

Exhibit B (AT-23-005 REDLINES)

Chapter 18.08 DEFINITIONS

18.08.267 Gas station marketer.

A “gas station marketer” is:

A. An enclosed area located on a gasoline service station site, where merchandise that is not considered accessory to the normal operation and maintenance of automobiles is sold. This merchandise includes convenience food items such as sodas, ~~nonalcoholic~~ beverages, chips, cookies, ice cream, and other snack items and also nonfood items.

B. Additionally, the use of refrigerated display cases to which the general public has access constitutes a marketer. However, a service station may have up to four (4) coin-operated vending machines and may sell cigarettes over the counter only without being considered a marketer.”

Chapter 18.26 MARKETPLACE MIXED USE (MMU) DISTRICT

18.26.030 Conditional uses

A. Approval by the Zoning Administrator (Refer to Chapter 18.54 for a detailed description of the administrative use permit process). Commercial indoor uses may be located in a stand-alone/in-line commercial building or incorporated into the ground floor of a residential or office mixed use development.

1. Child day care facilities.
2. Educational and instructional uses (business, beauty, computer, dance, martial arts) with an occupant load of fifty (50) or more through the Uniform Building Code.
3. Live music (amplified) at full service/sit down restaurants subject to the standards of Section 18.36.195(B).
4. Outdoor activities located in private and public plazas.
5. Outdoor displays in conjunction with an existing adjacent business.
6. Veterinarian offices and small animal hospitals including short-term overnight boarding of animals for medical purposes, provided that all operations are conducted within a completely enclosed building; there is sufficient air conditioning and

soundproofing to effectively confine odors and noise so as not to interfere with the public health, safety, and welfare; and there is no walking of animals outside of the property.

7. Any other use determined by the Zoning Administrator to be essentially the same or very similar to the above permitted uses. In making this determination, the findings required under Section 18.52.060 shall be addressed.

B. Approval by Planning Commission (refer to Chapter 18.56 for a detailed description of the use permit process).

1. The following uses may be located in a stand-alone/in-line commercial building or incorporated into the ground floor of a residential or office mixed use development:

- a. Bars, comedy clubs, nightclubs, and lounges;
- b. Check cashing;
- c. Commercial recreation facilities;
- d. Convenience markets;
- e. Entertainment and recreation uses with an occupant load of fifty (50) or more through the Uniform Building Code;
- f. Liquor stores;
- g. Massage.

2. Discount clubs.

3. Drive-in/drive-through uses.

4. Exterior sidewalk ATMs (automated teller machines), when there is adequate security and lighting and adequate queuing area that does not impede pedestrian or vehicular traffic flow (drive-thru ATMs are not permitted)

5. Farmers markets, when coordinated in conjunction with the City or the Chamber of Commerce.

6. Hotels.

7. Service stations and gas station marketeers subject to the provisions of the Gas Station Marketeer Policy Statement with all operations, except for the sale of gasoline and the washing of automobiles, conducted in a building enclosed on at least three (3)

sides, pump islands located no closer than twenty (20) feet to any property line, and alcoholic beverages not sold on site-, with the exception of beer and wine.

8. Superstores subject to the criteria outlined in the Policy Statement for Use Permit Review of Superstores.

9. All other uses determined by the Planning Commission to be essentially the same or very similar to the above conditionally permitted uses. In making this determination, the findings required under Section 18.52.060 shall be addressed.”

Chapter 18.35 CORRIDOR MIXED USE COMMERCIAL (CMU) DISTRICT

18.35.030 Conditional uses.

The following conditional uses shall be permitted in the CMU Zoning District upon the granting of a use permit:

A. Approval by Zoning Administrator (refer to Chapter 18.54 for a detailed description of the administrative use permit process).

