means a property line that does not intersect the front lot line, which is most distant from and most closely parallel to the front lot line.
4. **Side lot line** means any lot line that is not a front or rear lot line.



### Figure 8-3 - Lot Features

**Lot width** means 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. See Figure 8-2 (Lot Features). The director shall determine lot width for parcels of irregular shape.

**Low-Barrier Navigation Center** means a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing.

#### M. Definitions, M.

**Maintenance service, client site services** mean base facilities for various businesses that provide services on the premises of their clients. Includes gardening, janitorial, pest control, water and smoke damage recovery, and similar services; and appliance, computer, electronics, elevator, equipment, HVAC, instrument, plumbing, and other maintenance and repair services not operating from a retail establishment that sells the products being maintained or repaired. When these services operate from a retail establishment that sells the products being maintained or repaired, they are instead considered part of the retail use.

**Manufacturing/processing—heavy** means a facility accommodating manufacturing processes that involve and/or produce basic metals, building materials, chemicals, fabricated metals, paper products, machinery, textiles, and/or transportation equipment, where the intensity and/or scale of operations may cause significant impacts on surrounding land uses or the community. Heavy manufacturing uses are not allowed within the town of Loomis except where limited varieties are included under the definition of **manufacturing—intensive**. Examples of heavy manufacturing uses include the following:

1. **Chemical product manufacturing** means an establishment that produces or uses basic chemicals, and other establishments creating products predominantly by chemical processes. Examples of these products include: basic chemicals, including acids, alkalies, salts, and organic chemicals; chemical products to be used in further manufacture, including synthetic fibers, plastic materials, dry colors, and pigments; and finished chemical products to be used for ultimate consumption, including drugs/pharmaceuticals, cosmetics, and soaps; or to be used as materials or supplies in other industries including paints, fertilizers, and explosives. Also includes sales and transportation establishments handling the chemicals described above, except as part of retail trade.
2. **Concrete, gypsum, and plaster product manufacturing** means an establishment that produces bulk concrete, concrete building block, brick, and/or other types of precast and prefabricated concrete products. Also includes ready-mix concrete batch plants, lime manufacturing, and the manufacture of gypsum products, including plasterboard. A retail ready-mix concrete operation as an incidental use in conjunction with a building materials outlet is defined under **building and landscape materials sales**.
3. **Glass product manufacturing** means an establishment that manufactures glass and/or glass products by melting silica sand or cullet, including the production of flat glass and other glass products that are pressed, blown, or shaped from glass produced in the same establishment. Artisan and craftsman type operations of a larger scale than home occupations are instead included under (**manufacturing—light—handcraft industries and small-scale manufacturing**).
4. **Paving and roofing materials manufacturing** means the manufacture of various common paving and petroleum-based roofing materials, including bulk asphalt, paving blocks made of asphalt, creosote wood, and various compositions of asphalt and tar. Does not include the manufacture of wood roofing materials (shingles, shakes, etc.) (**lumber and wood product manufacturing**).

5. **Petroleum refining and related industries** mean industrial plants for purifying petroleum, and the compounding of lubricating oils and greases from purchased materials. Also includes oil or gas processing facilities, liquefied natural gas (LNG) facilities, the manufacture of petroleum coke and fuel briquettes, tank farms, and terminal facilities for pipelines. Does not include petroleum pipeline surge tanks and pump stations (**public utility facilities**), or petroleum product distributors (**petroleum product storage and distribution**).
6. **Plastics, other synthetics, and rubber product manufacturing** means the manufacture of rubber products including: tires, rubber footwear, mechanical rubber goods, heels and soles, flooring, and other rubber products from natural, synthetic, or reclaimed rubber. Also includes establishments engaged primarily in manufacturing tires; products from recycled or reclaimed plastics or styrofoam; molding primary plastics for other manufacturers, manufacturing miscellaneous finished plastics products, fiberglass manufacturing, and fiberglass application services. Does not include establishments engaged primarily in recapping and retreading automobile tires (**vehicle services—major repair/body work**).
7. **Primary metal industries** mean an establishment engaged in: the smelting and refining of ferrous and nonferrous metals from ore, pig, or scrap; the rolling, drawing, and alloying of metals; the manufacture of castings, forgings, stampings, extrusions, and other basic metal products; and the manufacturing of nails, spikes, and insulated wire and cable. Also includes merchant blast furnaces and by-product or beehive coke ovens.
8. **Pulp and pulp product manufacturing** means an establishment that manufactures pulp, paper, or paperboard. Includes pulp, paper, and paperboard mills. Does not include establishments primarily engaged in converting paper or paperboard without manufacturing the paper or paperboard, including envelope manufacturing, converted paper products, paper coating and glazing, paper bags, assembly of paperboard boxes, wallpaper (**manufacturing—light—paper product manufacturing**).
9. **Textile and leather product manufacturing** means an establishment that converts basic fibers (natural or synthetic) into a product, including yarn or fabric, that can be further manufactured into usable items (**manufacturing—light—clothing and fabric product manufacturing**), and industries that transform hides into leather by tanning or curing. Includes:
  - Coating, waterproofing, or otherwise treating fabric
  - Dressed and dyed furs
  - Dyeing and finishing fiber, yarn, fabric, and knit apparel
  - Leather-tanned, curried, and finished
  - Manufacture of knit apparel and other finished products from yarn
  - Manufacture of felt goods, lace goods, nonwoven fabrics and miscellaneous textiles
  - Manufacturing of woven fabric, carpets, and rugs from yarn
  - Preparation of fiber and subsequent manufacturing of yarn, threads, braids, twine cordage
  - Scouring and combing plants
  - Upholstery manufacturing
  - Yarn and thread mills

**Manufacturing/processing—intensive** means a facility accommodating manufacturing processes that involve and/or produce building materials, fabricated metal products, machinery, and/or transportation equipment, where the intensity and/or scale of operations is greater than those classified

under **manufacturing—light**, but where impacts on surrounding land uses or the community can typically be mitigated to acceptable levels. Examples of intensive manufacturing uses include the following:

1. **Lumber and wood product manufacturing** means manufacturing, processing, and sales involving the milling of forest products to produce rough and finished lumber and other wood materials for use in other manufacturing, craft, or construction processes. Includes the following processes and products:

Containers, pallets and skids

Manufactured and modular homes

Matches (wood)

Milling operations

Trusses and structural beams

Turning and shaping of wood products

Wholesaling of basic wood products

Wood product assembly

Does not include craft-type shops (**handcraft industries and small-scale manufacturing**); other wood and cabinet shops (**furniture and fixture manufacturing, cabinet shops**); or the entirely indoor retail sale of building materials, construction tools and equipment (**building and landscape materials sales**).

2. **Machinery manufacturing** means an establishment that makes or processes raw materials into finished machines or parts for machines. Does not include the manufacture of electronics, equipment, or appliances (**electronics, equipment, and appliance manufacturing**).
3. **Metal products fabrication, machine and welding shops** mean an establishment engaged in the production and/or assembly of metal parts, including the production of metal cabinets and enclosures, cans and shipping containers, doors and gates, duct work, forgings and stampings, hardware and tools, plumbing fixtures and products, tanks, towers, and similar products. Examples of these uses include:

Blacksmith and welding shops

Plating, stripping, and coating shops

Sheet metal shops

Machine shops and boiler shops

4. **Motor vehicles and transportation equipment** means manufacturers of equipment for transporting passengers and cargo by land, air and water, including motor vehicles, aircraft, spacecraft, ships, boats, railroad and other vehicles such as motorcycles, bicycles and snowmobiles. Includes manufacture of motor vehicle parts and accessories; trailers and campers for attachment to other vehicles; self-contained motor homes; and van conversions. Does not include mobile home and modular home assembly (listed under **lumber and wood products**).
5. **Stone and cut stone product manufacturing** means an establishment that cuts, shapes, and/or finishes marble, granite, slate, and/or other stone for construction and miscellaneous uses. Does not include establishments engaged primarily in buying or selling partly finished



monuments and tombstones (**handcraft industries, small-scale manufacturing**).

