



**CITY OF UNION CITY
AGENDA FOR THE REGULAR PLANNING COMMISSION MEETING
ON THURSDAY, JULY 20, 2023 7:00 PM**

**City Hall- Council Chamber
34009 Alvarado-Niles Road
Union City, CA 94587**

1. CALL TO ORDER:

A. PLEDGE OF ALLEGIANCE

B. ROLL CALL:

Chairperson Lee Guio, Vice Chair Ed Mack Agbuya

Commissioners: Jo Ann Lew, Seyi McClelland, Amandeep Sandhu

Alternate Commissioners: Kevin Finnerty, Vacant

2. APPROVAL OF MINUTES:

A. The regular Planning Commission minutes for June 15, 2023.

3. ORAL COMMUNICATIONS:

*(This is an opportunity for persons to speak on items not listed on the agenda.
According to the California Government code the commission is prohibited from taking
any immediate action on an item which does not appear on the agenda.)*

4. WRITTEN COMMUNICATIONS:

5. PUBLIC HEARINGS:

A. CONTINUED HEARINGS:

B. NEW HEARINGS:

- 1. CITY OF UNION CITY, TEXT AMENDMENT (AT-23-004):** The City of Union City is proposing amendments to Title 18, Zoning, of The Union City Municipal Code to establish objective design and development standards for zoning districts that allow multi-family and/or mixed-use residential development and related updates for consistency. Amendments include updates to Chapter 18.04 General Provisions; Chapter 18.08 Definitions; Chapter 18.24 Bulk

Regulations; Chapter 18.26 Marketplace Mixed Use (MMU) District; Chapter 18.27 Village Mixed Use (VMU) District; Chapter 18.28 Off-Street Parking and Loading; Chapter 18.32 Residential Districts; Chapter 18.35 Corridor Mixed Use Commercial (CMU) District; Chapter 18.36 Commercial Districts; Chapter 18.37 Station East Mixed Use Residential (SEMU-R) District; Chapter 18.38 Station Mixed Use Commercial (CSMU) District; and Chapter 18.100 511 Area District. Staff recommends the amendments be exempt from environmental review in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3).

2. HIAWATHA HARRIS, M.D., 33456 ALVARADO-NILES ROAD, USE PERMIT (UP-23-005): The applicant, Hiawatha Harris, is seeking use permit approval to operate a medical office within an existing 2,939 square-foot tenant space withing Building B of the Central Plaza development at 33456 Alvarado-Niles Road within the Special Industrial (MS) zoning district. Staff recommends that this project be categorically exempt under Section 15332, In-fill Development Projects, of the CEQA Guidelines.

6. SUPPLEMENTAL STAFF REPORTS:

A. CONTINUED REPORTS:

B. NEW REPORTS:

7. ECONOMIC DEVELOPMENT REPORTS:

8. COMMISSION MATTERS:

- A. Follow-up on Planning Commission referrals to the City Council.

9. GOOD OF THE ORDER:

10. ADJOURNMENT:

A complete agenda packet is available for review at City Hall or on our website www.unioncity.org

Any writings or documents provided to a majority of City Council or Planning Commission members regarding any item on this agenda will be made available for public inspection at the City Clerk's Counter at City Hall, located at 34009 Alvarado-Niles Road, Union City, California, during normal business hours.

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Interested person must request the accommodation at least two working days in advance of the meeting by calling (510) 675-5319.



Agenda Item

ATTACHMENTS:

Description	Type
 PCMN06152023	Attachment

**CITY OF UNION CITY
MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING
ON THURSDAY, JUNE 15, 2023 AT 7:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
34009 ALVARADO-NILES ROAD
UNION CITY, CA 94587
AND VIA TELECONFERENCE**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

PRESENT: Chairperson Lee Guio, Vice Chairperson Ed Mack Agbuya, Commissioners Jo Ann Lew, Seyi Mclelland and Amandeep Sandhu

ABSENT: None

STAFF: Carmela Campbell (Economic & Community Development Director); Erica Gonzalez (City Attorney, Meyers Nave); Derek Farmer (Planning Manager); Coleman Frick (Senior Planner); Brandon H. DeLucas (Associate Planner) and Denisse Anzoategui (Administrative Assistant III)

Chairperson Guio reported that he and Commissioner Sandhu would have a potential conflict of interest with Item 5.B.2. He requested the agenda be modified to allow the item to be heard last on the meeting agenda.

2. APPROVAL OF MINUTES

A. The regular Planning Commission minutes for May 18, 2023

Commissioner Lew requested the following corrections to the May 18, 2023 Planning Commission meeting minutes:

Page 1, revise the statement under Item 2. Approval of Minutes, to read:

Vice Chairperson Agbuya stated the meeting minutes for the Planning Commission meetings of April 6 and April 20, 2023 were accepted with no modifications.

Commissioner Lew also referenced Page 2, the first sentence of the second full paragraph under Item B.1, and clarified she had not submitted a Desk Item to staff. The Desk Item had been prepared by staff in response to some questions she had submitted. She asked that the first sentence of the second full paragraph of Page 2 be so corrected.

Erica Gonzalez, City Attorney, Meyers Nave clarified, when asked by the Chair, that a formal motion was not required to approve the meeting minutes.

Carmela Campbell (Economic & Community Development Director) recommended the meeting agenda be further modified with the agenda items to be heard in the following order: Item 6.B.1, 5.A.1, 5.B.1, 6, 7, 8, 9, 5.B.2 and Item 10.

3. ORAL COMMUNICATIONS: None

4. WRITTEN COMMUNICATIONS: None

B. NEW REPORTS

1. STUDY SESSION: REVIEW OF DRAFT ZONING TEXT AMENDMENTS (AT-23-004) RELATED TO OBJECTIVE DEVELOPMENT STANDARDS

Coleman Frick, Senior Planner introduced Martha Miller, Miller Planning & Associates, Lead Consultant for the Objective Development Standards project, who provided a PowerPoint presentation for the Study Session Review of Draft Zoning Text Amendments (AT-23-004) related to objective development standards.

Mr. Frick reported that additional amendments were in process, for consistency with the project, to other chapters of the Union City Municipal Code (UCMC). This included amendments within the District Specific Standards to ensure consistency with the objective standards located in the Bulk Regulations Chapter. As part of next steps, the Revised Draft Standards would be presented to the Planning Commission in July. In parallel with that process, staff was working on a more standardized process for standard conditions of approval, the timing of which had not clearly been defined but may return to the Planning Commission later in the year.

Mr. Frick added that along with the draft standards, the attachment to the June 15, 2023 staff report included code language, some of which was dense in terms of the way it had been described since it painted a picture on how best to pursue design or development. Another parallel aspect of the project was to develop visuals to be incorporated into the UCMC, and to create a handbook and checklist as part of the project which would assist both applicants and staff to review any project against the draft standards.

Mr. Frick reported the Final Draft Objective Development Standards were intended to be presented to the Planning Commission on July 20, 2023 and would include incorporation of any changes based on feedback at the Planning Commission meeting. Adoption of the Final Objective Development Standards would be considered by the City Council at its meeting in September 2023.

Mr. Frick recommended the Planning Commission review the draft amendments and provide any feedback on the Draft Objective Standards.

Commissioner Lew referenced Attachment 3, Draft Zoning Text Amendments Page 1 Chapter 18.24 Bulk Regulations Section 18.24.060 Objective design standards, A. Applicability, 1. Exceptions c. SB 9 Housing Developments, and suggested it would be helpful for Senate Bill (SB) 9 to be clearly defined.

Mr. Frick explained that the exceptions in this section were for development in other zoning districts, and the objective standards applied to Multifamily Residential or Mixed Use Development. SB 9 included objective development standards in single-family zoning districts which the Planning Commission had considered in the summer of 2022.

Commissioner Lew suggested SB 9 be defined in the list of definitions for Title 18.

Associate Planner Brandon H. DeLucas explained the definition for SB 9 units had been included in the SB 9 Chapter under Title 18, which the Planning Commission had previously reviewed in 2022. Because SB 9 was a newer law similar to accessory dwelling units (ADUs) and was regularly updated, the definitions had been contained in that chapter in case the state updated the law again and since it made it easier for staff to provide updates.

Mr. Frick confirmed information for SB 9 had been included in Chapter 18.31 of the UCMC.

Ms. Campbell suggested a citation could be added where SB 9 had been defined in this section.

Commissioner Lew also commented that it was a general rule for acronyms to be spelled out when they first appeared in a document and suggested acronyms be spelled out in this chapter to make it easier for the reader, and Ms. Campbell confirmed the change would be made.

Commissioner Lew referenced Page 2 B. Building Design Requirements, 2. Entrances, b. Residential Uses, i. Shared Entrances (2), which read: *Primary building entranceways located in the interior of a site shall be connected to a publicly accessible sidewalk by a walkway with a minimum width of four (4) feet.* She clarified with Ms. Miller that statement meant it was not inside the building but inside the perimeter of the property. Ms. Miller expressed the willingness to further wordsmith the section to make it clearer.

Commissioner Lew referenced the same page under B. Building Design Requirements, 2. Entrances, b. Residential Uses, i. Shared Entrances (3), which read: *The primary entranceway shall lead to a common area a minimum of ten (10) feet in each dimension referred.* She clarified with Ms. Miller that statement referred to length and width and not the height of the entranceway. Staff expressed willingness to rewrite the standard to read "...ten (10) feet by ten (10) feet, consistent with other standards.

Commissioner Lew again referencing the same page under B. Building Design Requirements, 2. Entrances, b. Residential Uses, i. Shared Entrances (4), which read: *The primary entranceway shall incorporate one (1) or more architectural features such as windows, sidelights, lighting, or signage into the entranceway.* She clarified with Ms. Miller that at minimum a development must have one of those options.

Mr. Frick noted the objective development standards were all minimum requirements and anyone could pursue additional features as desired. The intent was to ensure the high-quality design that the City valued. He stated once the objective development standards had been adopted, a handbook would be prepared to assist applicants with preparing plans using the objective development standards, which process was underway, to be finalized after the Final Objective Development Standards had been adopted. It would also include a checklist for both staff and the applicants to use to review projects.

Commissioner Lew referenced Page 3 B. Building Design Requirements, 2. Entrances, b. Residential Uses, i. Shared Entrances (5)(c) which read: *A covered, uncovered, or partially covered landing, deck, or stoop with a minimum six (6) foot by eight (8) foot area.* She questioned why anyone would want an uncovered landing.

Ms. Miller stated that could be something where the landing could be required to be partially covered to a certain amount, but as written the standard allowed flexibility.

Mr. Frick suggested the reference to an "uncovered landing" could be removed from that section.

Commissioner Lew suggested a partially uncovered landing should be the minimum. She suggested the reference to "uncovered landing" be removed from that section.

Commissioner Lew referenced Page 3 B. Building Design Requirements, 2. Entrances, b. Residential Uses, ii. Individual Entrances (4), which should also be revised since it too referenced "uncovered landing, porch, deck or stoop" and appeared to conflict with b. Residential Uses, ii. Individual Entrances (5)(a), as written.

Ms. Miller clarified the distinction in the language for the sections referenced and how they applied but stated the reference to "uncovered" could be removed from those sections. The two sets of standards applied depending on whether one provided the primary entrance as a Shared Entrance or Individual Entrance.

Commissioner Lew suggested any entrance whether shared or individual if outside in the elements should be covered. She also referenced Pages 13 and 14, Section B. Building Design Requirements, 6. Vehicle Parking, a. Access v. and identified a typographical error in the third line. To Page 15, 6a. Access, c. Residential Districts, ii. Above Ground Parking – Maximum Parking Frontage (1)(a), she asked for clarification of the use of the term “infeasible” and whether it would include something that was too costly.

Mr. Frick explained that the section addressed a reduction in the exceptions to the objective development standards. Two findings were required as shown in the section which he read into the record. He suggested it could potentially be financially “infeasible” if demonstrated by the applicant.

Commissioner Lew commented that the Station East developer had decided not to do underground parking since it was infeasible and she understood it was due to cost.

Mr. DeLucas commented that was due to the applicant having modified the overall design of the project to remove the underground parking, which was an example of “infeasible.”

Mr. Frick clarified the exception referenced related to above ground parking and the example provided was for underground parking.

Commissioner Lew noted the cost factor was the exception where that type of above ground parking was too costly, and Mr. Frick suggested that example did not fit exactly with the language in the section under discussion for above ground parking. The standard was the maximum parking frontage percentage that the exception would be requested from. He again clarified the intent of the two sections under discussion.

Ms. Campbell further clarified the City did not have a requirement that multifamily development provide underground or submerged parking.

Mr. Frick explained the standard was intended to maintain the pedestrian feel of Transit Oriented Development (TOD). He used the Station District as an example with the standard referenced intended to minimize the percentage of the frontage devoted to parking. The exception would allow a larger area for parking than the 40 percent threshold shown in that section. Anywhere where there was a reduction or exception listed, it was either directly related to the standard shown in Attachment 3, or depending on how it had been organized in the code one of the standards as shown in Attachment 3.

Commissioner Lew commented on the use of the phrase “is infeasible” whereas other areas of Attachment 3 used the phrase “not feasible” and asked if there was one preference over another.

Mr. Frick advised that staff would review the use of the terms to ensure consistency in the document.

Commissioner Lew referenced Page 16 Section B. Building Design Requirements, 7. Off-Street Loading Areas b. and clarified with Mr. Frick the loading docks referenced in this section would apply to the loading of goods in any of the districts referenced. The intent was that the loading dock shall be located inside a building and equipped with closable doors given the visibility of loading activities, with the intent that the loading dock be away from other uses of a development to reduce vehicular and pedestrian conflicts.

Ms. Campbell explained that staff had been doing research in this area for Planning Area 1 in the Station District and staff had looked at examples from other mixed use districts. It was fairly common to have a loading dock in a garage that was tucked in. Ms. Campbell stated of the examples she had seen, semi-trucks backed into an elevated loading dock that connected to a store in the back allowing the semi-truck to unload. Acknowledging a concern with the not-to-

exceed 20-foot width requirement for the loading dock entrance, as written in this section, she would confirm whether that dimension was consistent with the current UCMC and best practices in terms of width.

Ms. Miller confirmed that it was common to have loading docks that were tucked-in in the mixed use districts, which were typically within the structure.

Commissioner Low referenced Page 19 of Chapter 18.28, Off-Street Parking and Loading, Section 18.28.080: Design criteria for bicycle parking facilities, B. Short-Term Bicycle Parking 2., and clarified with Ms. Miller the intent that a bicycle rack allow the use of a “high-security U-shaped lock,” which was the most constrained bicycle lock but whatever lock one wanted to use to secure their bicycle could be used.

Mr. Frick added the intent was to allow a tire and frame to be locked, which was consistent with what most bicyclists used.

Commissioner Mclelland referenced Attachment 3 Chapter 18.24 Bulk Regulations, Section 18.24.060 Objective design standards, Page 6, 4. Building Articulation c. Street Facing Facades Along Mission Boulevard, viii, and asked whether the street-facing balconies would be required to be covered or uncovered.

Mr. Frick stated this section related to facades along Mission Boulevard with the intent to have standards that were consistent with the Mission style. If balconies were to be provided, they would be required to be consistent with the Mission style design. The goal was to allow some flexibility with different balcony types but ensure they fit in with the Mission style. The way this section had been written, the balconies were not necessarily required to be designed to obscure views but staff could look into ways to amend this standard to ensure any balcony storage was obscured from view and to address concerns with visibility.

Ms. Campbell acknowledged that balcony storage had been a huge issue in Union City, particularly with development in the Station District. Operationally, balcony storage would be addressed through the recordation of maintenance standards with the deed for the property, with tenants required to maintain balconies clear of storage. If any issues occurred, they could be reported to the Property Manager or Homeowner’s Association (HOA).

Commissioner Mclelland referenced outdoor areas and supported green areas for any new development. She asked how to determine between the use of grass or paved areas, expressed a preference for grass, and while maintenance was required asked how that was balanced out in a project.

Ms. Campbell commented that when working with Mixed Use projects, a developer typically had a Landscape Architect or designer propose something and try to create certain environments and space them out through a development. There were some limitations in the amount of paving a project could have and the project design would be reviewed through the design review process. She agreed that more green space was desired to be cultivated in the higher-density areas.

Commissioner Mclelland suggested for the larger buildings the use of grass broke up the monotony, look and feel of a building and made them more harmonious.

Mr. Frick commented that the objective development standards did not speak specifically to the percentages of the types of ground cover but provided examples with other sections of the UCMC that informed the use of landscape standards and landscape requirements related to the use of water. No specific requirements had been proposed related to green space as part of this project.

Commissioner Mclelland also spoke to the objective development standards for rooftop equipment that was to be screened from view from the street. She asked whether solar panels would be permitted or required and how they would be accommodated.

Mr. Frick reported the California Building Code (CBC) included certain solar requirements for developments, although that was not something staff had looked at closely as part of the objective development standards. None of the objective development standards prohibited having solar on any of the buildings and there were certain restrictions on a city's ability to deny solar projects with little discretion a city may exert in prohibiting a development from having solar.

Mr. DeLucas commented that tile roofs were a bit more difficult when including solar, although it was possible. Typically, that section of the tiles was removed and composition shingles used under the solar where that area was backfilled so that it still looked completely like a tile roof from the street. He acknowledged that would add to the cost.

Mr. Frick clarified the issues most common with solar on tile roofs typically occurred with older roofs. New construction for single-family residential was required to be designed to accommodate solar into a project pursuant to the CBC and title-type roofs for these developments included solar.

Commissioner Mclelland understood electric vehicles in the parking garages would be accommodated as well, and Mr. Frick commented that some of those requirements had been included in the CBC. Staff had considered including additional electric vehicle (EV) charging stations in the menu of options for amenities but had decided it would be better to address that amenity through the discretion of the developer and given that the CBC was continually innovating through that space. The objective development standards would not hamper EV charging stations and as part of the latest CBC update in January 2023, the requirements for EV charging stations had been strengthened to encourage and require EV charging stations.

Ms. Campbell added that the EV charging station issue was primarily a building code issue and that previously, developers only had to install the electrical conduit for the charging stations, but the latest CBC update required installation of some EV charging stations.

Commissioner Sandhu agreed with Commissioner Lew's recommendation to remove the term "uncovered landing" from the sections of the objective development standards as discussed. She also suggested rather than grass that turf be considered since it would not use as much water and would last longer.

Mr. Frick clarified that considerations of grass versus turf and other landscaping materials had not been addressed in the objective development standards since there were other areas of the UCMC that included landscape requirements and a Landscape Policy Statement. If those standards were updated in the future, staff could note the comment from Commissioner Sandhu. He reiterated there were restrictions on the use of grass and turf based on water efficient landscape requirements.

Commissioner Sandhu also agreed that more EV charging stations should be included given the state requirements to limit gas fueled vehicles in the future.

Ms. Campbell explained that the City would adopt and update its Building Code consistent with any state requirements for EV charging stations and staff would track the status of any state legislation regarding EV charging stations.

Chairperson Guio referenced Attachment 3 Chapter 18.24 Bulk Regulations, Section 18.24.060 Objective design standards on Page 11, C. Space Requirements 4. Required Residential Amenities a. Activity Areas, iv. Common Open Space. (1) Minimum Dimensions, which read: *Minimum Dimensions. Common open space shall be a minimum of fifteen (15) feet by fifteen (15)*

feet. He clarified with Ms. Miller that those were the minimum dimensions to qualify as common open space and the intent was to ensure that the area was usable space.

Chairperson Guio pointed out that they were not differentiating between indoor or outdoor space and asked whether there was a percentage of indoor versus outdoor space required.

Ms. Miller explained that no indoor common open space was required, although there would have to be a certain amount of activity space. A certain amount could be provided as indoor activity area such as a community room as an example, but that indoor area would not qualify as all of the activity space. At a minimum, some outdoor area was required. Pursuant to the language in this section, the portion being met through common open space must meet the dimension shown and she offered examples.

Chairperson Guio found the explanation made sense but may not make sense when reading the document, and Mr. Frick recognized the challenges in writing the objective development standards in a certain sequence.

Mr. Frick also offered examples of how the section under discussion would apply with the intent to establish minimum thresholds based on the unit count. He asked the Chair whether he found the dimensions shown to be too small or whether it fit in with the other required activity space.

Chairperson Guio found both applied but also found the dimensions to be small, and Mr. Frick advised that staff could look into that detail more and consider whether it should be amended. The options for amenity space could also be made clearer in the handbook yet to be prepared.

Commissioner Lew referenced an item in the staff report, page 7, Definitions and Figures, but clarified that upon further reading, the item did not require correction.

PUBLIC COMMENT OPENED

Chairperson Guio reported there were no comments from the public.

PUBLIC COMMENT CLOSED

5. PUBLIC HEARINGS

A. CONTINUED HEARINGS

1. Continued from June 1, 2023: NEW HAVEN UNIFIED SCHOOL DISTRICT/CITY OF UNION CITY, TENTATIVE PARCEL MAP (TPM-23-001), 311100 FREDI STREET (APN: 483-20-17-5); New Haven Unified School District ("District") and the City of Union City ("City") are requesting approval of Tentative Parcel Map (TPM-23-001) to create two parcels measuring 16.38 acres (Parcel 1) and 2.01 acres (Parcel 2) to facilitate a transfer of Parcel 2, which includes the Holly Community Center and Fire Station #32, from the District to the City. Staff recommends that the project be determined categorically exempt from the California Environmental Quality Act (CEQA) per Section 15315, Minor Land Divisions, of the CEQA Guidelines.

Economic & Community Development Director Campbell provided a PowerPoint presentation of the staff report for New Haven Unified School District (NHUSD)/City of Union City, Tentative Parcel Map (TPM-23-001).

Ms. Campbell recommended the Planning Commission approve Tentative Parcel Map 11356 (TPM-23-001) for a two-lot subdivision associated with the Land Exchange Agreement between the City of Union City and the NHUSD, making the specific findings listed in Section VI of the staff report, subject to the Condition of Approval and adopt a resolution confirming this action.

Commissioner Mclelland clarified with Ms. Campbell the Joint Use Agreement was not within the purview of the Planning Commission and what was being brought before the Planning Commission was action to implement the Land Exchange Agreement.

Commissioner Lew asked why the value of the land being transferred had not been included in the staff report.

Ms. Campbell advised that was not something typically included in a Tentative Parcel Map and not required as part of the findings to approve the Tentative Parcel Map. The information had been included in reports to the City Council and the NHUSD. She was unaware whether the value of the land had been part of a professional assessment.

Chairperson Guio again clarified with Ms. Campbell the size of Parcels 1 and 2 with Parcel 2 to include Fire Station #32 and Holly Community Center.

PUBLIC HEARING OPENED

Chairperson Guio reported there were no comments from the public.

PUBLIC HEARING CLOSED

Commissioner Lew moved that the Planning Commission approve Tentative Parcel Map 11356 (TPM-23-001) associated with the Land Exchange Agreement between the City of Union City and the New Haven Unified School District, making the specific findings listed in Section VI of the staff report, subject to the Condition of Approval, and adopt a resolution confirming this action.

Commissioner Sandhu seconded.

The motion was carried by the following roll call vote:

AYES:	(GUIO, AGBUYA, LEW, MCLELLAND, SANDHU)
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

The motion passed 5-0.

B. NEW HEARINGS:

1. **CITY OF UNION CITY , ZONING TEXT AMENDMENT (AT-23-003); The City of Union City is requesting approval to amend Title 18 of the Union City Municipal Code, Chapter 18.08, Definitions, Chapter 18.36, Commercial Districts, Chapter 18.40, Industrial Districts, Chapter 18.76, Site Development Review, and add Chapter 18.43, Use of Hazardous Materials. These amendments modify and standardize uses, update development and performance standards, establish objective design standards, and reformat the chapters for ease of use and consistency with other chapters in Title 18. Staff recommends that the project be determined categorically exempt from environmental review in accordance with**

California Environmental Quality Act Guidelines Section 15061(b)(3), the general exemption for projects with no potential for a significant effect on the environment.

Associate Planner DeLucas provided a PowerPoint presentation of the staff report for City of Union City Zoning Text Amendment (AT-23-003).

Mr. DeLucas reported a Desk Item had been included as part of the staff report in response to questions and comments from Commissioner Lew. Staff had clarified the reasoning for the removal of the definitions for *automobile wrecking yards* and *salvage yards* since the uses did not meet the economic development goals of the City and since noxious uses would no longer be permitted within the UCMC; updated the definition numbering; removed dash for specific use regulations/notes column; updated references in Chapter 18.43 and addressed minor grammatical errors.

Mr. DeLucas recommended the Planning Commission recommend approval of Zoning Text Amendment (AT-23-003), as modified by the Desk Item, to the City Council, make the specific findings as listed in the staff report in support of the recommendation of approval, and adopt a resolution confirming this action.

Vice Chair Agbuya asked when the frontage had been reduced from 65 to 25 feet for the front yard setback and whether there would still be ample parking spaces, and Mr. DeLucas explained that the reduction in the setback allowed parking or the building to come closer and if redeveloped they may have to build a parking garage in the back. The parking standards remained the same, but the parking may relocate from either in front or behind the building or in a parking garage.

Commissioner Sandhu asked with the removal of the definitions for automobile wrecking yards and salvage yards whether those uses would have to locate to another city.

Mr. DeLucas confirmed that those uses would have to locate to another city. Union City had no such uses operating in the city as they are not desired uses. Mr. DeLucas further clarified that there are no such existing permitted or legal non-conforming automobile wrecking yards and salvage yards uses operating in Union City.

PUBLIC HEARING OPENED

Chairperson Guio reported there were no comments from the public.

PUBLIC HEARING CLOSED

Vice Chairperson Agbuya moved that the Planning Commission recommend approval of Zoning Text Amendment (AT-23-003), as modified by the Desk Item, to the City Council, and making the specific findings as listed in the staff report in support of the recommendation of approval and adopt a resolution confirming this action.

Commissioner Lew seconded.

The motion was carried by the following roll call vote:

AYES:	(GUIO, AGBUYA, LEW, MCLELLAND, SANDHU)
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

The motion passed 5-0.

6. **SUPPLEMENTAL STAFF REPORTS:** None

A. **CONTINUED REPORTS:** None

7. **ECONOMIC DEVELOPMENT REPORTS:** None

8. **COMMISSION MATTERS**

A. **Follow-Up on Planning Commission Referrals to the City Council**

There were no reports.

B. **Upcoming applications for the Regular Planning Commission meeting on July 6, 2023**

Ms. Campbell reported the Planning Commission meeting of July 6, 2023 would be canceled.

9. **GOOD OF THE ORDER**

Vice Chairperson Agbuya reported the Grand Opening for Suju's Coffee & Tea, 1752 Decoto Road had been scheduled for June 16, 2023 at 9:00 a.m.

Chairperson Guio reported upcoming community events included: Larry "O" Bike & Auto Swap Meet on June 17, 2023 at the Larry "O" Teen Workshop, 33623 Mission Boulevard from 8:00 a.m. to 2:00 p.m.; Juneteenth would be celebrated on June 19, 2023; Coffee with Cops at Starbucks, 32340 Alvarado Boulevard on June 29, 2023 from 9:00 a.m. to 11:00 a.m.; and Saint Anne's Festival would be held on July 29 and 30, 2023. He wished everyone a safe and sane fireworks celebration on the Fourth of July.

B. **NEW HEARINGS**

At this time, the Planning Commission returned to Item 5.B.2.

Commissioner Sandhu read into the record the following statement: *Under the Political Reform Act, I have an economic conflict of interest in Item 5.B.2. I have a real property interest, my residence, in proximity to property proposed to be rezoned as Corridor Mixed-Use Employment. I will recuse myself from consideration of this item, and will leave the room.*

Chairperson Guio read into the record the following statement: *Under the Political Reform Act, I have an economic conflict of interest in Item 5.B.2. I have a real property interest, my residence, in proximity to property proposed to be rezoned as Corridor Mixed-Use Employment. I will recuse myself from consideration of this item, and will leave the room.*

Chairperson Guio and Commissioner Sandhu both left the meeting.

Vice Chairperson Agbuya Chaired the meeting at this time.

2. **CITY OF UNION CITY , ZONING TEXT AMENDMENT (AT-23-002); AND ZONING MAP AMENDMENT (A-23-001); The City of Union City is requesting approval to amend Title 18 of the Union City Municipal Code, Chapter 18.41, Station East Employment (SEE) District to add a new zoning district for consistency with the Union City 2040 General Plan designation of Mixed-Use Employment (EMU) referred to as "Corridor Mixed Use Employment (CMUE)" and rename this chapter**

“Employment Mixed Use Districts.” Additionally, the amendment would update the SEE District to modify and standardize uses, update development, performance, and objective design standards for consistency with the CMUE District, and reformat the chapter for ease of use and consistency with other chapters in Title 18. The City is also proposing to rezone properties located along the Union City Boulevard Corridor, with a Union City 2040 General Plan designation of Mixed-Use Employment (EMU), from Special Industrial (MS) to CMUE for consistency with the General Plan. Staff recommends that the project be determined categorically exempt from environmental review in accordance with California Environmental Quality Act Guidelines Section 15061 (b)(3), the general exemption for projects with no potential for a significant effect on the environment.

Mr. DeLucas provided a PowerPoint presentation of the staff report for City of Union City Zoning Text Amendment (AT-23-002) and Zoning Map Amendment (A-23-001). A Desk Item had been provided to the Planning Commission in response to questions and comments from Commissioner Lew regarding the project, which included the removal of dashes for specific use regulations/notes column, updated references and addressed minor grammatical errors.

Mr. DeLucas recommended the Planning Commission recommend approval of Zoning Text Amendment (A-23-002) and Zoning Map Amendment (AT-23-001), as modified by the Desk Item, to the City Council, and make the specific findings as listed in the staff report in support of the recommendation of approval and adopt a resolution confirming this action.

PUBLIC HEARING OPENED

Vice Chairperson Agbuya reported there were no comments from the public.

PUBLIC HEARING CLOSED

Commissioner Lew moved that the Planning Commission recommend approval of Zoning Text Amendment (A-23-002) and Zoning Map Amendment (AT-23-001), as modified by the Desk Item, to the City Council, and making the specific findings as listed in the staff report, in support of the recommendation of approval and adopt a resolution confirming this action.

Commissioner Mclelland seconded.

The motion was carried by the following roll call vote:

AYES: (AGBUYA, LEW, MCLELLAND)
NOES: NONE
ABSTAIN: NONE
ABSENT: (GUIO, SANDHU)

The motion passed 3-0-2.

10. ADJOURNMENT: 9:42 P.M.

APPROVED:

LEE GUIO, CHAIRPERSON

ATTEST:

CARMELA CAMPBELL, SECRETARY



Agenda Item

ATTACHMENTS:

Description	Type
▣ AT-23-004: Staff Report	Staff Report
▣ Exhibit A: Draft Zoning Text Amendment (Clean)	Exhibit
▣ Exhibit B: Draft Zoning Text Amendment (Redlines)	Exhibit
▣ Attachment 1: Planning Commission Study Session Staff Report, June 15, 2023	Attachment
▣ Attachment 2: Planning Commission Minutes for June 15, 2023	Attachment



Agenda Item

DATE: JULY 20, 2023

TO: PLANNING COMMISSION

FROM: CARMELA CAMPBELL, ECONOMIC AND COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: TEXT AMENDMENTS (AT 23-004) TO TITLE 18, ZONING, OF THE UNION CITY MUNICIPAL CODE TO UPDATE CHAPTER 18.04 GENERAL PROVISIONS; CHAPTER 18.08 DEFINITIONS; CHAPTER 18.24 BULK REGULATIONS; CHAPTER 18.26 MARKETPLACE MIXED USE (MMU) DISTRICT; CHAPTER 18.27 VILLAGE MIXED USE (VMU) DISTRICT; CHAPTER 18.28 OFF-STREET PARKING AND LOADING; CHAPTER 18.32 RESIDENTIAL DISTRICTS; CHAPTER 18.35 CORRIDOR MIXED USE COMMERCIAL (CMU) DISTRICT; CHAPTER 18.36 COMMERCIAL DISTRICTS; CHAPTER 18.37 STATION EAST MIXED USE RESIDENTIAL (SEMU-R) DISTRICT; CHAPTER 18.38 STATION MIXED USE COMMERCIAL (CSMU) DISTRICT; AND CHAPTER 18.100 511 AREA DISTRICT.

APPLICANT: THE CITY OF UNION CITY

REQUEST: The City of Union City is proposing to amend Title 18, Zoning, of the Union City Municipal Code, Chapter 18.04 General Provisions; Chapter 18.08 Definitions; Chapter 18.24 Bulk Regulations; Chapter 18.26 Marketplace Mixed Use (MMU) District; Chapter 18.27 Village Mixed Use (VMU) District; Chapter 18.28 Off-Street Parking and Loading; Chapter 18.32 Residential Districts; Chapter 18.35 Corridor Mixed Use Commercial (CMU) District; Chapter 18.36 Commercial Districts; Chapter 18.37 Station East Mixed Use Residential (SEMU-R) District; Chapter 18.38 Station Mixed Use Commercial (CSMU) District;

District; and Chapter 18.100 511 Area District. These amendments will establish objective design and development standards for zoning districts that allow multi-family and/or mixed-use residential development, add definitions related to the objective standards, and update other zoning district chapters for consistency.

LOCATION: Citywide

ENVIRONMENTAL ASSESSMENT:

The amendments are exempt from environmental review in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3), the general exemption for projects with no potential for a significant effect on the environment. As a series of text amendments, it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

SUMMARY:

The City of Union City is proposing to amend Title 18 of the Union City Municipal Code, Chapter 18.04 General Provisions; Chapter 18.08 Definitions; Chapter 18.24 Bulk Regulations; Chapter 18.26 Marketplace Mixed Use (MMU) District; Chapter 18.27 Village Mixed Use (VMU) District; Chapter 18.28 Off-Street Parking and Loading; Chapter 18.32 Residential Districts; Chapter 18.35 Corridor Mixed Use Commercial (CMU) District; Chapter 18.36 Commercial Districts; Chapter 18.37 Station East Mixed Use Residential (SEMU-R) District; Chapter 18.38 Station Mixed Use Commercial (CSMU) District; and Chapter 18.100 511 Area District.

These amendments will establish objective design and development standards for zoning districts that allow multi-family and/or mixed-use residential development as a permitted or conditional use. The purpose of the amendments is to ensure high-quality design, provide property owners and developers with greater clarity and predictability, streamline the development review process, and comply with recent state housing laws. The objective development standards will be incorporated in Chapter 18.24 Bulk Regulations, of Title 18, Zoning, of the Union City Municipal Code (UCMC) and amendments to other chapters of Title 18 are required for consistency. See Exhibit A (Clean) and B (Redlines) for the proposed amendments.

I. BACKGROUND

A. Context

Currently, most housing development projects in the City are subject to a discretionary review process with the Planning Division. Depending on the project scope and zoning district, projects must be approved at the Zoning Administrator, Planning Commission, or City Council level, prior to initiating the ministerial Building Permit process. Projects are evaluated based on conformance to applicable goals and policies in the General Plan, a specific plan (if applicable), and the applicable performance standards and design criteria in Title 18. Some of these existing guidelines and requirements are considered subjective because they allow a discretionary interpretation by the decision maker.

Through recent state legislation such as Senate Bill (SB) 330, and SB 35, the State has dramatically limited a jurisdiction's ability to apply subjective design criteria to housing developments. As a result, the City can now only rely on objective design and development standards, which do not involve discretion or subjective judgment, for certain types of housing development projects.

B. Objective Development Standards Project

In 2019, the State Housing and Community Development Department (HCD) released a Notice of Funding Availability for approximately \$123 million in revenue earmarked for local government planning grants. Union City received funding under the Senate Bill 2 (SB 2) Planning Grants Programs for financial and technical assistance to update planning documents to accelerate housing production and streamline the approval of housing development. The City is utilizing these funds from this grant to develop objective development standards, in order to implement Strategic Plan Goal C.5, which states *"Promote housing development for all income levels in the community by updating the zoning ordinance to include objective standards for new multi-family residential development in order to streamline the review of applications for housing developments, and update the Housing Element, to facilitate the development of affordable housing."*

By incorporating consistent and objective development standards into the City's Zoning Ordinance, development projects in multi-family and mixed-use zoning districts will be required to comply with these criteria, even if a discretionary review process is not required per state law. The proposed amendments will continue Union City's practice of maintaining a standard of high-quality design for new projects, while easing and streamlining the process for applicants, and complying with state requirements.

II. DISCUSSION

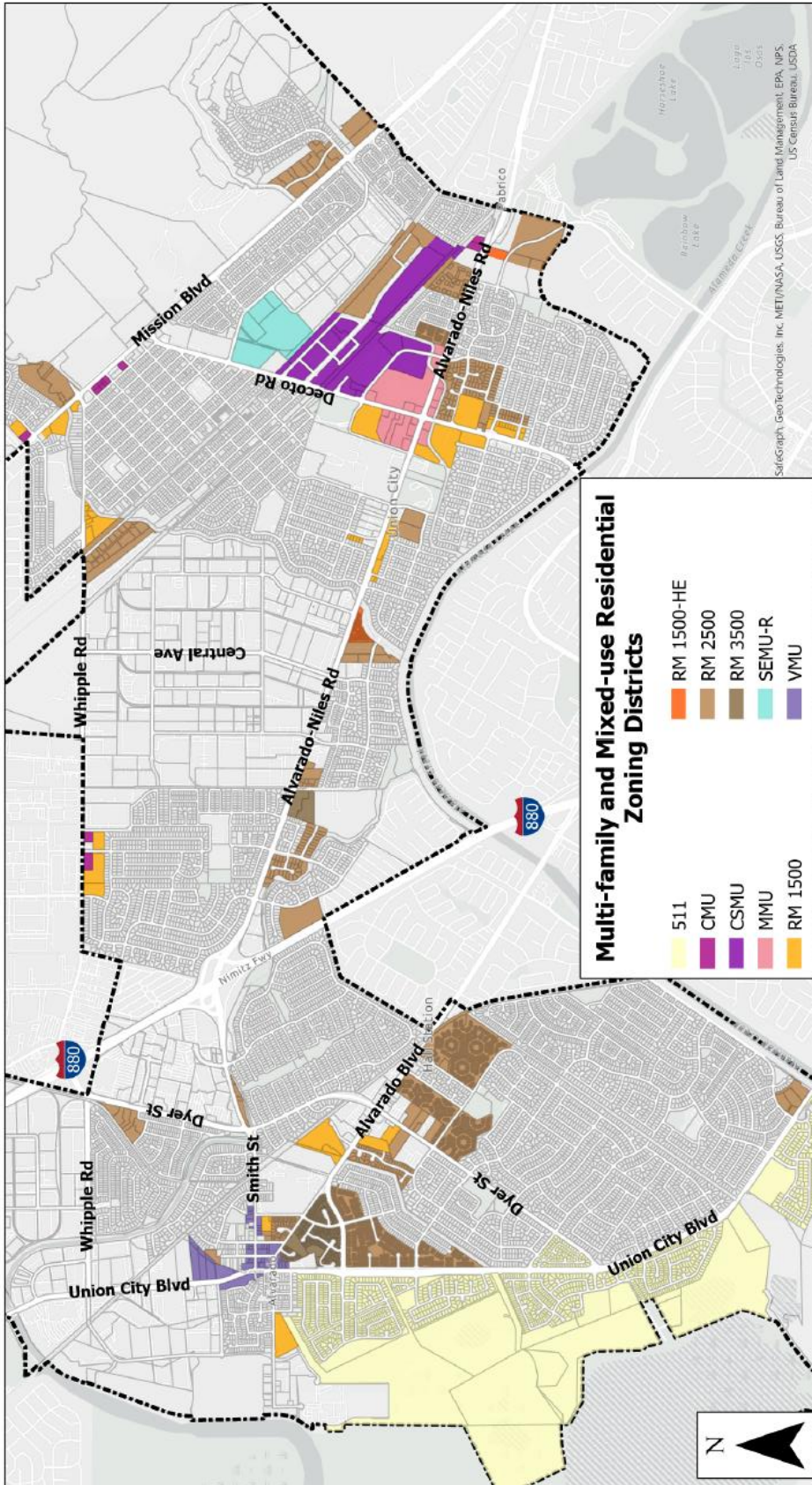
The objective standards are proposed as a new section of the Zoning Ordinance, within Chapter 18.24: Bulk Regulations. The standards will apply to all zoning districts that allow multi-family and residential mixed-use development. These standards will replace existing design criteria in each chapter of the Zoning Ordinance included in the specific zoning district chapters. The zoning districts the standards would apply to (which also contain consistency amendments) include Marketplace Mixed Use (MMU), Village Mixed Use (VMU), Corridor Mixed Use Commercial (CMU), Station East Mixed Use Residential (SEMU-R), Station Mixed Use Commercial (CSMU), the residential multi-family districts (RM), and multi-family development in the 511 Area District. The standards will also apply to standalone nonresidential development in these mixed-use districts. See Figure 1, below, which depicts the zoning districts where the standards will apply.