1. Child day care facilities;
2. Educational and instructional uses (business, beauty, computer, dance, martial arts) with an occupant load of fifty (50) or more through the Uniform Building Code;
3. Exterior sidewalk ATMs (automated teller machines), when there is adequate security and lighting and adequate queuing area that does not impede pedestrian or vehicular traffic flow (drive-thru ATMs are not permitted);
4. Outdoor displays, such as flowers or newspapers, in conjunction with an existing adjacent business;
5. Sidewalk cafés per Section 18.36.190;
6. Veterinary offices and small animal hospitals including short-term overnight boarding of animals for medical purposes and incidental care such as bathing and trimming, provided that all operations are conducted within a completely enclosed building;
7. All other uses determined by the Zoning Administrator to be essentially the same or very similar to the above conditionally permitted uses. In making this determination, the findings required under Section 18.52.060 shall be addressed.

- B. Approval by Planning Commission (refer to Chapter 18.56 for a detailed description of the use permit process).
1. Bars, comedy clubs, nightclubs, and lounges;
 2. Commercial recreation facilities;
 3. Convenience markets;
 4. Entertainment and recreation uses with an occupant load of fifty (50) or more through the Uniform Building Code;
 5. Fast food/quick service restaurant, full service/sit down restaurant, and retail and carry out;
 6. Health services (including, but not limited to: laboratories, drug treatment clinics, palm reading);
 7. Live music (amplified) at full service/sit down restaurants subject to the standards of Section 18.36.195(B);
 8. Lodging, hotels and motels;
 9. Massage;
 10. Retail tobacco store, only where located more than one thousand (1,000) feet from another such use and a “sensitive use.” Distance shall be measured from the closest exterior wall of the structure or portion of the structure in which the use is located to the property line of the “sensitive use”;
 11. Service stations with the following operational characteristics:
 - a. All operations, except for the sale of gasoline and the washing of automobiles, are conducted in a building enclosed on at least three (3) sides, pump islands located no closer than twenty (20) feet to any property line, and alcoholic beverages not sold on site-, with the exception of beer and wine;
 - b. Gas station marketeers subject to the provisions of the Gas Station Marketeer Policy Statement;
 12. Any other use determined by the Planning Commission to be essentially the same or very similar to the above permitted uses. In making this determination, the findings required under Section 18.52.060 shall be addressed.

C. Approval by City Council (refer to Chapter 18.56 for a detailed description of the use permit process).

1. Mixed use residential developments.”

Chapter 18.36 COMMERCIAL DISTRICTS

18.36.030 Conditional uses.

A. Approval by Zoning Administrator (refer to Chapter [18.54](#) for a detailed description of the administrative use permit process).

CONDITIONAL USES	CPA	CN	CC	CVR
Automotive rental agencies with minor parking requirements, involving no automotive repair or vehicle washing on site	X		X	X
Adult day care facilities	X			
Child day care facilities	X	X	X	
Educational and instructional uses (business, beauty, computer, dance, martial arts) with an occupant load of 50 or more through the Uniform Building Code		X	X	
Live music (amplified) at full service/sit down restaurants subject to the provisions of Section 18.36.195 (B)	X	X	X	X
Outdoor dining patios subject to the provisions of Section 18.36.190	X	X	X	X
Outdoor flower display along the street frontage of a permanently established florist in Union City		X	X	
Veterinarian offices and small animal hospitals including short-term overnight boarding of animals for medical purposes, provided that all operations are conducted within a completely enclosed building; there is sufficient air conditioning and soundproofing to effectively confine odors and noise so as not to interfere with the public health, safety, and welfare; and there is no walking of animals outside of the property			X	
Any other use determined by the Zoning Administrator to be essentially the same or very similar to the above permitted uses. In	X	X	X	X

making this determination, the findings required under Section 18.52.060 shall be addressed				
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B. Approval by Planning Commission (refer to Chapter [18.56](#) for a detailed description of the use permit process).