6. **Structural clay and pottery product manufacturing** means an establishment that produces brick and structural clay products, including pipe, china plumbing fixtures, vitreous china articles, and/or fine earthenware and porcelain products. Does not include artist/craftsman uses (see **handcraft industries and small scale manufacturing, home occupations**).

**Manufacturing/processing—light** means a facility accommodating manufacturing processes involving and/or producing: apparel; food and beverage products; electronic, optical, and instrumentation products; ice; jewelry; and musical instruments. Light manufacturing also includes other establishments engaged in the assembly, fabrication, and conversion of already processed raw materials into products, where the operational characteristics of the manufacturing processes and the materials used are unlikely to cause significant impacts on surrounding land uses or the community. Examples of light manufacturing uses include the following:

1. **Clothing and fabric product manufacturing** means an establishment that assembles clothing, draperies, and/or other products by cutting and sewing purchased textile fabrics, and related materials including leather, rubberized fabrics, plastics and furs. Does not include custom tailors and dressmakers not operating as a factory and not located on the site of a clothing store (see **personal services**). See also, **manufacturing—heavy—textile and leather product manufacturing**.
2. **Electronics, equipment, and appliance manufacturing** means an establishment that manufactures equipment, apparatus, and/or supplies for the generation, storage, transmission, transformation and use of electrical energy, including:

Appliances including stoves/ovens, refrigerators, freezers, laundry equipment, fans, vacuum cleaners, sewing machines

Aviation instruments

Computers, computer components, peripherals

Electrical transmission and distribution equipment

Electronic components and accessories, semiconductors, integrated circuits, related devices

Electrical welding apparatus

Lighting and wiring equipment such as lamps and fixtures, wiring devices, vehicle lighting

Industrial controls

Instruments for measurement, testing, analysis and control, associated sensors and accessories

Miscellaneous electrical machinery, equipment and supplies such as batteries, X-ray apparatus and tubes, electromedical and electrotherapeutic apparatus, electrical equipment for internal combustion engines

Motors and generators

Optical instruments and lenses

Photographic equipment and supplies

Radio and television receiving equipment

Surgical, medical and dental instruments, equipment, and supplies

Storage media, blank and pre-recorded, including magnetic, magneto-optical, and optical products such as compact disks (CDs), computer diskettes and hard drives, digital versatile disks (DVDs), magnetic tape products, phonograph records, etc.

Surveying and drafting instruments

Telephone and telegraph apparatus

Transformers, switch gear and switchboards

Watches and clocks

Does not include testing laboratories (soils, materials testing, etc.) (see **business support services**), or research and development facilities separate from manufacturing (see **research and development**).

3. **Food and beverage product manufacturing** means manufacturing establishments producing or processing foods and beverages for human consumption, and certain related products. Examples of these uses include:

Bottling plants

Breweries

Candy, sugar and confectionery products manufacturing

Catering services separate from stores or restaurants

Coffee roasting

Dairy products manufacturing

Fats and oil product manufacturing

Fruit and vegetable canning, preserving, related processing

Grain mill products and by-products

Meat, poultry, and seafood canning, curing, by-product processing

Soft drink production

Miscellaneous food item preparation from raw products

Does not include: bakeries, which are separately defined; or beer brewing as part of a brew pub, bar or restaurant (see **bar/tavern**, and **night club**).

4. **Handcraft industries, small-scale manufacturing** means establishments manufacturing and/or assembling small products primarily by hand, including jewelry, pottery and other ceramics, as well as small glass and metal art and craft products, and taxidermists. Also includes manufacturing establishments producing small products not classified in another major manufacturing group, including: brooms and brushes; buttons, costume novelties; jewelry; musical instruments; pens, pencils, and other office and artists' materials; sporting and athletic goods; toys; etc.
5. **Paper product manufacturing** means an establishment that converts pre-manufactured paper or paperboard into boxes, envelopes, paper bags, wallpaper, etc., and/or that coats or glazes pre-manufactured paper. Does not include the manufacturing of pulp, paper, or paperboard (see **manufacturing—heavy—pulp and pulp product manufacturing**).

6. **Photo/film processing lab** means a facility that provides high volume and/or custom processing services for photographic negative film, transparencies, and/or prints, where the processed products are delivered to off-site retail outlets for customer pick-up. Does not include small-scale photo processing machines accessory to other retail businesses.

**Map Act.** See **Subdivision Map Act**.

**Media production** means facilities for motion picture, television, video, sound, computer, and other communications media production. These facilities include the following types:

1. **Backlots/outdoor facilities** mean outdoor sets, backlots, and other outdoor facilities, including supporting indoor workshops and craft shops.
2. **Indoor support facilities** mean administrative and technical production support facilities, including administrative and production offices, post-production facilities (editing and sound recording studios, foley stages, etc.), optical and special effects units, film processing laboratories, etc.
3. **Soundstages** means warehouse-type facilities providing space for the construction and use of indoor sets, including supporting workshops and craft shops.

**Medical services—clinic, urgent care** means a facility other than a hospital where medical, mental health, surgical and other personal health services are provided on an outpatient basis. Examples of these uses include:

Medical offices with four or more licensed practitioners and/or medical specialties

Out-patient care facilities

Urgent care facilities

Other allied health services

These facilities may also include accessory medical laboratories. Counseling services by other than medical doctors or psychiatrists are included under **offices—professional**.

**Medical services—doctor office** means a facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis, and that accommodates no more than three licensed primary practitioners (for example, chiropractors, medical doctors, psychiatrists, etc., other than nursing staff) within an individual office suite. A facility with four or more licensed practitioners is instead classified under **medical services—clinic, urgent care**. Counseling services by other than medical doctors or psychiatrists are included under **offices—professional**.

**Medical services—extended care** means residential facilities providing nursing and health-related care as a primary use with in-patient beds. Examples of these uses include: board and care homes; convalescent and rest homes; extended care facilities; and skilled nursing facilities. Long-term personal care facilities that do not emphasize medical treatment are included under **residential care**.

**Medical services—hospital** means hospitals and similar facilities engaged primarily in providing diagnostic services, and extensive medical treatment, including surgical and other hospital services. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care. May include on-site accessory clinics and laboratories, accessory retail uses and emergency heliports (see the separate definition of **accessory retail uses**).

**Mixed-use project** means a project that combines both commercial and residential uses, where the residential component is typically located above the commercial.

**Mobile home** means a trailer, transportable in one or more sections, that is certified under the National

Manufactured Housing Construction and Safety Standards Act of 1974, which is over eight feet in width and forty feet in length, with or without a permanent foundation and not including recreational vehicle, commercial coach or factory-built housing. A mobile home on a permanent foundation is included under the definition of **single-family dwellings**.

**Mobile home park** means any site that is planned and improved to accommodate two or more mobile homes used for residential purposes, or on which two or more mobile home lots are rented, leased, or held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate mobile homes used for residential purposes. May include a common storage area for recreational vehicles owned by residents only.

**Mobile home park conversion** means changing the use of a mobile home park for a purpose other than the rental, or the holding out for rent, of two or more mobile home sites to accommodate mobile homes used for human habitation. Such conversion may affect an entire mobile home park or any portion thereof. A conversion shall include, but is not limited to, a change of any existing mobile home park or any portion thereof to condominium, stock cooperative, planned unit development, or any form of ownership wherein spaces within the mobile home park are to be sold, and the cessation of use of all or a portion of the park as a mobile home park, whether immediately or on a gradual basis, or the closure of the park. **Conversion** shall not include the purchase of the park by its existing residents.