A high-level summary of the amendments is included below. For a more detailed review, see Exhibit A (Clean) and Exhibit B (Redlines).

A. Chapter 18.24 Bulk Regulations

The vast majority of new standards established through the Objective Development Standards project are incorporated into a new section (Section 18.24.050: Building and site design standards) of Chapter 18.24. All standards in this section are objective, meaning they would not be subject to subjective interpretation by an applicant, staff, or decision maker. To assist with understanding and interpreting the standards, figures are incorporated into the Zoning Ordinance language (see Exhibits A and B). These figures will have labels with code section and subsection references prior to City Council consideration.

The standards focus on different areas of site development and building design. This includes standards for entrances, roofs, building articulation, façade design, windows, tenant spaces, amenities, vehicular and bicycle parking design and placement, open space, and pedestrian circulation.



(Figure 1: Multi-family and Mixed-use Residential Zoning Districts)

Standards are included for specific building types to differentiate features of townhomes, stacked flats, and mixed-use buildings with ground-floor retail, and standalone nonresidential development. There are also specific standards that apply to different locations, such as along Mission Boulevard, the Historic Alvarado District, and within the Station District to achieve specific design objectives and promote the vision, or unique existing character, of these neighborhoods and streetscapes. The amendments will implement program HE-1.F, (Objective Design Standards) of the recently adopted 2023-2031 Housing Element. For more detail regarding the amendments to Chapter 18.24 establishing objective development standards see Attachment 1.

B. Chapter 18.08 Definitions

Amendments to Chapter 18.08 include adding definitions for terminology used in Chapter 18.24 to better clarify and codify certain design specific terms that may be unfamiliar or unclear. For example, definitions of “cornice” and “loggia” are included. Figures are also included in this chapter, as part of the amendments, to depict certain terms more clearly that are difficult to otherwise convey in text definitions. For example, figures are included to show different architectural features since those terms are better understood through graphic representation.

C. Chapter 18.28 Off-Street Parking and Loading

Amendments to Chapter 18.28 are limited to bicycle parking standards located in Section 18.28.080, *Design criteria for bicycle parking facilities*. Previously, the chapter included two bicycle parking sections 18.28.080 (for industrial and commercial zoning districts) and 18.28.090 (for multi-family residential zoning districts). Additionally, individual district chapters included unique bicycle parking standards in some cases. As part of the Objective Development Standards project, new bicycle parking standards were created for all project types. In contrast to some of the other proposed amendments, these bicycle parking standards will apply to projects citywide, not just those located in multi-family or mixed-use zoning districts.

D. Zoning District Chapters

Amendments to individual zoning district chapters are proposed for consistency with the new objective development standards in Chapter 18.24. This includes amendments to all chapters which allow multi-family or mixed-use residential development. The district chapters include:

- Chapter 18.26 Marketplace Mixed Use (MMU) District

- Chapter 18.27 Village Mixed Use (VMU) District
- Chapter 18.32 Residential Districts
- Chapter 18.35 Corridor Mixed Use Commercial (CMU) District
- Chapter 18.37 Station East Mixed Use Residential (SEMU-R) District
- Chapter 18.38 Station Mixed Use Commercial (CSMU) District
- Chapter 18.100 511 Area District

Each district has existing design and development criteria, some of which are objective, and others which are subjective. These criteria are typically, but not exclusively, located in individual chapter sections titled “Design criteria.” As part of the Objective Development Standards project, these existing criteria were evaluated to determine the design intent of each requirement. Where appropriate, these requirements were used to create the new objective standards in Chapter 18.24. As a result, the old design criteria are being removed as part of the amendments (as shown in Exhibit B). However, the intent of the old criteria, to promote and enhance the unique character of specific areas within the city through high-quality design, is implemented through the new objective standards in Chapter 18.24.

Further amendments are included specific to the RM zoning districts in Chapter 18.32 to address a program in the 2023-2031 Housing Element. This program (HE-1.I) requires the City to review development standards that may be constraints to future development in the RM zoning districts (RM 1500, RM 2500, and RM 3500). Potential constraints identified through the development of the program included standards for height, lot coverage, setbacks, open space, and parking for studio units. Amendments are included to these standards to allow increased development intensity, reducing potential barriers to multi-family housing development in these districts. In addition, other amendments to individual district chapters include changes to off-street loading requirements, removal of open space requirements, and other minor amendments, for consistency with the new development standards in Chapter 18.24.

E. Miscellaneous Amendments

Additional amendments to Chapter 18.04 General Provisions and Chapter 18.36 Commercial Districts are required for consistency with the objective development standards amendments. For example, some parcels located along Mission Boulevard are zoned Community Commercial (CC) and designated as mixed-use in the General Plan. Amendments are included to ensure that parcels developed along the Mission Boulevard incorporate the objective standards included in Chapter 18.24 specific to that corridor.

F. Public Outreach

Planning Commission and City Council Introduction

In the summer and fall of 2022, public outreach was conducted for the Objective Development Standards project to inform the public of the project and solicit their feedback. During this process, the project was introduced to the Planning Commission on August 18, 2022 and to the City Council on September 13, 2022. An overview of objective development standards, an analysis of existing conditions where the objective standards would be applied, and a summary of upcoming actions was provided at both meetings.

Community Outreach

In fall 2022, extensive outreach efforts were conducted with community members and stakeholders to explore design and development standard options for consideration. This included reaching over 100 community members at in-person events at the Farmer's Market, Running Dead Fun Run, and the Halloween Carnival. An online survey was also conducted and over 600 responses were received. For more detailed information on the City's community outreach efforts, please refer to the Community Outreach Summary included as an attachment to the Planning Commission Study Session staff report (Attachment 1).

Planning Commission Study Session

A Planning Commission study session to review the draft objective development standards was held on June 15, 2023. The Planning Commission staff report is included as Attachment 1. The Commission provided feedback to staff which included questions and comments regarding the draft amendments. The feedback related to questions about the purpose of specific standards, refining the language of specific standards, requesting staff to review specific requirements in greater detail, and minor edits for clarity. For a detailed overview of the Planning Commission discussion see the Planning Commission Meeting Minutes (Attachment 2). Necessary edits have been incorporated into the proposed amendments to address the comments. One item raised at the meeting that staff analyzed in more detail was the issue of storage on balconies. Ultimately, staff determined that the issue was best addressed through recorded maintenance standards and conditions of approval—rather than requiring all balconies to be solid. Additional revisions were also completed since draft standards were reviewed at the Planning

Commission Study Session to add standards or clarify the intent of specific standards, based on further analysis by staff.

Noticing

A newspaper notice for the Zoning Text Amendment was published in the Tri-City Voice on July 6, 2023, as required by State Law. To date, staff has not received any public comments.

III. REQUIRED FINDINGS

Section 18.64.060 requires that, when considering zoning text amendments, the Planning Commission shall provide a recommendation to the City Council on the following:

1. Recommending that the application be granted or denied or that the proposal be adopted or rejected, including the reasons for the recommendation;
2. The relationship of the application or proposal to the general plan and any applicable specific plans; and
3. Whether the change is necessary or desirable to achieve the purposes of Title 18.

IV. ALTERNATIVES

1. Recommend approval of the proposed Zoning Text Amendment (AT-23-004) to the City Council as proposed;
2. Recommend approval of the proposed Zoning Text Amendment (AT-23-004) to the City Council with stated modifications;
3. Recommend denial of the proposed Zoning Text Amendment (AT-23-004) to the City Council, stating reasons for denial;
4. Continue the matter for further consideration.

V. RECOMMENDATION

Staff recommends that the Planning Commission recommend approval of Zoning Text Amendment (AT-23-004) to the City Council based on the following specific findings:

1. That the Zoning Text Amendments are exempt from environmental review in accordance with CEQA Guidelines Section 15061(b)(3), the general exemption for projects with no potential for a significant effect on the environment. As a series of

text amendments, it can be seen with certainty that there is no possibility that the amendments will have a significant effect on the environment.

2. That the proposed Zoning Text Amendments are consistent with the following General Plan and Station District Specific Plan goals, policies, and programs:

General Plan

- **Goal HE-1, *Provide opportunities for and facilitate the development of a broad range of housing types to meet the needs of all Union City residents.*** The proposed amendments create objective development standards for a range of housing types to streamline project submittals and review by establishing increased clarity and predictability in the development review process.
- **Policy HE-1.7, *Remove Regulatory Constraints:*** *The City shall continue to ensure that City policies, regulations, and procedures do not add unnecessarily to the costs of producing housing while assuring the attainment of other City objectives.* The proposed amendments will replace subjective development guidelines with objective development standards, reducing costs and time associated with major design modifications after applications are submitted, while maintaining a standard of high-quality design.
- **Policy HE-1.8, *Expeditious Approval Processing:*** *The City shall continually strive to provide expeditious approval of residential developments that meet adopted development and design standards.* The proposed amendments will streamline the development submittal, review and approval processes by making design criteria objective, thereby resulting in more complete initial application submittals that will result in reduced staff time for review.
- **Program HE-1.F, *Objective Design Standards:*** *Amend the Zoning Ordinance to ensure the City's multi-family residential, single-family residential, and mixed-use design standards are clear and objective.* The proposed amendments will implement Program HE-1.F of the 2023-2031 Housing Element by streamlining the development review process and ensuring design and development standards are objective, known at the outset of the process, and can be incorporated into development proposals in advance.
- **Program HE-1.I, *Modify Development Standards to Remove Constraints:*** *The City shall review and amend the Zoning Code to ensure the height, lot coverage, setback, open space, parking for studio units, and other development standards in the RM zones facilitate and do not constrain the development of multifamily housing.* The

- proposed amendments will implement Program HE-1.I of the 2023-2031 Housing Element by modifying the lot coverage, setback, height, open space, and parking development standard requirements in the RM zoning districts to allow increased development intensity, thereby reducing the potential that standards constrain development or redevelopment of multi-family housing in those districts.
- **Policy CD 1.5, *Clear Development Regulations*:** *The City shall promote design excellence by ensuring City development regulations clearly express intended outcomes and reinforce quality design.* The proposed amendments include objective standards to promote attractive building design through pedestrian oriented frontages, articulation in massing, breaks in rooflines, varied façades, and related development standards.
 - **Policy CD 1.8, *Buildings that Engage the Street*:** *The City shall require new commercial, industrial, and residential mixed-use buildings to be oriented to and actively engage and complement the public realm through such features as building orientation, build-to and setback lines, façade articulation, ground floor transparency, and location of parking.* The proposed amendments include objective standards to orient entrances and buildings towards the street and pedestrians, provide variation in architectural features on the building exterior massing and details, locate parking away from the primary building frontage, and promote ground floor activities that engage an active streetscape environment.
 - **Goal SA-11:** *To preserve and enhance the “Old California Town” character of the Historic Alvarado District and continue to redevelop the Historic Alvarado District as a vibrant destination-oriented commercial center.* The proposed amendments include specific objective standards for development in the Historic Alvarado District to ensure that the design of buildings maintain and enhance the unique *Old California Town* character of the district through the use of architectural details to promote activated ground floors at a human scale.
 - **Goal SA-9:** *To upgrade the appearance, intensify the land uses, and enhance the economic vitality of the Mission Boulevard Corridor between the Hayward boundary and Decoto Road.* The proposed amendments include objective standards specific to the Mission Boulevard Corridor to promote high quality Mediterranean-style architecture and ground floor amenities along Mission Boulevard in order to provide a walkable and attractive experience for pedestrians as the corridor redevelops at higher densities.

Station District Specific Plan

- **Goal G-UD-1, Unified Streetscape:** *Establish a unified streetscape image for the Station District.* The proposed amendments include development standards for mixed-use zoning districts to ensure high quality design for building frontages within the Station District.
 - **Goal G-UD-6, High Quality Design:** *All new development shall enhance the visual character of the area by incorporating high quality site and building design.* The proposed amendments incorporate design standards to provide building articulation, and variation in massing and wall planes, to ensure high quality design within the Station District.
 - **Goal G-UD-9, Active Ground Floor:** *Provide ground floor commercial and other active uses that enliven and activate the streets and enhance the public interface between the buildings and the sidewalk.* The proposed amendments include development and design standards specific to ground floor uses to activate the street frontage and ensure buildings are pedestrian oriented within the Station District.
3. That the proposed Zoning Text Amendments are necessary and desirable to achieve the purpose of Title 18, which include:
- To divide the City into zones and districts restricting and regulating therein the location, construction, reconstruction, alteration and use of buildings, structures and land.
 - To protect the character and maintain the stability of residential, business and industrial areas within the City, and to promote the orderly and beneficial development of such areas.
 - To encourage the provision of a variety of housing types and prices to meet the needs of all economic segments of the City, and to provide adequate light, air, privacy and convenience of access to property.
 - To regulate the intensity of use of zoning lots, and to determine the area of open spaces surrounding buildings necessary to provide adequate light and air.
 - To establish the building lines and the location of buildings designed for residential, business, industrial, or other uses within such lines.
 - To fix reasonable standards to which buildings and building additions shall conform, and to promote and encourage energy-conserving measures for

residential, commercial, and industrial structures consistent with improving and maintaining standards of good design and appearance.

It is further recommended that the Planning Commission adopt a Resolution confirming this action.

Prepared by

Coleman Frick, Senior Planner

Attachments

- Exhibit A: Draft Zoning Text Amendment (Clean)
- Exhibit B: Draft Zoning Text Amendment (Redlines)
- Attachment 1: Planning Commission Study Session Staff Report, June 15, 2023
(<https://unioncity.novusagenda.com/agendapublic/CoverSheet.aspx?ItemID=3914&MeetingID=1677>)
- Attachment 2: Planning Commission Minutes for June 15, 2023

Chapter 18.04 GENERAL PROVISIONS

18.04.010 Title.

This title shall be known, cited and referred to as “the City of Union City Zoning Ordinance.”

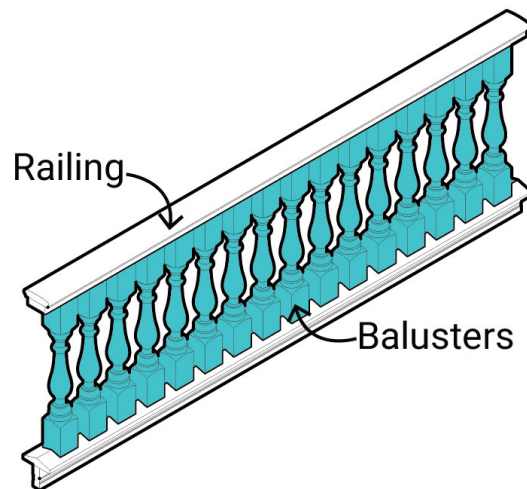
Chapter 18.08 DEFINITIONS

18.08.071 Bakery.

A “bakery” is an establishment which engages in the sale of breads or other baked goods, whether baked on-site or at another location. A bakery shall be considered a food use if the breads and baked goods are packaged for immediate consumption. Any establishment whose breads and baked goods are predominantly sold at retail from a different location or locations shall be deemed a wholesale and/or manufacturing use, subject to the regulations of the district in which it is located.

18.08.072 Balusters.

“Balusters” means vertical braces, often decorative posts, providing support for a railing.



18.08.076 Bicycle parking facility.

A “bicycle parking facility” is a device that is used to securely store bicycles. A bicycle parking facility can either be a bicycle locker or rack designed and installed in conformance with the design criteria listed in Section 18.28.080.

18.08.130 Building frontage.

“Building frontage” means the face of a building that is parallel to or is at a near parallel angle to a public right-of-way.

18.08.175 Conditioned space.

“Conditioned space” means an area inside a building where temperature and humidity are controlled, that meets the Building Code definition of conditioned space, and is designed suitable for residential or nonresidential occupancy.

18.08.176 Conference center.

A “Conference center” means a facility for conventions, conferences, trade shows, festivals, and other events held within a facility designed and approved for this purpose.

18.08.177 Construction equipment sales and rental.

“Construction equipment sales and rental” means a facility which provides construction equipment and related commodities to the public for sale or rental, and accessory servicing of that equipment.

18.08.178 Contractor services.

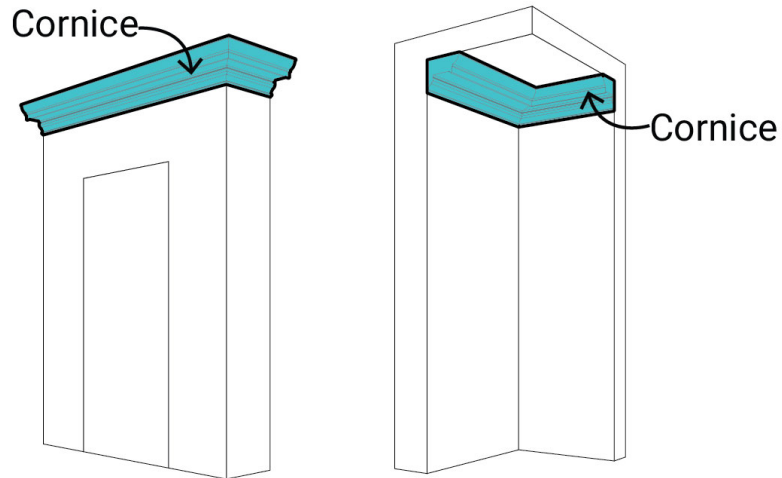
“Contractor services” means a facility providing general contracting and/or building construction services, including general building, plumbing, electrical, air conditioning, carpentry, and other trade contractors.

18.08.179 Convenience market.

“Convenience market” means an activity that includes the retail sale of food, beverages, and personal convenience items, primarily for off-premises consumption and typically found in establishments with long or late hours of operation and in a building of less than three thousand (3,000) square feet. Convenience markets may sell beer and wine but shall be considered liquor stores if hard liquor is sold on site. Excluded from this definition are delicatessens, specialty food shops, and establishments which have a sizeable assortment of fresh fruits and vegetables and fresh cut meat.

18.08.180 Cornice.

“Cornice” means an ornamental course or molding at the top of a wall or under the roof.



18.08.181 Court.

A “court” is an open, unoccupied space other than a yard on the same lot with a building or group of buildings and which is bounded on two (2) or more sides by such building or buildings.

18.08.241 Eave.

“Eave” means the lower edge of a roof that overhangs the wall below.

18.08.248 Entranceway, Building.

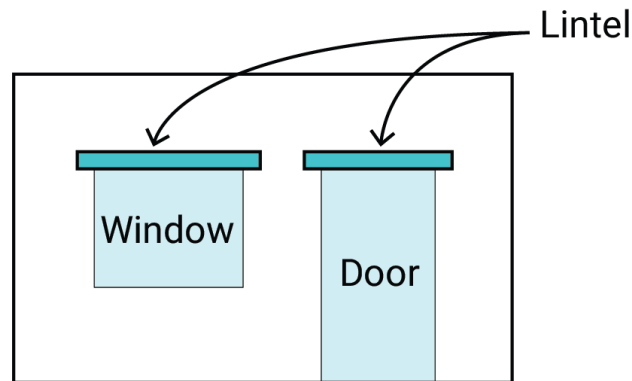
“Entranceway, building” means a doorway and threshold providing ingress and egress to a building for persons.

18.08.249 Façade.

“Façade” means the exterior wall of a building along with its associated windows, entranceway, and projections.

18.08.297 Lintel.

“Lintel” means a horizontal beam or support across the top of a door or window.



18.08.298 Liquor store.

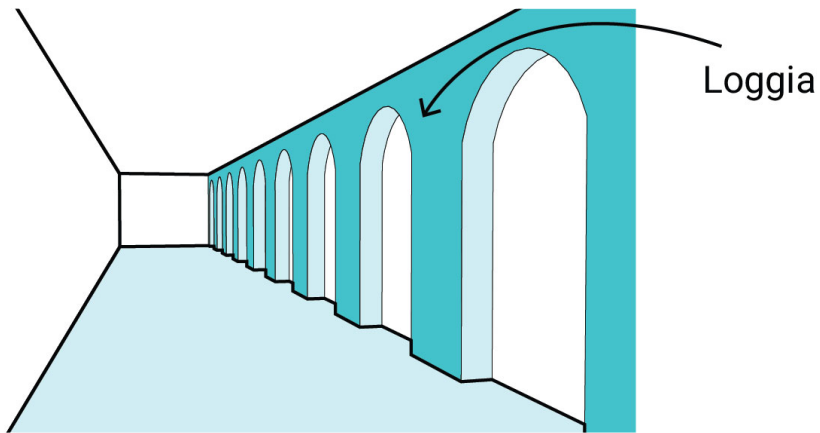
“Liquor store” means an activity that includes the retail sale of hard liquor for off-premises consumption and is typically found in establishments with long or late hours of operation and in a building of less than three thousand (3,000) square feet. Excluded from this definition are convenience markets that sell beer and wine and food stores.

18.08.299 Live/work unit.

“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 complete kitchen space and sanitary facilities in compliance with the Building Code and working space reserved for and regularly used by one (1) or more occupants of the unit.

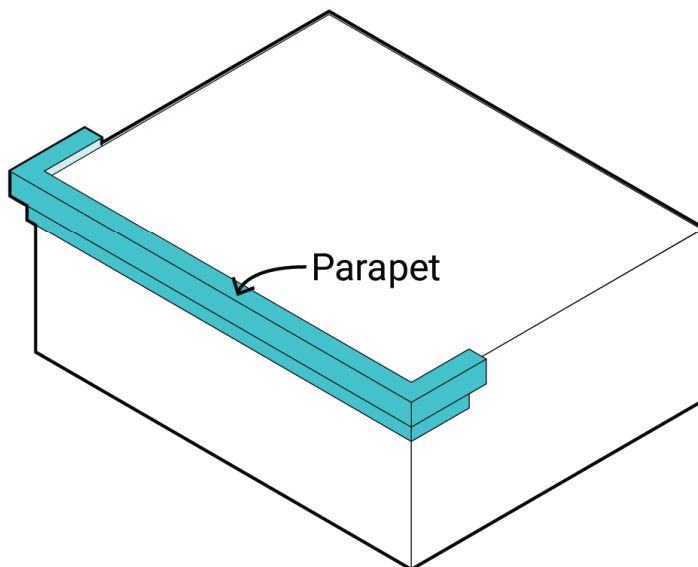
18.08.302 Loggia.

“Loggia” means a covered exterior gallery or corridor that is open to the air on one or more sides. A loggia typically runs the length of a building, with columns or arches on the open side.



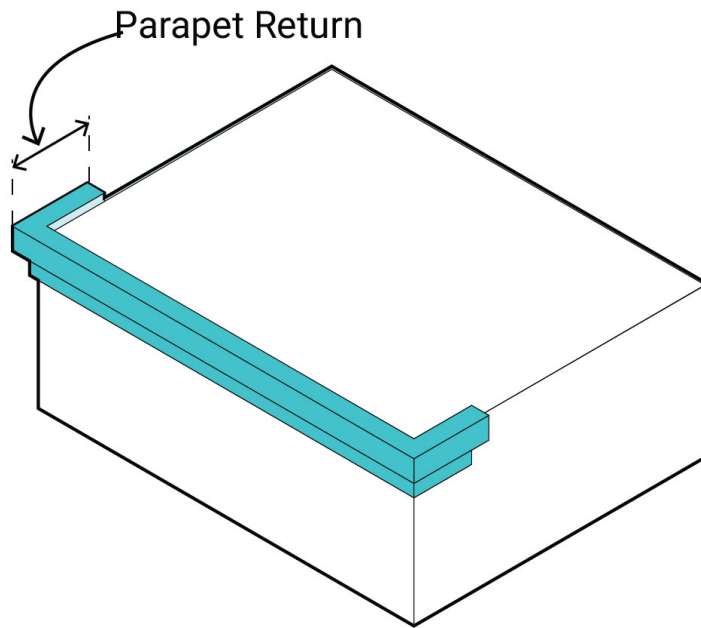
18.08.482 Parapet.

"Parapet" means an upward extension of a wall at the edge of a roof.



18.08.483 Parapet Return.

"Parapet return" means the continuation of a parapet at a right angle toward the building at the end of a parapet face.



18.08.484 Parcel.

“Parcel” means a recorded property under single ownership.

18.08.485 Paseo.

“Paseo” means a place or path for strolling designed to provide access through a site but also contains amenities for leisure enjoyment, such as benches and seating areas.

18.08.486 Passageway.

“Passageway” means an open area providing a path or channel through which something may pass.

18.08.487 Patio.

A “patio” is a non-habitable recreation area that adjoins a dwelling, is often paved, and is adapted especially to outdoor dining.

18.08.488 Pawn shop.

“Pawn shop” means a place in which the business of a pawnbroker is conducted. A Pawnbroker is any person engaged in the business of receiving goods, including motor vehicles, in pledge as security for a loan.

18.08.489 Payday loan facility.

“Payday loan facility” means a facility primarily engaged in the business of advancing funds to customers in situations where the customer uses their entitlement to a future paycheck from some other source as collateral for the loan, and for which the customer pays a fee (percentage or otherwise) for the advancement.

18.08.490 Personal services.

“Personal services” means a use providing services of a personal convenience including beauty salons, barber shops, dressmaking/tailoring, hair removal, nail salons, photographic and portrait studios, shoe repair shops, travel agency, and similar uses. Excluded from this definition are massage, check cashing, and any other personal service type use specifically listed within district regulations.

18.08.491 Planned unit development.

A “planned unit development” is a tract of land with approved development standards which do not conform in all respects with the land use pattern designated on the zoning map or the district regulations provided by the zoning ordinance, and may include a combination of different dwelling types and/or a variety of land uses which complement each other and harmonize with the existing and proposed land uses in the vicinity. Planned unit developments may be permitted in any residential district, any industrial district, the 511 district, and in the specialty commercial and community commercial districts for mixed-use (residential and commercial) projects within the Old Alvarado area and Mission Boulevard corridor. Industrial condominium conversions and new industrial condominium projects are also considered planned unit developments.

18.08.502 Publicly accessible sidewalk.

“Publicly accessible sidewalk” means any walkway that is available to the public on an ongoing basis.

Chapter 18.24 BULK REGULATIONS

18.24.030 Required yards—Existing building.

No yards now or hereafter provided for a building existing on the effective date of the ordinance codified herein shall subsequently be reduced below, or further reduced, if already less than the minimum yard requirements of this title for equivalent new construction.

18.24.040 Permitted obstructions in required yards.

The following shall not be considered to be obstructions when located in the required yards specified:

- A. In All Yards: Open terraces not over eighteen (18) inches above the average level of the adjoining ground and one hundred and twenty (120) square feet in area but not including a permanently covered terrace or porch except as allowed by the provisions of the R-5000 zoning district; awnings and canopies; steps, four (4) feet or less above grade, which are necessary for access to a permitted building, or for access to a zoning lot from a street, or alley; chimneys projecting twenty-four (24) inches or less into the yard; recreational and laundry-drying equipment; flag poles; overhanging eaves and gutters projecting eighteen (18) inches or less into the yard, except that in no case shall overhanging eaves and gutters be closer than two (2) feet to a lot line;
- B. In Front and Rear Yards: Bay windows projecting three (3) feet or less into the yard;
- C. In Side Yards: First-floor additions to single-family detached houses with existing legal nonconforming setbacks may be built in line with the existing structure as long as a minimum interior side yard setback of five (5) feet and a minimum exterior side yard setback of ten (10) feet is maintained, except that houses built on a zero lot line shall maintain a minimum setback of ten (10) feet on the nonzero lot line side of the property.

18.24.050 Building and site design standards.

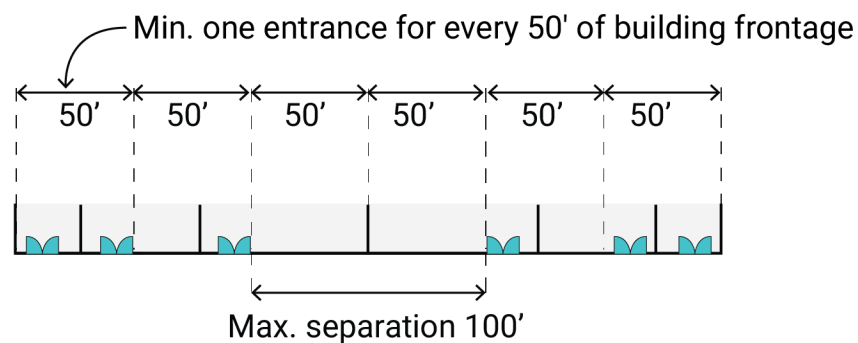
- A. Applicability. All development shall meet the standards of this Section, except as provided below.
 - 1. Exceptions. The standards of this Section do not apply to the following types of development:
 - a. Detached single family dwellings.
 - b. SB 9 housing developments as defined in Chapter 18.31.
 - c. Accessory dwelling units as defined in Chapter 18.34.

d. Development within the following zoning districts:

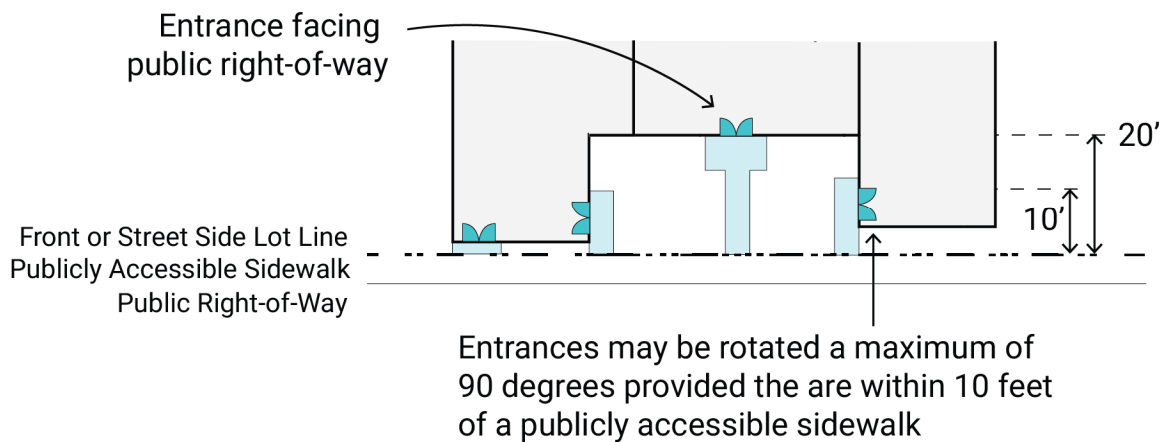
- i. Industrial Districts (General Industrial (MG), Light Industrial (ML), and Special Industrial (MS)).
- ii. Mixed-Use Employment Districts (Station East Employment (SEE) and Corridor Mixed Use Employment (CMUE)).
- iii. Civic Facility District.
- iv. Private Institutional District.
- v. Agricultural District.
- vi. Open Space District.

B. Building Design Requirements.

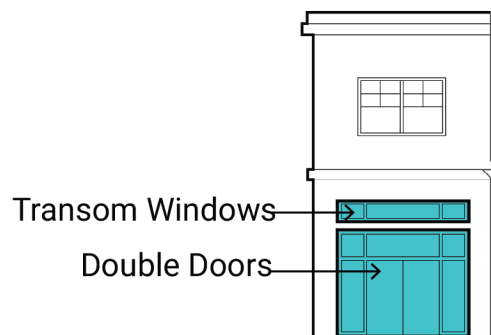
1. Building Orientation. Unless located behind another building, buildings shall be oriented toward the adjacent front or street side lot line with the building frontages parallel to the fronting public right-of-way.
2. Entrances.
 - a. Ground Floor Nonresidential Uses.
 - i. There shall be a minimum of one (1) entrance for every fifty (50) feet of building frontage with a maximum separation of one hundred (100) feet between entrances.



- ii. In buildings located within twenty (20) feet of a front or street side lot line, the primary building entrance shall face a public right-of-way or shall face within ninety (90) degrees of the primary building frontage and be located within ten (10) feet of a publicly accessible sidewalk.



- iii. VMU District. In the VMU District, double doors shall be required at the primary building entrance. Transom windows shall be provided above the primary building entrance door.

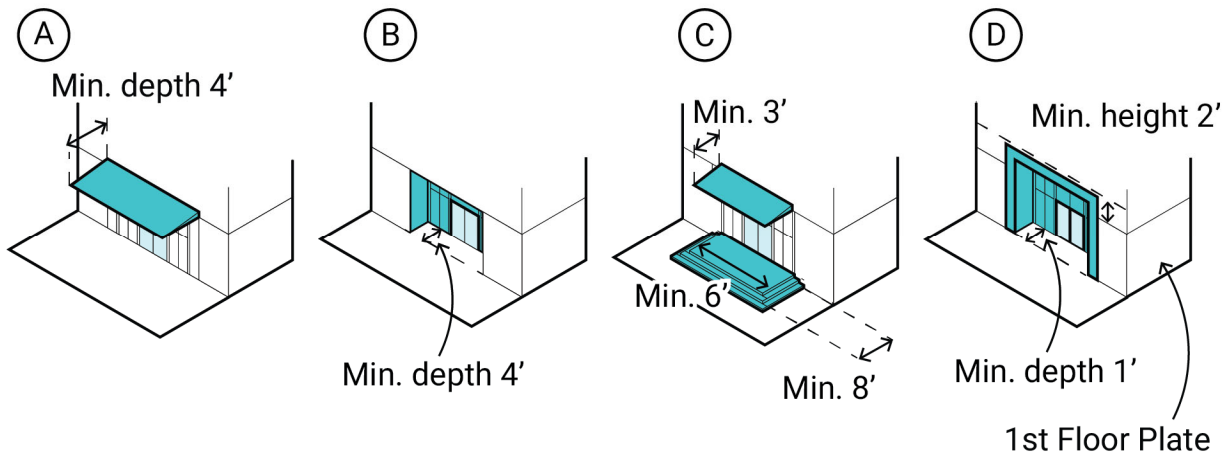


- iv. Reductions and Exceptions. A reduction or exception to the applicable objective entrance standard for nonresidential uses may be granted by the decision maker subject to both of the following findings:

- (1) The proposed use has certain operational characteristics with which providing the required entrance(s) is incompatible.
- (2) Building walls facing a public right-of-way exhibit architectural relief and detail, and are enhanced with landscaping to create visual interest at the pedestrian level.

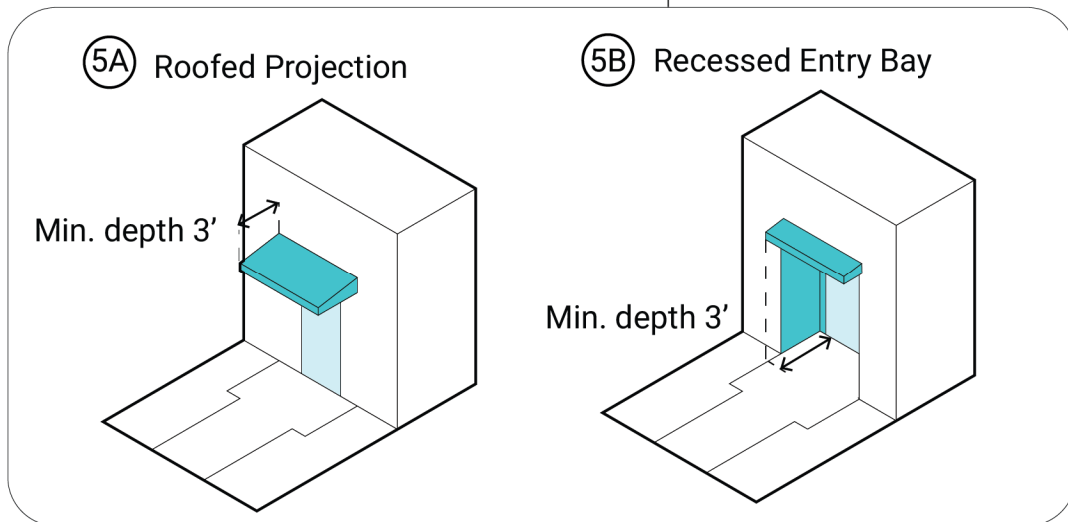
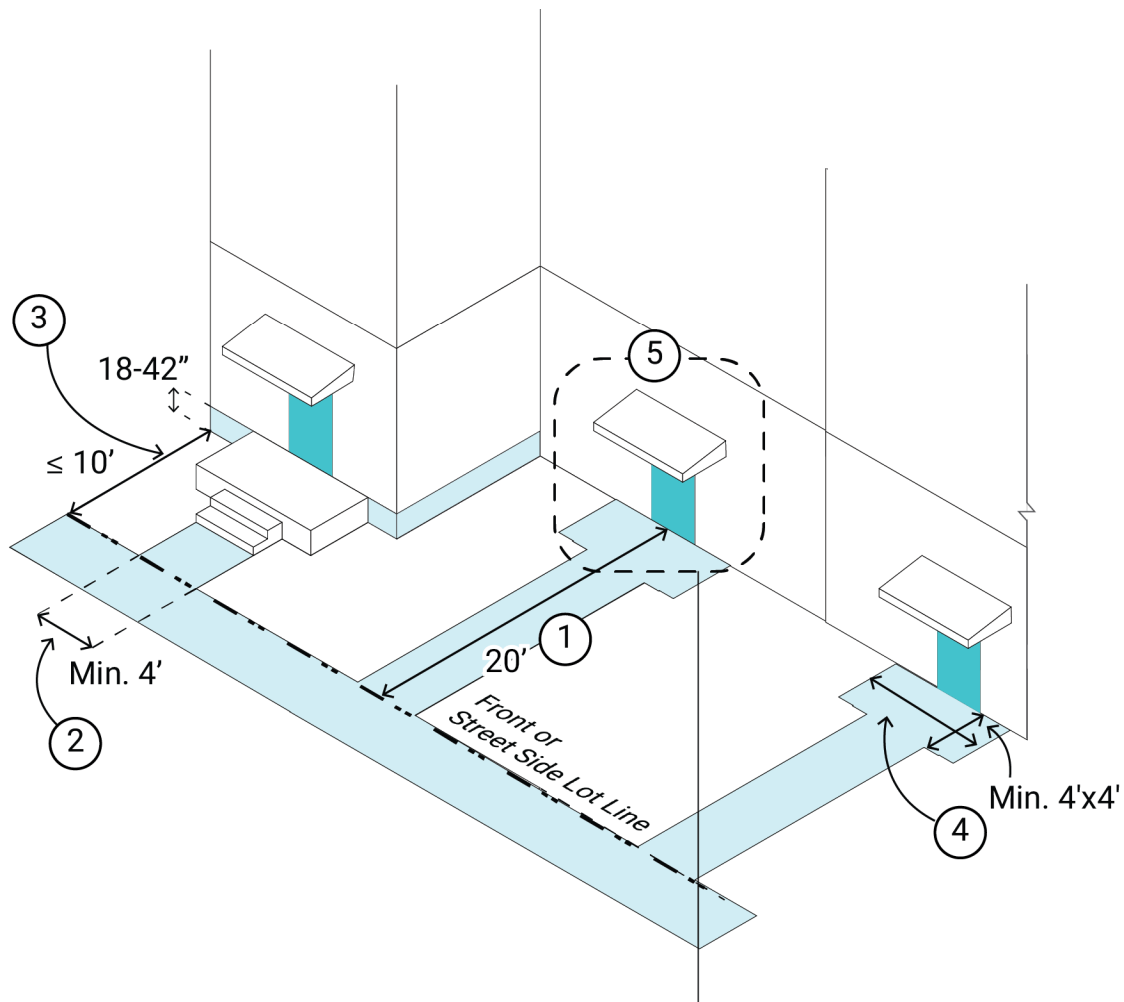
- b. Residential Uses. Entrances to residential dwelling units shall be designed as individual or shared entrances at the ground floor of the building.