CONDITIONAL USES	CPA	CN	CC	CVR
Adult business, only where located at least 1,000 feet away from a school, day care, or faith based facility			X	
Arcades, computer gaming, pool rooms/halls			X	
Automotive sales—Used vehicles, permitted only in conjunction with new car sales			X	
Automobile washing, including the use of mechanical conveyors, blowers and steam cleaners			X	
Bars, comedy clubs, nightclubs, and lounges		X	X	X
Body art		X	X	
Check cashing			X	
Church uses with existing buildings built for and previously occupied by a church		X		
Convenience markets		X	X	
Cybercafé		X	X	
Discount clubs			X	
Drive-in/drive-through uses		X	X	
Entertainment and recreation uses with an occupant load of 50 or more through the Uniform Building Code			X	X
Farmers markets, when coordinated in conjunction with the City or the Chamber of Commerce		X		
Food, fast food/quick service restaurant, stand alone		X	X	

CONDITIONAL USES	CPA	CN	CC	CVR
Guns and/or ammunition sales			X	
Health services (including, but not limited to: laboratories, drug treatment clinics, palm reading)	X		X	
Hospitals, sanitariums and nursing homes	X		X	
Liquor stores		X	X	
Lodging (hotel and motel)			X	
Lumber or other building materials with outdoor storage or display			X	
Massage	X	X	X	
Mortuaries, crematoriums and funeral homes			X	
Nurseries and garden stores with outdoor storage			X	
Public utility and public service pumping stations, power stations, electrical substations, service groups and storage tanks		X	X	
Retail tobacco store, only where located more than 1,000 feet from another such use and a "sensitive use." Distance shall be measured from the closest exterior wall of the structure or portion of the structure in which the use is located to the property line of the "sensitive use"			X	
Service stations with the following operational characteristics: 1. All operations, except for the sale of gasoline and the washing of automobiles, are conducted in a building enclosed on at least 3 sides, pump islands located no closer than 20 feet to any property line, and alcoholic beverages not sold on site, <u>with the exception of beer and wine.</u>		X	X	
2. Minor automobile service, such as engine tune-ups, oil change, tire sales and service, brake service and smog check			X	
3. The rental of trailers as an incidental part of the service station operation			X	

CONDITIONAL USES	CPA	CN	CC	CVR
4. The rental of hand tools, garden tools, and other similar equipment as an incidental part of the operation of the service station		X	X	
5. Gas station marketeers subject to the provisions of the Gas Station Marketeer Policy Statement		X	X	
Superstores			X	
Veterinarian offices and small animal hospitals including short-term overnight boarding of animals for medical purposes, provided that that all operations are conducted within a completely enclosed building; there is sufficient air conditioning and soundproofing to effectively confine odors and noise so as not to interfere with the public health, safety, and welfare; and there is no walking of animals outside of the property				
Any other use determined by the Planning Commission to be essentially the same or very similar to the above permitted uses. In making this determination, the findings required under Section 18.52.060 shall be addressed	X	X	X	X

Chapter 18.40 INDUSTRIAL DISTRICTS

18.40.020 Land use regulations—Industrial Districts

Table 18.40.020 Land use regulations—Industrial Districts sets the land use regulations for the Industrial Districts by letter designation as follows unless a use or activity is prohibited or subject to a higher level of permit pursuant to other parts of this Section, other requirements of the Union City Municipal Code, or other applicable regulations:

"P" designates permitted uses.

"AUP" designates uses that are permitted subject to approval of an Administrative Use Permit (Chapter 18.54).

"UP" designates uses that are permitted subject to approval of a Conditional Use Permit (Chapter 18.56).

"-" designates uses that are not allowed.

Any other use determined by the decision maker to be essentially the same or very similar to the uses in in Table 18.40.020 may be permitted. In making this determination, the findings required under Section 18.52.060 shall be addressed. Land uses defined in the Union City Municipal Code and not listed in the table or not found to be substantially similar to the uses below are prohibited. Unless otherwise explicitly stated, all uses shall be conducted within a permanent building.