**Mobile home, RV, and boat sales** mean retail establishments selling both mobile home dwelling units, and/or various vehicles and watercraft for recreational uses. Includes the sales of boats, campers and camper shells, jet skis, mobile homes, motor homes, and travel trailers.

**Mortuary, funeral home** means funeral homes and parlors, where deceased are prepared for burial or cremation, and funeral services may be conducted.

**Motel.** See **hotel or motel**.

**Multifamily housing** means a dwelling unit that is part of a structure containing one or more other dwelling units, or a structure containing a nonresidential use. An example of the latter is a mixed-use project where, for example, one or more dwelling units are part of a structure that also contains one or more commercial uses (retail, office, etc.). Multifamily dwellings include ~~carriage units~~, duplexes, triplexes, fourplexes (buildings with two, three or four dwelling units, respectively, in the same structure); apartments (five or more units in a single building); and townhouse development (three or more attached dwellings where no unit is located over another unit). Multifamily housing may also comprise a row of single-family homes adjacent to existing single-family homes within a larger multifamily project.

## N. Definitions, N.

**Natural or existing grade** means the contour of the ground surface before grading.

**Negative declaration** means a statement describing the reasoning that a proposed action will not have a significant adverse effect on the environment, in compliance with the California Environmental Quality Act (CEQA).

**Night club** means a facility serving alcoholic beverages for on-site consumption, and providing entertainment, examples of which include live music and/or dancing, comedy, etc.

**Nonconforming parcel** means a parcel that was legally created prior to the adoption of this title or amendment, but does not comply with the current area, width, depth, or other applicable requirements of this title.

**Nonconforming sign** means a sign that lawfully existed prior to the effective date of this title or amendment, but does not comply with the current sign regulations of this title.

**Nonconforming structure** means a structure that was legally constructed prior to the adoption or amendment of this title, but does not comply with the current setback, height limit, and/or other applicable requirements of this title.

**Nonconforming use** means a use of land and/or a structure (either conforming or nonconforming) that was legally established and maintained prior to the adoption of this title or amendment, but does not conform to the current title requirements for allowable land uses within the applicable zoning district.

**Nonprime agricultural land** means and consists of property used for the production of food or fiber, with soils that qualify for rating as Classes III through VII in the Soil Conservation Service land capability classifications.

O. **Definitions, O.**

**Occupancy** means all or a portion of a structure occupied by one tenant.

**Off-sale liquor establishment** means any establishment at which alcohol is sold, served, or given to patrons, to be consumed off-site, except food markets, supermarkets, drugstores, and other retail establishments in which the sale of alcohol for off-site use constitutes less than twenty percent of the total sales.

**Off-site** means an activity or accessory use that is related to a specific primary use, but is not located on the same site as the primary use.

**Office** means this title distinguishes between the following types of offices. These do not include medical offices (see **medical service—clinic, laboratory, urgent care**, and **medical service—doctor office**.)

1. **Accessory** means office facilities that are incidental and accessory to another business or sales activity that is the primary use.
2. **Business/service** means establishments providing direct services to consumers. Examples of these uses include employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, etc. This use does not include **bank, financial services**, which are separately defined.
3. **Government** means administrative, clerical, or public contact and/or service offices of a local, state, or federal government agency or service facilities. Includes post offices, but not bulk mailing distribution centers, which are under **truck or freight terminal**.
4. **Processing** means office-type facilities characterized by high-employee densities, and occupied by businesses engaged in information processing, and other computer-dependent and/or telecommunications-based activities. Examples of these uses include:

Airline, lodging chain, and rental car company reservation centers

Computer software and hardware design and development

Consumer credit reporting

Data processing services

Health management organization (HMO) offices where no medical services are provided

Insurance claim processing

Mail order and electronic commerce transaction processing

Telecommunications facility design and management

## Telemarketing

5. **Professional** means office-type facilities occupied by businesses that provide professional services and/or engaged in the production of intellectual property. Examples of these uses include:

Accounting, auditing and bookkeeping services

Advertising agencies

Attorneys

Commercial art and design services

Construction contractors (office facilities only)

Counseling services

Court reporting services

Detective agencies and similar services

Design services including architecture, engineering, landscape architecture, urban planning

Educational, scientific and research organizations

Financial management and investment counseling

Literary and talent agencies

Management and public relations services

Media post-production services

News services

Photographers and photography studios

Psychologists

Secretarial, stenographic, word processing, and temporary clerical employee services

Security and commodity brokers

Writers and artists offices

6. **Temporary** means a mobile home, recreational vehicle or modular unit used as a temporary office facility. Temporary offices may include: construction supervision offices on a construction site or off-site construction yard; a temporary on-site real estate office for a development project; or a temporary business office in advance of permanent facility construction.
7. **Temporary real estate** means the temporary use of a dwelling unit within a residential development project as a sales office for the units on the same site, which is converted to residential use at the conclusion of its office use.

**Office-supporting retail** means a retail store that carries one or more types of merchandise that will typically be of frequent interest to and/or needed by the various businesses listed under the definition of **office**, and/or the employees of those businesses. Examples of these types of merchandise include:

Books

Computer equipment

Flowers

Newspapers and magazines

Office supplies, stationery

Photographic supplies and cameras

**On-sale liquor establishment** means any establishment at which alcohol is sold, served, or given to patrons, to be consumed on-site.

**On-site** means an activity or accessory use that is related to a specific primary use, which is located on the same site as the primary use.

**Open fencing** means a barrier constructed of material which is transparent, such as glass, plastic panels or wrought iron, used in conjunction with recreation and seating areas.

**Ordinary maintenance and repair** means work for which a building permit is not required, the purpose and effect of which is to correct deterioration of or damage to a structure or any part thereof and to restore the structure to its condition before the deterioration or damage.

**Organizational house** means a residential lodging facility operated by a membership organization for its members and not open to the general public. Includes fraternity and sorority houses, student dormitories, convents, monasteries, and religious residential retreats.

#### P. Definitions, P.

**Parking facility, public or commercial** means parking lots or structures operated by the town, or a private entity providing parking for a fee. Does not include towing impound and storage facilities, which are instead defined under **storage—outdoor**.

**Parcel.** See **lot or parcel**.

**Pedestrian orientation** means any physical structure or place with design qualities and elements that contribute to an active, inviting and pleasant place for pedestrians including:

1. Building facades that are highly articulated at the street level, with interesting uses of material, color, and architectural detailing, located directly behind the sidewalk;
2. Design amenities related to the street level such as awnings, paseos, arcades;
3. Visibility into buildings at the street level;
4. A continuous sidewalk, with a minimum of intrusions into pedestrian right-of-way;
5. Continuity of building facades along the street with few interruptions in the progression of buildings and stores;
6. Signs oriented and scaled to the pedestrian rather than the motorist;
7. Landscaping; and
8. Street furniture.

**Pedestrian-oriented use** means a land use that is intended to encourage walk-in customers and that generally does not limit the number of customers by requiring appointments or otherwise excluding the general public. A pedestrian-oriented use provides spontaneous draw from sidewalk and street due to visual interest, high customer turnover, and social interaction.

**Person** means any individual, firm, partnership, corporation, company, association, joint stock association; city, county, state, or district; and includes any trustee, receiver, assignee, or other similar representative thereof.

**Personal services** mean establishments providing nonmedical services to individuals as a primary use. Examples of these uses include:

- Barber and beauty shops
- Clothing rental
- Dry cleaning pick-up stores with limited equipment
- Home electronics and small appliance repair
- Laundromats (self-service laundries)
- Locksmiths
- Massage (licensed, therapeutic, nonsexual)
- Pet grooming with no boarding
- Shoe repair shops
- Tailors
- Tanning salons

These uses may also include accessory retail sales of products related to the services provided.