- i. Shared Entrances. All buildings with any exterior entrance that provides access to more than one unit shall provide a minimum of one (1) primary shared entranceway per building in accordance with the following standards.
 - (1) In buildings located within twenty (20) feet of a front or street side lot line, the primary shared entranceway shall be oriented to and facing a public right-of-way.
 - (2) Primary building entranceways of buildings located in the interior of a site shall be connected to a publicly accessible sidewalk by a walkway with a minimum width of four (4) feet.
 - (3) The primary entranceway shall lead to a common area a minimum of ten (10) feet by ten (10) feet.
 - (4) The primary entranceway shall incorporate one (1) or more architectural features such as windows, sidelights, lighting, or signage into the entranceway.
 - (5) The primary entranceway shall be emphasized utilizing at least one (1) of the following methods:
 - (a) A roofed projection over the door (such as an awning, canopy, or overhang) with a minimum depth of four (4) feet.
 - (b) A recessed entry bay with a minimum depth of four (4) feet.
 - (c) A landing, deck, or stoop with a minimum six (6) foot by eight (8) foot area; covered by a recess or projection, or combination thereof, a minimum of three (3) feet in depth.
 - (d) Incorporating the entrance into an architectural feature that extends two (2) or more feet above the height of the first floor plate vertical mass and is projected or recessed a minimum of one (1) foot from the primary wall plane.



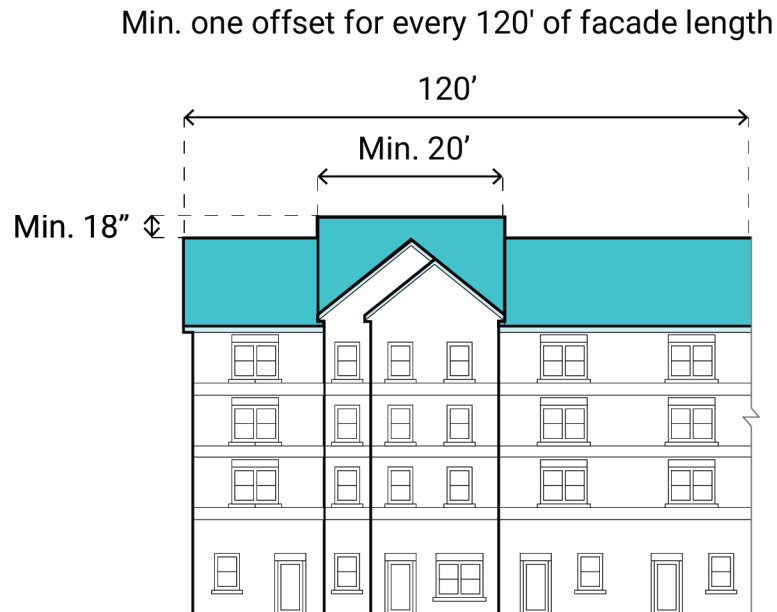
ii. Individual Entrances. All units accessed through ground level individual entrances from the exterior shall provide a minimum of one (1) primary individual entranceway per unit in accordance with the following standards.

- (1) In buildings located within twenty (20) feet of a front or street side lot line, all individually accessed units located along a public right-of-way shall have a primary entranceway oriented to and facing a public right-of-way.
- (2) All individual primary entrances shall be connected to a publicly accessible sidewalk by a walkway with a minimum width of four (4) feet.
- (3) All entrances located within ten (10) feet of an adjoining publicly accessible sidewalk shall provide finish floor elevations of between eighteen (18) and forty-two (42) inches above the adjoining sidewalk.
- (4) The primary entranceway shall include a covered or partially covered landing, deck, porch, or stoop with a minimum four (4) foot by four (4) foot area.
- (5) The primary entranceway shall be covered by a recess or projection, or combination thereof, a minimum of three (3) feet in depth.

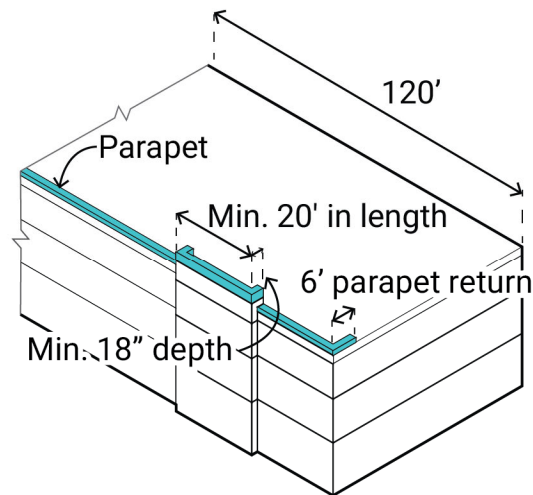


3. Roof Design and Articulation. Roof lines shall be varied and designed to minimize the bulk of a building, screen roof-mounted equipment, and enhance the building's architectural design through the following methods:

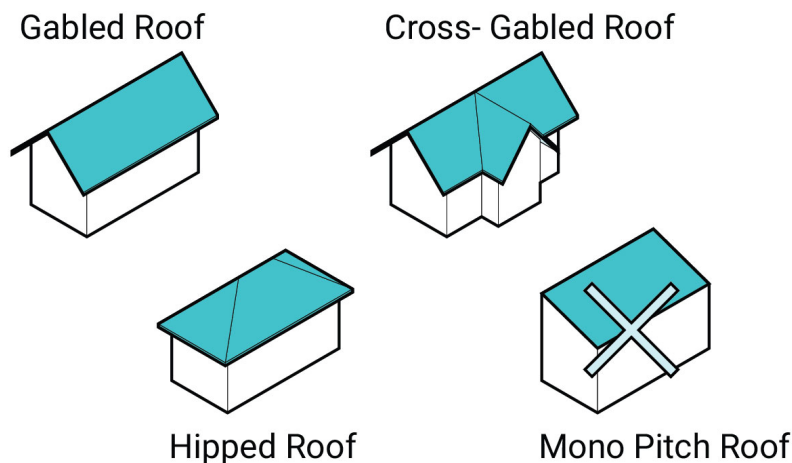
- a. Minimum Depth of Overhanging Eaves. Overhanging eaves, if provided, shall extend a minimum of two (2) feet beyond the supporting wall.
- b. Roof Line Offset. For buildings with two (2) or more stories, a minimum of one (1) roof line offset of at least eighteen (18) inches in height and twenty (20) feet in length shall be provided for every one hundred twenty (120) feet of façade length, except as provided below for parapet roofs.



- c. Parapet Roofs.
 - i. For buildings with two (2) or more stories, parapet roofs shall provide either the minimum offset pursuant to (b) above, or shall provide a roof line offset of at least eighteen (18) inches in depth and twenty (20) feet in length for every one hundred twenty (120) feet of façade length.
 - ii. All parapets shall provide returns of at least six (6) feet in depth at the end of the parapet face to avoid a false front appearance.

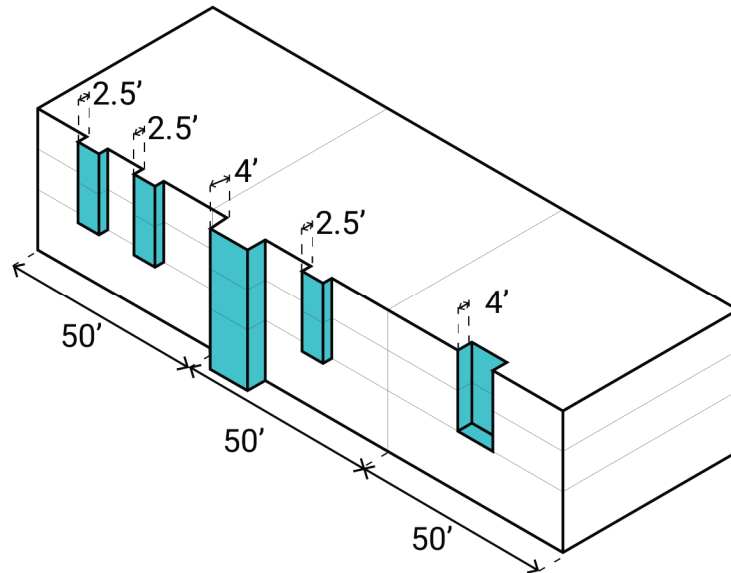


- d. Rooftop Equipment. Rooftop equipment shall not be visible from a publicly accessible sidewalk across the street, nor shall be visible from any publicly-accessible area located within fifty (50) feet of the building.
- e. VMU District. In the VMU District, in addition to the standards listed above, roofs shall also meet at least one (1) of the following standards:
 - i. A decorative parapet with a symmetrical appearance shall be provided on all street facing building façades.
 - ii. The roof shall be gabled, cross-gabled, or hipped. Mono pitch roofs are prohibited.



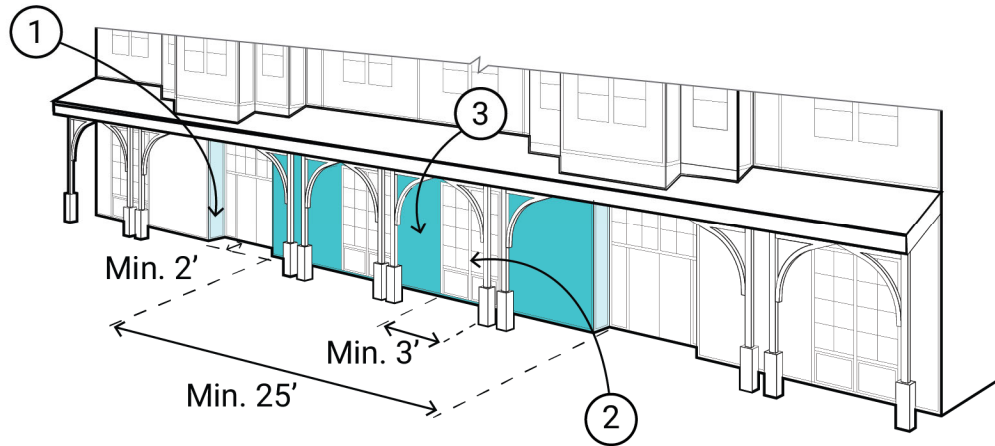
- f. Mission Boulevard. Along Mission Boulevard, roofs shall be gabled or hipped and shall have a pitch between 3:12 and 5:12.
4. Building Articulation. Buildings shall include the following design features to create visual variety and avoid a large-scale and bulky appearance:

- a. Façade Articulation. All façades facing a public right-of-way shall include at least one (1) horizontal or vertical projection or recess at least four (4) feet in depth, or two (2) projections or recesses at least two and one-half (2.5) feet in depth, for every fifty (50) horizontal feet of wall. The articulated elements shall be greater than one (1) story in height and may be grouped rather than evenly spaced in fifty (50) foot modules.



- b. VMU District. In addition to the façade articulation requirement in subsection (4)(a) above, the following additional façade articulation standards apply in the VMU District.

- i. Façades facing Smith Street, Union City Boulevard, Horner Street, Vallejo Street, and Watson Street shall provide a minimum of one (1) of the following articulation elements every twenty-five (25) to fifty (50) feet:
- (1) A façade wall shift at least two (2) feet in depth and at least the full height of the ground floor.
 - (2) A change in material a minimum of three (3) feet wide and at least the full height of the ground floor.
 - (3) A change in color, bordered with decorative trim, a minimum of twenty-five (25) feet wide and at least the full height of the ground floor.

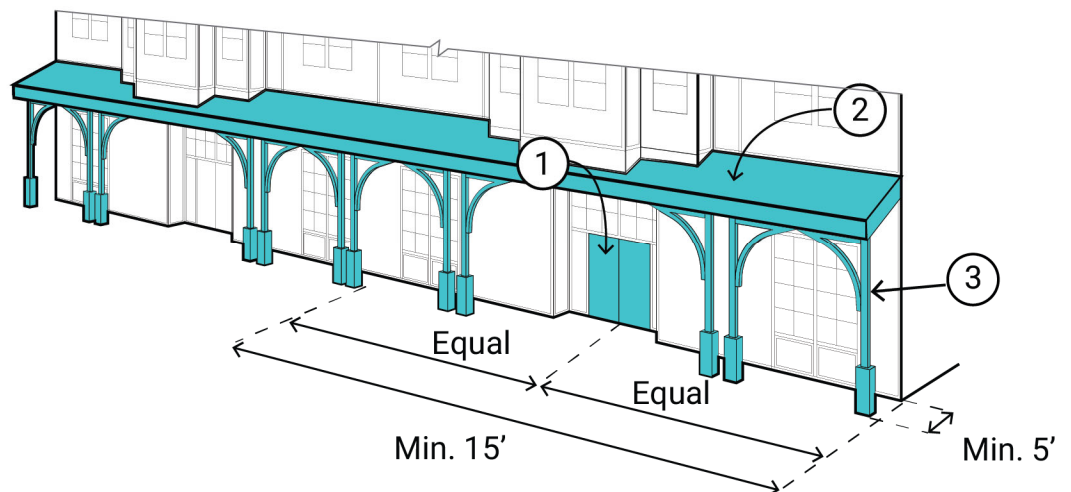


ii. Covered walkways or overhangs shall be provided along building frontages on Smith Street, Union City Boulevard, and Horner Street.

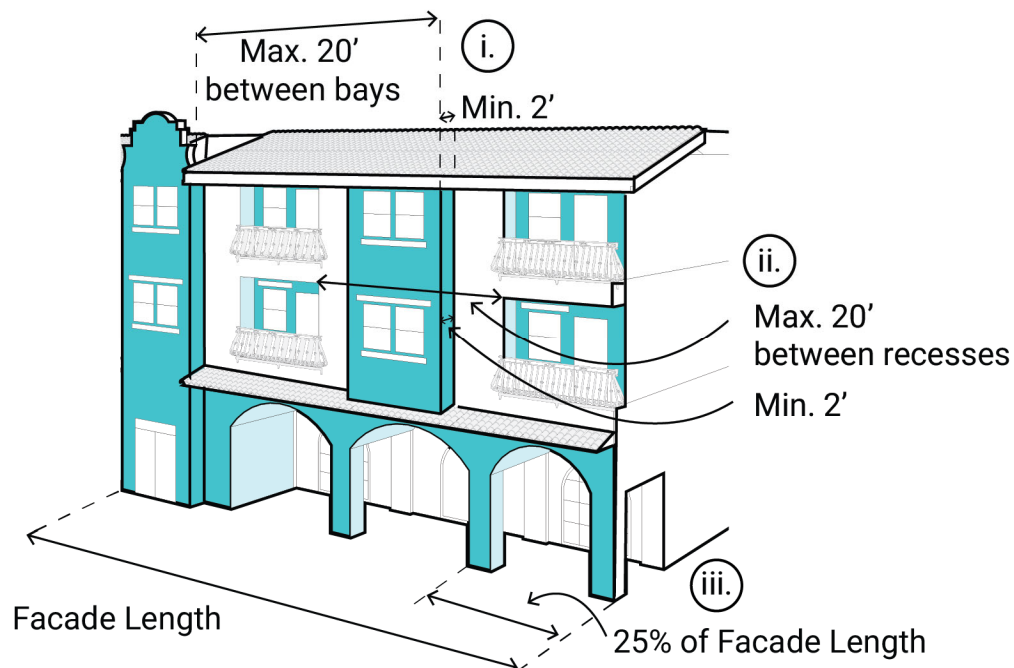
(1) Location. The covered walkways or overhangs shall be centered on a main entrance of the building.

(2) Minimum Dimensions. The covered walkways or overhangs shall be a minimum of five (5) feet deep and fifteen (15) feet wide.

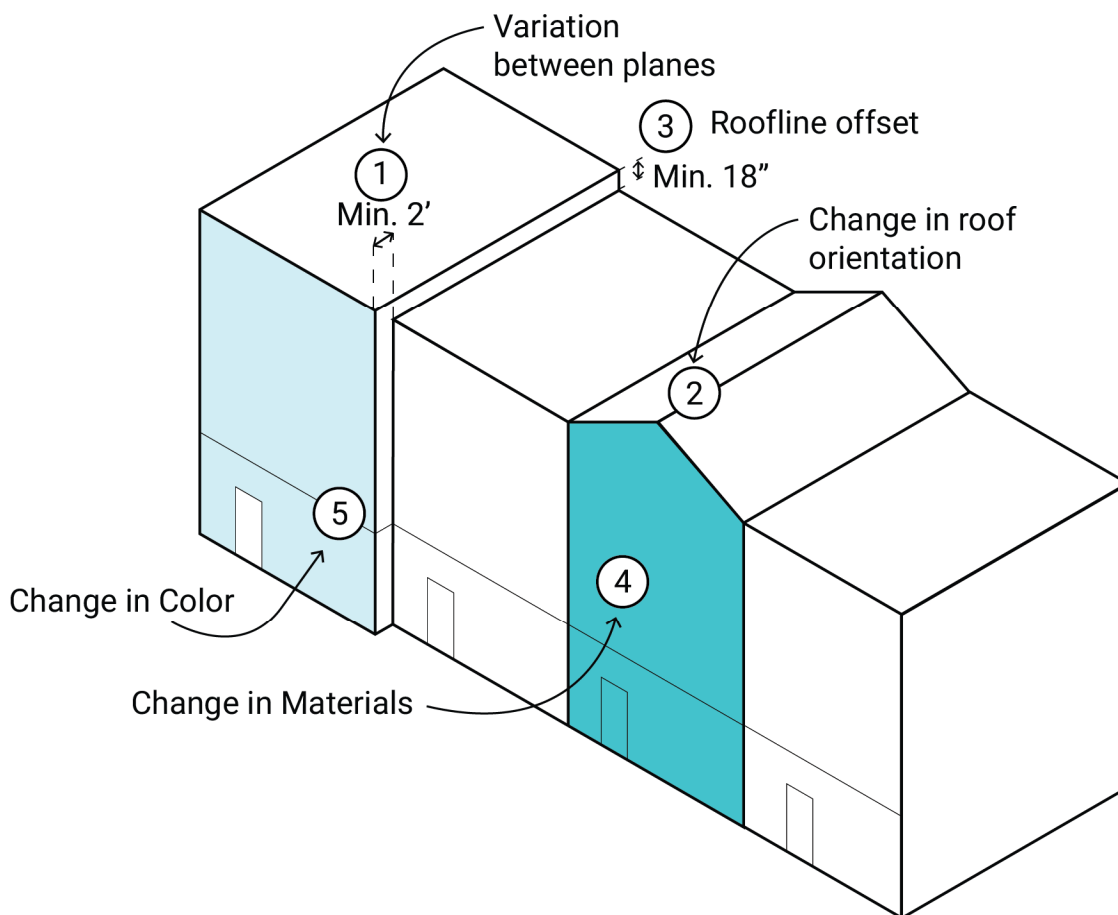
(3) Support Columns. Columns supporting covered walkways shall be four (4) inches by six (6) inches in dimension with a defined and differentiated column base and top.



- c. Street Facing Façades Along Mission Boulevard. In addition to the façade articulation requirement in subsection (4)(a) above, street facing façades along Mission Boulevard shall incorporate two (2) or more of the following features.
- i. Window bays with a minimum two (2) feet in depth from building façade every fifty (50) horizontal feet.
 - ii. Recesses a minimum of two (2) feet in depth from building façade every fifty (50) horizontal feet.
 - iii. Porches, arcades and loggias over a minimum of twenty-five percent (25%) of the façades with columns a minimum of one (1) foot in width and depth.
 - iv. Curved arches between columns or as part of recesses or projections.
 - v. Arches above doors.
 - vi. Arches over all windows on a minimum of one (1) floor.
 - vii. A lintel at the base of windows.
 - ix. Decorative tile vents.
 - x. Decorative ironwork.
 - xi. Exposed wood beams.
 - xii. Balconies.



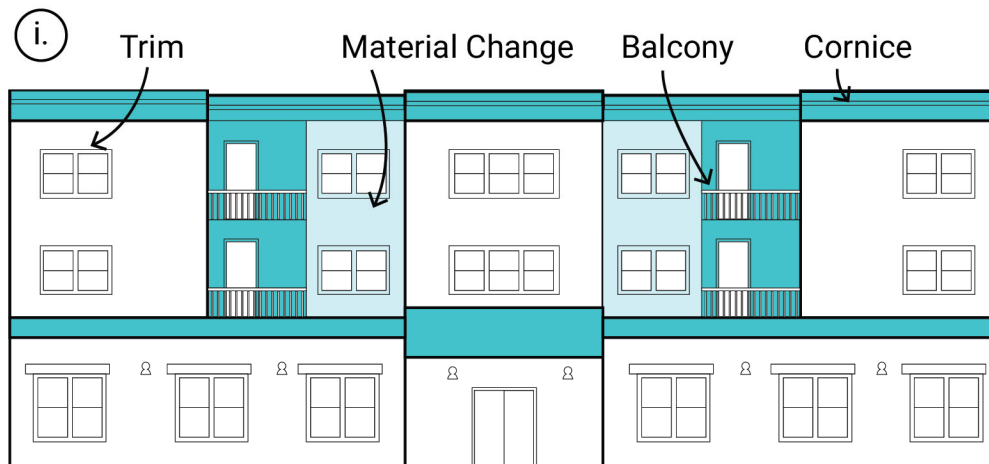
- d. Townhomes and Rowhouses. The design of townhomes and rowhouses shall be articulated such that individual units are differentiated from each other. In addition to the articulation requirements above, attached side-by-side dwelling units shall meet the following requirements.
- i. Individual units shall be emphasized through two (2) or more of the following methods.
- (1) Variations of two (2) feet or more between the horizontal planes of the primary entrance façade of adjacent units.
 - (2) A change in roof orientation between adjacent units (e.g., a gable roof adjacent to a hipped roof).
 - (3) A roofline offset of at least eighteen (18) inches for each unit exposed on the associated elevation.
 - (4) A change in materials.
 - (5) A change in color.



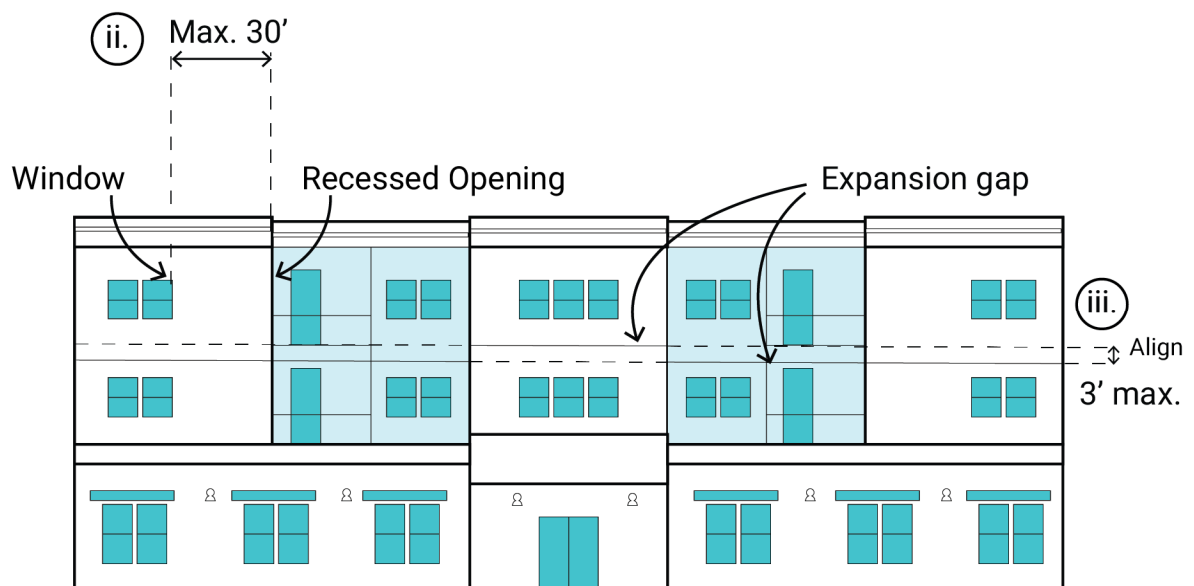
5. Façade Design.

a. Façade Detailing.

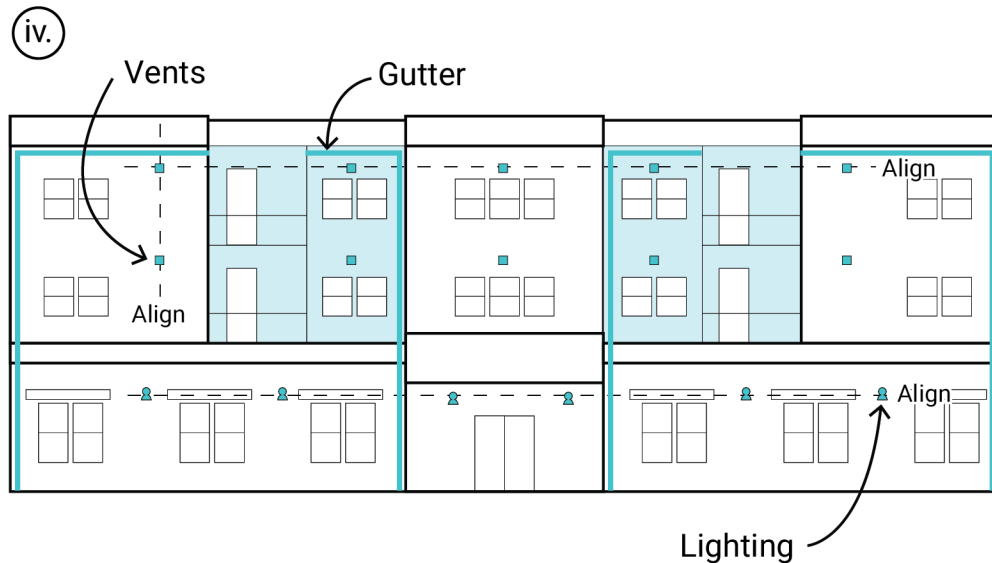
- i. All building façades shall incorporate details, such as cornices, eaves, trim, changes in materials, projections such as awnings and balconies, or other design elements.



- ii. No wall facing a public right-of-way shall run in a continuous plane of more than thirty (30) feet without a window, door, or other opening.
- iii. Horizontal building elements, such as cornices, eaves, trims, and expansion gaps that create visible horizontal lines shall be aligned within three (3) feet of like buildings elements on the same façade.



- iv. Building vents, gutters, lighting, and exterior equipment that are part of the exterior façade shall be aligned horizontally and vertically with like elements and with other building façade details on the same façade.



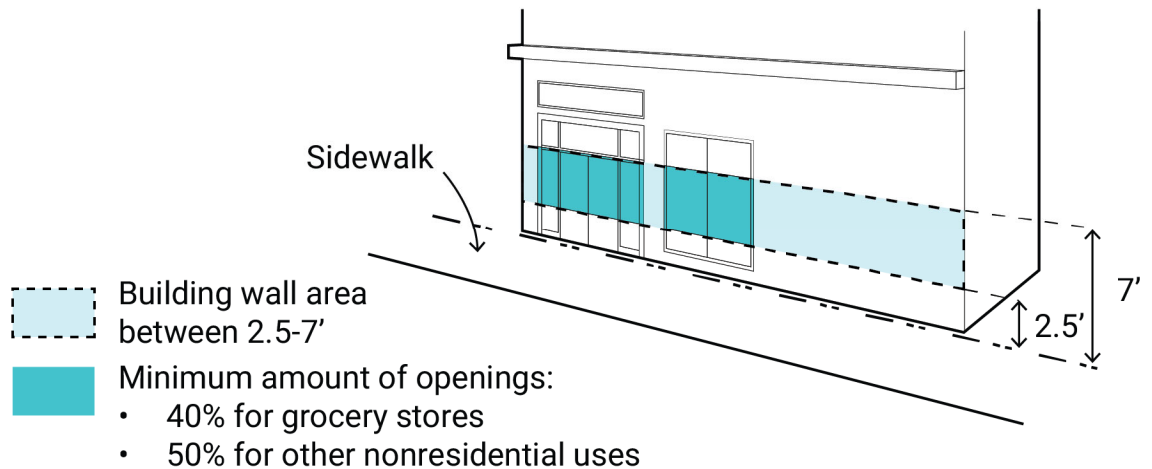
b. Exterior Building Colors and Materials.

- i. Factory-processed color finishes, such as baked enamel, shall be provided on all exterior metal surfaces.
- ii. VMU District. In the VMU District, a minimum of seventy-five percent (75%) of the building siding shall be one (1) of the following materials:
 - (1) Horizontal or vertical wood siding, tongue-in-groove, or shiplap.
 - (2) Board and batten siding.
- iii. Mission Boulevard. Buildings on parcels along Mission Boulevard shall include each of the following exterior materials:
 - (1) Barrel tile roof.
 - (2) Stucco walls.
 - (3) Raised brick or stone foundation.
- iv. Exterior Materials, Other Areas. In areas outside of the VMU District and buildings not located on parcels along Mission Boulevard, exterior building materials shall be chosen based on durability, ease of maintenance, and context. Permitted materials shall include the following:

- (1) Steel—Porcelain enamel panels, steel windows, steel exterior doors, steel rails and fences, painted, stainless or pre-weathered steel.
- (2) Aluminum—Windows, panels (luco-bond and aluminum plate), storefront, curtain wall, doors; aluminum shall be natural finish anodized, powder-coated or kynar (no bronze anodized).
- (3) Decorative Metals-including copper, brass, bronze, and stainless steel.
- (4) Glass—Clear, low-e, nonreflective, solar-bronze or solar gray glass, shadow boxes and spandrel glass is permitted.
- (5) Brick, natural clay.
- (6) Stone.
- (7) Pre-cast concrete, glass-fiber reinforced concrete.
- (8) Cast-in-place concrete.
- (9) Ceramic tile.
- (10) Cement plaster.
- (11) Wood.

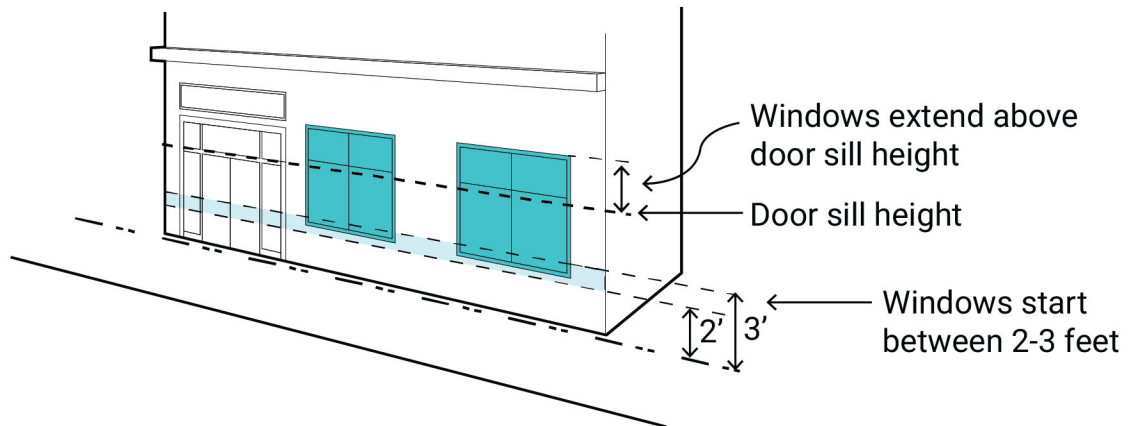
6. Windows and Openings.

- a. Nonresidential Uses: Building Transparency/Required Openings. Exterior walls facing and within twenty (20) feet of a front or street side lot line or publicly accessible sidewalk shall include windows, doors, or other openings for at least forty percent (40%) of the building wall area of grocery stores and fifty percent (50%) of the building wall area of other uses located between two and a half (2.5) and seven (7) feet above the level of the sidewalk.



- i. Design of Required Openings. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least three (3) feet deep.

(1) VMU District. In the VMU District, Ground floor windows shall start two (2) to three (3) feet off the ground and extend above door sill height.

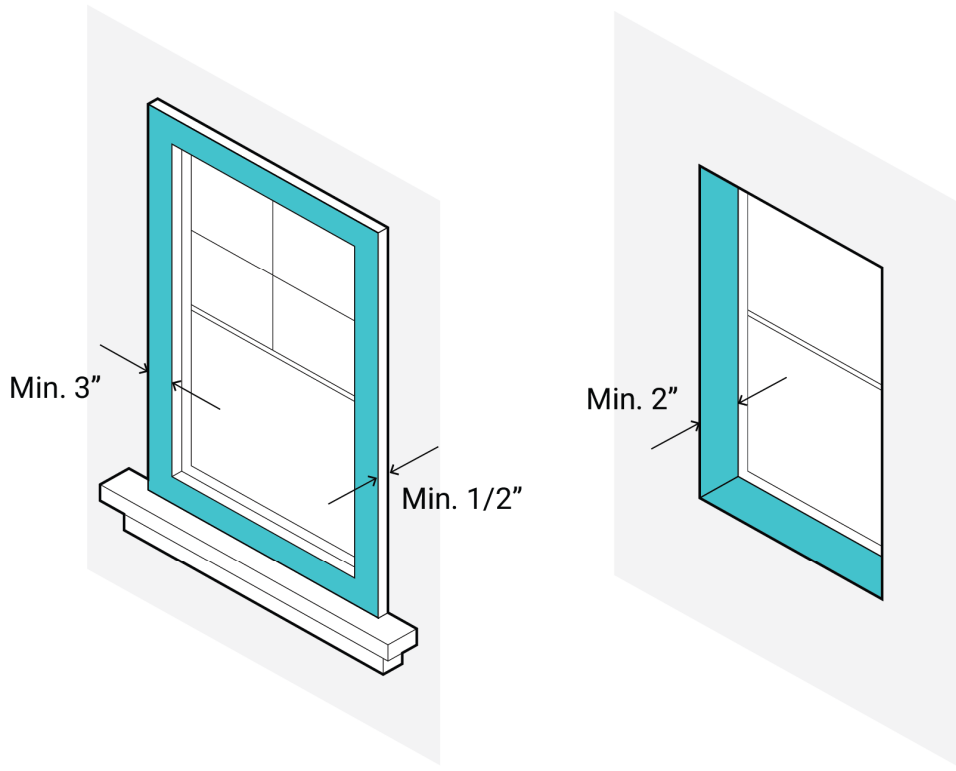


- ii. Reductions and Exceptions. A reduction or exception to the applicable objective building transparency standard for nonresidential uses may be granted by the decision maker subject to both of the following findings:

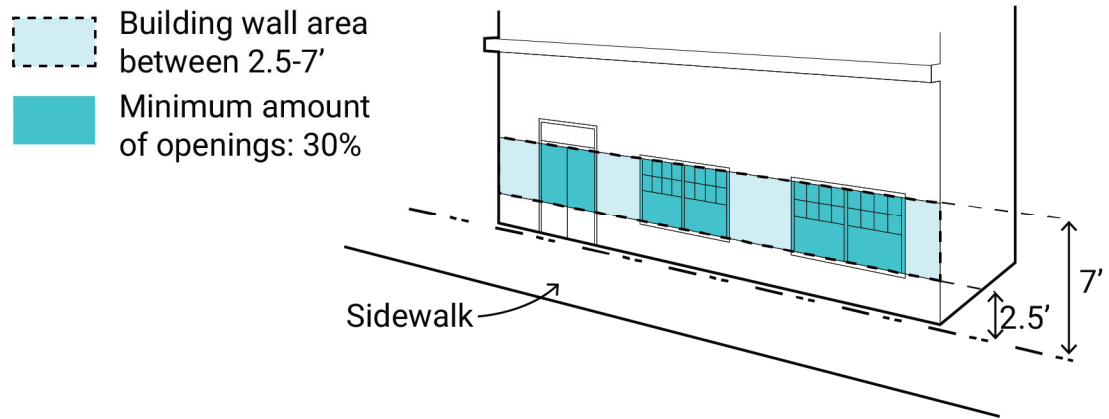
(1) The proposed use has certain operational characteristics with which providing the required windows and openings is incompatible.

(2) Street-facing building walls exhibit architectural relief and detail, and are enhanced with landscaping to create visual interest at the pedestrian level.

- b. Residential Uses: Window Trim or Recess. Windows for residential uses shall have trim at least three (3) inches wide and one-half (0.5) inch in depth, or be recessed at least two (2) inches from the plane of the surrounding exterior wall.



- c. Residential Uses: Transparency/Required Openings for Common Spaces. Exterior walls of common spaces, such as lobbies and community spaces, within twenty (20) feet of a front or street side lot line or publicly accessible sidewalk shall include windows, doors, or other openings for at least thirty percent (30%) of the building wall on which they are adjacent, between two and a half (2.5) feet and seven (7) feet above the level of the sidewalk.



C. Space Requirements.

1. Residential Uses.

- a. Minimum Ground Floor Height. The minimum ground floor height for residential uses is ten (10) feet measured floor to floor.

2. Nonresidential Uses.

- a. Minimum Ground Floor Height. For nonresidential spaces planned for a restaurant use, the minimum ground floor height limit is eighteen (18) feet measured floor to floor. The minimum ground floor height for nonresidential spaces planned for uses other than restaurants is fifteen (15) feet measured floor to floor.

b. Minimum Tenant Space Depth.