Table 18.40.020 Land use regulations—Industrial Districts				
Use	General Industrial (MG)	Light Industrial (ML)	Special Industrial (MS)	Specific use regulations/ notes
ASSEMBLY, EDUCATION AND RECREATION				
Conference center	-	-	UP	
Fitness and recreational facilities	-	-	UP	
Hotel	-	UP	UP	Including accessory commercial and business services uses
Professional trade schools and colleges	-	-	UP	Limited to programs serving persons 18 years or older
AUTOMOBILE				
Automobile rentals	-	P	P	
Automobile repair and service	-	UP	-	Including auto body and paint shops
Automobile sales of new vehicles	-	-	UP	Accessory used vehicles sales and service uses permitted

Table 18.40.020 Land use regulations—Industrial Districts				
Use	General Industrial (MG)	Light Industrial (ML)	Special Industrial (MS)	Specific use regulations/ notes
Service stations	-	UP	-	Subject to the following conditions: 1. All operations except the sale of fuel and oil shall be conducted in a building enclosed on at least three (3) sides 2. Pump Island shall be located not closer than twenty (20) feet to any property line 3. No sale of alcoholic beverages or food products, <u>with the exception of beer and wine</u> 4. No service station marketeer
COMMERCIAL SERVICES				
Banks and financial institutions	-	-	UP	
Business services	-	P	UP	
Child day care center	-	-	UP	When conducted as an integral part of a main building or on a proximate site/campus and where the parent(s) or guardian(s) of children using such facility remain on site, or on a proximate site
Food service	-	-	UP	Excluding Drive-through uses

Table 18.40.020 Land use regulations—Industrial Districts				
Use	General Industrial (MG)	Light Industrial (ML)	Special Industrial (MS)	Specific use regulations/ notes
Live music (non-amplified)	-	-	AUP	At food service uses and subject to the provisions of Section 18.36.195(A)
Outdoor dining areas	-	-	AUP	At food service uses and subject to the provisions listed in Section 18.36.190
Food truck	P	P	-	On private property, with property owner permission and up to 2 hours
INDUSTRIAL – MANUFACTURING AND ASSEMBLY				
<i>Building materials and products</i>				
Manufacturing and assembly of prefabricated structures	P	P	-	
Manufacturing and assembly of porcelain and ceramic products including bathroom and kitchen fixtures and equipment	P	P	-	Kilns shall be fired only by gas or electricity
Manufacturing and assembly of building paper and building board	P	-	-	
Manufacturing and assembly of building materials not elsewhere listed in this table.	UP	UP	-	
<i>Chemicals and allied products manufacturing</i>				
Manufacturing of candle and paraffin products	P	UP	UP	Excluding the rendering of products

Table 18.40.020 Land use regulations—Industrial Districts				
Use	General Industrial (MG)	Light Industrial (ML)	Special Industrial (MS)	Specific use regulations/ notes
Manufacturing and assembly of pharmaceuticals and products from the life sciences and biotechnology industries	P	P	P	
Manufacturing of soap, detergents, and cleaning preparations	P	UP	-	Excluding the refining or rendering of fats and oils
Manufacturing of perfumes, cosmetics, and other toiletries preparations	P	UP	-	Excluding the refining or rendering of fats and oils
Manufacturing and assembly of plastic and rubber products,	P	UP	UP	Excluding tire manufacturing
<i>Electronic, mechanical, and scientific equipment</i>				
Manufacturing, assembly, and repair of electrical and neon signs including billboards and commercial advertising structures	P	P	-	
Manufacturing and assembly of scientific instruments and devices, computer hardware and software, semiconductors, and computer chips	P	P	P	
Manufacturing and assembly of medical equipment	P	P	P	

Table 18.40.020 Land use regulations—Industrial Districts				
Use	General Industrial (MG)	Light Industrial (ML)	Special Industrial (MS)	Specific use regulations/ notes
Manufacturing and assembly of, optical goods, watches and clocks, musical instruments and camera and photographic equipment	P	P	P	
Manufacturing and assembly of machinery, appliances and fixtures	P	UP	-	
<i>Fabricated metal products</i>				
Finishing and plating of metal products	-	UP	-	
Machine shops	P	P	UP	Excluding the use of drop hammers or punch presses with a rated capacity of over twenty (20) tons
Manufacturing and assembly of fabricated metal products not elsewhere listed in this table	P	P	-	
Manufacturing and assembly of Transportation Equipment	SEE BELOW			
Assembly of bicycles	P	P	P	
Assembly of mass transit equipment	P	UP	-	