**Personal services—restricted** means personal services that may tend to have a blighting and/or deteriorating effect upon surrounding areas and which may need to be dispersed to minimize their adverse impacts. Examples of these uses include:

- Check cashing stores
- Fortune tellers
- Palm and card readers
- Pawnshops
- Psychics
- Spas and hot tubs for hourly rental
- Tattoo and body piercing services

**Planning commission** means the town of Loomis planning commission, appointed by the Loomis town council in compliance with Government Code Section 65101, referred to throughout this title as the “commission.”

**Plant nursery** means a commercial agricultural establishment engaged in the production of ornamental plants and other nursery products, grown under cover either in containers or in the soil on the site, or outdoors in containers. The outdoor production of ornamental plants in the soil on the site is instead included under **crop production, horticulture, orchard, vineyard**. Also includes establishments engaged in the sale of these products (e.g., wholesale and retail nurseries) and commercial-scale greenhouses (home greenhouses are included under **residential accessory use or structure**). The sale of house plants or other nursery products entirely within a building is also included under **general retail**.



**Primary structure** means a structure that accommodates the primary use of the site.

**Primary use** means the main purpose for which a site is developed and occupied, including the activities that are conducted on the site a majority of the hours during which activities occur.

**Primary zoning district** means the zoning district applied to a site by the zoning map, to which an overlay zoning district may also be applied.

**Prime agricultural land** means any of the following, in compliance with Williamson Act Section 51201:

1. All land that qualifies for rating as Class I or Class II in the Soil Conservation Service land capability classifications.
2. Land that qualifies for a rating of eighty through one hundred in the Storie Index Rating.
3. Land that supports livestock used for the production of food and fiber and which has an annual carrying capacity equivalent to at least one animal unit per acre as defined by the United States Department of Agriculture.
4. Land planted with fruit- or nut-bearing trees, vines, bushes, or crops that have a nonbearing period of less than five years and which will normally return during the commercial bearing period on an annual basis from the production of unprocessed agricultural plant production not less than two hundred dollars per acre.
5. Land that has returned from the production of unprocessed agricultural plant products an annual gross value of not less than two hundred dollars per acre for three of the previous five years.

**Printing and publishing** means an establishment engaged in printing by letterpress, lithography, gravure, screen, offset, or electrostatic (xerographic) copying; and other establishments serving the printing trade such as bookbinding, typesetting, engraving, photoengraving and electrotyping. This use also includes establishments that publish newspapers, books and periodicals; establishments manufacturing business forms and binding devices. **Quick printing** services are included in the definition of **business support services**.

**Private residential recreation facility** means a privately owned, noncommercial outdoor recreation facility provided for residential project or neighborhood residents, including swimming pools, swim and tennis clubs, park and sport court facilities. Does not include golf courses and country clubs, which are separately defined.

**Production of food or fiber** means any type of commercial agricultural operation that produces food or fiber products, including but not limited to all types of: irrigated field crop production (vegetables, fruits, grains, seed crops, etc.), dry farming operations (grain, etc.), orchards and vineyards, berries, etc.; and animal raising operations such as the raising of cattle, fowl or poultry, goats, sheep, swine, or other animals used for food or clothing products; but not including timber production.

**Property line** means the recorded boundary of a parcel of land.

**Proposed project** means a proposed new structure, new addition to an existing structure, or area of other new site development; these do not include the alteration of any portion of an existing structure other than an addition.

**Public buildings and uses** mean facilities owned and operated by the town, and/or state or federal governments, or a local agency (e.g., a special district).

**Public safety facility** means a facility operated by a public agency including fire stations, other fire prevention and fire-fighting facilities, police and sheriff substations and headquarters, including interim incarceration facilities.

Q. **Definitions, Q.**

**Qualifying resident** means a senior citizen or other person eligible to reside in senior citizen housing.

**R. Definitions, R.**

**Recreational vehicle (RV)** means a motor home, travel trailer, truck camper, or camping trailer, with or without motive power, originally designed for human habitation for recreational, emergency, or other occupancy, which:

1. Contains less than three hundred twenty square feet of internal living room area, excluding built-in equipment, including wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms;
2. Contains four hundred square feet or less of gross area measured at maximum horizontal projections;
3. Is built on a single chassis; and
4. Is either self-propelled, truck-mounted, or permanently towable on the highways without a towing permit.

**Recreational vehicle park** means a site where one or more lots are used, or are intended to be used, by campers with recreational vehicles or tents. Recreational vehicle parks may include public restrooms, water, sewer, and electric hookups to each lot and are intended as a higher density, more intensively developed use than campgrounds. May include accessory retail uses where they are clearly incidental and intended to serve RV park patrons only.

**Recreational use** means for the purposes of Chapter 13.52, the use of land by the public, with or without charge, for walking, hiking, picnicking, camping, swimming, boating, fishing, hunting, or other outdoor games or sports for which facilities are provided for public participation.

**Recycling facility** means this land use type includes a variety of facilities involved with the collection, sorting and processing of recyclable materials.

1. **Collection facility** means a center where the public may donate, redeem or sell recyclable materials, which may include the following, where allowed by the applicable zoning district:
  - a. Reverse vending machines;
  - b. Small collection facilities which occupy an area of three hundred fifty square feet or less and may include:
    - i. A mobile unit;
    - ii. Bulk reverse vending machines or a grouping of reverse vending machines occupying more than fifty square feet; and
    - iii. Kiosk-type units which may include permanent structures.
  - c. Large collection facilities which occupy an area of more than three hundred fifty square feet and/or include permanent structures.
2. **Mobile recycling unit** means an automobile, truck, trailer, or van used for the collection of recyclable materials, carrying bins, boxes, or other containers.
3. **Processing facility** means a structure or enclosed space used for the collection and processing of recyclable materials for shipment, or to an end-user's specifications, by such means as baling, briquetting, cleaning, compacting, crushing, flattening, grinding, mechanical sorting, re-manufacturing and shredding. Processing facilities include the following types, both of which are included under the definition of **scrap and dismantling yards**, below:

- a. A **light processing facility** occupies an area of under forty-five thousand square feet of collection, processing and storage area, and averages two outbound truck shipments each day. Light processing facilities are limited to baling, briquetting, compacting, crushing, grinding, shredding and sorting of source separated recyclable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers; and
  - b. A **heavy processing facility** is any processing facility other than a light processing facility.
- 4. **Recycling facility** means a center for the collection and/or processing of recyclable materials. A “certified” recycling or processing facility is certified by the California Department of Conservation as meeting the requirements of the California Beverage Container Recycling and Litter Reduction Act of 1986. A recycling facility does not include storage containers located on a residentially, commercially or industrially designated site used solely for the recycling of material generated on the site. See **collection facility** above.
- 5. **Recycling or recyclable material** means reusable domestic containers and other materials which can be reconstituted, re-manufactured, or reused in an altered form, including glass, metals, paper and plastic. Recyclable material does not include refuse or hazardous materials.
- 6. **Reverse vending machine** means an automated mechanical device which accepts at least one or more types of empty beverage containers and issues a cash refund or a redeemable credit slip with a value not less than the container’s redemption value, as determined by state law. These vending machines may accept aluminum cans, glass and plastic bottles, and other containers.  
  
A bulk reverse vending machine is a reverse vending machine that is larger than fifty square feet, is designed to accept more than one container at a time, and issues a cash refund based on total weight instead of by container.
- 7. **Scrap and dismantling yards** mean outdoor establishments primarily engaged in assembling, breaking up, sorting, and the temporary storage and distribution of recyclable or reusable scrap and waste materials, including auto wreckers engaged in dismantling automobiles for scrap, and the incidental wholesale or retail sales of parts from those vehicles. Includes light and heavy processing facilities for recycling (see the definitions above). Does not include: places where these activities are conducted entirely within buildings; pawnshops, and other secondhand stores; the sale of operative used cars; or landfills or other waste disposal sites.