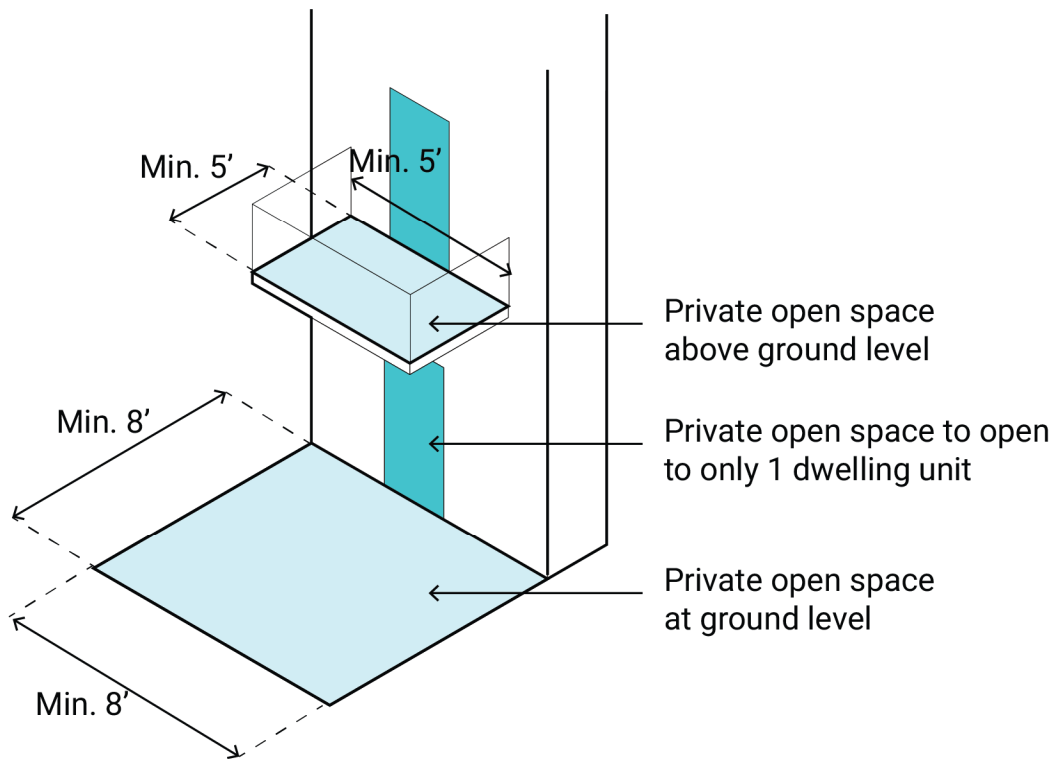
- i. Generally. Nonresidential ground floor interior tenant spaces shall be a minimum of thirty-five (35) feet in depth.
- ii. Planned Restaurant Use. For nonresidential spaces that have a planned restaurant use, the minimum depth shall be sixty (60) feet for at least fifty percent (50%) of the width of the tenant space or twenty-five (25) feet, whichever is wider.
- iii. Reductions and Exceptions. A reduction or exception to the applicable objective minimum depth standard may be granted by the decision maker if a finding can be made that the site is small or constrained.

- c. Required Restaurant Space. For lots larger than twenty thousand (20,000) square feet, a minimum of twenty-five percent (25%) of the ground floor nonresidential area of mixed-use development shall be designed to accommodate a restaurant use. Restaurant uses require grease traps, a

minimum of one (1) restroom per tenant, a separate ventilation system, and an enclosure for waste receptacles.

- d. Indoor/Outdoor Connections. The design of ground floor commercial uses in the MMU, SEMU-R, and CSMU Districts shall promote indoor/outdoor connections by providing at least one (1) of the following:
 - i. Sliding or removable windows/doors.
 - ii. Low planters with seat walls a minimum width of twelve (12) inches.
 - iii. Entrances, recessed a minimum of four (4) feet, and porticos that allow outdoor seating or display.
 - iv. Awnings and canopies that may encroach into the public right-of-way subject to approval of an encroachment permit by the Public Works Department.
- 4. Required Residential Amenities. Amenities that enhance the livability of the project shall be provided.
 - a. Activity Areas. Private and common open spaces, playground or outdoor active recreation facility, such as a lap pool.
 - i. Amount of Activity Area.
 - (1) RM Districts. In RM Districts, a minimum of one hundred fifty (150) square feet of activity area shall be provided per dwelling unit.
 - (2) Other Districts. In Districts other than RM Districts, a minimum of sixty (60) square feet of activity area shall be provided per dwelling unit.
 - ii. Configuration of Activity Area.
 - (1) Required activity area shall be provided as a combination of private open space and common open space or indoor activity space as follows:
 - (a) A minimum of seventy-five percent (75%) of units located above the ground level shall be provided private open space above the ground level (i.e., balconies) consistent with Subsection 4.a.iii, Private Open Space, below. An exception to this objective activity area configuration standard may be granted by the decision maker if a finding can be made that alternative configurations of activity area suited to the needs of the residents are provided.
 - (b) The balance of the required activity area shall be provided outdoors as private open space or common open space that meet the standards of this Section. Common indoor activity space may substitute outdoor activity area for up to fifty percent (50%) of the required area, as follows.

- (i) Outdoor activity area may be substituted by common indoor activity space at a rate of two (2) feet of common indoor activity space provided for every one (1) foot of required outdoor activity area.
 - (2) The required activity area shall be located on the same lot as the associated residential dwelling units. An exception to this objective activity area location standard may be granted by the decision maker if a finding can be made that an activity area is on a separate common lot within the development that can effectively be used by residents.
 - (3) No portion of required activity area shall be used for storage, driveways, or vehicle parking and loading facilities.
- iii. Private Open Space. Private open space provides open space areas for the exclusive use of the occupants of an individual dwelling unit and includes but is not limited to balconies, decks, terraces, patios, fenced yards, and other similar private areas.
- (1) Minimum Dimensions. Private open space located on the ground level (e.g., yards, decks, patios) shall be a minimum of eight (8) feet by eight (8) feet. Private open space located above ground level (e.g., balconies) shall be a minimum of five (5) feet by five (5) feet.
 - (2) Accessibility. Private open space shall be accessible to only one (1) dwelling unit by a doorway to a habitable room or hallway.
 - (3) Surfacing. A surface shall be provided that allows convenient use for outdoor living and/or recreation. Such surface may be any practicable combination of groundcover, garden, flagstone, wood planking, concrete, or other serviceable, dust-free surfacing. Surfaces shall not exceed a ten percent (10%) slope.

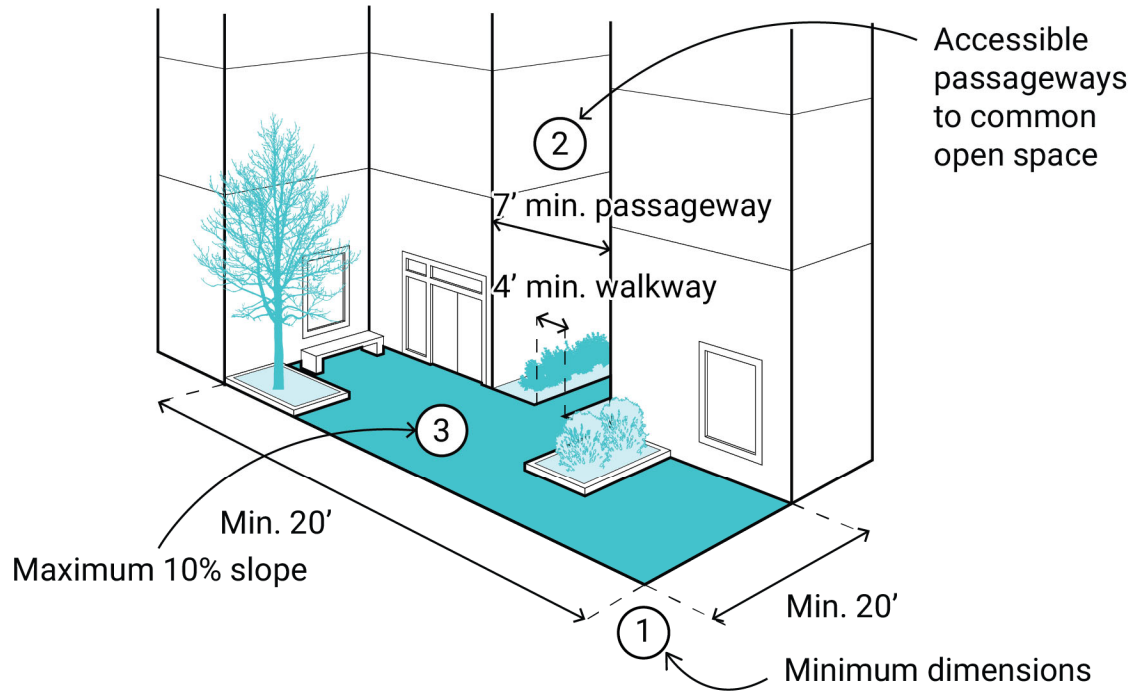


iv. **Common Open Space.** Common open space provides open space areas for recreation and enjoyment with shared access for all building occupants. Common open space includes but is not limited to courtyards, terraces, pet areas, gardens, plazas, landscaped areas, patios, swimming pools, barbeque areas, athletic courts or fields, playgrounds, recreation areas, rooftop amenities, and other similar outdoor common areas intended for shared use by building occupants.

(1) **Minimum Dimensions.** Common open space shall be a minimum of twenty (20) feet by twenty (20) feet.

(2) **Accessibility.** Common open space shall be accessible to all building occupants. A minimum seven (7) foot-wide passageway, shall be provided to any required common open space. The passageway shall contain a minimum four (4) foot wide walkway and any area not included in the walkway shall be landscaped.

(3) **Surfacing.** A surface shall be provided that allows convenient use for outdoor living and/or recreation. Such surface may be any practicable combination of groundcover, garden, flagstone, wood planking, concrete, decking, or other serviceable, dust-free surfacing. Surfaces shall not exceed ten percent (10%) slope.



- v. Common Indoor Activity Space. Common indoor activity space provides indoor amenity with shared access for all building occupants. Common indoor activity space includes but is not limited to fitness centers, shared workspaces, study rooms, conference and community rooms, joint eating and cooking areas, indoor play areas, screening room, and other similar common areas intended for shared use by building occupants.

(1) Minimum Dimensions. Common indoor activity space shall be a minimum of twenty (20) feet by twenty (20) feet. A reduction to this objective dimensional standard may be granted by the decision maker if a finding can be made that a usable activity area of lesser size is adequate to serve the residents.

(2) Accessibility. Common indoor activity space shall be accessible to all building occupants.

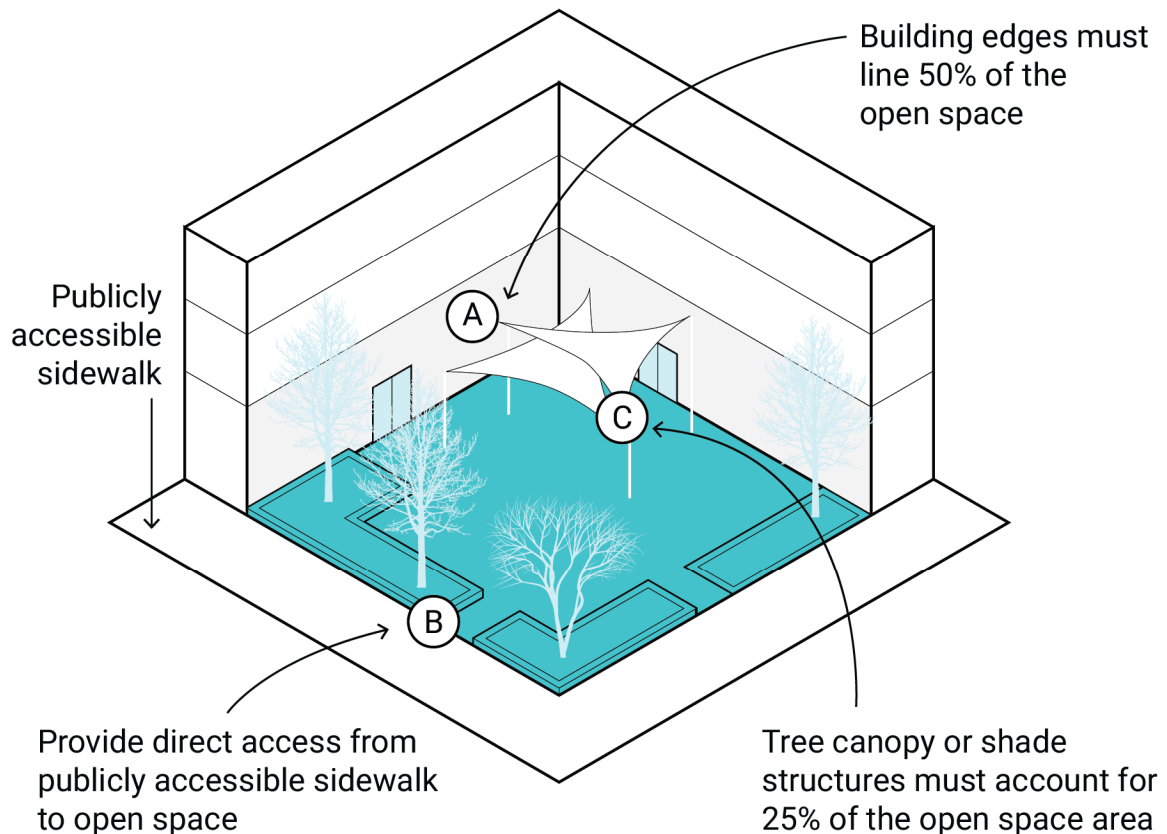
- b. Other Amenities. In addition to the required activity area above, projects shall include at least two (2) of the following amenities.

- i. In-unit washer and dryer.
- ii. Enclosed, lockable storage space at least two hundred (200) cubic feet in size with minimum dimension of four (4) feet by eight (8) feet for a minimum of fifty percent (50%) of the units.
- iii. On-site child care facility.

- iv. Provision of car sharing service, including parking spaces. Car share parking spaces shall be accessible to car share subscribers twenty-four (24) hours a day, seven (7) days a week.
- c. Reductions and Exceptions. A reduction or exception to the applicable objective residential amenity standard may be granted by the decision maker if a finding can be made that alternative amenities that are comparable in value and benefit residents are provided.

D. Site Design Requirements.

1. Frontage Improvements. Frontage improvements consistent with the General Plan, Bicycle and Pedestrian Master Plan, applicable Specific Plan and/or development strategy, Subdivision Improvement Standards, and any other applicable standard or requirement of the City shall be provided for all subdivisions, new construction, and additions of ten thousand (10,000) square feet or more of gross floor area.
2. Public Open Space. Where provided, public open spaces shall be consistent with the following standards.
 - a. Line the edges of blocks with buildings to frame public open space by placing building edges along a minimum of fifty percent (50%) of the open space perimeter.
 - b. Provide direct access from a publicly accessible sidewalk to public open spaces. Do not locate ground level public open space accessible only from inside the building.
 - c. Tree canopies or permanent shade structures shall provide shade for at least twenty-five percent (25%) of open space areas.

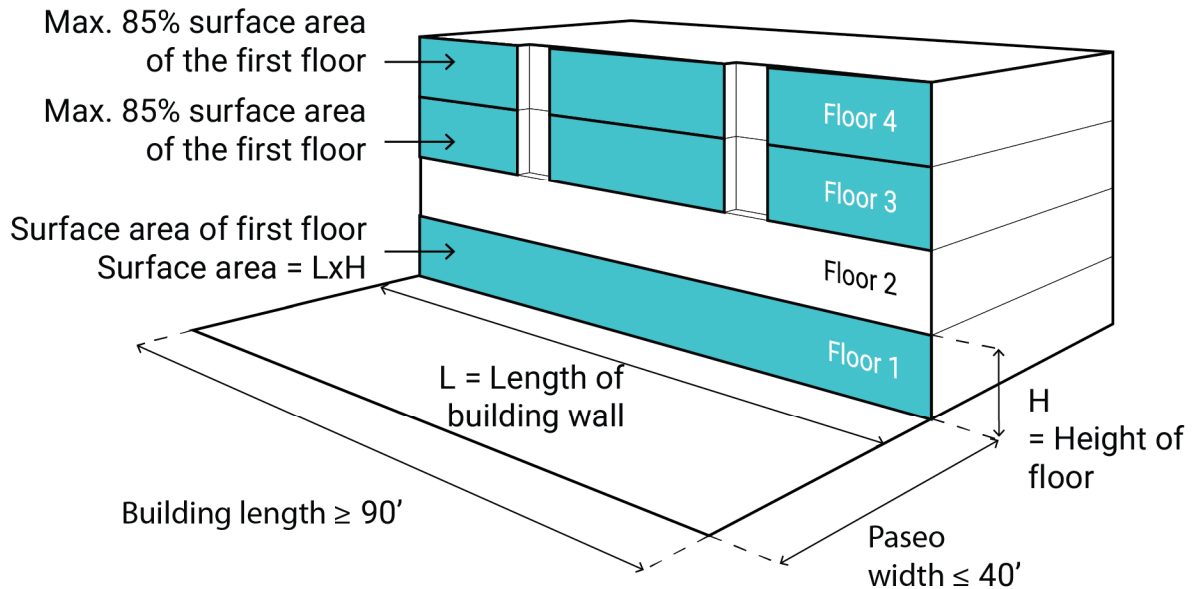


d. Paseos. Public open space designed as a paseo shall be consistent with the following standards.

- i. Within the SEMU-R zoning district: for the portions of the buildings that front onto a paseo and have a length longer than ninety (90) feet and where the paseo is less than forty (40) feet in width, the surface area of third floor and fourth floor paseo-facing walls shall be no more than eighty-five percent (85%) of the surface area of the first-floor paseo-facing wall.

(1) The surface area of a wall is calculated as the length of the building wall of the applicable floor multiplied by the height of that floor.

- ii. Paseos in zoning districts other than SEMU-R shall have a minimum width of forty (40) feet.
- iii. Paseos shall have end to end visibility, and align and connect with streets, other paseos or paths.
- iv. Paseos shall have a minimum lighting level of one (1.0) foot-candle.



3. Roof Deck Planting. Planting on roof decks requires a minimum soil depth of twenty-four (24) inches for shrubs, perennials, and ground cover and a minimum of forty-two (42) inches for trees.

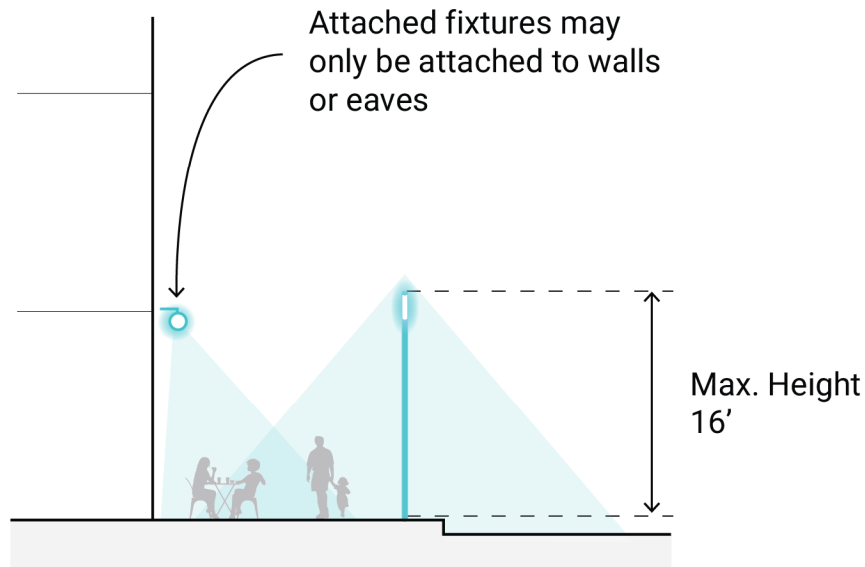
a. Reductions and Exceptions. A reduction to the applicable objective soil depth standard may be granted by the decision maker if a finding can be made that a reduced soil depth is adequate to support the proposed planting in good growing condition.

4. Lighting.

a. Minimum Lighting. A minimum of one (1.0) foot-candle lighting level shall be provided for all walkways throughout the site and in all parking areas. Motion sensors shall be provided for areas inside and directly adjacent to trash enclosure areas.

b. Maximum Height of Freestanding Lighting Standards. The maximum height of a freestanding lighting standard in pedestrian areas and courtyards is sixteen (16) feet. Lighting shall be shielded from adjacent residential windows and private outdoor areas.

c. Attached Fixtures. Fixtures on buildings shall be attached only to walls or eaves, and the top of the fixture shall not exceed the height of the parapet or roof or eave of roof.



5. Utilities. All new transformers, switching boxes, and similar appurtenances and utility equipment shall be located below-grade, in closets or interior of buildings, or in locations not visible from public right-of-way, unless prohibited by the utility provider. When screened within an enclosure, the enclosure shall have walls matching the material and color of the nearest building, be located no closer to the street than a building, and be surrounded by landscaping such as trees, shrubs, and climbing vines, that screen the enclosure, unless prohibited by the utility provider.
 - a. Reductions and Exceptions. A reduction or exception to the applicable objective utility standard may be granted by the decision maker if a finding can be made that the proposed design reduces the visual impact of utilities to the greatest extent feasible.
6. Vehicle Parking.
 - a. Access.
 - i. Access to parking facilities shall be from an alley or secondary street, wherever such alley or secondary access is feasible.
 - (1) Additional Access Limitations, CSMU District. The following additional access limitations apply in the CSMU District.
 - (a) Driveway entries/exits shall be prohibited on Decoto Road.

- (b) Driveway entries/exits shall be prohibited on Eleventh Street, Union Square, and Railroad Avenue wherever access to parking facilities from another street or alley is feasible.
- ii. Driveway entries/exits shall be located at least twenty-five (25) feet from any primary building entrance facing the same street frontage.
 - iii. Sidewalk material and grade shall be maintained as the sidewalk crosses a driveway.
 - iv. Driveway pavement shall be enhanced with one (1) of the following treatments:
 - (1) Textured concrete banding. A concrete area border created with a different textured finish than the inner concrete area.
 - (2) Trowel finish banding. A concrete area border created with a trowel finish.
 - (3) Stamped concrete. Patterned concrete or imprinted concrete created by using rubber stamps or similar method to imprint patterns into the concrete.
 - (4) Integral concrete. Concrete mixed with finely ground iron oxide pigments, called integral colors, before it is poured.
 - (5) Broom finish. Rough textured finished obtained by dragging a broom on the trowelled surface of the concrete while the concrete is still fresh.
 - (6) Salt finish. A rough textured, slip-resistant surface on freshly poured concrete created by inserting coarse rock salt crystals into the wet concrete.
 - (7) Exposed aggregate finish. A rough textured surface on concrete created with a top layer of exposed aggregate.
 - (8) Trowel joints. Textured surface created using a tool with a flat blade designed to spread concrete, mortar, or plaster.



v. Surface parking lots with twenty-five (25) or more parking spaces shall provide a pedestrian walkway between rows of parking and extending to the main building entry. The walkway shall be of a different paving material than the drive aisles and parking spaces and be separated from ends of parking spaces by a raised curb at least six (6) inches high.

(1) Surface Parking Prohibited, CSMU District. Parking in the CSMU District is required to be structured. Parking lots are not allowed after the initial phases of development.

b. Parking Structures. Parking structures shall be fully screened using decorative screening, or other decorative elements constructed of durable, high-quality materials or trellis structures with integrated irrigation that support vertical planting shall be provided on all parking structure façades that are visible from any public right-of-way.

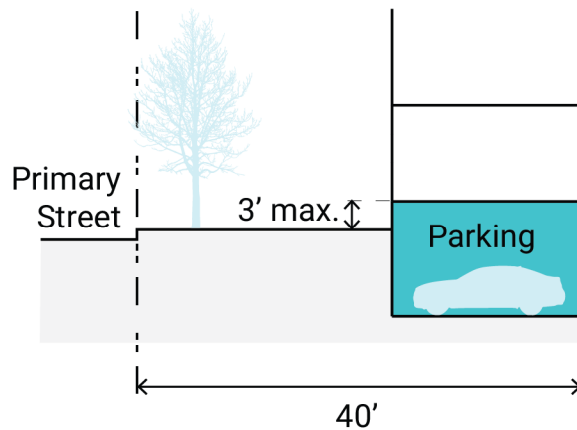
c. Residential Districts.

i. Structured Parking — Location. Any parking within a structure with three (3) or more feet above ground shall be located a minimum of forty (40) feet from the primary street facing lot line. For lots with multiple street frontages, the primary street facing lot line shall be that abutting the street with the highest roadway classification or, in the case of streets with equal roadway classifications, the street with the highest number of pedestrian building entrances on the block. This requirement does not apply to garages that accommodate parking for a single dwelling unit.

(1) Reductions and Exceptions. A reduction or exception to the applicable objective residential parking facility standard may be granted by the decision maker subject to both of the following findings:

(a) The design incorporates habitable space built close to the publicly accessible sidewalk to the maximum extent feasible.

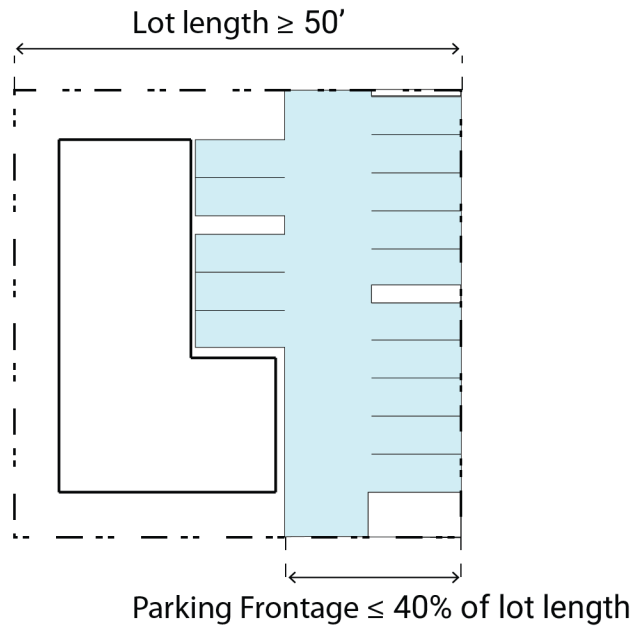
- (b) The site is physically constrained such that underground parking or above ground parking located more than forty (40) feet from the primary street frontage is not feasible.



ii. Above Ground Parking — Maximum Parking Frontage. On lots fifty (50) feet or wider, the total width of above ground parking areas visible from the public right-of-way, including open parking, carports, and garages, shall not exceed forty percent (40%) of any public right-of-way frontage.

- (1) Reductions and Exceptions. A reduction or exception to the applicable objective above ground parking frontage standard may be granted by the decision maker to allow a greater width subject to both of the following findings:

- (a) The lot is constrained such that limiting the visibility of above ground parking to forty percent (40%) of the public right-of-way frontage is not feasible.
- (b) Landscaping and other treatments have been incorporated to minimize the visibility of above ground parking from the public right-of-way frontage.



iii. Individual Garage Design. The following shall apply to all entrances of garages that accommodate parking for a single dwelling unit.

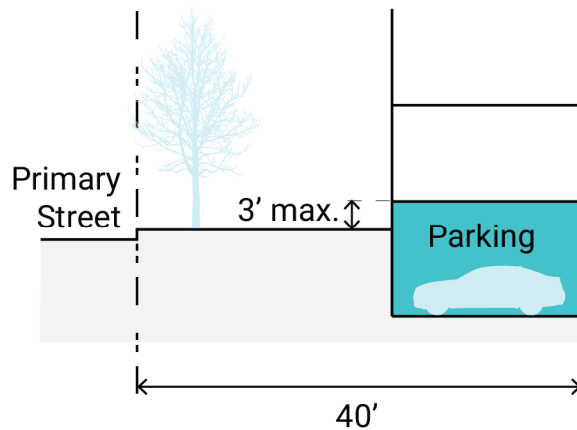
- (1) Garage entrances located on street facing building frontages shall be recessed a minimum of twelve (12) inches behind the front elevation wall plane.
- (2) All garage doors within the project shall be a fully insulated metal or fiberglass roll-up design with baked-on finish and installed with automatic door openers. Top window bands are allowed.
- (3) The applicant and/or property owner shall provide multiple garage door designs for the development. Identical garage door designs shall not be located adjacent to one another.

d. Districts Other Than Residential Districts. In all districts other than Residential Districts, the following shall apply:

- i. Limitations on Location of Parking. Above ground parking and any parking within a structure with three (3) or more feet above ground, shall be located a minimum of forty (40) feet from the primary street facing lot line. For lots with multiple street frontages, the primary street facing lot line shall be that abutting the street with the highest roadway classification or the street with the highest number of pedestrian building entrances.

- (1) Reductions and Exceptions. A reduction or exception to the applicable objective limitation on location of parking standard may be granted by the decision maker subject to both of the following findings:

- (a) The design incorporates conditioned, usable space, or active open space close to the publicly accessible sidewalk to the maximum extent feasible.
- (b) The site is physically constrained such that underground parking or above ground parking located more than forty (40) feet from the primary street frontage is not feasible.



7. Pedestrian Access. On-site pedestrian circulation and access shall be provided according to the following standards.
 - a. Internal Connections. A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.
 - b. Circulation Network. On-site walkways shall be connected to the publicly accessible sidewalk and other planned or existing pedestrian routes. An on-site walkway shall connect the primary building entry or entries to a publicly accessible sidewalk on each street frontage.
 - c. Transit. Where transit stops are located adjacent to the lot frontage, pedestrian connections shall be provided from the transit stop to the primary building entrance of all buildings on the lot.
 - d. Pedestrian Walkway Design.
 - i. Walkways shall be a minimum of four (4) feet wide, shall be hard-surfaced, and paved with concrete, stone, tile, brick, or comparable material. Walkways shall be ADA compliant.
 - ii. Where a required walkway crosses parking areas or loading areas, it shall be clearly identifiable through the use of a raised crosswalk, a different paving material, striping, or similar method.

- iii. Where a required walkway is parallel and within two (2) feet of an auto travel lane, it shall be raised or separated from the auto travel lane by a physical barrier consisting of a raised curb at least four (4) inches high.
- e. Reductions and Exceptions. A reduction or exception to the applicable objective public access standard may be granted by the decision maker if a finding can be made that adequate and safe pedestrian access is provided to and throughout the site.

Chapter 18.26 MARKETPLACE MIXED USE (MMU) DISTRICT

18.26.150 Design criteria.

A. All development shall comply with Section 18.24.050.

18.26.190 Off-street parking.

A. Off-street automobile parking shall be provided consistent with the following standards.

Vehicular Parking Requirements	Minimum Off-Street Parking Requirements	Maximum Off-Street Parking Allowed
1. Residential		
Studio	0.75 space/dwelling unit	1.25 spaces/dwelling unit
1 Bedroom	1.0 space/dwelling unit	2.0 spaces/dwelling unit
2 Bedroom	1.25 spaces/dwelling unit	2.0 spaces/dwelling unit
3+ Bedroom	1.5 spaces/dwelling unit	2.5 spaces/dwelling unit
2. Affordable Housing		
	0.5 space/bedroom	2.0 spaces/dwelling unit
3. Nonresidential		
Retail	1.0 space/300 square feet	1.0 space/200 square feet
Office	1.0 space/300 square feet	1.0 space/250 square feet
Other Uses	See Section 18.36.050	See Section 18.36.050

Notes:

1. Tandem parking spaces can be substituted for regular parking spaces up to ten percent (10%) of the required parking demand.
2. Consistent with Government Code Section 65863.2, automobile parking requirements may be waived for a residential, commercial, or other development project if the project is located within one-half (1/2) mile of public transit, which includes a rail or bus rapid transit station, the intersection of two (2) or more bus routes with service intervals of fifteen (15) minutes or less during morning and afternoon commute periods, and any major transit stops included in the applicable regional transportation plan.

B. A minimum of one (1) motorcycle parking stall that is enclosed and weather-protected shall be provided for every twenty-five (25) units.

C. Joint use of parking spaces may be allowed subject to the limitations and conditions included in Section 18.36.160.

18.26.200 Bicycle parking.

A. Bicycle parking facilities shall be provided, at a minimum, in an amount equal to:

Bicycle Parking Requirements	Short-Term Bicycle Parking Requirements	Long-Term Bicycle Parking Requirements
Residential with private garage for each unit	1.0 space/20 dwelling units. Minimum of 2 spaces.	None
All other residential	1.0 space/20 dwelling units. Minimum of 2 spaces.	1.0 space/4 dwelling units. Minimum of 2 spaces.
Retail	1.0 space/3,000 square feet.	1.0 space/10,000 square feet
Office, R&D, and Other Nonresidential uses	1.0 spaces/8,000 square feet. Minimum of 2 spaces.	1.0 space/4,000 square feet

B. Required facilities shall be designed and installed in conformance with the design criteria outlined in Section 18.28.080.

C. Bicycle parking may be substituted for automobile parking subject to the provisions outlined in Section 18.28.090 and approval by the decision makers.

18.26.210 Loading.

A. Loading docks and/or berths shall be provided on site to serve the use. Such facilities shall be designed according to the following standards unless an alternative design is approved through the site development review or administrative site development review process.

1. Loading docks shall be located inside a building and equipped with closable doors.
2. Loading zones shall be provided along the street frontage(s).

Chapter 18.27 VILLAGE MIXED USE (VMU) DISTRICT

18.27.170 Design criteria.

- A. All development shall comply with Section 18.24.050.
- B. All standalone commercial development shall comply with the Design Guidelines for Old Alvarado.

18.27.180 Off-street parking.

Parking shall be required subject to the following:

- A. Residential Uses. Provide automobile and bicycle parking consistent with the RM 1500 zoning district per Section 18.32.160, except that one hundred percent (100%) affordable rental developments may provide off-street parking pursuant to the standards contained in Section 18.32.160(B)(5).
- B. Commercial Uses. Provide automobile and bicycle parking at commercial district standards per Section 18.36.150. For commercial uses on the ground floor as part of a mixed-use development, shared parking shall be evaluated on a case-by-case basis.
- C. The Planning Commission may grant relief from the off-street parking requirements, if it can be demonstrated that sufficient parking is available off-site to service the proposed use.

18.27.190 Off-street loading.

- A. Loading docks and/or berths shall be provided on-site to serve the use. Such facilities shall be designed according to the following standards unless an alternative design is approved through the site development review or administrative site development review process.
 - 1. Loading docks shall be located inside a building and equipped with closable doors.
 - 2. Loading zones shall be provided along the street frontage(s).

Chapter 18.28 OFF-STREET PARKING AND LOADING

18.28.080 Design criteria for bicycle parking facilities.

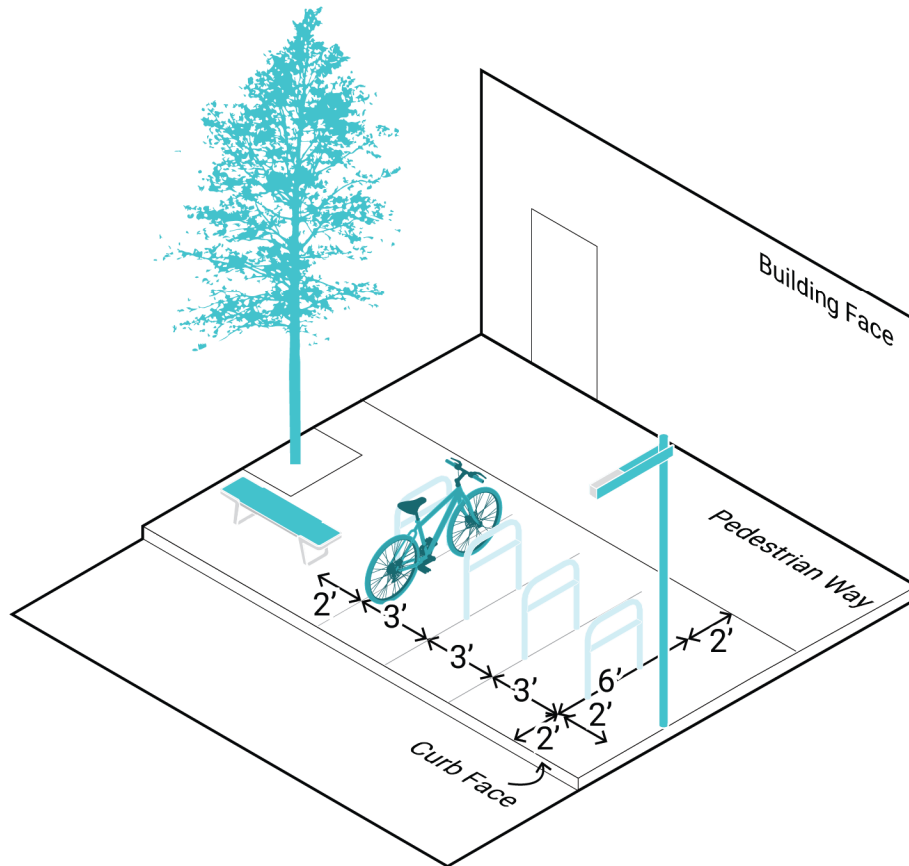
- A. Short- and Long-Term Bicycle Parking Required. Unless otherwise stated in another part of this Code, required bicycle parking shall be designed as either short- or long-term bicycle parking as follows.

1. Four or Fewer Required Bicycle Parking Spaces. Where four (4) or fewer bicycle parking spaces are required, the required bicycle parking spaces shall be designed as short-term bicycle parking in compliance with the standards of this Section.
2. Five or More Required Bicycle Parking Spaces. Where five (5) or more bicycle parking spaces are required, the required bicycle parking spaces shall be designed as short- or long-term bicycle parking in compliance with the standards of this Section as follows:
 - a. A minimum of four (4) bicycle parking spaces shall be designed as short-term bicycle parking.
 - b. A minimum of twenty percent (20%) of the required bicycle parking spaces shall be designed as long-term bicycle parking.
 - c. The balance of the required bicycle parking spaces shall be designed as either short-term bicycle parking or long-term bicycle parking.

B. Short-Term Bicycle Parking. Short-term bicycle parking intended to serve customers, messengers, and other visitors to a site who generally stay for a short time, shall be designed as specified below.

1. Location. Short-term bicycle parking shall be located within fifty (50) feet of a main entrance to the building it serves and visible from a main entrance if feasible. Where the bicycle parking area is not visible from a main entrance of the building, signs located at the main entrance of the building shall identify the location of bicycle parking.
 - a. Required short-term bicycle parking may be located within the public right-of-way with an encroachment permit issued by the City.
2. Anchoring and Security. For each short-term bicycle parking space required, a stationary, securely anchored object shall be provided to which a bicycle frame and one (1) wheel (two (2) points of contact) can be secured with a high-security U-shaped shackle lock if both wheels are left on the bicycle. One (1) such object may serve multiple bicycle parking spaces.
3. Size. Each short-term bicycle parking space shall be a minimum of two (2) feet in width and six (6) feet in length and shall be accessible without moving another bicycle.
4. Clearance.
 - a. Between Racks. Three (3) feet of clearance shall be provided between bicycle parking racks.
 - b. Between Other Elements. Two (2) feet of clearance shall be provided between short-term bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, pedestrian ways, and curbs.