Table 18.40.020 Land use regulations—Industrial Districts				
Use	General Industrial (MG)	Light Industrial (ML)	Special Industrial (MS)	Specific use regulations/ notes
Manufacturing and assembly of motor vehicles, trailers, motorcycles, and associated parts and equipment not elsewhere listed in this table	P	UP	-	
Manufacturing and assembly of mass transit equipment	P	-	-	
Manufacturing and assembly of products from previous prepared materials such as precious or semi-precious metal	P	UP	UP	
Manufacturing and assembly of structural steel iron and pipe including bars, girders, and rails	P	-	-	
<i>Food and kindred products</i>				
Breweries, distilleries, and wineries	P	P	AUP	
On-site tasting rooms for Breweries, distilleries, and wineries	-	AUP	AUP	Including accessory food service. Outdoor dining areas subject to the provisions listed in Section 18.36.190
Indoor farming and cultivation	P	P	-	Excluding the cultivation of cannabis or other controlled substances
Manufacturing and bottling of Beverages	P	P		Including soft drinks and water

Table 18.40.020 Land use regulations—Industrial Districts				
Use	General Industrial (MG)	Light Industrial (ML)	Special Industrial (MS)	Specific use regulations/ notes
Manufacturing and packing of bread, bakery, confectionery and related products	P	P	-	
Manufacturing and packing of food products	P	P	P	Excluding production of fish or meat products, sauerkraut, vinegar or the like, or the rendering or refining of fats, oils
Manufacturing and packing of food products	P	P	-	Including processes such as baking, cooking, roasting, pasteurization and extraction
Processing and packing of Dairy products	P	-	-	
Processing and packing of Meat products	UP	-	-	Excluding slaughtering
Sugar refining	P	-	-	
<i>Furniture and fixtures</i>				
Manufacturing and assembly of Cabinets	P	P	P	
Manufacturing and assembly of Household and office furniture, and fixtures	P	P	-	
<i>Leather and allied products</i>				
Manufacturing and assembly of leather products and associated dyeing	P	UP	-	Excluding tanning and curing
<i>Lumber and wood products</i>				
Lumber yards	UP*	UP	-	*Outdoor operations only permitted in the MG Zoning District

Table 18.40.020 Land use regulations—Industrial Districts				
Use	General Industrial (MG)	Light Industrial (ML)	Special Industrial (MS)	Specific use regulations/ notes
Manufacturing and assembly of wooden and cork products, not elsewhere listed in this table	P	P	-	
Sawmills	UP	-	-	
<i>Paper, printing, publishing, and allied industries</i>				
Manufacturing and assembly of paper and pulp goods not listed elsewhere in this table	P	UP	-	
Publishing, printing, and binding of newspapers, periodicals, books, cards, forms, blank books and circulars	P	P	UP	
<i>Stone, clay, and glass products</i>				
Gravel, rock and cement yards	UP	-	-	Including batch plans, and outdoor operations
Fabrication of concrete products	P	UP	-	Excluding batch plants
Manufacturing and assembly of artisan products	P	P	P	Including glass, tile and clay
Manufacturing and assembly of glass and pottery products	P	P	-	Kilns shall be fired only by gas or electricity
Manufacturing and assembly, including cutting, polishing, and setting of jewelry products and products from precious or semi-precious stone	P	P	P	
<i>Textile mill products</i>				