**Religious facility** means a permanent facility operated by a religious organization exclusively for worship, or the promotion of religious activities, including accessory uses on the same site. Examples of these types of facilities include churches, mosques, synagogues, and temples. Examples of allowable accessory uses on the same site include living quarters for ministers and staff, facilities for child day care and religious instruction operated at the same time as religious services (where authorized by the same type of land use permit required for the religious facility itself). May also include fund-raising sales, bazaars, dinners, parties, or other indoor and outdoor events on the same site. Other facilities maintained by religious organizations, including full-time day care centers, full-time educational institutions, hospitals and other potentially related operations (for example, a recreational camp) are defined in this chapter according to their respective activities. Does not include the temporary use of an approved public assembly facility (for example, a private meeting hall, community center, theater, or auditorium) by a congregation for religious meetings, which is instead defined under the type of meeting facility hosting the congregation.

**Repair service—equipment, large appliances, etc.** means a service and facility where various types of electrical, electronic, and mechanical equipment, and home and business appliances are repaired and/or maintained away from the site of the equipment owner. Does not include vehicle repair or

maintenance, which is included under **vehicle services**, the repair of small home appliances and electronic equipment, which is included under **personal services**, or maintenance and repair activities that occur on the client's site, which are included under **maintenance service—client site services**.

**Residential accessory use or structure** means any use and/or structure that is customarily a part of, and clearly incidental and secondary to a residence, and does not change the character of the residential use. This definition includes the following detached accessory structures, and other similar structures normally associated with a residential use of property. See also **agricultural accessory structure**.

Garages

Gazebos

Greenhouses (noncommercial)

Spas and hot tubs

Storage sheds

Studios

Swimming pools

Tennis and other on-site sport courts

Workshops

Also includes the indoor storage of automobiles (including their incidental restoration and repair), personal recreational vehicles and other personal property, accessory to a residential use. Does not include: ~~second units~~accessory dwelling units, which are separately defined; guest houses, ~~which are included under the definition of second units~~; or home satellite dish and other receiving antennas for earth-based TV and radio broadcasts (see **telecommunications facilities**).

**Residential care facility** means a single dwelling unit or multiple-unit facility licensed or supervised by a federal, state, or local health/welfare agency that provides twenty-four-hour nonmedical care of unrelated persons who are handicapped and in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual in a family-like environment.

**Residential care facility for the elderly (RCFE)** means a housing arrangement chosen voluntarily by the residents, or the residents' guardians, conservators or other responsible persons; where seventy-five percent of the residents are at least sixty-two years of age, or, if younger, have needs compatible with other residents; and where varying levels of care and supervision are provided, as agreed to at the time of admission or as determined necessary at subsequent times of reappraisal (definition from California Code of Regulations Title 22, Division 6, Chapter 6, Residential Care Facilities for the Elderly). RCFE projects may include basic services and community space.

RCFE projects include assisted living facilities (board and care homes), congregate housing, ~~independent living centers/senior apartments~~, and life care facilities as defined in this definition:

~~1.— Assisted living facility means a residential building or buildings that also provide housing, personal and health care, as permitted by the Department of Social Services, designed to respond to the daily, individual needs of the residents. Assisted living facilities may include kitchenettes (small refrigerator, sink and/or microwave oven) within individual rooms. Assisted living facilities are required to be licensed by the California Department of Social Services, and do not include skilled nursing services.~~

~~2.— Independent living center/senior apartment means independent living centers and~~

~~senior apartments and are multifamily residential projects reserved for senior citizens, where common facilities may be provided (for example, recreation areas), but where each dwelling unit has individual living, sleeping, bathing, and kitchen facilities.~~

~~31. Life care facility means sometimes called, Continuing care retirement communities, or Senior continuum of care complex, these facilities provide~~ means a facility that provides a wide range of care and supervision, and also provide-s health care (skilled nursing) so that residents can receive medical care without leaving the facility. Residents can expect to remain, even if they become physically incapacitated later in life. ~~Life care~~ These facilities require multiple licensing from the State Department of Social Services, the State Department of Health Services, and the State Department of Insurance.

**Residential zoning district** means any of the residential zoning districts established by Section 13.20.020.

**Rest stop** means a public or private facility providing restrooms, sitting and/or picnic areas, traveler information kiosks, and similar facilities to serve the traveling public on Interstate 80.

**Restaurant, cafe, coffee shop** means a retail business selling ready-to-eat food and/or beverages for on- or off-premises consumption. These include eating establishments where customers are served from a walk-up ordering counter for either on- or off-premises consumption (**counter service**); and establishments where customers are served food at their tables for on-premises consumption (**table service**), that may also provide food for take-out.

**Review authority** means the individual or official town body (the planning director, planning commission, or town council) identified by this title as having the responsibility and authority to review, and approve or disapprove the permit applications described in Division 6.

**Rooming or boarding house** means a dwelling or part of a dwelling where lodging is furnished for compensation to five or more persons living independently from each other. Meals may also be included. Does not include fraternities, sororities, convents, or monasteries, which are separately defined under **organizational house**.

## S. Definitions, S.

**School** means a public or private academic educational institution, including:

Boarding school

Community college, college, or university

Elementary, middle, and junior high schools

High school

Military academy

Also includes schools providing specialized education/training. Examples include the following:

Art school

Ballet and other dance school

Business, secretarial, and vocational school

Computers and electronics school

Drama school

Driver education school

Establishments providing courses by mail

Language school

Martial arts

Music school

Professional school (law, medicine, etc.)

Seminaries/religious ministry training facility

Also includes facilities, institutions and conference centers that offer specialized programs in personal growth and development, such as fitness, environmental awareness, arts, communications, and management. Does not include pre-schools and child day care facilities (see **day care**). See also the definition of **studios—art, dance, martial arts, music, etc.** for smaller-scale facilities offering specialized instruction.

**Secondhand store** means a retail store that buys and sell used products, including clothing, furniture and household goods, jewelry, appliances, musical instruments, business machines and office equipment, tools, motors, machines, instruments, firearms, or any similar secondhand articles or objects. Does not include bookstores (**retail stores**); secondhand farm and construction equipment (**construction, farm, and heavy equipment sales**); junk dealers, or scrap/dismantling yards (**recycling facilities—scrap and dismantling yards**); the sale of antiques and collectibles (**retail stores**); the sale of cars and other used vehicles (**auto and vehicle sales, leasing, and rental, used**); or pawnshops (**personal services—restricted**).

~~**Second unit** means a second permanent dwelling that is accessory to a primary dwelling on the same site. A second unit provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, sanitation, and parking, and if attached to the primary dwelling, is provided exterior access separate from the primary dwelling. Includes guest houses.~~

**Senior housing. See independent living center/senior apartment.**

**Service station.** See **gas station**, and **vehicle services**.

**Setback** means the distance by which a structure, parking area or other development feature must be separated from a lot line, other structure or development feature, or street centerline (unless otherwise provided). See also **yard**, and Section 13.30.110 (setback regulations and exceptions).

**Shopping center** means a primarily retail commercial site with three or more separate businesses sharing common pedestrian and parking areas.

**Sign** means a structure, device, figure, display, message placard, or other contrivance, or any part thereof, situated outdoors or indoors, which is designed, constructed, intended, or used to advertise, or to provide information in the nature of advertising, to direct or attract attention to an object, person, institution, business, product, service, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination, or projected images. Does not include murals, paintings and other works of art that are not intended to advertise or identify any business or product. Types of signs include the following:

1. **Abandoned sign** means a sign that no longer advertises a business, lessor, owner, product, service or activity on the premises where the sign is displayed.
2. **Animated or moving sign** means a sign which uses movement, lighting, or special materials to depict action or create a special effect to imitate movement.
3. **Awning sign** means a sign copy or logo attached to or painted on an awning.