5. Lighting. A minimum of one (1.0) foot-candle lighting level shall be provided in all short-term bicycle parking areas.



C. Long-Term Bicycle Parking. Long-term bicycle parking intended to serve employees, residents, visitors, and others who generally stay at a site for four (4) hours or longer shall be designed as specified below.

1. Location. Long-term bicycle parking shall be located on the same lot as the use it serves. In parking garages, long-term bicycle parking shall be located within one hundred (100) feet of an entrance to the facility.
2. Covered Spaces. Long-term bicycle parking shall be covered either inside a building, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.
3. Security. Long-term bicycle parking shall be in one (1) of the following locations.
 - a. A fully enclosed bicycle locker accessible only by the owner or operator of the bicycle.
 - b. A fenced, covered, and locked or guarded bicycle storage area.

- c. A rack or stand inside a building that is within view of an attendant or security guard, visible from employee work areas, or within a secure/restricted bicycle storage room.
 - d. A unit with a foyer that accommodates a wall-mounted bike rack.
 - e. Other secure area approved by the decision maker.
- 4. Size. Each long-term bicycle parking space shall be a minimum of two (2) feet in width and six (6) feet in length and shall be accessible without moving another bicycle.
- 5. Clearance.
 - a. Between Racks. Three (3) feet of clearance shall be provided between bicycle parking racks.
 - b. Between Other Elements. Two (2) feet of clearance shall be provided between long-term bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, pedestrian ways, and curbs.
- 6. Accessibility. Long-term bicycle parking areas shall be accessible from the public right-of-way via at least one (1) main access path that meets the following criteria.
 - a. The access path shall be clear at all times.
 - b. The access path shall be a minimum of four (4) feet wide.
 - c. Any doors the path goes through shall have a minimum width of three (3) feet.
 - d. The access path shall not exceed five percent (5%) slope.
 - e. The access path shall not require any lifting of a bicycle over steps.
 - f. Elevators, when used as part of the path, shall have minimum interior dimensions of eighty (80) inches by fifty-four (54) inches.
- 7. Lighting. A minimum of one (1.0) foot-candle lighting level shall be provided in all long-term bicycle parking areas.
- 8. No Lifting. A minimum of twenty percent (20%) of long-term bicycle parking spaces shall be designed so that the bicycle does not need to be lifted in order to be secure.
- 9. Electrical Service. A minimum of twenty percent (20%) of long-term bicycle parking spaces shall have access to an electrical outlet for charging.
- 10. Racks and Stands. Racks and stands, if used, shall be securely anchored to the ground or building and be designed to enable a bicycle frame and one (1) wheel

(two (2) points of contact) to be secured with a high-security U-shaped shackle lock if both wheels are left on the bicycle.

18.28.090 Substitution of automobile parking with bicycle parking facilities.

Subject to approval by the decision maker, the required automobile parking demand for a particular use may be reduced by up to ten percent (10%) when additional bicycle parking facilities are provided beyond what is required by the applicable provisions listed in this title. The required automobile parking demand may be reduced at a rate of one (1) parking space for each six (6) additional bicycle parking facilities provided.

18.28.100 Transportation demand management programs.

A. Subject to use permit approval, up to a twenty-five percent (25%) reduction in required parking demand may be granted by the decision-making body if transit demand management (TDM) measures are implemented that reduce a project's overall number of vehicle trips generated and related parking demand. TDM

measures may include, but are not limited to, provision of shuttles to and from BART, implementation of public transit pass programs, installation of showers and lockers to encourage people to bike or walk to work, preferential parking for people who car pool, etc.

B. A TDM plan, prepared by a qualified professional, shall be submitted with the use permit application. At a minimum, the TDM plan shall include a description of proposed TDM measures, a quantitative analysis of how measures will reduce the project's vehicles trips generated and related parking demand, and a detailed implementation plan to ensure TDM management through the life of the use permit. A responsible party (i.e., project applicant, property owner, homeowner's association, etc.) shall be identified for the implementation and management of the plan. The proposed parking demand reduction will be based on the information contained in the TDM plan. The City shall hire a consultant, at the applicant's and/or property owner's expense, to conduct a third-party peer review of the TDM plan.

C. Yearly monitoring reports (measured from the date of use permit approval) shall be submitted by the responsible party listed in the TDM plan to the Economic and Community Development Department. Monitoring reports shall detail the TDM measures being implemented and the success of these measures including the number and percentages of people who are utilizing TDM programs and the amount of vehicle trips reduced. Monitoring reports shall be prepared by a qualified professional and may be subject to a third-party peer review paid for by the applicant and/or property owner. Failure to implement the programs and/or strategies listed in the TDM plan or failure to submit monitoring reports in a timely manner may result in revocation of the use permit subject to the provisions listed in Section 18.56.100.

D. This provision applies to the following types of uses:

1. Commercial;

2. Industrial;
3. Private institutional; and
4. Multifamily residential.

Chapter 18.32 RESIDENTIAL DISTRICTS

18.32.040 Walls, fences and hedges.

A. Walls, fences and hedges located in any residential district shall be subject to the following height, location and design restrictions.

1. In the required rear and interior side yards the maximum height shall be six (6) feet as measured above the surface of the ground, except that an additional one and one-half (1.5) foot of lattice may be added above a six (6) foot high fence.
2. Height Exception. Fences a maximum of eight (8) feet in height may be allowed in the required rear yard or interior side yards when the yard abuts a flood control channel, railroad, park, licensed residential care or health facility, school, child care center, commercial use, industrial use or major arterials, including Alvarado-Niles Road, Dyer Street, Decoto Road, Whipple Road, Union City Boulevard, Mission Boulevard, Alvarado Boulevard and Lowry Road. Soundwalls are exempted from height restrictions when they are part of a site development review approval of a subdivision. The owner of the lot on which an eight (8) foot fence is constructed in accordance with this subsection shall reduce the fence height to six (6) feet within thirty (30) calendar days of the removal, relocation, or the termination of operations of the adjacent facility or use. When an eight (8) foot fence adjoins a fence of a lower height at any point other than at the intersection of two (2) or more lot lines, the eight (8) foot fence shall be designed to step or slope down to the height of the adjoining fence.
3. When located in the front yard, the maximum height shall be three (3) feet above the surface of the ground.
4. On corner and reverse corner lots, the maximum height shall be three (3) feet in the exterior side yard, except that fences meeting the other requirements listed in Section 18.32.040(A) may be permitted when located ten (10) feet from the side street lot line and at least thirty-five (35) feet from the front lot line, but not closer to the front lot line than the front face of the structure.
5. On lots developed with multifamily residential uses, fences a maximum of eight (8) feet in height may be permitted to enclose interior private open space areas at the end units of building clusters. Interior private open space areas are those areas which are located between a building unit and a garage or other structure.
6. Fences shall be wood, masonry, or earth materials. Metal, plastic, or other similar materials shall not be used except as posts or other support elements.

B. Retaining Walls. Retaining walls located in any residential district, except for those located in the hillside combining district, shall be subject to the following restrictions.

1. A retaining wall which is not part of a building shall not exceed three (3) feet in height.
2. Fencing on top of a retaining wall is permitted when the total height of both the wall and fence do not exceed the applicable maximum height requirement in Section 18.32.040(A).
3. The sides of exposed exterior retaining walls shall be architecturally treated.
4. Exceptions. Exceptions may be granted by the director where the director finds that no practical alternative exists, the purpose of the regulation will not be compromised, and no detrimental impact will result.

18.32.080 Lot coverage.

The maximum site area covered by all structures located on the site shall be as prescribed in the following table:

District	Coverage
RS 10000	50%
RS 8000	50%
RS 7000	50%
RS 6000	50%
RS 4500	50%
RM 3500	70%
RM 2500	70%
RM 1500	80%

18.32.090 Front yard.

- A. In the RS districts the minimum front yard shall be twenty (20) feet.
1. Except that in the RS 10000 and RS 8000 districts the minimum front yard shall be twenty-five (25) feet.
- B. In the RM districts, the minimum front yard shall be ten (10) feet.

18.32.100 Side yards.

A. Residential Uses. The minimum side yard for residential uses shall be ten percent (10%) of the width of the site; provided, that a side yard of not more than ten (10) feet shall be required and a side yard of not less than five (5) feet shall be permitted subject to the following exceptions:

1. An interior side yard providing access to a dwelling or dwelling units shall not be less than twelve (12) feet wide, with the exception of access to accessory dwelling units in R and RS districts, where the minimum side yard standards are permitted. Where the side yard provides access to off-street automobile parking, it shall be not less than twelve (12) feet and shall be paved to a ten (10) foot width. A street side yard of a corner lot providing access to a dwelling or dwelling units shall be regulated by the street side yard setbacks for the district.

2. In RM districts, where a side lot line of a site adjoins an RS district and private rear yard spaces of individual units are proposed to be located along the side lot line, a side yard setback of not less than twenty (20) feet shall be required.

3. In the RS districts, with the exception of the RS 4500 district where ten (10) feet is permissible, on the street side of a corner lot, the side yard shall be fifteen (15) feet. In the RM districts, the street side shall be ten (10) feet.

4. In the RS 4500 district:

a. Side yards may be eliminated on one (1) side (zero side yard); provided, that the side wall contains no windows or other openings. An interior side yard must be maintained on at least one (1) side of dwellings on adjoining lots where side yards are aggregated on a single side. Where dwellings are placed on the zero lot line and where a one-story structure is adjacent to another one-story structure on an adjacent lot, the minimum separation between structures shall be ten (10) feet. In no case shall a dwelling be located closer than ten (10) feet to the nonzero lot line side lot line.

b. Where dwellings are placed on the zero lot line and where a one-story structure is adjacent to a two-story structure on an adjoining lot or when a two-story structure is adjacent to another two-story structure on an adjacent lot, the minimum separation between structures shall be fifteen (15) feet. Second-story additions to existing single-family dwellings placed on the zero lot line are exempt from the increased side yard building separation provision stated above, but a minimum side yard of ten (10) feet must be maintained on one (1) side.

B. Nonresidential Uses. The minimum side yard for a nonresidential use and its accessory structures shall be ten percent (10%) of the width of the site; provided, that a side yard of not more than twenty (20) feet shall be required and a side yard of not less than ten (10) feet shall be permitted, subject to the following exceptions:

1. In the RS districts, on the street side of a corner lot, the side yard shall be not less than twenty (20) feet.

2. In the RM districts, on the street side of a corner lot, the side lot shall be not less than fifteen percent (15%) of the width of the site; provided, that a side yard of not more than twenty (20) feet shall be required and a side yard of not less than fifteen (15) feet shall be permitted.

3. One (1) foot shall be added at ground level to each interior side yard for each two (2) feet of height by which the structure exceeds twelve (12) feet.

18.32.105 Rear yards.

A. In all RS districts excepting the RS 4500 district, the minimum rear yard shall be twenty (20) feet; however, the minimum rear yard may be reduced to fifteen (15) feet if remaining rear or side yard area has a square footage area of twenty percent (20%) or more of the total lot area and a dimension of not less than fifteen (15) feet.

B. In the RS 4500 district, the minimum rear yard shall be fifteen (15) feet; however, the minimum rear yard may be reduced to ten (10) feet if remaining rear or side yard area has a square footage area of fifteen percent (15%) or more of the total lot area and a dimension of not less than ten (10) feet.

C. In the RM districts, the minimum rear yard shall be fifteen (15) feet.

D. In the RM districts where multiple units are proposed on a site, the rear yard shall be deemed to be the yard area at the opposite end of the site from the frontage.

E. For through lots, the minimum rear yard shall be twenty (20) feet in RS districts and fifteen (15) feet in RM districts.

18.32.115 Landscaped areas.

A. In all districts, the required front yard shall be landscaped and permanently maintained not including approved driveways and pedestrian pathways. Not less than five (5) feet of the required side yard on the street side of a corner lot, and not less than ten (10) feet of the required rear yard adjoining the rear property line of a double frontage lot shall be landscaped and permanently maintained. Non-living landscaping shall not exceed twenty-five percent (25%) of any required landscaped area unless approval from the City Arborist or City Landscape Architect is obtained.

E. New landscaping and modifications to existing landscaping shall comply with the provisions listed in Chapter 18.112, Water Efficient Landscape, and the Landscape Standards Policy Statement.

F. Replacement of dead, dying or deficient landscaping shall be required for establishment of new nonresidential uses or modification of existing uses.

18.32.120 Height of structures.

In the RS district, no principal structure shall exceed thirty (30) feet in height. Spires, cupolas, chimneys, elevator penthouses, flagpoles and necessary mechanical appurtenances may be allowed to a maximum height limit of forty (40) feet. Amateur radio antennas and antenna structures may be allowed to exceed the basic height limitation, subject to required approvals, in accordance with Section 18.32.190.

In the RM 2500 and RM 3500 districts, no structure shall exceed forty (45) feet in height.

In the RM 1500 district, no structure shall exceed seventy-five (75) feet in height.

18.32.125 Design criteria.

The following design criteria shall be used to evaluate new construction and additions or modifications to existing structures within residential districts:

A. Single-family manufactured homes placed as a sole principal residence on a single-family lot and constructed after June 15, 1976, are subject to the following design criteria:

1. The manufactured home width shall not be less than twenty (20) feet and may be a double-wide, multi-sectional unit.
2. The exterior siding material shall extend to the ground, except that when a solid concrete or masonry perimeter foundation is to be used, the exterior covering material need not extend below the top of the foundation.
3. The roof of the manufactured home shall have a pitch of not less than two and one-half (2.5) inches of vertical rise for each twelve (12) inches of horizontal run.
4. The roof shall have eave and gable overhangs of not less than twelve (12) inches measured from the vertical side of the manufactured home, or what is customarily found on existing residential structures in the vicinity. The overhang shall have the same slope and be covered with the same roofing material as the roof itself.
5. The exterior siding material and roof of the enclosed garage shall be the same as that of the manufactured home.
6. The finished floor of the manufactured home shall not exceed thirty (30) inches above the exterior finish grade of the lot.
7. The façade of the manufactured home shall be designed with sufficient detail to make it visually compatible with the existing residential structures in the vicinity. Such detail shall include door and window trim, window type and any special architectural features uniformly present on surrounding residences.

B. Single-family dwellings, including site-built, modular homes, and additions and modifications to existing structures, shall be compatible with the scale, bulk, style, and character of dwellings in the vicinity, and shall incorporate the following design criteria:

1. The Director or appropriate decision-body may grant exceptions to the following design standards to accommodate a complete architectural design, to ensure neighborhood compatibility, or where they find that adequate design features have been incorporated to create visual variety and avoid a bulky or monolithic appearance.

2. Building Façades and Materials:

a. No façade facing a public right-of-way shall run in a continuous plane of more than ten (10) feet and no façade facing an interior lot line shall run in a continuous plane of more than fifteen (15) feet without incorporating one (1) or more of the following:

- i. A vertical wall shift at least one (1) foot in depth;
- ii. A change in material type;
- iii. Windows or building entrances;
- iv. A projection such as a stoop, bay window, or overhang.

b. A minimum of three (3) exterior colors or a combination of materials and colors shall be used on the building façade.

i. Stucco must be used in combination with a secondary material.

c. Transitions for both materials and colors shall be located at internal corners.

i. Wainscoting shall wrap onto the side elevations and shall continue until the fence line or till no longer visible from the right-of-way. This distance shall not be less than five (5) feet.

d. Second-story façades shall incorporate the following:

- i. A minimum of a six (6) foot inset from the front wall plane.
- ii. A minimum of an eighteen (18) inch inset from the side and rear wall plane.

e. Where chimney extensions are involved, the extension shall conform in design and materials with the existing chimney.

3. Windows and Glazing.

a. All windows shall incorporate the following:

- i. Trim at least three (3) inches in width must be provided around all windows, or

ii. Windows must be recessed at least two (2) inches from the plane of the surrounding exterior wall.

b. Upper story windows located less than ten (10) feet from and facing rear or side yard of an adjacent property shall be located to maximize privacy for adjacent properties by using at least one (1) of the following techniques:

i. The sill height located a minimum of sixty (60) inches above the finished floor.

ii. The location of the window is such that the centerline of the glazing is offset greater than fifteen (15) lateral feet from the centerline of any glazing on an existing adjacent primary structure.

iii. Any window located partially or entirely below sixty (60) inches from the finished floor consists of frosted or obscured glazing.

iv. As used in this section, frosted or obscure glass is glass which is patterned or textured such that objects, shapes, and patterns beyond the glass are not easily distinguishable.

4. Roof Form and Detailing.

a. New structures shall provide a roof pitch no less than two and one-half (2.5) inches of vertical rise for each twelve (12) inches of horizontal run.

i. Mansard roofs shall be prohibited.

b. Alterations or additions to an existing structure shall provide the same roof form, material and color as the existing structure.

c. Roof material and color shall be the same throughout the entirety of the roof.

d. Overhanging eaves shall extend a minimum of twelve (12) inches beyond the supporting wall.

5. Principal Entrance.

a. The principal entrance shall face the street frontage.

b. The principal entrance shall be emphasized by utilizing at least one (1) of the following methods:

i. A projection (e.g., overhang) with a minimum depth of three (3) feet and a minimum horizontal area of thirty (30) square feet.

ii. A recess with a minimum depth of three (3) feet and a minimum horizontal area of thirty (30) square feet.

iii. A landing, deck, porch, or stoop with a minimum six (6) foot by six (6) foot area.

c. The principal entrance shall be clearly identifiable and connected to the public street by a pedestrian path with a minimum width of three (3) feet.

C. Relocated single-family dwellings and their accessory structures shall meet the above-noted design criteria and be subject to the requirements set forth in the ordinance pertaining to house moving permits.

D. Semidetached Single-Family Dwellings and Multifamily Dwellings. All semidetached single-family dwellings and multifamily dwelling development shall comply with 18.24.050.

G. Accessory structures over one hundred twenty (120) square feet in area shall have an exterior appearance and character that reflects the existing primary residence in terms of materials and design. The color scheme shall match or be complementary to the existing residence. The structure shall be located and designed so as to not disrupt the privacy of, or create noise impacts on adjacent residents and yards.

H. All wood burning appliances installed in new residential units or wood burning appliances being added to or replacing wood burning appliances in existing residential units shall comply with the following regulations. Gas fireplaces shall be exempt from these regulations; however, the conversion of a gas fireplace to burn wood shall constitute the installation of a wood burning appliance and shall be subject to the following regulations. A wood burning appliance shall comply with these regulations if: (1) it is reconstructed; (2) additions, alterations or repairs are made to the appliance that requires opening up immediately adjacent walls; or (3) the residential units in which the appliance is located are renovated, and the renovation includes opening up walls immediately adjacent to the appliance. It shall be unlawful to:

1. Use any wood burning appliance when the Bay Area Air Quality Management District issues a "Spare the Air Tonight" warning and when an alternate approved heat source is available;

2. Install a wood burning appliance that is not one (1) of the following: (a) a pellet-fueled wood heater; (b) an EPA certified wood heater; or (c) a fireplace certified by EPA should EPA develop a fireplace certification program;

3. Use any of the following prohibited fuels in a wood burning appliance: (a) garbage; (b) treated wood; (c) plastic products; (d) rubber products; (e) waste petroleum products; (f) paints; (g) paint solvents; (h) coal; (i) glossy or colored papers; (j) particle board; (k) saltwater driftwood.

Any person who plans to install a wood burning appliance must submit documentation to the Building Division of the City demonstrating that the appliance is in compliance with subsection (H)(2) of this section. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be punishable as provided by law

- I. All multifamily developments shall comply with the provisions listed in Chapter 7.04 regarding management of waste and recyclable materials.

18.32.150 Off-street loading.

Loading berths shall be provided and designed in compliance with the requirements of Section 18.36.140.

18.32.160 Off-street parking.

Off-street parking spaces and bicycle parking facilities that are accessory to uses allowed in residential districts shall be provided in accordance with the regulations set forth hereinafter as well as those in general provisions in Chapter 18.04.

A. Required accessory off-street parking facilities provided for uses listed herein shall be solely for the parking of passenger automobiles of patrons, occupants or employees of such uses, provided that in the RM districts, not more than twenty-five percent (25%) of the accessory parking spaces required for a dwelling, lodging, house, motel or hotel may be rented out on a monthly basis to occupants of other dwellings, lodging rooming houses, motel or hotels.

B. Off-street parking facilities are to be provided in the following ratio:

1. In the RS district, a minimum of two (2) covered and enclosed parking spaces per unit.

a. A third covered and enclosed parking space shall be provided either when the habitable areas of the primary residence (excluding accessory dwelling units) exceeds three thousand (3,000) square feet, or when there are five (5) or more rooms that can be used for sleeping purposes. In neighborhoods where two (2) car garages are predominant, the additional parking space shall be provided as a tandem space to ensure neighborhood consistency.

2. In the RM district, parking shall be provided as follows:

a. One (1) space per one (1) bedroom or studio unit, which must be covered, plus one-quarter (0.25) space per unit for guest parking;

b. Two (2) spaces per unit with two (2) or more bedrooms, one (1) of which must be covered, plus one-quarter (0.25) space per unit for guest parking.

3. Senior Housing. One-half (0.5) of a covered parking space shall be provided for each bedroom, and one-quarter (0.25) of a parking space shall be provided for each unit for guest parking. The number of parking spaces required for senior housing may be decreased by the Planning Commission if it is found that a specific use will not create as great a need for off-street parking.

4. Affordable Housing. For housing developments with one hundred percent (100%) of the units affordable to lower-income households (except for one (1) manager's unit), parking shall be provided at a ratio of one (1) parking space per studio or one (1) bedroom

unit, one and one-half (1.5) parking spaces per two (2) bedroom unit, and two (2) parking spaces per three (3) or four (4) bedroom unit.

C. Size.

1. Uncovered off-street parking spaces shall be at least nine (9) feet in width by eighteen (18) feet in length, exclusive of access drives, aisles, ramps, or columns. Such space shall have a vertical clearance of at least seven (7) feet.

2. Enclosed two-car garages shall have a minimum unobstructed interior dimension of twenty (20) feet in width by twenty (20) feet in length.

3. When permitted enclosed tandem garages shall have a minimum unobstructed interior dimension of ten (10) feet in width by forty (40) feet in length.

4. Enclosed one-car garages shall have a minimum unobstructed interior dimension of ten (10) feet in width by twenty (20) feet in length.

5. Covered off-street parking spaces shall be at least ten (10) feet in width by twenty (20) feet in length.

D. Access. Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and sufficient means of vehicular access to such parking space. All off-street parking facilities shall be designed with appropriate means of vehicular access to the street or alley in a manner which will least interfere with traffic movements. Driveways across public property shall be approved by the Director of Public Works.

E. Screening and Landscaping. All open automobile parking areas shall be effectively screened on each side adjoining or fronting on any premises by a wall, fence or densely planted compact hedge not less than five (5) feet nor more than six (6) feet in height. Such required screening shall conform to the front and side yard setback requirements of the district in which the parking is located.

F. All parking spaces required for dwelling units shall be located on the same zoning lot as the dwelling served. Parking spaces for all other uses shall be located on the same zoning lot as the use served except as otherwise provided in Chapter 18.04. Off-street parking shall be provided according to the following ratios:

1. Church, School, College, and Other Institutional Auditoriums. One (1) parking space shall be provided for each five (5) seats based upon maximum seating capacity.

2. Hospitals. One (1) parking space shall be provided for each three (3) hospital beds, plus one (1) parking space for each two (2) employees, plus one (1) parking space for each doctor assigned to the staff.

3. Libraries, Art Galleries and Museums—Public. One (1) parking space shall be provided for each one thousand (1,000) square feet of gross floor area.

4. Recreation Buildings or Community Centers. One (1) parking space shall be provided for each two (2) employees, plus spaces adequate in number to serve the visiting public and as determined by the City Planning Commission.

5. Public Utility and Public Service Uses. One (1) parking space shall be provided for each two (2) employees on maximum shift, plus spaces adequate in number to serve the public as determined by the City Planning Commission. Where such uses are unmanned, no spaces need be provided.

6. Sanitariums, Convalescent Homes and Nursing Homes. One (1) parking space for each six (6) beds, plus one (1) parking space for each two (2) employees, plus one (1) parking space for each doctor assigned to the staff.

7. Schools—Nursery, Elementary, Junior and Senior High. One (1) parking space for each two (2) employees, plus one (1) parking space for each ten (10) students in the senior high school.

G. No commercial vehicle in excess of three (3) tons gross unladen vehicle weight (except pickup trucks) shall be parked or stored on any lot in a residential district where in residential use; provided, however, that this section shall not prohibit temporary parking of any such vehicle while making pickups, deliveries or providing services for the residents on the lot on which the vehicle is parked.

H. Mobilehome/Recreational Vehicle Parking. Mobilehomes, recreational vehicles, trailers or boats which are on trailers may be parked in rear yards, or within driveways, on concrete aprons adjacent to driveways, or on other compact material for vehicle parking adjacent to driveways constructed pursuant to approval by the Economic and Community Development Department. Parking aprons shall comply with subsection I of this section. All such vehicles must be fully contained on private property, and shall not overhang into any portion of the public right-of-way, including the sidewalk. In addition, such vehicles may be parked within side yards which provide access to off-street parking, and are a minimum of twelve (12) feet wide with at least ten (10) feet of paved width. A minimum three (3) foot setback shall be retained along the interior side yard lot line from all vehicles.

I. In compliance with Chapter 10.36, Stopping, Standing and Parking, it is unlawful for any person, firm or group to park any vehicle, trailer, boat trailer or boat, or parts thereof within the side yard, front yard or corner vision triangle, as established by this title. This section does not apply to driveways or concrete parking aprons constructed pursuant to approval by the Economic and Community Development Department, or to driveways or concrete (or other appropriate material) parking aprons constructed prior to the adoption of the ordinance codified herein; provided, however, that such parking shall be limited to currently registered operable vehicles and shall be located on a stabilized permanent surface installed in accordance with this section.

Except for cul-de-sac or fan-shaped lots with reduced front yards, such vehicle parking areas shall not cover more than sixty percent (60%) of any required front yard or an area greater than six hundred (600) square feet, whichever is less. Parking on permeable

surfaces in any instance shall not be allowed. Parking pads independent of the driveway or driveway apron shall not be allowed in the front or street side yards.

J. In the RM 1500 and RM 2500 zoning districts, a minimum of one (1) bicycle parking facility shall be provided for every three (3) units. Bicycle parking facilities shall be designed and installed in conformance with the criteria outlined in Section 18.28.080. Bicycle parking may be substituted for automobile parking subject to the provisions outlined in Section 18.28.090 and approval by the decision maker.

Chapter 18.35 CORRIDOR MIXED USE COMMERCIAL (CMU) DISTRICT

18.35.110 Front yard.

On Mission Boulevard, the front yard setback shall be five (5) feet from the property line and a minimum of fifteen (15) feet from the face of curb to ensure a comfortable pedestrian environment.

18.35.150 Design criteria.

A. All development shall comply with Section 18.24.050.

18.35.200 Off-street loading.

Loading berths shall be provided and designed in compliance with the requirements of Section 18.36.140.

Chapter 18.36 COMMERCIAL DISTRICTS

18.36.050 Required conditions.

In commercial districts, including the CUL and CMU districts, the following conditions shall be required:

A. Where a site adjoins an A, OS or R district, a solid masonry wall six (6) feet in height shall be located on the property line, except that walls located in the street side yard setback shall not exceed three (3) feet in height.

B. No wall, fence, or hedge shall exceed six (6) feet in height if located in a required side yard or rear yard, unless a greater height is approved through the site development review or use permit process. A wall, fence, or hedge located in a required front yard or street side yard setback shall not exceed three (3) feet in height.

C. Outdoor storage of materials and equipment permitted through the issuance of a use permit shall occur only within an area which is screened from view from public rights-of-way by a solid wall or fence with solid gates where necessary, or compact evergreen hedge not less than six (6) feet in height; provided, that no materials or equipment shall be stored to a height greater than that of the wall, fence or hedge with the exception of live plant material.

D. A use not conducted entirely within a completely enclosed structure shall be screened by a solid wall or fence, or compact evergreen hedge not less than six (6) feet in height, if such use without such screening is found by the Planning Commission to have a substantial and detrimental effect on property values in the area.

E. All business, services, and processes shall be conducted entirely within a completely enclosed structure except for off-street parking and loading areas, and where permitted by a use permit, gasoline service stations, outdoor dining areas, nurseries, garden shops, lumber and other building materials stores. Temporary outdoor commercial events are permitted as provided by Chapter 18.54.

F. Products which are produced and sold on-site shall be sold at retail, and not wholesale.

G. Permitted and conditional uses in the Union Landing Commercial district shall be subject to the special design and siting criteria contained in Chapter 18.39.

H. Other provisions of this chapter notwithstanding, all storage, handling or other use of hazardous materials shall be subject to the provisions of Chapter 18.43 of this title.

I. All commercial development, including both new construction and additions, shall be articulated on all elevations.

J. Additions and modifications to commercial projects which are subject to the provisions of Chapter 18.76, Administrative Site Development Review, shall be designed to integrate with the existing project in terms of siting and architectural design. Above-ground utility installations, when permitted, shall be screened from public view. Roof equipment shall be screened by architecturally designed panels which are in proportion and scale with the roof line of the existing building.

K. All wood burning appliances installed in new commercial buildings or wood burning appliances being added to or replacing wood burning appliances in existing commercial buildings shall comply with the following regulations. Commercial buildings shall include, but not be limited to, hotels and restaurants. Gas fireplaces shall be exempt from these regulations; however, the conversion of a gas fireplace to burn wood shall constitute the installation of a wood burning appliance and shall be subject to the following regulations.

1. A wood burning appliance shall comply with these regulations if:

a. It is reconstructed;

b. Additions, alterations or repairs are made to the appliance that require opening up immediately-adjacent walls; or

c. The residential units in which the appliance is located is renovated, and the renovation includes opening up walls immediately adjacent to the appliance.

2. It is unlawful to:

a. Use any wood burning appliance when the Bay Area Air Quality Management District issues a "Spare the Air Tonight" warning and when an alternate approved heat source is available;

b. Install a wood burning appliance that is not one of the following:

i. A pellet-fueled wood heater,

ii. An EPA certified wood heater, or

iii. A fireplace certified by EPA should EPA develop a fireplace certification program;

c. Use any of the following prohibited fuels in a wood burning appliance:

i. Garbage,

ii. Treated wood,

iii. Plastic products,

iv. Rubber products,

v. Waste petroleum products,

vi. Paints,

vii. Paint solvents,

viii. Coal,

ix. Glossy or colored papers,

x. Particle board,

xi. Saltwater driftwood.

Any person who plans to install a wood burning appliance must submit documentation to the Building Division of the City demonstrating that the appliance is in compliance with subsection (K)(2)(b) of this section. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be punishable as provided by law.

M. Accessory structures must conform to the following standards:

1. No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.
2. No detached accessory building or buildings shall occupy more than thirty percent (30%) of the area of a required rear yard.
3. No detached accessory building located in a required rear yard shall exceed twelve (12) feet in height.

N. All development shall comply with the provisions listed in Chapter 7.04 regarding management of waste and recyclable materials.

18.36.090 Front yard.

A minimum front yard of twenty (20) feet shall be required, except as provided below.

A. For structures which exceed twenty (20) feet in height, the required setbacks shall be a minimum of twenty-five (25) feet.

B. On Mission Boulevard, the front yard setback shall be five (5) feet from the property line and a minimum of fifteen (15) feet from the face of curb to ensure a comfortable pedestrian environment.

18.36.140 Off-street loading.

A. Required Loading Berths. The Planning Commission may require loading berths for each of the commercial districts that shall not be less than ten (10) feet by twenty-five (25) feet and shall be provided in accordance with the following schedule:

		Required Number
Gross Nonresidential Floor Area		
1 to 10,000 sq. ft.		1
10,001 to 25,000 sq. ft.		2
25,001 to 40,000 sq. ft.		3
40,001 to 100,000 sq. ft.		4

For each additional two hundred thousand (200,000) square feet of nonresidential floor area or fraction thereof over one hundred thousand (100,000) square feet of floor area one (1) additional loading berth shall be provided.

B. Design. All loading docks shall be designed according to the following standard unless an alternative design is approved through the site development review or administrative site development review process.

1. Loading docks shall be located inside a building and equipped with closable doors.

18.36.150 Off-street parking.

Public automobile and bicycle parking facilities shall be provided as follows:

A. Places of Assembly.

1. Churches: one (1) space for each five (5) seats in main assembly room or one (1) space for each fifty (50) square feet of floor area, whichever requirement is greater;
2. Funeral homes, mortuaries: one (1) space for each fifty (50) square feet of chapel area or one (1) space for each five (5) seats in the same, whichever requirement is greater;
3. Places of public assembly having fixed seating, such as auditoriums, theaters, assembly halls, sports arenas, stadiums: one (1) space for each four (4) seats;
4. Places of public assembly having no fixed seats, such as dance halls, exhibition halls, gymnasiums, skating rinks, lodges: one (1) space for each one hundred (100) square feet of floor area used for public assembly;
5. Schools.
 - a. Business, professional, trade, art, craft, music and dancing schools and colleges: one (1) space for each employee plus one (1) for each four (4) students,
 - b. Nursery and day care centers: one (1) space for every ten (10) children, plus one (1) space for every two (2) employees.

B. Office, Business, Commercial and Service Uses.

1. Bowling alleys: six (6) spaces for each lane;
2. Hotels and motels: one (1) space for every room plus one (1) space for every two (2) employees on maximum shift;
3. Medical and dental clinic and offices: one (1) space for every two hundred (200) square feet of gross floor area;
4. Offices, banks and professional offices: one (1) space for every two hundred (200) square feet of gross ground floor area and one (1) space for every three hundred (300) square feet of gross floor area above or below the ground floor;

5. Restaurants, bars, nightclubs and lounges: one (1) space for every three (3) seats or one (1) space for every one hundred (100) square feet of gross floor area, whichever requirement is greater;

6. Rest homes, convalescent hospitals, sanitariums: one (1) space for every four (4) beds plus one (1) space for every two (2) employees;

7. Retail sales of automobiles, automobile parts, appliances, furniture, machinery, equipment rental, building materials, nurseries, and other similar retail uses involving primarily bulk merchandise: one (1) space for each four hundred (400) square feet of gross floor area plus one (1) space for each two thousand (2,000) square feet of lot area occupied by such area;

8. Service and repair uses such as printing, upholstering, appliance repair, sheet metal working, wood working or roofing: one (1) space for every five hundred (500) square feet of gross floor area;

9. Service stations: three (3) spaces for each hoist, rack or other area designed for servicing or minor repairs plus one (1) space for every two (2) employees on maximum shift.

C. Light retail sales, business and commercial establishments: one (1) space for every one hundred seventy-five (175) square feet where gross floor area is less than ten thousand (10,000) square feet; one (1) space for every two hundred (200) square feet where gross floor area is ten thousand (10,000) square feet or greater.

D. Other uses shall be provided on the same basis as required for the most similar use or as determined by the City Planning Commission.

E. Bicycle parking facilities shall be provided, at a minimum, in an amount equal to ten percent (10%) of the required automobile parking demand as determined by this chapter except for areas within one-half (1/2) mile of the Intermodal Station. For bicycle parking demand ratios in these areas, see subsection F of this section. Required facilities shall be designed and installed in conformance with the design criteria outlined in Section 18.28.080. The number of required bicycle parking facilities may be increased by the decision maker for a specific use if it is found that such use shall create a greater demand for these facilities. Bicycle parking may be substituted for automobile parking subject to the provisions outlined in Section 18.28.090 and approval by the decision maker.

F. For areas within one-half (1/2) mile of the Intermodal Station, bicycle parking facilities shall be provided, at a minimum, in an amount equal to twenty percent of the required automobile parking demand as determined by this chapter. A minimum of twenty percent (20%) of the required bicycle parking demand shall be enclosed and secure to accommodate long-term users. Required facilities shall be designed and installed in conformance with the design criteria outlined in Section 18.28.080. The number of required bicycle parking facilities may be increased by the decision maker for a specific use if it is found that such use shall create a greater demand for these facilities. Bicycle

parking may be substituted for automobile parking subject to the provisions outlined in Section 18.28.090 and approval by the decision maker.

18.36.200 Design Criteria

A. All development shall comply with Section 18.24.050.

B. Mixed Use Development along Mission Boulevard, CC District.

1. Mixed-use developments shall be regulated by the standard lot size, setback, maximum height, off-street parking requirements, and maximum lot coverage requirements of the CC, Community Commercial district.

2. For residential uses located above ground floor commercial uses, the density limitations, off-street parking and bicycle parking requirements shall be based on the regulations for the RM 1500 district.

Chapter 18.37 STATION EAST MIXED USE RESIDENTIAL (SEMU-R) DISTRICT

18.37.140 Design criteria.

A. All development shall comply with Section 18.24.050.

18.37.190 Bicycle parking.

A. Bicycle parking facilities shall be provided, at a minimum, in an amount equal to:

Bicycle Parking Requirements	Short-Term Bicycle Parking Requirements	Long-Term Bicycle Parking Requirements
All other residential	1.0 space/20 dwelling units Minimum of 2 spaces	1.0 space/4 dwelling units Minimum of 2 spaces
Retail	1.0 space/3,000 square feet	1.0 space/10,000 square feet
Office, R&D, and Other Nonresidential uses	1.0 space/8,000 square feet. Minimum of 2 spaces	1.0 space/4,000 square feet

B. Required facilities shall be designed and installed in conformance with the design criteria outlined in Section 18.28.080.

C. Bicycle parking may be substituted for automobile parking subject to the provisions outlined in Section 18.28.090 and approval by the decision makers.

18.37.200 Off-street loading.

A. Loading docks and/or berths shall be provided on site to serve the use. Such facilities shall be designed according to the following standards unless an alternative design is approved through the site development review process.

1. Loading docks shall be located inside a building and equipped with closable doors.
2. Loading zones shall be provided along the street frontage(s).

Chapter 18.38 STATION MIXED USE COMMERCIAL (CSMU) DISTRICT

18.38.150 Design criteria.

A. All development shall comply with Section 18.24.050.

18.38.195 Bicycle parking.

A. Bicycle parking facilities shall be provided, at a minimum, in an amount equal to:

Bicycle Parking Requirements	Short-Term Bicycle Parking Requirements	Long-Term Bicycle Parking Requirements
Multi-family residential on BART property ¹	1 space/20 dwelling units Minimum of 2 spaces	1 space/1 dwelling units
Multi-family residential	1 space/20 dwellings units Minimum of 2 spaces	1 space/4 dwelling units Minimum of 2 spaces
Retail	1 space/3,000 square feet	1 space/10,000 square feet
Office, R&D, and other nonresidential uses	1 space/8,000 square feet Minimum of 2 spaces	2 space/4,000 square feet

Notes:

1. Bicycle parking standards on BART property authorized by Public Utilities Code Sections 29010.1—2901.12.

B. Required facilities shall be designed and installed in conformance with the design criteria outlined in Section 18.28.080.

C. Bicycle parking may be substituted for automobile parking subject to the provisions outlined in Section 18.28.090 and approval by the decision marker.