Table 18.40.020 Land use regulations—Industrial Districts				
Use	General Industrial (MG)	Light Industrial (ML)	Special Industrial (MS)	Specific use regulations/ notes
Manufacturing and assembly of textile products including apparel, not elsewhere listed in this table	P*	P*	P	*Accessory dyeing and finishing only Permitted in the MG and ML Zoning Districts
INDUSTRIAL - WAREHOUSE, WHOLESALE AND DISTRIBUTION				
Cold Storage uses that do not exceed 100,000 square feet	UP	UP	-	
Warehouse, wholesale and distribution uses within buildings which were built, or approved by the Economic and Community Development Department, prior to August 22, 1996	-	P	-	
Warehouse, wholesale and distribution uses up to twenty-five (25,000) within buildings built since August 22, 1996	-	P	-	
Warehouse, wholesale and distribution uses over 25,000 square feet within buildings built since August 22, 1996; provided, that they either: (1) generate sales tax revenues as a point of sale, and/or (2) Supports an existing Union City manufacturing or assembly use with a valid business license	-	AUP	-	

Table 18.40.020 Land use regulations—Industrial Districts				
Use	General Industrial (MG)	Light Industrial (ML)	Special Industrial (MS)	Specific use regulations/ notes
Warehouse, wholesale, and distribution uses that do not exceed ten thousand (10,000) square feet	-	-	P	
Warehouse, wholesale, and distribution uses that do not exceed twenty-five thousand (25,000) square feet; provided, that they either serve as a point of sale for taxable goods and/or supports an existing Union City manufacturing or assembly use with a valid businesses license	-	-	P	
INDUSTRIAL SERVICES				
Construction equipment sales and rentals	-	P	P	
Construction equipment sales and rentals with accessory service and/or outdoor storage	-	AUP	-	
Contractor services	P	P	P	
Contractor services with accessory outdoor storage of equipment or supplies	UP	UP	-	
Incubator spaces		AUP	AUP	
Maker space	P	P	P	

Table 18.40.020 Land use regulations—Industrial Districts				
Use	General Industrial (MG)	Light Industrial (ML)	Special Industrial (MS)	Specific use regulations/ notes
Media production studios	P	P	P	
Painting, enameling, lacquering, welding, and sandblasting shops	UP	UP	-	
Printing, lithographing, and engraving	P	P	P	
OFFICE/LABORATORY/RESEARCH AND DEVELOPMENT				
Administrative, executive, financial and professional offices	P	P	UP	Excluding medical offices
Engineering and design services and related facilities	P	P	P	
Medical offices	-	-	UP	
Research and development services and related facilities	P	P	P	Including life sciences, medical and pharmaceutical research, electronics, and computer science
Veterinarian offices and small animal hospitals	-	P	UP	Including short-term overnight boarding of animals for medical purposes.
RETAIL				
Commercial cannabis use	-	P	P	Subject to the zoning requirements of Chapter 18.117 and the licensure and regulatory requirements of Chapter 5.44

Table 18.40.020 Land use regulations—Industrial Districts				
Use	General Industrial (MG)	Light Industrial (ML)	Special Industrial (MS)	Specific use regulations/ notes
Retail catalog and mail order houses with warehouse and distribution center that serve as a point of sales	P	P	P	
Retail sales of office or business products, specialty electronics, household furnishings, appliances, etc	-	-	P	
Retail sale of goods which are manufactured, processed or assembled (improved or developed to a higher use by machine or by hand) on the premises	P	P	P	
Retail stores incidental to and on the same site with a permitted or conditionally permitted use	-	P	P	
UTILITIES AND WASTE FACILITIES				
Cogeneration plants	UP	-	-	
Public utilities, power stations, electric substations, service groups, and storage tanks	P	P	P	Provided they are fenced and landscaped
Recycling facilities with accessory outdoor drop-off/sorting and storage of equipment	UP	UP	-	Excluding any operations which entail the recycling of hazardous materials
MISCELLANEOUS USES				
Civic facilities	P	P	P	

Table 18.40.020 Land use regulations—Industrial Districts				
Use	General Industrial (MG)	Light Industrial (ML)	Special Industrial (MS)	Specific use regulations/ notes
Industrial planned unit development	UP	UP	UP	Consistent with the requirements of Chapter 18.44