4. **Banner, flag, or pennant** means cloth, bunting, plastic, paper, or similar nonrigid material used for advertising purposes attached to a structure, staff, pole, line, framing, or vehicle, not including official flags of the United States, the state of California, and other states of the nation, counties, municipalities, official flags of foreign nations and nationally or internationally recognized organizations.
5. **Bench sign** means copy painted on a portion of a bench.
6. **Cabinet sign (can sign)** means a sign with its text and/or logo symbols and artwork on a translucent face panel that is mounted within a metal frame or cabinet that contains the lighting fixtures that illuminate the sign face.
7. **Changeable copy sign** means a sign designed to allow the changing of copy through manual, mechanical, or electrical means including time and temperature.
8. **Directional sign** means a sign that is designed and erected solely for the purposes of directing vehicular and/or pedestrian traffic within a project.
9. **Directory sign** means a sign for listing the tenants and their suite numbers of a multiple tenant structure or center.
10. **Double-faced sign** means a sign constructed to display its message on the outer surfaces of two identical and/or opposite parallel planes.
11. **Electronic reader board sign** means a sign with a fixed or changing display composed of a series of lights, but not including time and temperature displays.
12. **Flashing sign** means a sign that contains an intermittent or sequential flashing light source.
13. **Freestanding sign** means a sign fixed in an upright position on the ground not attached to a structure other than a framework, pole or device, erected primarily to support the sign. Includes monument signs and pole signs.
14. **Illegal sign** means a sign that includes any of the following:
  - a. A sign erected without complying with all regulations in effect at the time of its construction or use;
  - b. A sign that was legally erected, but whose use has ceased, the structure upon which the display is placed has been abandoned by its owner, or the sign is not being used to identify or advertise an ongoing business for a period of not less than ninety days;
  - c. A sign that was legally erected which later became nonconforming as a result of the adoption of an ordinance, the amortization period for the display provided by the ordinance rendering the display conforming has expired, and conformance has not been accomplished;
  - d. A sign that was legally erected which later became nonconforming and then was damaged to the extent of fifty percent or more of its current replacement value;
  - e. A sign which is a danger to the public or is unsafe;
  - f. A sign which is a traffic hazard not created by relocation of streets or highways or by acts of the town; or
  - g. A sign that pertains to a specific event, and five days have elapsed since the occurrence of the event.
15. **Indirectly illuminated sign** means a sign whose light source is external to the sign and which casts its light onto the sign from some distance.

16. **Internally illuminated sign** means a sign whose light source is located in the interior of the sign so that the rays go through the face of the sign, or light source which is attached to the face of the sign and is perceived as a design element of the sign.
17. **Marquee (canopy) sign** means a sign which is attached to or otherwise made a part of a permanent roof-like structure which projects beyond the building wall in the form of a large canopy to provide protection from the weather.
18. **Monument sign** means an independent, freestanding structure supported on the ground having a solid base as opposed to being supported by poles or open braces.
19. **Multi-tenant sign** means an identification sign for a commercial site with multiple tenants, displaying the names of each tenant on the site.
20. **Nonconforming sign** means an advertising structure or sign which was lawfully erected and maintained prior to the adoption of this title, but does not now completely comply with current regulations.
21. **Off-site directional sign** means a sign identifying a publicly owned facility, emergency facility, or a temporary subdivision sign, but excluding real estate signs.
22. **Off-site sign** means a sign identifying a use, facility, service, or product that is not located, sold, or manufactured on the same premises as the sign, or that identifies a use, service, or product by a brand name which, although sold or manufactured on the premise, is not a principal item for sale or manufactured on the premises.
23. **Permanent sign** means a sign constructed of durable materials and intended to exist for the duration of time that the use or occupant is located on the premises; and any other sign that is in place for more than thirty days.
24. **Political sign** means a sign designed for the purpose of advertising support of or opposition to a candidate or proposition for a public election.
25. **Pole/pylon sign** means an elevated freestanding sign, typically supported by one or two poles or columns.
26. **Portable sidewalk sign** means an **A-frame** or **sandwich board** sign.
27. **Portable sign** means a sign that is not permanently affixed to a structure or the ground.
28. **Projecting sign** means a sign other than a wall sign suspending from, or supported by, a structure and projecting outward.
29. **Real estate sign** means a sign indicating that a property or any portion thereof is available for inspection, sale, lease, rent, or directing people to a property, but not including temporary subdivision signs.
30. **Roof sign** means a sign constructed upon or over a roof, or placed so as to extend above the edge of the roof.
31. **Temporary sign** means a sign intended to be displayed for a limited period of time and capable of being viewed from a public right-of-way, parking area or neighboring property.
32. **Vehicle sign** means a sign which is attached to or painted on a vehicle which is parked on or adjacent to any property, the principal purpose of which is to attract attention to a product sold or business located on the property.
33. **Wall sign** means a sign which is attached to or painted on the exterior wall of a structure with the display surface of the sign approximately parallel to the building wall.



34. **Window sign** means a sign posted, painted, placed, or affixed in or on a window exposed to public view. An interior sign which faces a window exposed to public view and is located within three feet of the window.

**Sign area** means the entire area within a perimeter defined by a continuous line composed of right angles using not more than four lines which enclose the extreme limits of lettering, logo, trademark, or other graphic representation.

**Sign height** means the vertical distance from the uppermost point used in measuring the area of a sign to the average grade immediately below the sign, including its base or the top of the nearest curb of the street on which the sign fronts, whichever measurement is the greatest.

**Single-family dwelling** means a building designed for and/or occupied exclusively by one family. Also includes factory-built, modular housing units, constructed in compliance with the Uniform Building Code (UBC), and mobile homes/manufactured housing units that comply with the National Manufactured Housing Construction and Safety Standards Act of 1974, placed on permanent foundations.

**Single-room occupancy** means a one room living space intended for occupancy by not more than two persons as a place of permanent residence that is provided with individual or shared sanitary and bathing facilities and may or may not include individual or shared, full or partial, kitchen facilities, pursuant to Health and Safety Code Section 17958.1.

**Site** means a parcel or adjoining parcels under single ownership or single control, considered a unit for the purposes of development or other use.

**Site coverage** means the percentage of total site area occupied by structures. Structure or building coverage includes the primary structure, all accessory structures (e.g., carports, garages, patio covers, storage sheds, trash dumpster enclosures, etc.) and architectural features (e.g., chimneys, balconies, decks above the first floor, porches, stairs, etc.). Structure/building coverage is measured from exterior wall to exterior wall.

**Small-family day care home.** See **day care**.

**Social service organization** means a public or quasi-public establishment providing social and/or rehabilitation services, serving persons with social or personal problems requiring special services, the handicapped, and the otherwise disadvantaged. Examples of this land use include: counseling centers, welfare offices, job counseling and training centers, or vocational rehabilitation agencies. Includes organizations soliciting funds to be used directly for these and related services, and establishments engaged in community improvement and neighborhood development. Does not include **day-care services**, **emergency shelters** and **transitional housing**, or **residential care**, which are separately defined.

**Special needs groups** means groups including low-income workers, senior citizens, female heads of households, large families, disabled persons, the homeless, and farmworkers.

**Sports and entertainment assembly** means a large-scale indoor or outdoor facility accommodating spectator-oriented sports, concerts, and other entertainment activities. Examples of this land use include amphitheaters, race tracks, stadiums and coliseums. May also include commercial facilities customarily associated with the above uses, including bars and restaurants, gift shops, video game arcades, etc.

**Sports and active recreation facility** means public and private facilities for various outdoor sports and other types of recreation, where the facilities are oriented more toward participants than spectators. Examples include:

Athletic/sport fields (e.g., baseball, football, softball, soccer)

Health and athletic club outdoor facilities

Skateboard parks

Swimming pools

Tennis and other sport courts (e.g., handball, squash)

**Storage—accessory** means the indoor storage of materials accessory and incidental to a primary use is not considered a land use separate from the primary use.