18.38.210 Loading.

- A. Loading docks and/or berths shall be provided on-site to serve the use. Such facilities shall be designed according to the following standards unless an alternative design is approved through the site development review process.
- 2. Loading docks shall be located inside a building and equipped with closable doors.
- 3. Loading zones shall be provided along the street frontage(s).

Chapter 18.100 511 AREA DISTRICT

18.100.070 Development standards and requirements—Residential Specific Plan designations.

- A. Development near the Turk Island landfill shall provide the following:
 - 1. Space to accommodate monitoring wells for methane gas migration within one thousand (1,000) feet from the landfill boundary if no long-term monitoring is provided along the periphery of the landfill;
 - 2. Undergrounding of utilities located within one thousand (1,000) feet of the landfill boundary shall be done in such a manner to preclude migration of landfill gas; and
 - 3. An evaluation of the need to install a landfill gas protection system for development within Development Area B-2 as identified by the Specific Plan. This evaluation shall be reviewed and accepted by the Office of Solid Waste Management of the Alameda County Division of Environmental Health prior to issuance of a building permit.
- B. Residential development shall be subject to Chapter 18.32 except where a specific development standard, use allowance, or other requirement or allowance is established in this Chapter.
- C. Development will be designed and constructed consistent with Chapter 15.64, as amended.

Exhibit B (AT-23-004 REDLINES)

Chapter 18.04 GENERAL PROVISIONS

18.04.010 ~~Short title.~~

This title shall be known, cited and referred to as “the City of Union City Zoning Ordinance.”

~~18.04.180 Number of buildings on a zoning lot.~~

~~Except in the case of planned unit developments, not more than one (1) principal detached residential building shall be located on a zoning lot, nor shall a principal detached residential building be located on the same zoning lot with any other principal building except as provided in Chapter 18.32.~~

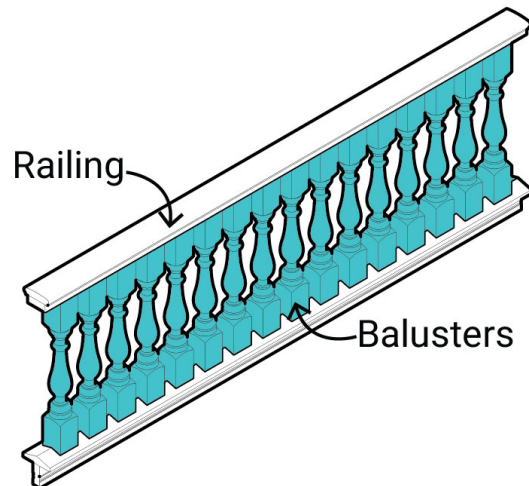
Chapter 18.08 DEFINITIONS

18.08.07~~12~~ Bakery.

A “bakery” is an establishment which engages in the sale of breads or other baked goods, whether baked on-site or at another location. A bakery shall be considered a food use if the breads and baked goods are packaged for immediate consumption. Any establishment whose breads and baked goods are predominantly sold at retail from a different location or locations shall be deemed a wholesale and/or manufacturing use, subject to the regulations of the district in which it is located.

18.08.072 Balusters.

“Balusters” means vertical braces, often decorative posts, providing support for a railing.



18.08.076 Bicycle parking facility.

A “bicycle parking facility” is a device that is used to securely store bicycles. A bicycle parking facility can either be a bicycle locker or rack designed and installed in conformance with the design criteria listed in Section 18.28.080 ~~or 18.28.090~~.

~~18.08.100 Buildable area.~~

~~The “buildable area” of a lot is the space remaining after the minimum open space requirements of this title have been complied with.~~

18.08.130 Building frontage.

“Building frontage” means the face of a building that is parallel to or is at a near parallel angle to a public right-of-way.

~~18.08.130 Building envelope.~~

~~See “Buildable area” definition.~~

18.08.175 Conditioned space.

“Conditioned space” means an area inside a building where temperature and humidity are controlled, that meets the Building Code definition of conditioned space, and is designed suitable for residential or nonresidential occupancy.

18.08.~~175-176~~ Conference center.

A “Conference center” means a facility for conventions, conferences, trade shows, festivals, and other events held within a facility designed and approved for this purpose.

18.08.~~176~~177 Construction equipment sales and rental.

“Construction equipment sales and rental” means a facility which provides construction equipment and related commodities to the public for sale or rental, and accessory servicing of that equipment.

18.08.~~177~~178 Contractor services.

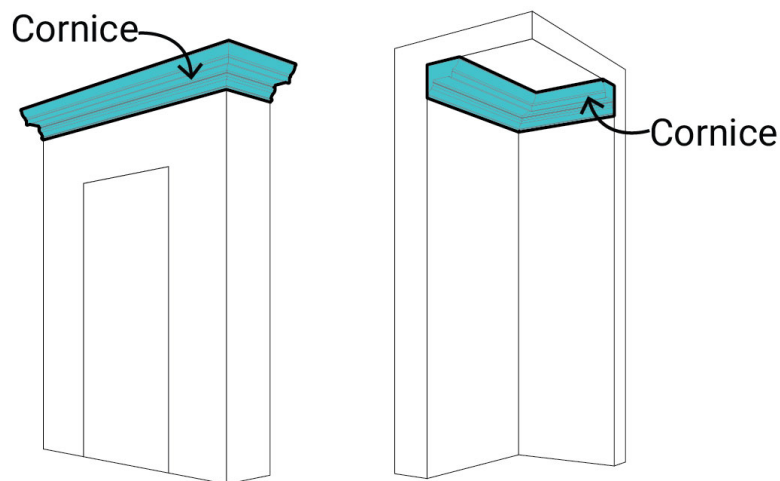
“Contractor services” means a facility providing general contracting and/or building construction services, including general building, plumbing, electrical, air conditioning, carpentry, and other trade contractors.

18.08.~~178~~179 Convenience market.

“Convenience market” means an activity that includes the retail sale of food, beverages, and personal convenience items, primarily for off-premises consumption and typically found in establishments with long or late hours of operation and in a building of less than three thousand (3,000) square feet. Convenience markets may sell beer and wine but shall be considered liquor stores if hard liquor is sold on site. Excluded from this definition are delicatessens, specialty food shops, and establishments which have a sizeable assortment of fresh fruits and vegetables and fresh cut meat.

18.08.180 Cornice.

“Cornice” means an ornamental course or molding at the top of a wall or under the roof.



18.08.~~180~~181 Court.

A “court” is an open, unoccupied space other than a yard on the same lot with a building or group of buildings and which is bounded on two (2) or more sides by such building or buildings.

18.08.241 Eave.

“Eave” means the lower edge of a roof that overhangs the wall below.

18.08.248 Entranceway, Building.

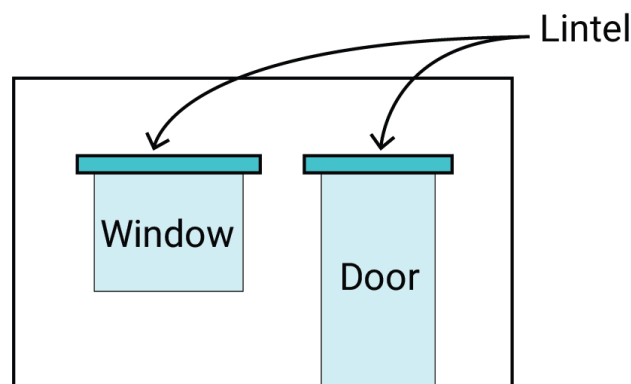
“Entranceway, building” means a doorway and threshold providing ingress and egress to a building for persons.

18.08.249 Façade.

“Façade” means the exterior wall of a building along with its associated windows, entranceway, and projections.

18.08.297 Lintel.

“Lintel” means a horizontal beam or support across the top of a door or window.



18.08.297~~8~~ Liquor store.

“Liquor store” means an activity that includes the retail sale of hard liquor for off-premises consumption and is typically found in establishments with long or late hours of operation and in a building of less than three thousand (3,000) square feet. Excluded from this definition are convenience markets that sell beer and wine and food stores.

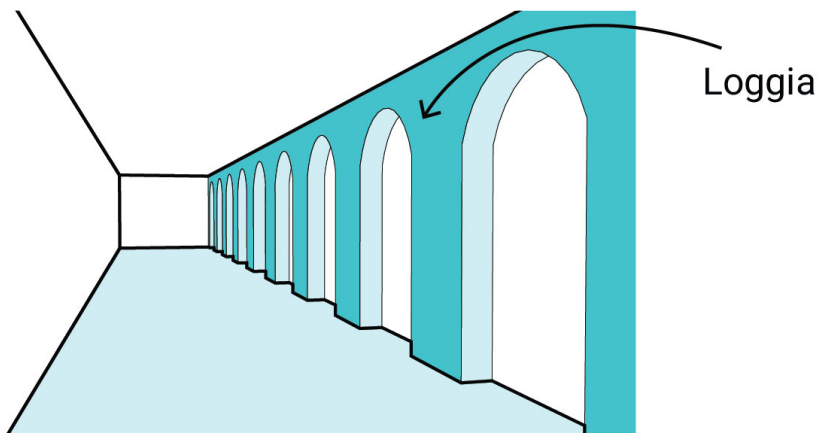
18.08.~~298~~ 299 Live/work unit.

“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 complete kitchen space and sanitary facilities in

compliance with the Building Code and working space reserved for and regularly used by one (1) or more occupants of the unit.

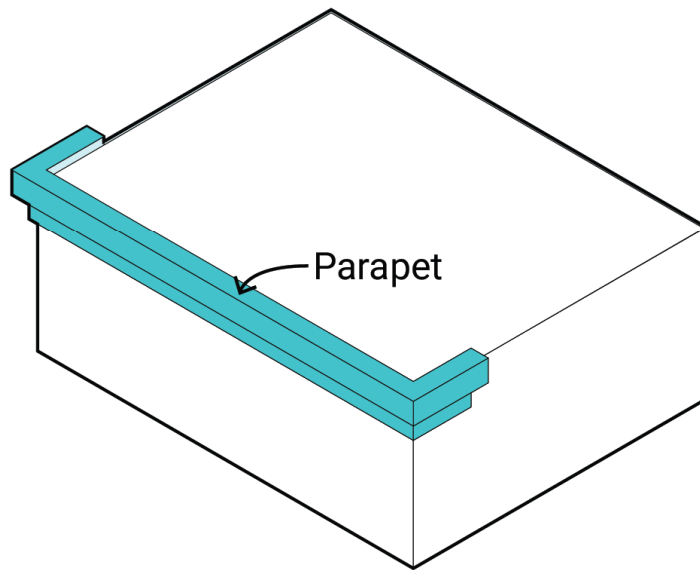
18.08.302 Loggia.

“Loggia” means a covered exterior gallery or corridor that is open to the air on one or more sides. A loggia typically runs the length of a building, with columns or arches on the open side.



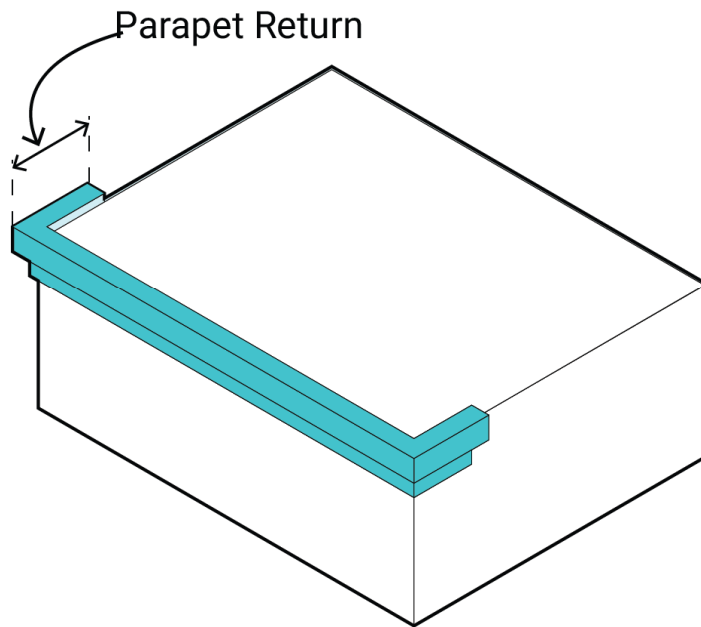
18.08.482 Parapet.

“Parapet” means an upward extension of a wall at the edge of a roof.



18.08.483 Parapet Return.

"Parapet return" means the continuation of a parapet at a right angle toward the building at the end of a parapet face.



18.08.484 Parcel.

“Parcel” means a recorded property under single ownership.

18.08.485 Paseo.

“Paseo” means a place or path for strolling designed to provide access through a site but also contains amenities for leisure enjoyment, such as benches and seating areas.

18.08.486 Passageway.

“Passageway” means an open area providing a path or channel through which something may pass.

18.08.484-487 Patio.

A “patio” is a non-habitable recreation area that adjoins a dwelling, is often paved, and is adapted especially to outdoor dining.

18.08.485-488 Pawn shop.

“Pawn shop” means a place in which the business of a pawnbroker is conducted. A Pawnbroker is any person engaged in the business of receiving goods, including motor vehicles, in pledge as security for a loan.

18.08.486-489 Payday loan facility.

“Payday loan facility” means a facility primarily engaged in the business of advancing funds to customers in situations where the customer uses their entitlement to a future paycheck from some other source as collateral for the loan, and for which the customer pays a fee (percentage or otherwise) for the advancement.

18.08.487-490 Personal services.

“Personal services” means a use providing services of a personal convenience including beauty salons, barber shops, dressmaking/tailoring, hair removal, nail salons, photographic and portrait studios, shoe repair shops, travel agency, and similar uses. Excluded from this definition are massage, check cashing, and any other personal service type use specifically listed within district regulations.

18.08.491 Planned unit development.

A “planned unit development” is a tract of land with approved development standards which do not conform in all respects with the land use pattern designated on the zoning map or the district regulations provided by the zoning ordinance, and may include a combination of different dwelling types and/or a variety of land uses which complement each other and harmonize with the existing and proposed land uses in the vicinity. Planned unit developments may be permitted in any residential district, any industrial district, the 511 district, and in the specialty commercial and community commercial districts for mixed-use (residential and commercial) projects within the Old Alvarado area and Mission Boulevard corridor. Industrial condominium conversions and new industrial condominium projects are also considered planned unit developments.

18.08.502 Publicly accessible sidewalk.

“Publicly accessible sidewalk” means any walkway that is available to the public on an ongoing basis.

~~18.08.600 Useable open space.~~

~~Where the district regulations specify a minimum of useable open space for each dwelling unit or a building site, the calculation of useable open space shall be made by deducting from the total area of the building site:~~

~~A. The area at ground level of all roofed buildings on the premises;~~

~~B. All areas paved to provide parking space, required driveways and maneuvering areas;~~

~~C. Any remaining area having a ground slope in excess of twenty percent (20%); and~~

~~D. Any open space less than ten (10) feet in its least dimension.~~

~~To the remainder may be added any roof top or outside deck spaces more than ten (10) feet in least dimension which are directly accessible to and safely useable by occupants of the dwelling.~~

Chapter 18.24 BULK REGULATIONS

~~18.24.030 Location of required open space.~~

~~All yards, courts and other open spaces allocated to a building or dwelling group shall be located on the same zoning lot as such buildings or dwelling group.~~

18.24.040-030 Required yards—Existing building.

No yards now or hereafter provided for a building existing on the effective date of the ordinance codified herein shall subsequently be reduced below, or further reduced, if already less than the minimum yard requirements of this title for equivalent new construction.

18.24.050-040 Permitted obstructions in required yards.

The following shall not be considered to be obstructions when located in the required yards specified:

A. In All Yards: Open terraces not over eighteen (18) inches above the average level of the adjoining ground and one hundred and twenty (120) square feet in area but not including a permanently covered terrace or porch except as allowed by the provisions of the R-5000 zoning district; awnings and canopies; steps, four (4) feet or less above grade, which are necessary for access to a permitted building, or for access to a zoning lot from a street, or alley; chimneys projecting twenty-four (24) inches or less into the yard; recreational and laundry-drying equipment; flag poles; overhanging eaves and gutters projecting eighteen (18) inches or less into the yard, except that in no case shall overhanging eaves and gutters be closer than two (2) feet to a lot line;

B. In Front and Rear Yards: Bay windows projecting three (3) feet or less into the yard;

C. In Side Yards: First-floor additions to single-family detached houses with existing legal nonconforming setbacks may be built in line with the existing structure as long as a minimum interior side yard setback of five (5) feet and a minimum exterior side yard setback of ten (10) feet is maintained, except that houses built on a zero lot line shall maintain a minimum setback of ten (10) feet on the nonzero lot line side of the property.

18.24.050 Building and site design standards.

A. Applicability. All development shall meet the standards of this Section, except as provided below.

1. Exceptions. The standards of this Section do not apply to the following types of development:

- a. Detached single family dwellings.
- b. SB 9 housing developments as defined in Chapter 18.31.
- c. Accessory dwelling units as defined in Chapter 18.34.
- d. Development within the following zoning districts:
 - i. Industrial Districts (General Industrial (MG), Light Industrial (ML), and Special Industrial (MS)).
 - ii. Mixed-Use Employment Districts (Station East Employment (SEE) and Corridor Mixed Use Employment (CMUE)).
 - iii. Civic Facility District.
 - iv. Private Institutional District.
 - v. Agricultural District.
 - vi. Open Space District.

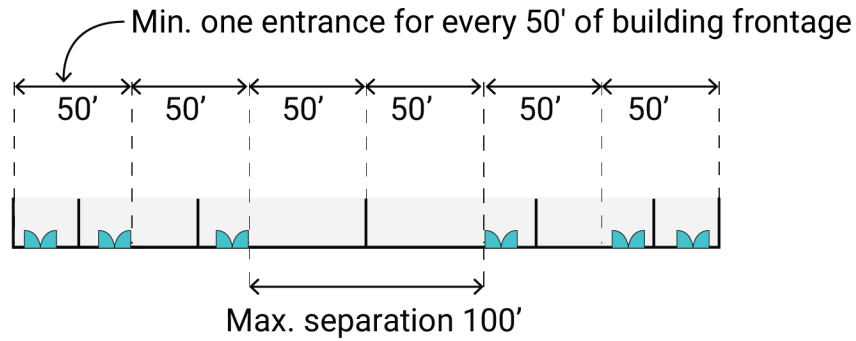
B. Building Design Requirements.

1. Building Orientation. Unless located behind another building, buildings shall be oriented toward the adjacent front or street side lot line with the building frontages parallel to the fronting public right-of-way.

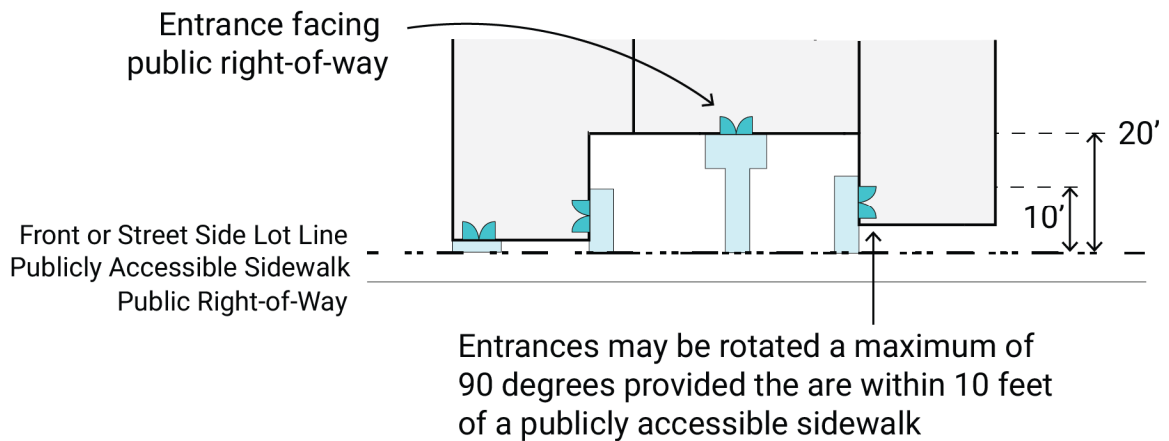
2. Entrances.

a. Ground Floor Nonresidential Uses.

- i. There shall be a minimum of one (1) entrance for every fifty (50) feet of building frontage with a maximum separation of one hundred (100) feet between entrances.



- ii. In buildings located within twenty (20) feet of a front or street side lot line, the primary building entrance shall face a public right-of-way or shall face within ninety (90) degrees of the primary building frontage and be located within ten (10) feet of a publicly accessible sidewalk.



- iii. VMU District. In the VMU District, double doors shall be required at the primary building entrance. Transom windows shall be provided above the primary building entrance door.



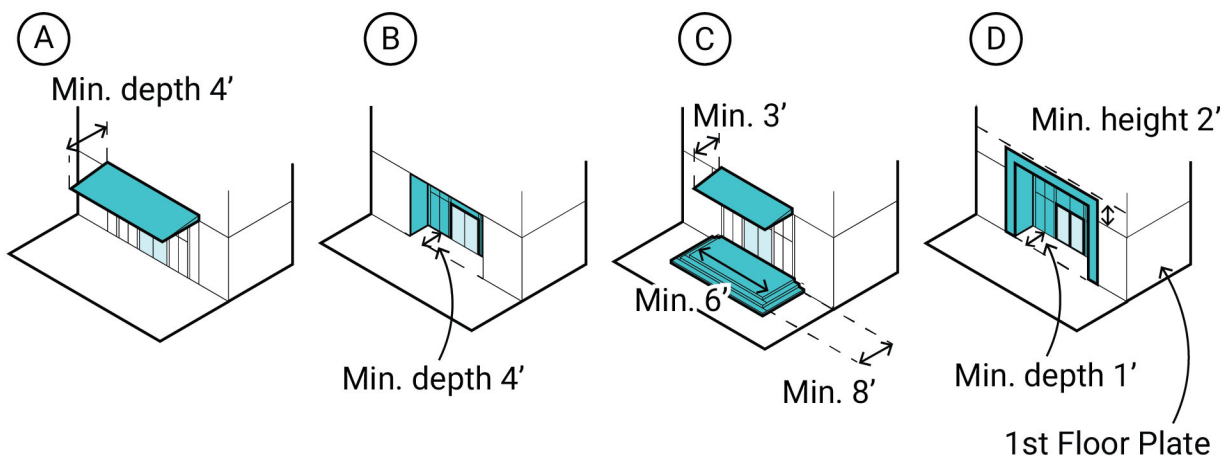
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- iv. Reductions and Exceptions. A reduction or exception to the applicable objective entrance standard for nonresidential uses may be granted by the decision maker subject to both of the following findings:
- (1) The proposed use has certain operational characteristics with which providing the required entrance(s) is incompatible.
 - (2) Building walls facing a public right-of-way exhibit architectural relief and detail, and are enhanced with landscaping to create visual interest at the pedestrian level.
- b. Residential Uses. Entrances to residential dwelling units shall be designed as individual or shared entrances at the ground floor of the building.
- i. Shared Entrances. All buildings with any exterior entrance that provides access to more than one unit shall provide a minimum of one (1) primary shared entranceway per building in accordance with the following standards.
 - (1) In buildings located within twenty (20) feet of a front or street side lot line, the primary shared entranceway shall be oriented to and facing a public right-of-way.
 - (2) Primary building entranceways of buildings located in the interior of a site shall be connected to a publicly accessible sidewalk by a walkway with a minimum width of four (4) feet.
 - (3) The primary entranceway shall lead to a common area a minimum of ten (10) feet by ten (10) feet.
 - (4) The primary entranceway shall incorporate one (1) or more architectural features such as windows, sidelights, lighting, or signage into the entranceway.
 - (5) The primary entranceway shall be emphasized utilizing at least one (1) of the following methods:

(a) A roofed projection over the door (such as an awning, canopy, or overhang) with a minimum depth of four (4) feet.

(b) A recessed entry bay with a minimum depth of four (4) feet.

(c) A landing, deck, or stoop with a minimum six (6) foot by eight (8) foot area; covered by a recess or projection, or combination thereof, a minimum of three (3) feet in depth.

(d) Incorporating the entrance into an architectural feature that extends two (2) or more feet above the height of the first floor plate vertical mass and is projected or recessed a minimum of one (1) foot from the primary wall plane.



ii. Individual Entrances. All units accessed through ground level individual entrances from the exterior shall provide a minimum of one (1) primary individual entranceway per unit in accordance with the following standards.

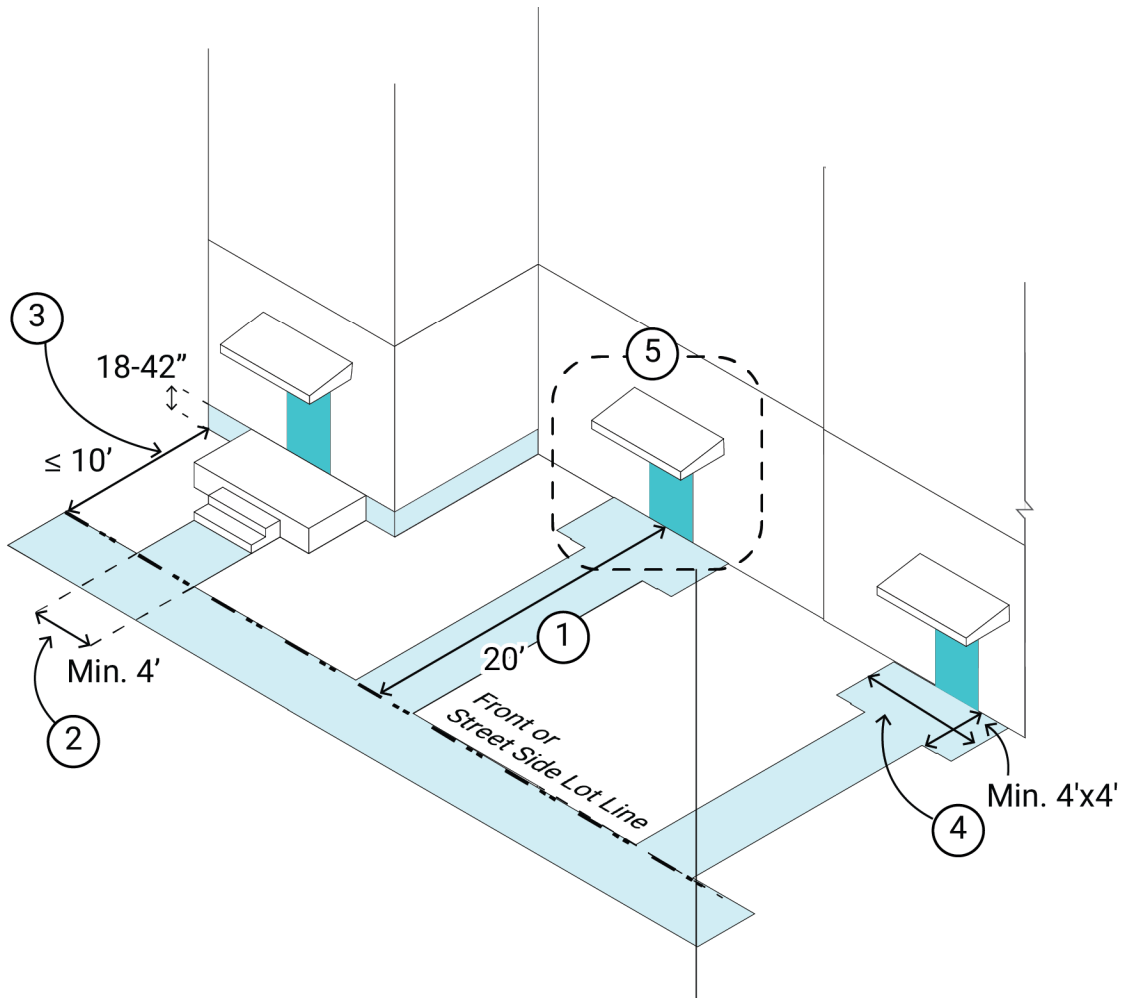
(1) In buildings located within twenty (20) feet of a front or street side lot line, all individually accessed units located along a public right-of-way shall have a primary entranceway oriented to and facing a public right-of-way.

(2) All individual primary entrances shall be connected to a publicly accessible sidewalk by a walkway with a minimum width of four (4) feet.

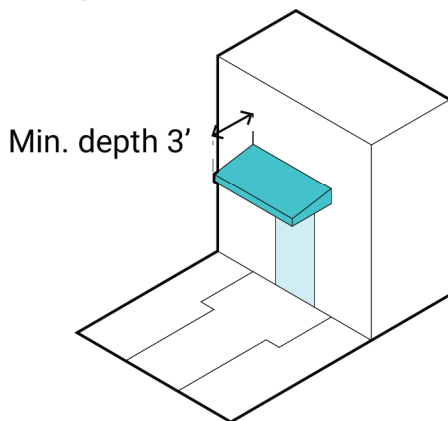
(3) All entrances located within ten (10) feet of an adjoining publicly accessible sidewalk shall provide finish floor elevations of between eighteen (18) and forty-two (42) inches above the adjoining sidewalk.

(4) The primary entranceway shall include a covered or partially covered landing, deck, porch, or stoop with a minimum four (4) foot by four (4) foot area.

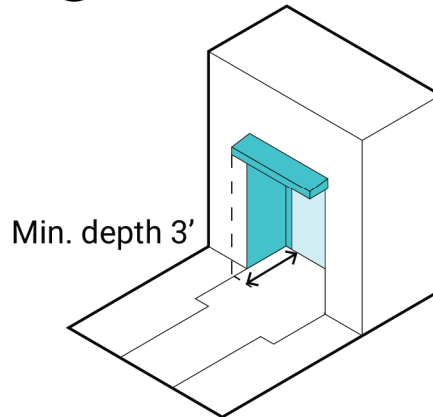
(5) The primary entranceway shall be covered by a recess or projection, or combination thereof, a minimum of three (3) feet in depth.



⑤A Roofed Projection



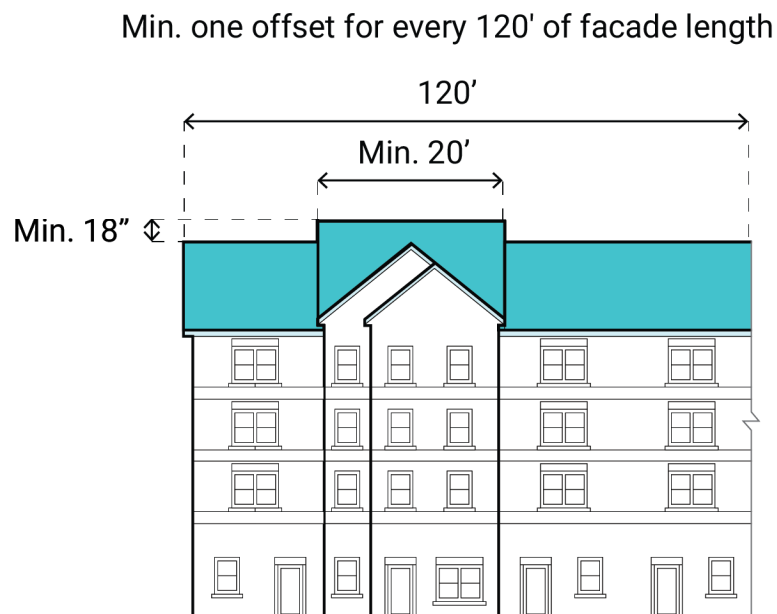
⑤B Recessed Entry Bay



3. Roof Design and Articulation. Roof lines shall be varied and designed to minimize the bulk of a building, screen roof-mounted equipment, and enhance the building's architectural design through the following methods:

a. Minimum Depth of Overhanging Eaves. Overhanging eaves, if provided, shall extend a minimum of two (2) feet beyond the supporting wall.

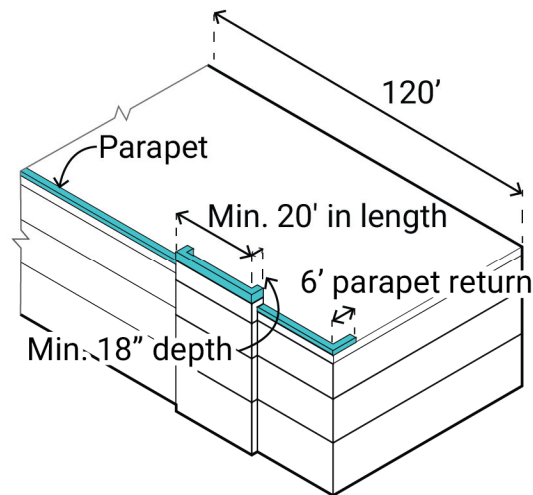
b. Roof Line Offset. For buildings with two (2) or more stories, a minimum of one (1) roof line offset of at least eighteen (18) inches in height and twenty (20) feet in length shall be provided for every one hundred twenty (120) feet of façade length, except as provided below for parapet roofs.



c. Parapet Roofs.

i. For buildings with two (2) or more stories, parapet roofs shall provide either the minimum offset pursuant to (b) above, or shall provide a roof line offset of at least eighteen (18) inches in depth and twenty (20) feet in length for every one hundred twenty (120) feet of façade length.

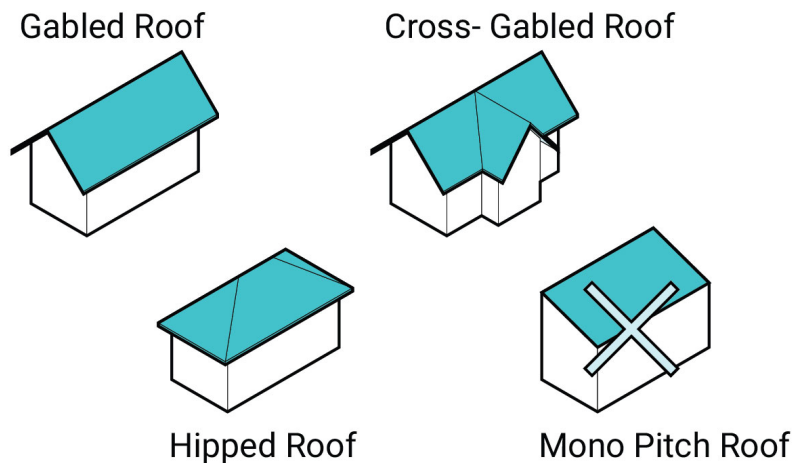
ii. All parapets shall provide returns of at least six (6) feet in depth at the end of the parapet face to avoid a false front appearance.



d. Rooftop Equipment. Rooftop equipment shall not be visible from a publicly accessible sidewalk across the street, nor shall be visible from any publicly-accessible area located within fifty (50) feet of the building.

e. VMU District. In the VMU District, in addition to the standards listed above, roofs shall also meet at least one (1) of the following standards:

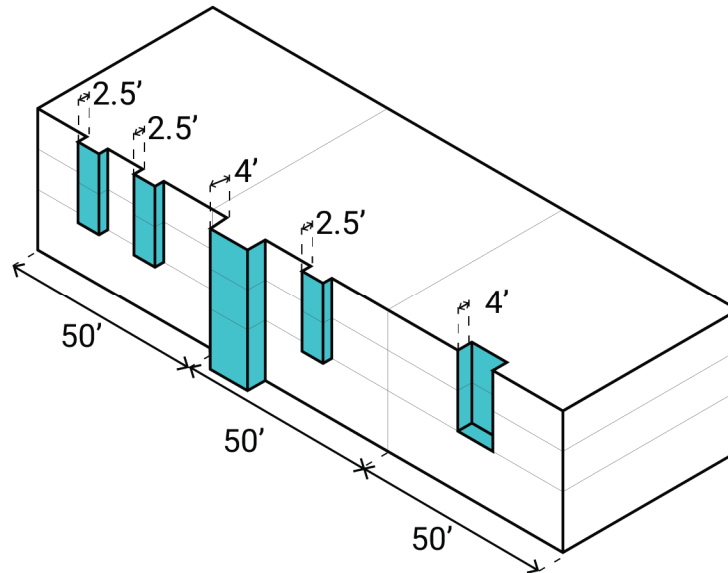
- i. A decorative parapet with a symmetrical appearance shall be provided on all street facing building façades.
- ii. The roof shall be gabled, cross-gabled, or hipped. Mono pitch roofs are prohibited.



f. Mission Boulevard. Along Mission Boulevard, roofs shall be gabled or hipped and shall have a pitch between 3:12 and 5:12.

4. Building Articulation. Buildings shall include the following design features to create visual variety and avoid a large-scale and bulky appearance:

a. Façade Articulation. All façades facing a public right-of-way shall include at least one (1) horizontal or vertical projection or recess at least four (4) feet in depth, or two (2) projections or recesses at least two and one-half (2.5) feet in depth, for every fifty (50) horizontal feet of wall. The articulated elements shall be greater than one (1) story in height and may be grouped rather than evenly spaced in fifty (50) foot modules.



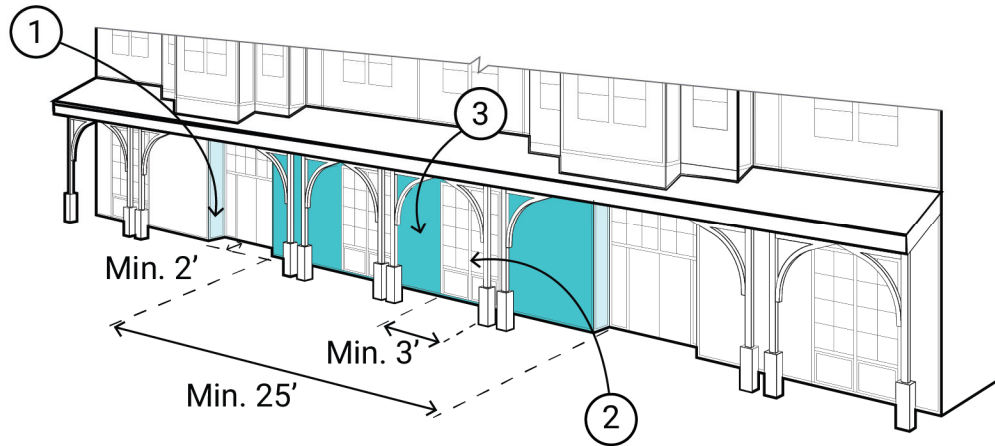
b. VMU District. In addition to the façade articulation requirement in subsection (4)(a) above, the following additional façade articulation standards apply in the VMU District.

i. Façades facing Smith Street, Union City Boulevard, Horner Street, Vallejo Street, and Watson Street shall provide a minimum of one (1) of the following articulation elements every twenty-five (25) to fifty (50) feet:

(1) A façade wall shift at least two (2) feet in depth and at least the full height of the ground floor.

(2) A change in material a minimum of three (3) feet wide and at least the full height of the ground floor.

(3) A change in color, bordered with decorative trim, a minimum of twenty-five (25) feet wide and at least the full height of the ground floor.