**Storage—outdoor** means an area not within a building that is proposed or used for the storage of building materials, other supplies, equipment, or other materials, either as the primary use of a parcel or as storage accessory to another use. Includes towing impound and storage facilities, which are subject to the requirements of Section 13.42.190 for outdoor storage.

**Storage—personal storage facility** means structures containing generally small, individual, compartmentalized stalls or lockers rented as individual storage spaces and characterized by low parking demand.

**Storage—storage yard** means the storage of various materials outside of a structure other than fencing, either as an accessory or primary use.

**Storage—warehouse, indoor storage** means facilities for the storage of furniture, household goods, or other commercial goods of any nature. Includes cold storage. Does not include: warehouse, storage or mini-storage facilities offered for rent or lease to the general public (**storage—personal storage facility**); warehouse facilities primarily used for wholesaling and distribution (see **wholesaling and distribution**); or terminal facilities for handling freight (see **truck or freight terminal**).

**Story** means that portion of a building included between the surface of any floor and the surface of the floor next above, or if there is no floor above, then the space between the floor and the ceiling or floor next above. Basements are excluded from being considered a story.

**Stream corridor** means a horizontal distance of one hundred feet measured from each side of the centerline of the stream, totaling a width of two hundred feet; or a horizontal distance of fifty feet measured from the top of each stream or creek bank, whichever is greater. The commission may establish different horizontal measurements to match specific stream environments.

**Stream or creek bank** means the point where the break in slope occurs between a stream channel and surrounding topography.

**Street** means a public or private thoroughfare, which affords the principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare, except an alley as defined in this subsection.

**Structure** means anything constructed or erected, the use of which requires attachment to the ground or attachment to something located on the ground. For the purposes of this title, the term “structure” includes “buildings,” but does not include swimming pools.

**Studio—art, dance, martial arts, music, etc.** means small scale facilities, typically accommodating one group of students at a time, in no more than one instructional space. Larger facilities are included under the definition of **schools—specialized education and training**. Examples of these facilities include: individual and group instruction and training in the arts; production rehearsal; photography, and the processing of photographs produced only by users of the studio facilities; martial arts training studios; gymnastics instruction, and aerobics and gymnastics studios with no other fitness facilities or equipment. Also includes production studios for individual musicians, painters, sculptors, photographers, and other artists.

**Subdivision** means the division, by any subdivider, of any unit or portion of land shown on the latest equalized Placer County assessment roll as a unit or contiguous units, for the purpose of sale, lease or financing, whether immediate or future. Property shall be considered as contiguous units, even if it is

separated by roads, streets, utility easement or railroad rights-of-way. Subdivision includes the following, as defined in Civil Code Section 1315: a condominium project; a community apartment project; or the conversion of five or more existing dwelling units to a stock cooperative.

**Subdivision Map Act or Map Act** means and includes Division 2, Title 7 of the California Government Code, commencing with Section 66410 as presently constituted, and any amendments to those provisions.

**Supportive and transitional housing** means [as provided by Health and Safety Code Section 50675.14](#), housing with no limit on length of stay, that is occupied by the target population, and that is linked to an on-site or off-site service that assists the supportive **and transitional** housing resident in retaining the housing, improving ~~his or her~~ their health status, and maximizing their ability to live and, when possible, work in the community.

**Syringe services program** also referred to as a **syringe exchange program**, has the meaning set forth in section 5.24.010.B of the Loomis Municipal Code.

#### T. Definitions, T.

**Telecommunications facility** means public, commercial and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, data network, and wireless communications, including commercial earth stations for satellite-based communications. Includes antennas, commercial satellite dish antennas, and equipment buildings. Does not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections.

**Temporary structure** means a structure without any foundation or footings, and which is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

**Temporary use** means a use of land that is designed, operated and occupies a site for a limited time, typically less than twelve months.

**Theater, auditorium** means an indoor facility for public assembly and group entertainment, other than sporting events. Examples of these facilities include:

Civic theaters, and facilities for “live” theater and concerts

Movie theaters

Similar public assembly facilities

See also **sports and entertainment assembly**.

**Town** means the town of Loomis, state of California, referred to in this title as the “town.”

**Town council** means the Loomis town council, referred to in this title as the “council.”

**Transitional housing** 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 time that shall be no less than six months from the beginning of the assistance.

**Transit station or terminal** means a passenger station for vehicular, and rail mass transit systems; also terminal facilities providing maintenance and service for the vehicles operated in the transit system. Includes buses, taxis, railway, etc.

**Truck or freight terminal** means a transportation facility furnishing services incidental to air, motor freight, and rail transportation. Examples of these facilities include:

Freight forwarding services  
Freight terminal facilities  
Joint terminal and service facilities  
Overnight mail processing facilities  
Packing, crating, inspection and weighing services  
Postal service bulk mailing distribution centers  
Transportation arrangement services  
Trucking facilities, including transfer and storage

#### U. Definitions, U.

Urban lot split means a one-time subdivision of an existing single-family residential parcel into two parcels, under the California Home Act (SB 9).

**Use.** See **land use**.

**Use, primary.** See **primary use**.

**Utility facility** means a fixed-base structure or facility serving as a junction point for transferring electric utility services from one transmission voltage to another or to local distribution and service voltages, and similar facilities for water supply and natural gas distribution. These uses include any of the following facilities that are not exempted from land use permit requirements by Government Code Section 53091:

Corporation and maintenance yards  
Electrical substations and switching stations  
Natural gas regulating and distribution facilities  
Public water system wells, treatment plants and storage  
Telephone switching facilities  
Wastewater treatment plants, settling ponds and disposal fields

These uses do not include office or customer service centers (classified in **offices**).

**Utility infrastructure** means pipelines for water, natural gas, and sewage collection and disposal; and facilities for the transmission of electrical energy for sale, including transmission lines for a public utility company. Also includes telephone, telegraph, cable television and other communications transmission facilities utilizing direct physical conduits. Does not include offices or service centers (see **offices—business and service**), or distribution substations (see **utility facility**).

#### V. Definitions, V.

**Vehicle services** mean the repair, servicing, alteration, restoration, towing, painting, cleaning, or finishing of automobiles, trucks, recreational vehicles, boats and other vehicles as a primary use, including the incidental wholesale and retail sale of vehicle parts as an accessory use. This use includes the following categories:

1. **Major repair/body work** means these establishments include towing, collision repair, other body work, and painting services; tire recapping.

2. **Minor maintenance/repair** means minor facilities providing limited repair and maintenance services. Examples include: attended and self-service car washes; detailing services; muffler and radiator shops; quick-lube services; tire and battery sales and installation (not including recapping).

Does not include automobile parking (see **parking facilities**), repair shops that are part of a vehicle dealership on the same site (see **auto and vehicle sales and rental**, and **mobile home, RV, and boat sales and rental**); **gas stations**, which are separately defined; or **dismantling yards**, which are included under **recycling scrap and dismantling yards**.

**Vehicle storage** means a service facility for the long-term storage of operative cars, trucks, buses, recreational vehicles, and other motor vehicles, for clients. Does not include dismantling yards (classified in **recycling—scrap and dismantling yards**).

**Veterinary clinics, animal hospitals, kennels** mean office and indoor medical treatment facilities used by veterinarians, including large and small animal veterinary clinics, and animal hospitals. Kennels and boarding operations are commercial facilities for the keeping, boarding or maintaining of four or more dogs four months of age or older, or four or more cats, except for dogs or cats in pet shops.

#### W. **Definitions, W.**

**Warehouse.** See **storage—warehouse, indoor storage**.

**Warehouse retail** means a retail store that emphasizes the packaging and sale of products in large quantities or volumes, some at discounted prices, where products are typically displayed in their original shipping containers. Warehouse retail includes associated sales of motor vehicle fuels at on-site fueling stations operated by the warehouse retail use. Sites and buildings are usually large and industrial in character. Patrons may be required to pay membership fees.

**Wholesaling and distribution** means and includes establishments engaged in selling merchandise to retailers; to contractors, industrial, commercial, institutional, farm, or professional business users; to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to such persons or companies. Examples of these establishments include:

Agents, merchandise or commodity brokers, and commission merchants

Assemblers, buyers and associations engaged in the cooperative marketing of farm products

Merchant wholesalers

Stores primarily selling electrical, plumbing, heating and air conditioning supplies and equipment

Also includes storage, processing, packaging, and shipping facilities for mail order and e-commerce retail establishments.

**Williamson Act** means California Government Code Section 51200 et seq., as they may be amended from time to time.

**Winery** means a manufacturing facility where wine grapes are crushed, fermented, aged, bottled, and sold at wholesale as finished wine. May include tasting and accessory retail sales of wine produced on site.

**Wine tasting** means a facility, or area within a winery where wine and related products are offered for retail sale, where wine may be tasted for a fee, or without charge.

#### X. **Definitions, X.** No specialized terms beginning with the letter “X” are defined at this time.

#### Y. **Definitions, Y.**

**Yard** means an area between a lot line and a structure, unobstructed and unoccupied from the ground upward, except for projections permitted by this title. See also **setback**, and Section 13.30.110.

1. **Front yard** means an area extending across the full width of the lot between the front lot line and the primary structure.
2. **Rear yard** means an area extending the full width of the lot between a rear lot line and the primary structure.
3. **Side yard** means an area between a side lot line and the primary structure extending between the front and rear yards.

**Yard area of major use** is that area to the rear or side of the main residence (usually not both) generally containing a swimming pool, and/or patio area, and/or major landscaping, etc.

## **Z. Definitions, Z.**

**Zero lot line** means the location of a building on a lot in such a manner that one or more building sides rests directly on a lot line.

**Zoning district** means any of the residential, commercial, public, or overlay districts established by Division 2 of this title, within which certain land uses are allowed or prohibited, and certain site planning and development standards are established (e.g., setbacks, height limits, site coverage requirements, etc.).

**Zoning ordinance** means the town of Loomis zoning ordinance, Title 13 of the Loomis Municipal Code, referred to herein as "this title."

(Ord. 290 § 2, 2022; Ord. 285 § 1, 2020; Ord. 255 § 1, 2014; Ord. 230 § 4, 2007; Ord. 228 § 1, 2006; Ord. 226 § 1, 2005; Ord. 216 §§ 2, 4, 8, 9, 2005; Ord. 211 § 4, 2004; Ord. 205 § 1 (Exh. A), 2003; Ord. 297, 1/9/2024)

**Section 2. Severability:** If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance for any reason shall be held to be invalid or unconstitutional, the decision shall not affect the remaining portions of the Ordinance. The Council of the Town of Loomis hereby declares that it would have passed this Ordinance and each article, section, subsection, paragraph, sentence, clause, or phrase which is a part thereof, irrespective of the fact that any one or more articles, sections, subsections, paragraphs, sentences, clauses or phrases are declared to be invalid or unconstitutional.

**Section 3. Effective Date and Publication:** This Ordinance shall take effect thirty (30) days after its adoption. The Town Clerk shall cause this Ordinance to be published in the Loomis New and to be posted at three (3) locations within fifteen (15) days after its passage; shall certify to the adoption and posting of the Ordinance; and shall cause this Ordinance and its certification to be entered in the Book of Ordinances of the Town of Loomis.

The foregoing Ordinance was introduced at a regular meeting of the Council of the Town of Loomis held on \_\_\_\_\_, 2024, as was ADOPTED AND ORDERED published and post a meeting of the Council held on the \_\_\_\_ day of \_\_\_\_\_, 2024 by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

**ABSTAINED:**

---

Stephanie Youngblood, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

---

Carol Parker, Deputy Town Clerk

---

Jeffrey Mitchell, Town Attorney

**PLANNING COMMISSION  
RESOLUTION NO. 24-04**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE TOWN OF LOOMIS  
RECOMMENDING ADOPTION OF TITLE 13 ZONING ORDINANCE AMENDMENTS TO  
IMPLEMENT 2021 HOUSING ELEMENT PROGRAMS, AND MAINTAIN CONSISTENCY WITH  
THE 2020-2040 GENERAL PLAN TO THE TOWN OF LOOMIS TOWN COUNCIL**

**WHEREAS**, the 2021-2029 Housing Element, Programs 2, 5, 6, 11, and 15 (adopted by Town Council Resolution #21-33, August 17, 2021) require adoption of Zoning amendments to implement the listed programs; and

**WHEREAS**, the 2020-2040 General Plan was adopted by the Town Council on April 9, 2024, including modifications to the Land Use Designations and Land Use Diagram; and

**WHEREAS**, Government Code § 65860(c) requires consistency between the adopted General Plan and the Zoning Ordinance; and

**WHEREAS**, Town staff prepared a Draft Title 13 Zoning Ordinance Amendment to implement Housing Element Programs 2, 5, 6, 11 and 15 and to maintain consistency with the 2020-2040 General Plan that was reviewed and discussed by the Planning Commission at their meeting of September 24, 2024; and

**NOW, THEREFORE BE IT RESOLVED**, that the Planning Commission of the Town of Loomis, at its meeting of September 24, 2024, did resolve as follows:

1. The Draft Title 13 Zoning Ordinance Amendment and attached Findings (Exhibit A) are hereby recommended to the Town Council for adoption.

PASSED AND ADOPTED by the Planning Commission of the Town of Loomis, this 24<sup>th</sup> day of September 2024, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAINED:

---

Chairman Onderko

ATTEST:

---

Sarah Jennings, Planning Secretary



## FINDINGS

Section 13.76.060.B of the Municipal Code establishes findings required to approve an amendment to the Zoning Ordinance. The three required findings are met as follows:

### **1. The proposed amendment is consistent with the general plan**

The purpose of the proposed Title 13 Zoning Ordinance Amendments is to maintain consistency with the General Plan and continue to implement the programs within the Housing Element. The proposed modifications to the text of the Zoning Ordinance and to the Zoning Map ensure that the Zoning Ordinance is consistent with the Housing and Land Use Elements of the General Plan, including the Land Use Diagram.

### **2. The proposed amendment would not be detrimental to the public interest, health, safety, convenience, or welfare of the town.**

As evidenced through the Environmental Impact Report for the 2020-2040 General Plan, the adopted General Plan changes support the best interests of the public, and addresses and supports public health and safety, public convenience, and the overall welfare of the Town. The purpose of the Title 13 Zoning Ordinance Amendments is to update the zoning ordinance to implement the programs in the Housing Element and to maintain consistency with the General Plan. The amendments proposed for the Zoning Ordinance were addressed through the General Plan EIR, which found that the amendments to the General Plan better address, enhance, and maintain the public's health, safety, interest, and convenience, and the general welfare of the town. Therefore, the amendments to the Zoning Ordinance also enhance and maintain the public's health, safety, interest and convenience, and welfare of the town.

### **3. The affected site is physically suitable (including absence of physical constraints, access, compatibility with adjoining land uses, and provision of utilities) for proposed or anticipated uses and/or development.**

The Zoning Ordinance amendments affect the entirety of the Town's physical boundaries. The modifications, updates, and additions to the text of the ordinance are applicable town wide. Modifications to zoning map correct previous inconsistencies contained within the 2001 General Plan and maintain consistency with the Land Use Diagram in the adopted 2020-2040 General Plan and are suitable in the context of the adjacent and surrounding land uses.