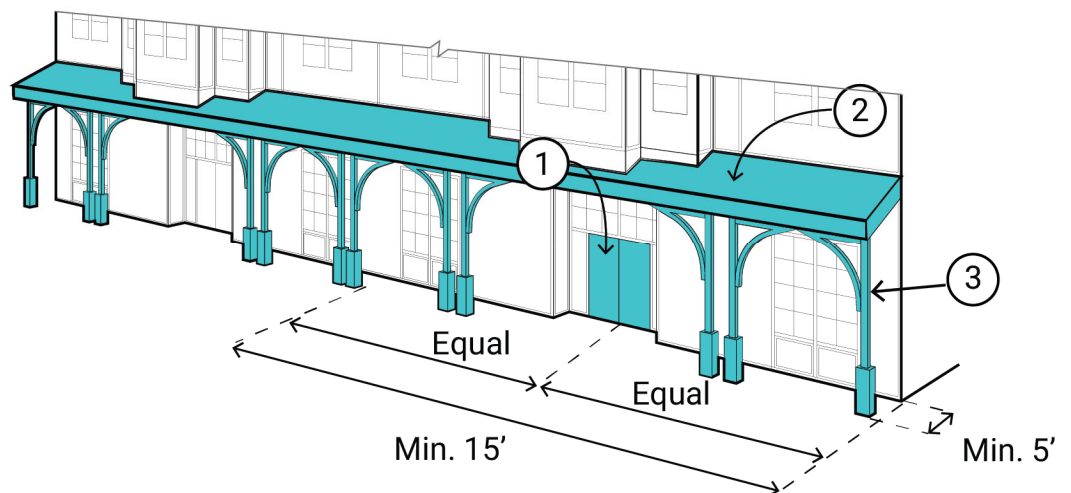


ii. Covered walkways or overhangs shall be provided along building frontages on Smith Street, Union City Boulevard, and Horner Street.

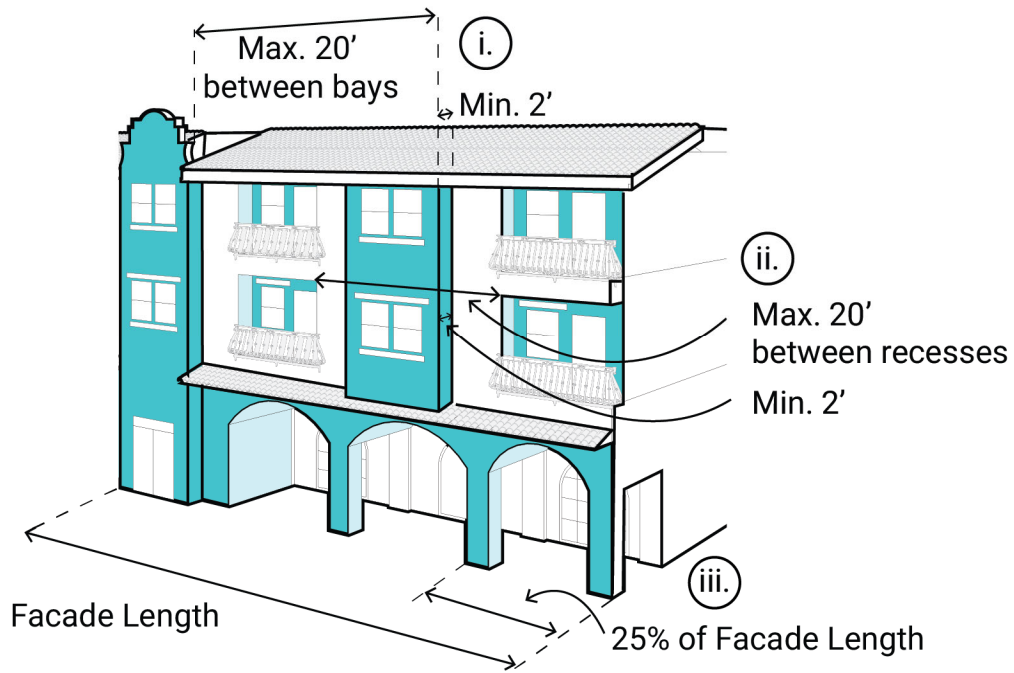
(1) Location. The covered walkways or overhangs shall be centered on a main entrance of the building.

(2) Minimum Dimensions. The covered walkways or overhangs shall be a minimum of five (5) feet deep and fifteen (15) feet wide.

(3) Support Columns. Columns supporting covered walkways shall be four (4) inches by six (6) inches in dimension with a defined and differentiated column base and top.



- c. Street Facing Façades Along Mission Boulevard. In addition to the façade articulation requirement in subsection (4)(a) above, street facing façades along Mission Boulevard shall incorporate two (2) or more of the following features.
- i. Window bays with a minimum two (2) feet in depth from building façade every fifty (50) horizontal feet.
 - ii. Recesses a minimum of two (2) feet in depth from building façade every fifty (50) horizontal feet.
 - iii. Porches, arcades and loggias over a minimum of twenty-five percent (25%) of the façades with columns a minimum of one (1) foot in width and depth.
 - iv. Curved arches between columns or as part of recesses or projections.
 - v. Arches above doors.
 - vi. Arches over all windows on a minimum of one (1) floor.
 - vii. A lintel at the base of windows.
 - ix. Decorative tile vents.
 - x. Decorative ironwork.
 - xi. Exposed wood beams.
 - xii. Balconies.



d. Townhomes and Rowhouses. The design of townhomes and rowhouses shall be articulated such that individual units are differentiated from each other. In addition to the articulation requirements above, attached side-by-side dwelling units shall meet the following requirements.

i. Individual units shall be emphasized through two (2) or more of the following methods.

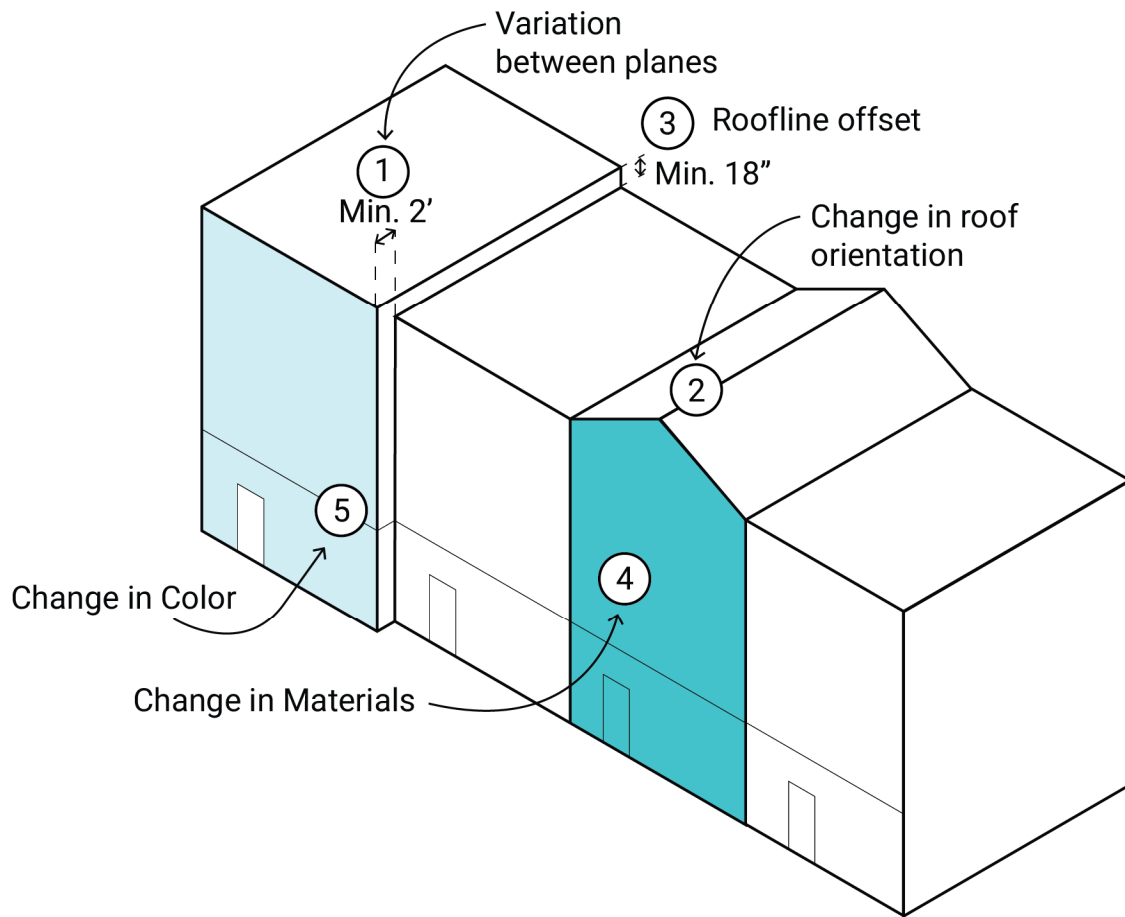
(1) Variations of two (2) feet or more between the horizontal planes of the primary entrance façade of adjacent units.

(2) A change in roof orientation between adjacent units (e.g., a gable roof adjacent to a hipped roof).

(3) A roofline offset of at least eighteen (18) inches for each unit exposed on the associated elevation.

(4) A change in materials.

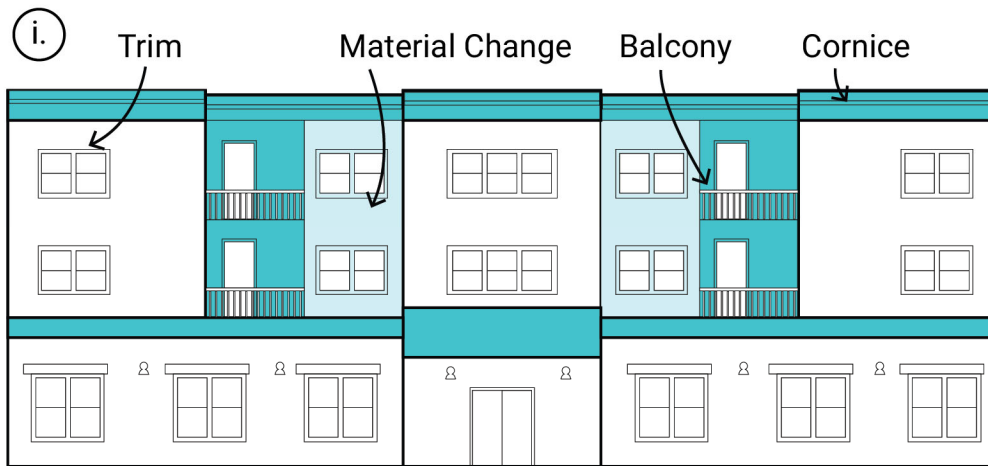
(5) A change in color.



5. Façade Design.

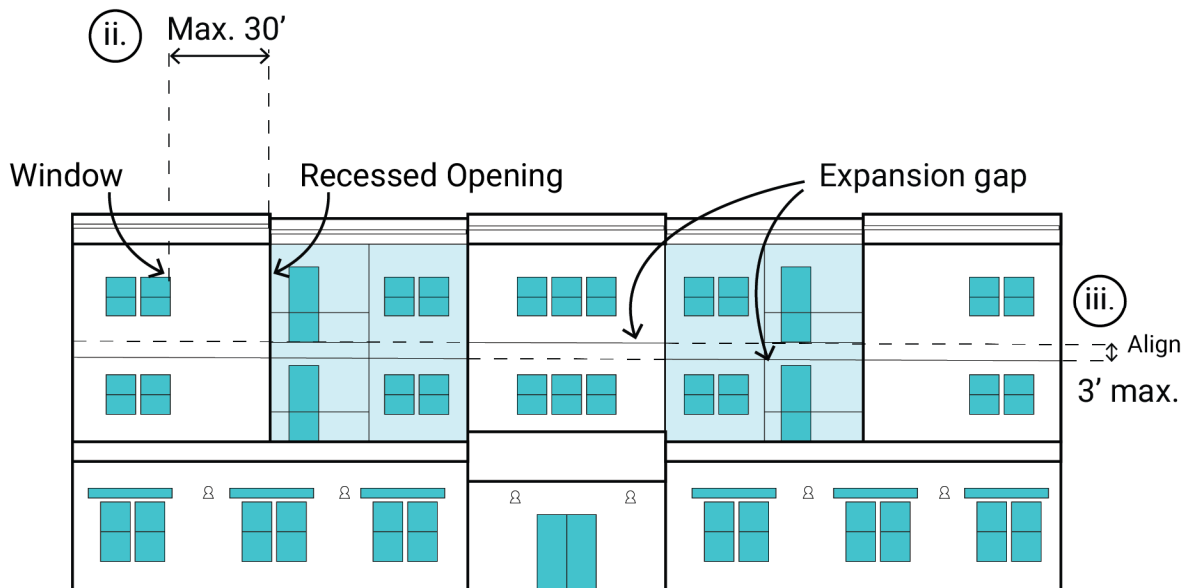
a. Façade Detailing.

- i. All building façades shall incorporate details, such as cornices, eaves, trim, changes in materials, projections such as awnings and balconies, or other design elements.

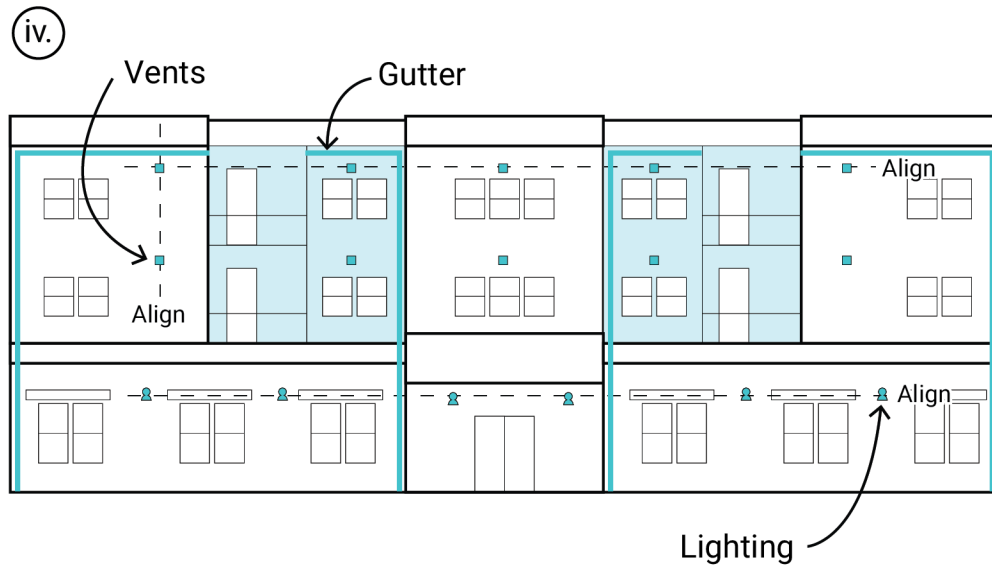


ii. No wall facing a public right-of-way shall run in a continuous plane of more than thirty (30) feet without a window, door, or other opening.

iii. Horizontal building elements, such as cornices, eaves, trims, and expansion gaps that create visible horizontal lines shall be aligned within three (3) feet of like buildings elements on the same façade.



iv. Building vents, gutters, lighting, and exterior equipment that are part of the exterior façade shall be aligned horizontally and vertically with like elements and with other building façade details on the same façade.



b. Exterior Building Colors and Materials.

- i. Factory-processed color finishes, such as baked enamel, shall be provided on all exterior metal surfaces.
- ii. VMU District. In the VMU District, a minimum of seventy-five percent (75%) of the building siding shall be one (1) of the following materials:
 - (1) Horizontal or vertical wood siding, tongue-in-groove, or shiplap.
 - (2) Board and batten siding.
- iii. Mission Boulevard. Buildings on parcels along Mission Boulevard shall include each of the following exterior materials:
 - (1) Barrel tile roof.
 - (2) Stucco walls.
 - (3) Raised brick or stone foundation.
- iv. Exterior Materials, Other Areas. In areas outside of the VMU District and buildings not located on parcels along Mission Boulevard, exterior building materials shall be chosen based on durability, ease of maintenance, and context. Permitted materials shall include the following:
 - (1) Steel—Porcelain enamel panels, steel windows, steel exterior doors, steel rails and fences, painted, stainless or pre-weathered steel.

(2) Aluminum—Windows, panels (luco-bond and aluminum plate), storefront, curtain wall, doors; aluminum shall be natural finish anodized, powder-coated or kynar (no bronze anodized).

(3) Decorative Metals-including copper, brass, bronze, and stainless steel.

(4) Glass—Clear, low-e, nonreflective, solar-bronze or solar gray glass, shadow boxes and spandrel glass is permitted.

(5) Brick, natural clay.

(6) Stone.

(7) Pre-cast concrete, glass-fiber reinforced concrete.

(8) Cast-in-place concrete.

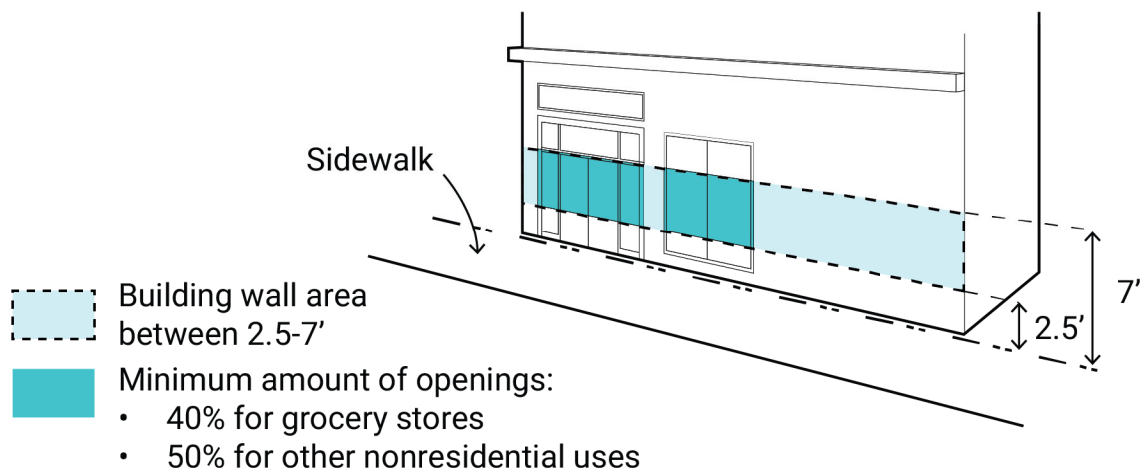
(9) Ceramic tile.

(10) Cement plaster.

(11) Wood.

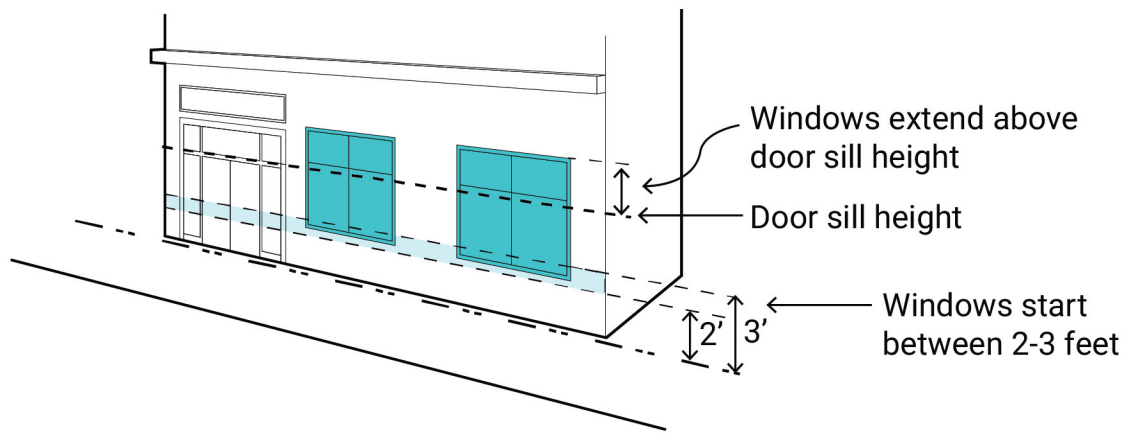
6. Windows and Openings.

a. Nonresidential Uses: Building Transparency/Required Openings. Exterior walls facing and within twenty (20) feet of a front or street side lot line or publicly accessible sidewalk shall include windows, doors, or other openings for at least forty percent (40%) of the building wall area of grocery stores and fifty percent (50%) of the building wall area of other uses located between two and a half (2.5) and seven (7) feet above the level of the sidewalk.



i. Design of Required Openings. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least three (3) feet deep.

(1) VMU District. In the VMU District, Ground floor windows shall start two (2) to three (3) feet off the ground and extend above door sill height.

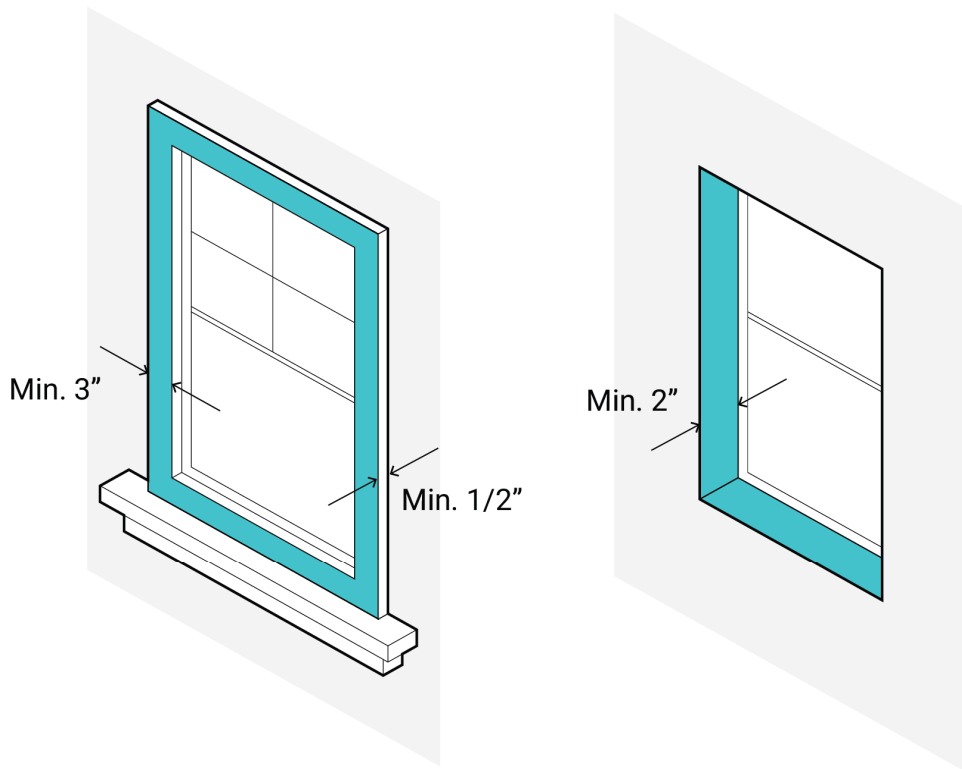


ii. Reductions and Exceptions. A reduction or exception to the applicable objective building transparency standard for nonresidential uses may be granted by the decision maker subject to both of the following findings:

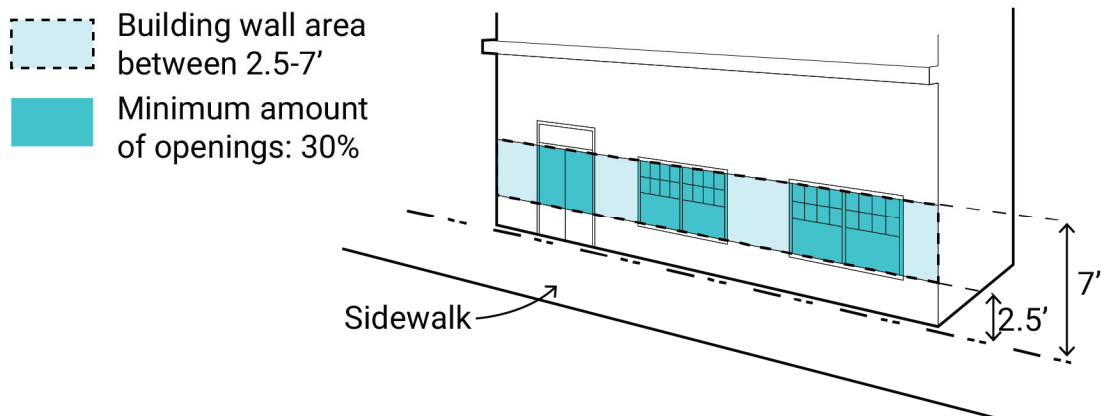
(1) The proposed use has certain operational characteristics with which providing the required windows and openings is incompatible.

(2) Street-facing building walls exhibit architectural relief and detail, and are enhanced with landscaping to create visual interest at the pedestrian level.

b. Residential Uses: Window Trim or Recess. Windows for residential uses shall have trim at least three (3) inches wide and one-half (0.5) inch in depth, or be recessed at least two (2) inches from the plane of the surrounding exterior wall.



c. Residential Uses: Transparency/Required Openings for Common Spaces. Exterior walls of common spaces, such as lobbies and community spaces, within twenty (20) feet of a front or street side lot line or publicly accessible sidewalk shall include windows, doors, or other openings for at least thirty percent (30%) of the building wall on which they are adjacent, between two and a half (2.5) feet and seven (7) feet above the level of the sidewalk.



C. Space Requirements.

1. Residential Uses.

- a. Minimum Ground Floor Height. The minimum ground floor height for residential uses is ten (10) feet measured floor to floor.

2. Nonresidential Uses.

- a. Minimum Ground Floor Height. For nonresidential spaces planned for a restaurant use, the minimum ground floor height limit is eighteen (18) feet measured floor to floor. The minimum ground floor height for nonresidential spaces planned for uses other than restaurants is fifteen (15) feet measured floor to floor.

b. Minimum Tenant Space Depth.

- i. Generally. Nonresidential ground floor interior tenant spaces shall be a minimum of thirty-five (35) feet in depth.
- ii. Planned Restaurant Use. For nonresidential spaces that have a planned restaurant use, the minimum depth shall be sixty (60) feet for at least fifty percent (50%) of the width of the tenant space or twenty-five (25) feet, whichever is wider.
- iii. Reductions and Exceptions. A reduction or exception to the applicable objective minimum depth standard may be granted by the decision maker if a finding can be made that the site is small or constrained.

- c. Required Restaurant Space. For lots larger than twenty thousand (20,000) square feet, a minimum of twenty-five percent (25%) of the ground floor nonresidential area of mixed-use development shall be designed to accommodate a restaurant use. Restaurant uses require grease traps, a minimum of one (1) restroom per tenant, a separate ventilation system, and an enclosure for waste receptacles.

- d. Indoor/Outdoor Connections. The design of ground floor commercial uses in the MMU, SEMU-R, and CSMU Districts shall promote indoor/outdoor connections by providing at least one (1) of the following:

- i. Sliding or removable windows/doors.
- ii. Low planters with seat walls a minimum width of twelve (12) inches.
- iii. Entrances, recessed a minimum of four (4) feet, and porticos that allow outdoor seating or display.

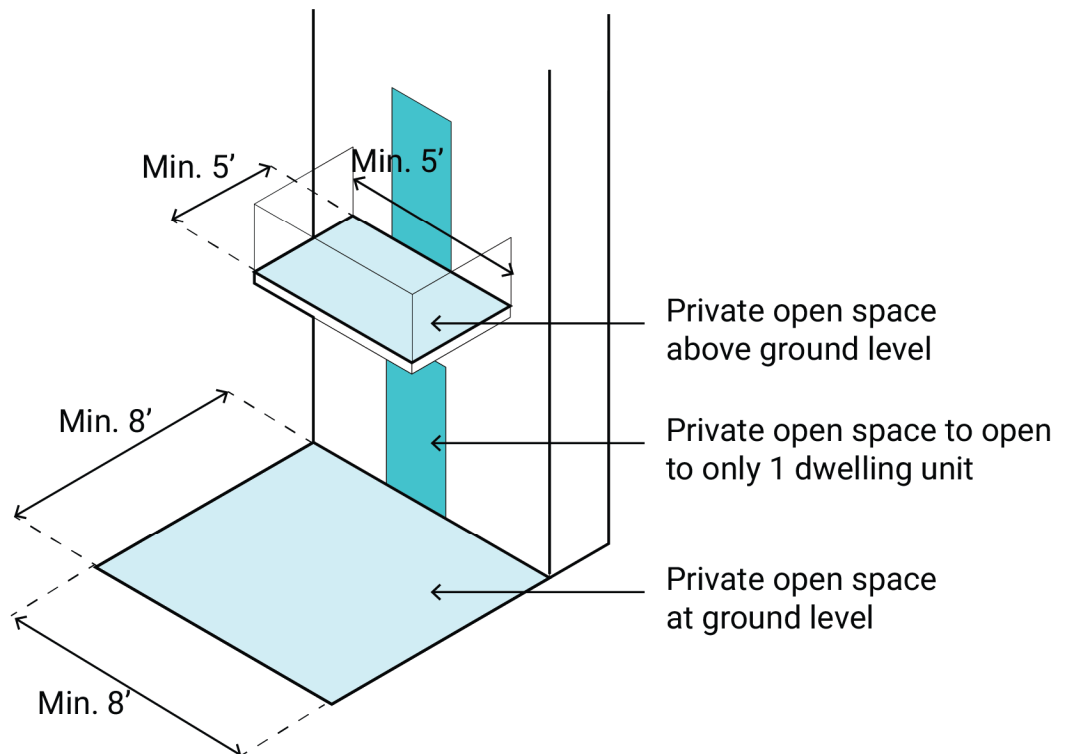
- iv. Awnings and canopies that may encroach into the public right-of-way subject to approval of an encroachment permit by the Public Works Department.
- 4. Required Residential Amenities. Amenities that enhance the livability of the project shall be provided.
 - a. Activity Areas. Private and common open spaces, playground or outdoor active recreation facility, such as a lap pool.
 - i. Amount of Activity Area.
 - (1) RM Districts. In RM Districts, a minimum of one hundred fifty (150) square feet of activity area shall be provided per dwelling unit.
 - (2) Other Districts. In Districts other than RM Districts, a minimum of sixty (60) square feet of activity area shall be provided per dwelling unit.
 - ii. Configuration of Activity Area.
 - (1) Required activity area shall be provided as a combination of private open space and common open space or indoor activity space as follows:
 - (a) A minimum of seventy-five percent (75%) of units located above the ground level shall be provided private open space above the ground level (i.e., balconies) consistent with Subsection 4.a.iii, Private Open Space, below. An exception to this objective activity area configuration standard may be granted by the decision maker if a finding can be made that alternative configurations of activity area suited to the needs of the residents are provided.
 - (b) The balance of the required activity area shall be provided outdoors as private open space or common open space that meet the standards of this Section. Common indoor activity space may substitute outdoor activity area for up to fifty percent (50%) of the required area, as follows.
 - (i) Outdoor activity area may be substituted by common indoor activity space at a rate of two (2) feet of common indoor activity space provided for every one (1) foot of required outdoor activity area.
 - (2) The required activity area shall be located on the same lot as the associated residential dwelling units. An exception to this objective activity area location standard may be granted by the decision maker if a finding can be made that an activity area is on a separate common lot within the development that can effectively be used by residents.
 - (3) No portion of required activity area shall be used for storage, driveways, or vehicle parking and loading facilities.

iii. Private Open Space. Private open space provides open space areas for the exclusive use of the occupants of an individual dwelling unit and includes but is not limited to balconies, decks, terraces, patios, fenced yards, and other similar private areas.

(1) Minimum Dimensions. Private open space located on the ground level (e.g., yards, decks, patios) shall be a minimum of eight (8) feet by eight (8) feet. Private open space located above ground level (e.g., balconies) shall be a minimum of five (5) feet by five (5) feet.

(2) Accessibility. Private open space shall be accessible to only one (1) dwelling unit by a doorway to a habitable room or hallway.

(3) Surfacing. A surface shall be provided that allows convenient use for outdoor living and/or recreation. Such surface may be any practicable combination of groundcover, garden, flagstone, wood planking, concrete, or other serviceable, dust-free surfacing. Surfaces shall not exceed a ten percent (10%) slope.



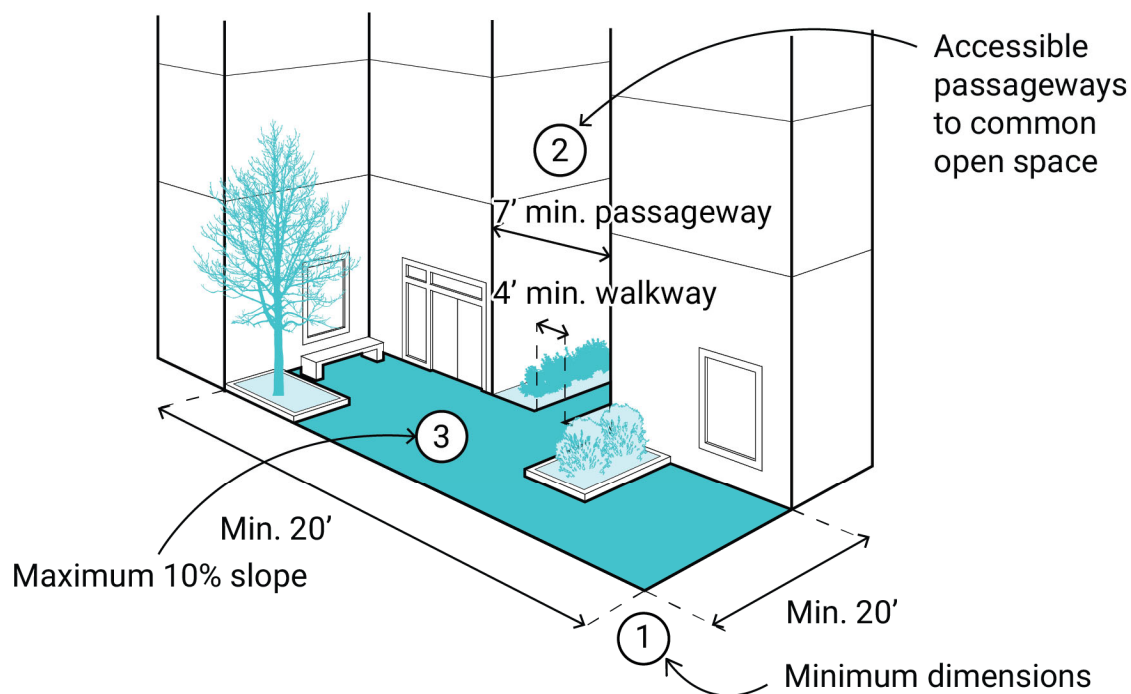
iv. Common Open Space. Common open space provides open space areas for recreation and enjoyment with shared access for all building occupants. Common open space includes but is not limited to courtyards, terraces, pet

areas, gardens, plazas, landscaped areas, patios, swimming pools, barbeque areas, athletic courts or fields, playgrounds, recreation areas, rooftop amenities, and other similar outdoor common areas intended for shared use by building occupants.

(1) Minimum Dimensions. Common open space shall be a minimum of twenty (20) feet by twenty (20) feet.

(2) Accessibility. Common open space shall be accessible to all building occupants. A minimum seven (7) foot-wide passageway, shall be provided to any required common open space. The passageway shall contain a minimum four (4) foot wide walkway and any area not included in the walkway shall be landscaped.

(3) Surfacing. A surface shall be provided that allows convenient use for outdoor living and/or recreation. Such surface may be any practicable combination of groundcover, garden, flagstone, wood planking, concrete, decking, or other serviceable, dust-free surfacing. Surfaces shall not exceed ten percent (10%) slope.



v. Common Indoor Activity Space. Common indoor activity space provides indoor amenity with shared access for all building occupants. Common indoor activity space includes but is not limited to fitness centers, shared workspaces, study rooms, conference and community rooms, joint eating

and cooking areas, indoor play areas, screening room, and other similar common areas intended for shared use by building occupants.

(1) Minimum Dimensions. Common indoor activity space shall be a minimum of twenty (20) feet by twenty (20) feet. A reduction to this objective dimensional standard may be granted by the decision maker if a finding can be made that a usable activity area of lesser size is adequate to serve the residents.

(2) Accessibility. Common indoor activity space shall be accessible to all building occupants.

b. Other Amenities. In addition to the required activity area above, projects shall include at least two (2) of the following amenities.

i. In-unit washer and dryer.

ii. Enclosed, lockable storage space at least two hundred (200) cubic feet in size with minimum dimension of four (4) feet by eight (8) feet for a minimum of fifty percent (50%) of the units.

iii. On-site child care facility.

iv. Provision of car sharing service, including parking spaces. Car share parking spaces shall be accessible to car share subscribers twenty-four (24) hours a day, seven (7) days a week.

c. Reductions and Exceptions. A reduction or exception to the applicable objective residential amenity standard may be granted by the decision maker if a finding can be made that alternative amenities that are comparable in value and benefit residents are provided.

D. Site Design Requirements.

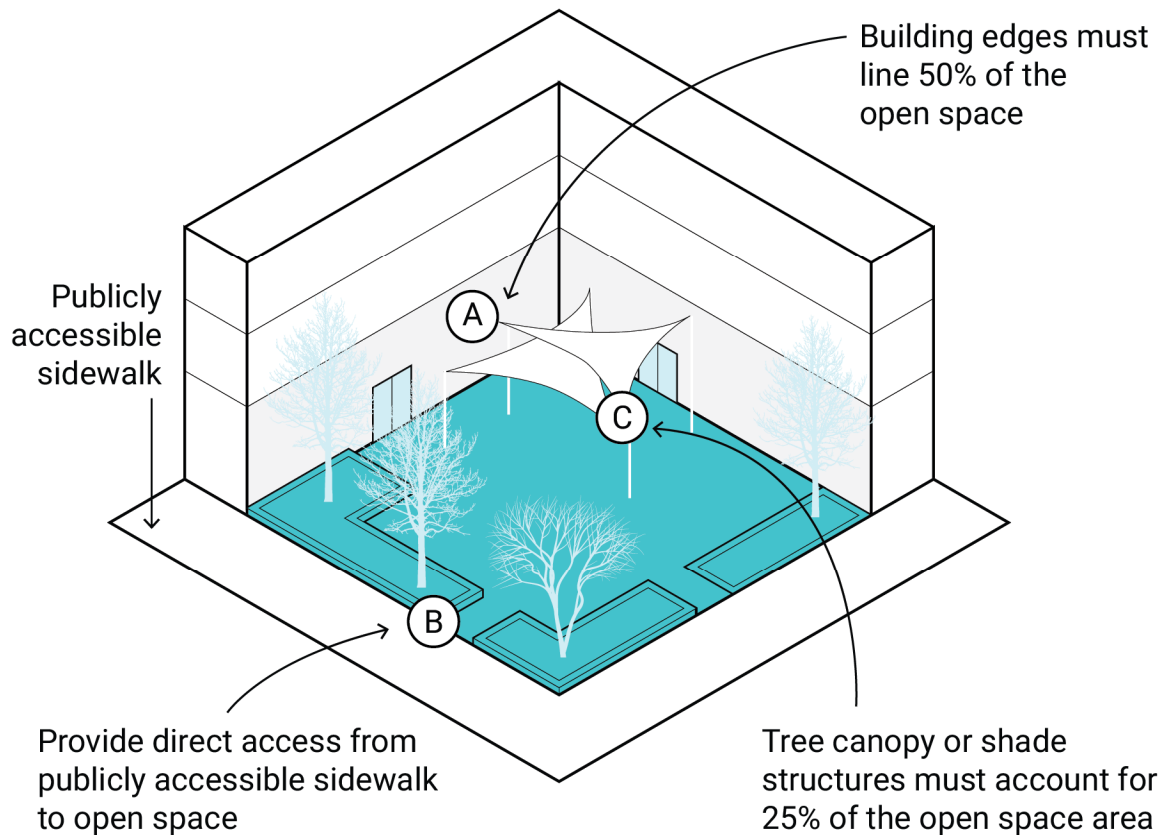
1. Frontage Improvements. Frontage improvements consistent with the General Plan, Bicycle and Pedestrian Master Plan, applicable Specific Plan and/or development strategy, Subdivision Improvement Standards, and any other applicable standard or requirement of the City shall be provided for all subdivisions, new construction, and additions of ten thousand (10,000) square feet or more of gross floor area.

2. Public Open Space. Where provided, public open spaces shall be consistent with the following standards.

a. Line the edges of blocks with buildings to frame public open space by placing building edges along a minimum of fifty percent (50%) of the open space perimeter.

b. Provide direct access from a publicly accessible sidewalk to public open spaces. Do not locate ground level public open space accessible only from inside the building.

c. Tree canopies or permanent shade structures shall provide shade for at least twenty-five percent (25%) of open space areas.

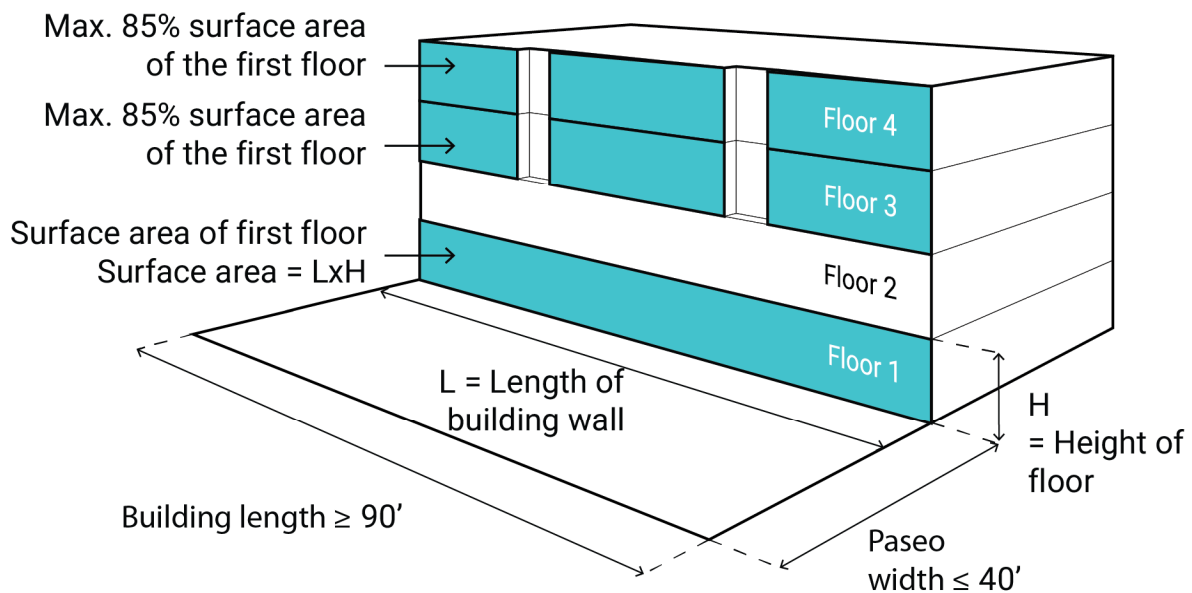


d. Paseos. Public open space designed as a paseo shall be consistent with the following standards.

i. Within the SEMU-R zoning district: for the portions of the buildings that front onto a paseo and have a length longer than ninety (90) feet and where the paseo is less than forty (40) feet in width, the surface area of third floor and fourth floor paseo-facing walls shall be no more than eighty-five percent (85%) of the surface area of the first-floor paseo-facing wall.

(1) The surface area of a wall is calculated as the length of the building wall of the applicable floor multiplied by the height of that floor.

- ii. Paseos in zoning districts other than SEMU-R shall have a minimum width of forty (40) feet.
- iii. Paseos shall have end to end visibility, and align and connect with streets, other paseos or paths.
- iv. Paseos shall have a minimum lighting level of one (1.0) foot-candle.



3. Roof Deck Planting. Planting on roof decks requires a minimum soil depth of twenty-four (24) inches for shrubs, perennials, and ground cover and a minimum of forty-two (42) inches for trees.

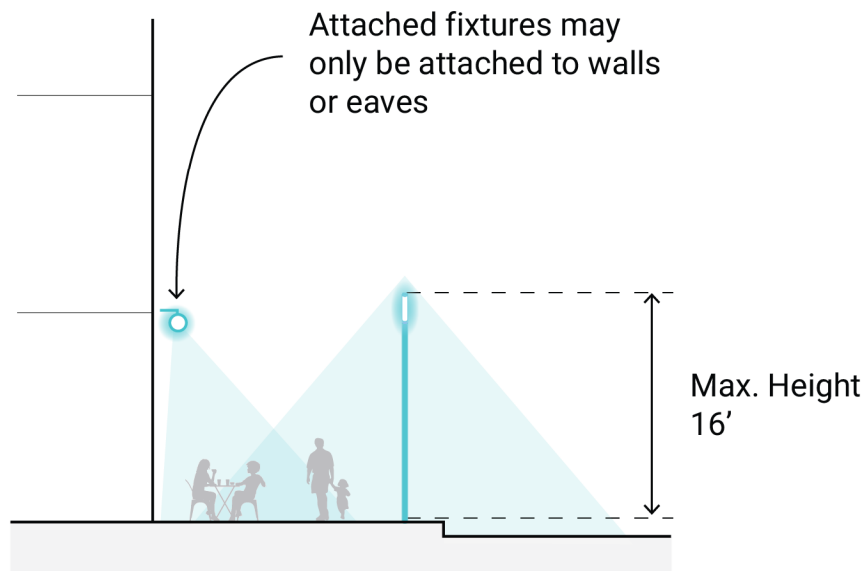
- a. Reductions and Exceptions. A reduction to the applicable objective soil depth standard may be granted by the decision maker if a finding can be made that a reduced soil depth is adequate to support the proposed planting in good growing condition.

4. Lighting.

- a. Minimum Lighting. A minimum of one (1.0) foot-candle lighting level shall be provided for all walkways throughout the site and in all parking areas. Motion sensors shall be provided for areas inside and directly adjacent to trash enclosure areas.
- b. Maximum Height of Freestanding Lighting Standards. The maximum height of a freestanding lighting standard in pedestrian areas and courtyards is sixteen

(16) feet. Lighting shall be shielded from adjacent residential windows and private outdoor areas.

- c. Attached Fixtures. Fixtures on buildings shall be attached only to walls or eaves, and the top of the fixture shall not exceed the height of the parapet or roof or eave of roof.



5. Utilities. All new transformers, switching boxes, and similar appurtenances and utility equipment shall be located below-grade, in closets or interior of buildings, or in locations not visible from public right-of-way, unless prohibited by the utility provider. When screened within an enclosure, the enclosure shall have walls matching the material and color of the nearest building, be located no closer to the street than a building, and be surrounded by landscaping such as trees, shrubs, and climbing vines, that screen the enclosure, unless prohibited by the utility provider.

- a. Reductions and Exceptions. A reduction or exception to the applicable objective utility standard may be granted by the decision maker if a finding can be made that the proposed design reduces the visual impact of utilities to the greatest extent feasible.

6. Vehicle Parking.

- a. Access.

- i. Access to parking facilities shall be from an alley or secondary street, wherever such alley or secondary access is feasible.
 - (1) Additional Access Limitations, CSMU District. The following additional access limitations apply in the CSMU District.
 - (a) Driveway entries/exits shall be prohibited on Decoto Road.
 - (b) Driveway entries/exits shall be prohibited on Eleventh Street, Union Square, and Railroad Avenue wherever access to parking facilities from another street or alley is feasible.
- ii. Driveway entries/exits shall be located at least twenty-five (25) feet from any primary building entrance facing the same street frontage.
- iii. Sidewalk material and grade shall be maintained as the sidewalk crosses a driveway.
- iv. Driveway pavement shall be enhanced with one (1) of the following treatments:
 - (1) Textured concrete banding. A concrete area border created with a different textured finish than the inner concrete area.
 - (2) Trowel finish banding. A concrete area border created with a trowel finish.
 - (3) Stamped concrete. Patterned concrete or imprinted concrete created by using rubber stamps or similar method to imprint patterns into the concrete.
 - (4) Integral concrete. Concrete mixed with finely ground iron oxide pigments, called integral colors, before it is poured.
 - (5) Broom finish. Rough textured finished obtained by dragging a broom on the trowelled surface of the concrete while the concrete is still fresh.
 - (6) Salt finish. A rough textured, slip-resistant surface on freshly poured concrete created by inserting coarse rock salt crystals into the wet concrete.
 - (7) Exposed aggregate finish. A rough textured surface on concrete created with a top layer of exposed aggregate.
 - (8) Trowel joints. Textured surface created using a tool with a flat blade designed to spread concrete, mortar, or plaster.



Broom Finish

Stamped Concrete

Salt Finish

Exposed Aggregate Finish

Trowel Joints

Trowel Finish Banding

Textured Concrete Banding

Integral Concrete

v. Surface parking lots with twenty-five (25) or more parking spaces shall provide a pedestrian walkway between rows of parking and extending to the main building entry. The walkway shall be of a different paving material than the drive aisles and parking spaces and be separated from ends of parking spaces by a raised curb at least six (6) inches high.

(1) Surface Parking Prohibited, CSMU District. Parking in the CSMU District is required to be structured. Parking lots are not allowed after the initial phases of development.

b. Parking Structures. Parking structures shall be fully screened using decorative screening, or other decorative elements constructed of durable, high-quality materials or trellis structures with integrated irrigation that support vertical planting shall be provided on all parking structure façades that are visible from any public right-of-way.

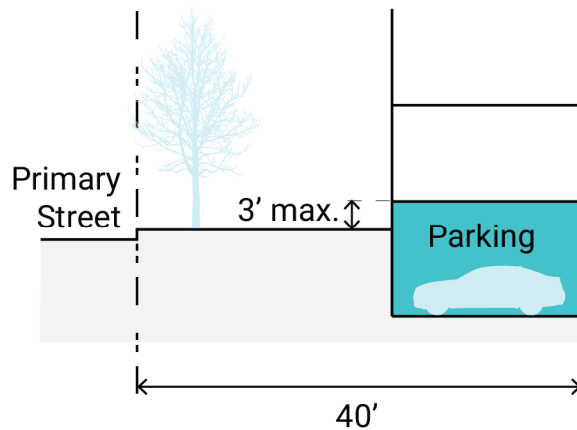
c. Residential Districts.

i. Structured Parking — Location. Any parking within a structure with three (3) or more feet above ground shall be located a minimum of forty (40) feet from the primary street facing lot line. For lots with multiple street frontages, the primary street facing lot line shall be that abutting the street with the highest roadway classification or, in the case of streets with equal roadway classifications, the street with the highest number of pedestrian building entrances on the block. This requirement does not apply to garages that accommodate parking for a single dwelling unit.

(1) Reductions and Exceptions. A reduction or exception to the applicable objective residential parking facility standard may be granted by the decision maker subject to both of the following findings:

(a) The design incorporates habitable space built close to the publicly accessible sidewalk to the maximum extent feasible.

(b) The site is physically constrained such that underground parking or above ground parking located more than forty (40) feet from the primary street frontage is not feasible.

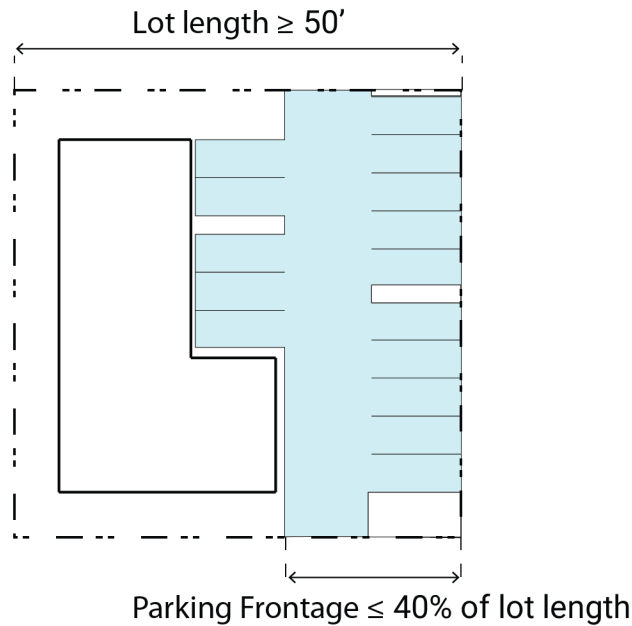


ii. Above Ground Parking — Maximum Parking Frontage. On lots fifty (50) feet or wider, the total width of above ground parking areas visible from the public right-of-way, including open parking, carports, and garages, shall not exceed forty percent (40%) of any public right-of-way frontage.

(1) Reductions and Exceptions. A reduction or exception to the applicable objective above ground parking frontage standard may be granted by the decision maker to allow a greater width subject to both of the following findings:

(a) The lot is constrained such that limiting the visibility of above ground parking to forty percent (40%) of the public right-of-way frontage is not feasible.

(b) Landscaping and other treatments have been incorporated to minimize the visibility of above ground parking from the public right-of-way frontage.



iii. Individual Garage Design. The following shall apply to all entrances of garages that accommodate parking for a single dwelling unit.

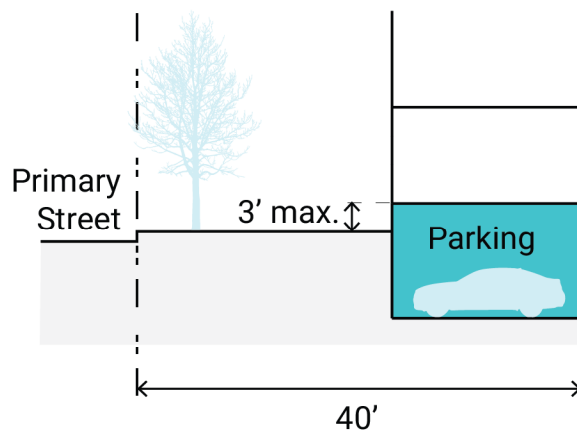
- (1) Garage entrances located on street facing building frontages shall be recessed a minimum of twelve (12) inches behind the front elevation wall plane.
- (2) All garage doors within the project shall be a fully insulated metal or fiberglass roll-up design with baked-on finish and installed with automatic door openers. Top window bands are allowed.
- (3) The applicant and/or property owner shall provide multiple garage door designs for the development. Identical garage door designs shall not be located adjacent to one another.

d. Districts Other Than Residential Districts. In all districts other than Residential Districts, the following shall apply:

i. Limitations on Location of Parking. Above ground parking and any parking within a structure with three (3) or more feet above ground, shall be located a minimum of forty (40) feet from the primary street facing lot line. For lots with multiple street frontages, the primary street facing lot line shall be that abutting the street with the highest roadway classification or the street with the highest number of pedestrian building entrances.

- (1) Reductions and Exceptions. A reduction or exception to the applicable objective limitation on location of parking standard may be granted by the decision maker subject to both of the following findings:

- (a) The design incorporates conditioned, usable space, or active open space close to the publicly accessible sidewalk to the maximum extent feasible.
- (b) The site is physically constrained such that underground parking or above ground parking located more than forty (40) feet from the primary street frontage is not feasible.



7. Pedestrian Access. On-site pedestrian circulation and access shall be provided according to the following standards.

- a. Internal Connections. A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.
- b. Circulation Network. On-site walkways shall be connected to the publicly accessible sidewalk and other planned or existing pedestrian routes. An on-site walkway shall connect the primary building entry or entries to a publicly accessible sidewalk on each street frontage.
- c. Transit. Where transit stops are located adjacent to the lot frontage, pedestrian connections shall be provided from the transit stop to the primary building entrance of all buildings on the lot.
- d. Pedestrian Walkway Design.
 - i. Walkways shall be a minimum of four (4) feet wide, shall be hard-surfaced, and paved with concrete, stone, tile, brick, or comparable material. Walkways shall be ADA compliant.
 - ii. Where a required walkway crosses parking areas or loading areas, it shall be clearly identifiable through the use of a raised crosswalk, a different paving material, striping, or similar method.

- iii. Where a required walkway is parallel and within two (2) feet of an auto travel lane, it shall be raised or separated from the auto travel lane by a physical barrier consisting of a raised curb at least four (4) inches high.
- e. Reductions and Exceptions. A reduction or exception to the applicable objective public access standard may be granted by the decision maker if a finding can be made that adequate and safe pedestrian access is provided to and throughout the site.

Chapter 18.26 MARKETPLACE MIXED USE (MMU) DISTRICT

18.26.150 Design criteria.

A. ~~All development shall comply with Section 18.24.050. Architectural Standards. Buildings shall be designed with a contemporary or “modern” vocabulary, using varied geometric volumes and a variety of high-quality materials (e.g. metal and glass). The following shall apply to any new buildings, additions to buildings which increase existing square footage by fifty percent (50%) or more, or modifications to existing buildings which modify the exterior of the building:~~

~~1. All street-facing façades must include at least one (1) horizontal or vertical projection or recess at least four (4) feet in depth, or two projections or recesses at least two and one-half (2½) feet in depth, for every fifty (50) horizontal feet of wall. The articulated elements must be greater than one (1) story in height and may be grouped rather than evenly spaced in fifty (50) foot modules.~~

~~2. Lower and upper stories shall be separated by horizontal detailing such as an awning, overhang, cornice line, or belt course. Separation may occur either above the ground floor or second floor.~~

~~3. All street-facing façades must include vertical projections or recesses such as pilasters, porches, decks, bay windows, entry recesses, and other details that provide architectural articulation and design interest.~~

~~4. Window designs shall differentiate the various components of the building (e.g., ground floor retail spaces, stair towers, corners, or residential units).~~

~~5. Façade elements must establish building scale and pattern, using architectural techniques such as clustering or aligning windows and doors to form a regular pattern. Horizontal building elements should be roughly aligned (within three (3) feet of height) with others in the same block.~~

~~6. The design of townhomes shall be articulated such that individual units are differentiated from each other. Each unit shall maintain separate, identifiable roof forms, massing, fenestration, and street-facing doorways.~~

~~7. Ground floor residential units shall provide finish floor elevations of between eighteen (18) to forty two (42) inches above the adjoining sidewalk.~~

~~8. Buildings shall not include blank walls which exceed twenty (20) feet.~~

~~B. Exterior Materials. Exterior building materials shall be chosen based on character, durability, ease of maintenance and context, and may include:~~

~~1. Steel—Porcelain enamel panels, steel windows, steel exterior doors, steel rails and fences, painted, stainless or pre-weathered steel are acceptable;~~

~~2. Aluminum—Windows, panels (luco-bond and aluminum plate), storefront, curtain wall, doors; aluminum should be natural finish anodized, powder-coated or kynar (no bronze anodized);~~

~~3. Other metal;~~

~~4. Glass—Clear, low-e, nonreflective, solar-bronze or solar gray glass, shadow boxes and spandrel glass is permitted;~~

~~5. Brick, natural clay colors;~~

~~6. Stone;~~

~~7. Pre-cast concrete, glass-fiber reinforced concrete;~~

~~8. High-quality, cast-in-place concrete;~~

~~9. Ceramic tile;~~

~~10. Cement plaster;~~

~~11. Wood.~~

~~C. Equipment Screening. Mechanical/utility equipment shall be sited and screened in accordance with the following:~~

~~1. In instances where mechanical equipment cannot be located within the building due to building code or utility provider requirements, it shall be adequately screened from off-site view and located at the rear of the site in an enclosure with walls matching the material and color of the building. The enclosure shall include gates or heavy gauge corrugated steel and shall be surrounded by trees, shrubs and climbing vines;~~

~~2. In instances where utility equipment cannot be located within the building or undergrounded due to building code or utility provider requirements, it shall be screened by locating at the rear of the site in an enclosure with walls matching the material and color of the building. The enclosure shall include gates or heavy gauge corrugated steel and shall be surrounded by trees, shrubs and climbing vines. Alternate locations may be considered to meet utility provider requirements; and~~

~~3. In instances where mechanical equipment is located on the building roof, roof top screening shall be provided, which is integrated into the building architecture.~~

~~D. Bicycle and Pedestrian Facilities. Projects that include development of a vacant site or substantial modification of a developed site shall accommodate bicycle and pedestrian facilities/access including:~~

~~1. Provisions for safe, well lit and visually attractive pedestrian access from public streets to the parking areas and building entries;~~

~~2. Pedestrian pathways between buildings and parcels;~~

~~3. Public pedestrian and bicycle connections to the Station District's existing and proposed bicycle and pedestrian network;~~

~~4. Publicly accessible pedestrian amenities which may include plazas, pocket parks, seating areas, fountains, public art, and/or eating areas;~~

~~5. Orientation of outdoor public spaces towards activated ground floor building frontages; and~~

~~6. Inclusion of bicycle paths and bicycle parking facilities consistent with the Bicycle and Pedestrian Master Plan and designed and installed in conformance with the design criteria outlined in Section 18.28.080.~~

~~E. Ground Floor Commercial Uses. The design of ground floor commercial uses shall comply with the following:~~

~~1. Minimum depth of commercial space is thirty-five (35) feet and minimum height is twenty (20) feet floor to floor; and~~

~~2. A minimum of twenty-five percent (25%) of the ground floor commercial area shall be designed to accommodate a restaurant use; and~~

~~3. Between two and one-half (2½) feet and seven (7) feet above grade, ground floor transparency (i.e., amount of glazing) shall be forty percent (40%) for grocery stores and fifty percent (50%) for all other commercial uses; and~~

~~4. Ground floor façades shall be designed to give identity to each retail and service establishment, through recesses, enhanced materials, signage and architectural features that are integral components of the building; and~~

~~5. The maximum distance of blank wall (a façade without doors, windows, landscaping treatments, or other pedestrian interest) on the ground level of any building facing a street, open space, or paseo shall not exceed twenty (20) feet in length; and~~

~~6. The design of ground floor commercial uses shall promote indoor/outdoor connections by providing some or all of the following:~~

- ~~a. Sliding or removable windows/doors;~~
- ~~b. Low planters with wide seat walls;~~
- ~~c. Recessed entrances and porticos that increase the indoor/outdoor quality or allow for increased outdoor seating or display;~~
- ~~d. Awnings and canopies that may encroach into the public right-of-way subject to approval of an encroachment permit by the Public Works Department; and~~
- ~~e. Visually transparent storefronts with clear glass windows and doors that are not blocked by storage, racks or shelving placed against glass.~~

~~18.26.170 Residential open space.~~

~~All residential development and mixed use development shall provide residential open space features, such as courtyards, pool and spa areas, recreation facilities, and picnic and play areas for use by the tenants/owners.~~

18.26.190 Off-street parking.

A. Off-street automobile parking shall be provided consistent with the following standards.

Vehicular Parking Requirements	Minimum Off-Street Parking Requirements	Maximum Off-Street Parking Allowed
1. Residential		
Studio	0.75 space/dwelling unit	1.25 spaces/dwelling unit
1 Bedroom	1.0 space/dwelling unit	2.0 spaces/dwelling unit
2 Bedroom	1.25 spaces/dwelling unit	2.0 spaces/dwelling unit
3+ Bedroom	1.5 spaces/dwelling unit	2.5 spaces/dwelling unit
2. Affordable Housing		
	0.5 space/bedroom	2.0 spaces/dwelling unit
3. Nonresidential		
Retail	1.0 space/300 square feet	1.0 space/200 square feet
Office	1.0 space/300 square feet	1.0 space/250 square feet
Other Uses	See Section 18.36.050	See Section 18.36.050

Notes:

- Tandem parking spaces can be substituted for regular parking spaces up to ten percent (10%) of the required parking demand.
- Consistent with Government Code Section 65863.2, automobile parking requirements may be waived for a residential, commercial, or other development project if the project is located within one-half (1/2) mile of public transit, which includes a rail or

bus rapid transit station, the intersection of two (2) or more bus routes with service intervals of fifteen (15) minutes or less during morning and afternoon commute periods, and any major transit stops included in the applicable regional transportation plan.

B. A minimum of one (1) motorcycle parking stall that is enclosed and weather-protected shall be provided for every twenty-five (25) units.

C. Joint use of parking spaces may be allowed subject to the limitations and conditions included in Section 18.36.160.~~D. — Parking Structures.~~

~~1. — Parking structure façades shall be designed as compatible visual extensions of the primary buildings.~~

~~2. — Auto entries shall be located in a manner that minimizes pedestrian/auto conflicts.~~

~~3. — Decorative screening or other decorative element constructed of durable, high-quality materials shall be provided on parking structure façade~~

18.26.200 Bicycle parking.

A. Bicycle parking facilities shall be provided, at a minimum, in an amount equal to:

Bicycle Parking Requirements	Short-Term Bicycle Parking Requirements	Long-Term Bicycle Parking Requirements
Residential with private garage for each unit	1.0 space/20 dwelling units. Minimum of 2 spaces.	None
All other residential	1.0 space/20 dwelling units. Minimum of 2 spaces.	1.0 space/4 dwelling units. Minimum of 2 spaces.
Retail	1.0 space/3,000 square feet.	1.0 space/10,000 square feet
Office, R&D, and Other Nonresidential uses	1.0 spaces/8,000 square feet. Minimum of 2 spaces.	1.0 space/4,000 square feet

B. Required facilities shall be designed and installed in conformance with the design criteria outlined in Section 18.28.080.

C. Bicycle parking may be substituted for automobile parking subject to the provisions outlined in Section 18.28.~~400-090~~ and approval by the decision makers.

18.26.210 Loading.

A. ~~Adequate~~ Iloading docks and/or berths shall be provided on site to serve the use. Such facilities shall be designed according to the following standards unless an alternative design is approved located on the rear or side of the building, be screened from the public right-of-way, and are subject to review and approval through the site development review or administrative site development review process.

~~1. Loading dock entrances shall not exceed 20 feet in width.~~

~~12. Loading docks shall be located inside a building and equipped with closable doors.~~

~~2B.~~ Adequate Lloading zones shall be provided along the street frontage(s).

~~18.26.220 Laundry facilities.~~

~~Laundry facilities shall be provided to serve all residential dwelling units. Such facilities shall include washer and dryer appliances connected to utilities. In developments with common laundry facilities, the facilities must be in easily accessible locations and provide an adequate number of washers and dryers to serve the total number of units.~~

Chapter 18.27 VILLAGE MIXED USE (VMU) DISTRICT

18.27.170 Design criteria.

~~A.~~ All development shall comply with Section 18.24.050.

~~B.~~ All standalone commercial development shall comply with the Design Guidelines for Old Alvarado.

~~In order to encourage commercial revitalization and development in the Historic Alvarado area in a manner that is consistent with the vision for the Historic Alvarado District, the design of new buildings and the rehabilitation of existing or relocated buildings shall be guided by the following design and siting criteria:~~

~~A. General Criteria:~~

~~1. All new construction and all rehabilitation or remodeling of buildings should stress the "Old California Town" theme. Careful attention should be given to the scale and bulk of buildings in order to maintain and enhance the character and livability of the area.~~

~~2. Private improvements should complement and exploit the public investment in area improvements to the fullest extent.~~

~~3. Weather protection in the form of shade trees, awnings, and overhangs should be provided. Long distances with no weather protection should be avoided.~~

~~4. Development design should feature continuous building frontage unbroken by wide openings created by parking areas, and emphasis should be given to building and sidewalk amenities that will attract foot traffic.~~

~~5. Scale should be maintained in parking lots. Wherever feasible these should be located to the rear of buildings, and should be broken up by planted areas and shade trees to give a sense of human scale and provide amenities.~~

~~6. Extensive landscaping should be provided along street frontages.~~

~~7. Sign sizes and placement should be coordinated to avoid the clutter created by signs of unrelated size and shape.~~

~~8. The Planning Commission may grant relief from the off-street parking requirements, if it can be demonstrated that sufficient parking is available off-site to service the proposed use.~~

~~B. Smith Street Commercial Area Criteria.~~

~~1. Efforts should be made to retain as many of the good older structures as possible and to reintroduce the character of early California more fully. Where feasible, Victorian or Carpenter-Victorian buildings should be moved in from other areas to fill in some vacant properties and provide shop and office space.~~

~~2. The relatively small and intimate scale of Smith Street should be retained. Large, bulky structures which would be out of scale with the street and would dominate existing buildings should be avoided.~~

~~3. New and relocated buildings should be placed close to the street to maximize continuous frontage and encourage foot traffic.~~

~~4. Where parking lots are located to the rear of buildings, attractive rear entrances should be provided.~~

~~5. Exterior treatment of buildings should feature a coordinated color scheme to be implemented as existing structures are remodeled or repainted and new buildings constructed.~~

~~C. Union City Boulevard Commercial Area Criteria.~~

~~1. Building sizes should be large enough to maintain a good scale relationship with the width of the boulevard.~~

~~2. Buildings should be placed close to the front property lines to visually reduce the barren expanse of boulevard pavement.~~

~~3. Extensive landscaping should be provided along the street frontage.~~

~~4. Development design may feature varied setbacks to accommodate small garden courts and landscaped areas along the street frontage as a means of enhancing the street scene and encourage foot traffic.~~

~~5. Exterior treatment of new and remodeled buildings should favor natural materials and earth colors which have a softening influence as opposed to hard concrete and slick surfaces.~~

18.27.180 Off-street parking.

Parking shall be required subject to the following:

A. Residential Uses. Provide automobile and bicycle parking consistent with the RM 1500 zoning district per Section 18.32.160, except that one hundred percent (100%) affordable rental developments may provide off-street parking pursuant to the standards contained in Section 18.32.160(B)(5).

B. Commercial Uses. Provide automobile and bicycle parking at commercial district standards per Section 18.36.150. For commercial uses on the ground floor as part of a mixed-use development, shared parking shall be evaluated on a case-by-case basis.

C. The Planning Commission may grant relief from the off-street parking requirements, if it can be demonstrated that sufficient parking is available off-site to service the proposed use.

18.27.190 Off-street loading.

A. ~~Adequate~~ loading docks and/or berths shall be provided on-site to serve the use. Such facilities shall be designed according to the following standards unless an alternative design is approved ~~located on the rear or side of the building, be screened from the public right of way, and are subject to review and approval~~ through the site development review or administrative site development review process. 1. Loading dock entrances shall not exceed 20 feet in width.

12. Loading docks shall be located inside a building and equipped with closable doors.

~~B2.~~ ~~Adequate~~ loading zones shall be provided along the street frontage(s).

18.27.210 Residential open space

~~All residential and mixed-use development shall provide residential open space features, such as courtyards, pool and spa areas, recreation facilities, and picnic and play areas for use by the tenants/owners.~~

Chapter 18.28 OFF-STREET PARKING AND LOADING

18.28.080 Design criteria for bicycle parking facilities ~~located in industrial or commercial zoning districts.~~

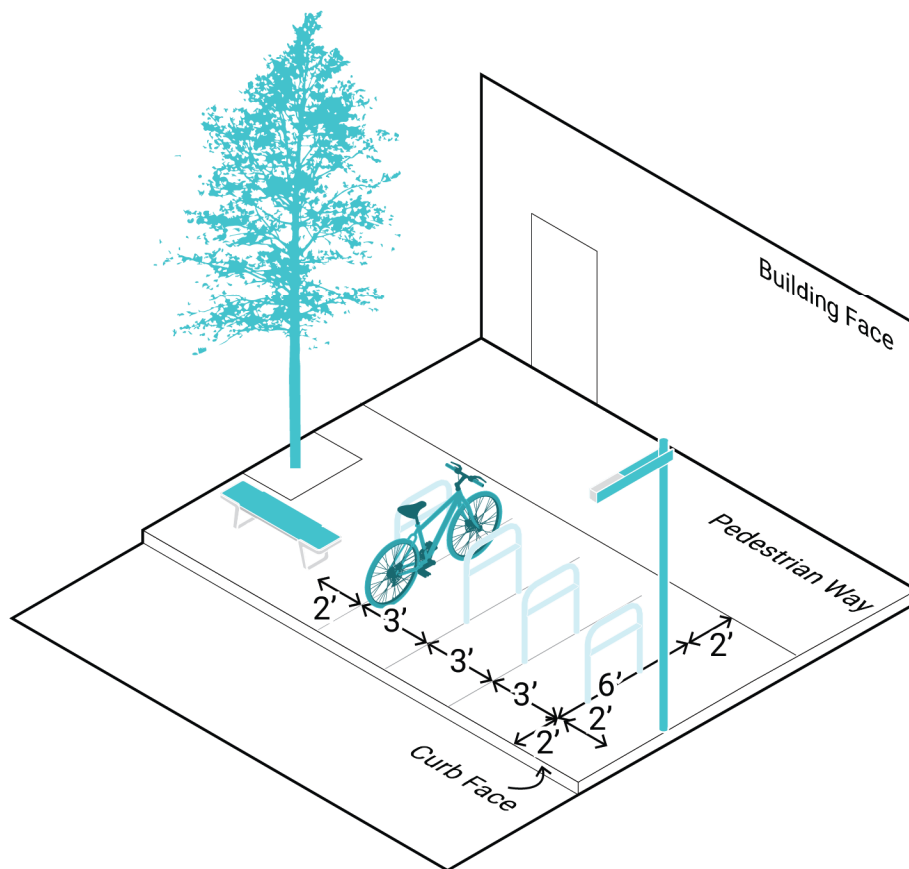
A. Short- and Long-Term Bicycle Parking Required. Unless otherwise stated in another part of this Code, required bicycle parking shall be designed as either short- or long-term bicycle parking as follows.

1. Four or Fewer Required Bicycle Parking Spaces. Where four (4) or fewer bicycle parking spaces are required, the required bicycle parking spaces shall be designed as short-term bicycle parking in compliance with the standards of this Section.
2. Five or More Required Bicycle Parking Spaces. Where five (5) or more bicycle parking spaces are required, the required bicycle parking spaces shall be designed as short- or long-term bicycle parking in compliance with the standards of this Section as follows:
 - a. A minimum of four (4) bicycle parking spaces shall be designed as short-term bicycle parking.
 - b. A minimum of twenty percent (20%) of the required bicycle parking spaces shall be designed as long-term bicycle parking.
 - c. The balance of the required bicycle parking spaces shall be designed as either short-term bicycle parking or long-term bicycle parking.

B. Short-Term Bicycle Parking. Short-term bicycle parking intended to serve customers, messengers, and other visitors to a site who generally stay for a short time, shall be designed as specified below.

1. Location. Short-term bicycle parking shall be located within fifty (50) feet of a main entrance to the building it serves and visible from a main entrance if feasible. Where the bicycle parking area is not visible from a main entrance of the building, signs located at the main entrance of the building shall identify the location of bicycle parking.
 - a. Required short-term bicycle parking may be located within the public right-of-way with an encroachment permit issued by the City.
2. Anchoring and Security. For each short-term bicycle parking space required, a stationary, securely anchored object shall be provided to which a bicycle frame and one (1) wheel (two (2) points of contact) can be secured with a high-security U-shaped shackle lock if both wheels are left on the bicycle. One (1) such object may serve multiple bicycle parking spaces.

3. Size. Each short-term bicycle parking space shall be a minimum of two (2) feet in width and six (6) feet in length and shall be accessible without moving another bicycle.
4. Clearance.
 - a. Between Racks. Three (3) feet of clearance shall be provided between bicycle parking racks.
 - b. Between Other Elements. Two (2) feet of clearance shall be provided between short-term bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, pedestrian ways, and curbs.
5. Lighting. A minimum of one (1.0) foot-candle lighting level shall be provided in all short-term bicycle parking areas.



C. Long-Term Bicycle Parking. Long-term bicycle parking intended to serve employees, residents, visitors, and others who generally stay at a site for four (4) hours or longer shall be designed as specified below.

1. Location. Long-term bicycle parking shall be located on the same lot as the use it serves. In parking garages, long-term bicycle parking shall be located within one hundred (100) feet of an entrance to the facility.
2. Covered Spaces. Long-term bicycle parking shall be covered either inside a building, under roof overhangs or awnings, in bicycle lockers, or within or under other structures.
3. Security. Long-term bicycle parking shall be in one (1) of the following locations.
 - a. A fully enclosed bicycle locker accessible only by the owner or operator of the bicycle.
 - b. A fenced, covered, and locked or guarded bicycle storage area.
 - c. A rack or stand inside a building that is within view of an attendant or security guard, visible from employee work areas, or within a secure/restricted bicycle storage room.
 - d. A unit with a foyer that accommodates a wall-mounted bike rack.
 - e. Other secure area approved by the decision maker.
4. Size. Each long-term bicycle parking space shall be a minimum of two (2) feet in width and six (6) feet in length and shall be accessible without moving another bicycle.
5. Clearance.
 - a. Between Racks. Three (3) feet of clearance shall be provided between bicycle parking racks.
 - b. Between Other Elements. Two (2) feet of clearance shall be provided between long-term bicycle parking spaces and adjacent walls, poles, landscaping, street furniture, drive aisles, pedestrian ways, and curbs.
6. Accessibility. Long-term bicycle parking areas shall be accessible from the public right-of-way via at least one (1) main access path that meets the following criteria.
 - a. The access path shall be clear at all times.
 - b. The access path shall be a minimum of four (4) feet wide.
 - c. Any doors the path goes through shall have a minimum width of three (3) feet.
 - d. The access path shall not exceed five percent (5%) slope.
 - e. The access path shall not require any lifting of a bicycle over steps.

f. Elevators, when used as part of the path, shall have minimum interior dimensions of eighty (80) inches by fifty-four (54) inches.

7. Lighting. A minimum of one (1.0) foot-candle lighting level shall be provided in all long-term bicycle parking areas.

8. No Lifting. A minimum of twenty percent (20%) of long-term bicycle parking spaces shall be designed so that the bicycle does not need to be lifted in order to be secure.

9. Electrical Service. A minimum of twenty percent (20%) of long-term bicycle parking spaces shall have access to an electrical outlet for charging.

10. Racks and Stands. Racks and stands, if used, shall be securely anchored to the ground or building and be designed to enable a bicycle frame and one (1) wheel (two (2) points of contact) to be secured with a high-security U-shaped shackle lock if both wheels are left on the bicycle.~~A. Bicycle parking facilities shall consist of bicycle lockers, racks, a totally enclosed space within a building, or a City-approved enclosure that conforms to the following:~~

~~1. Bicycle lockers shall be a fully enclosed space accessible only by the owner or operator of the bicycle. Bicycle lockers may be pre-manufactured or designed for individual sites and must be fitted with pre-installed locking mechanisms.~~

~~2. Bicycle racks shall be designed to support a bicycle by its frame in two (2) places. Bicycle racks shall also be designed to enable bicyclists to lock a bicycle frame and one (1) or both wheels to the rack with a user supplied lock. Bicycle racks mounted in a row shall be placed a minimum of thirty (30) inches from one another. The exterior surface of the rack shall be durable, rust-resistant, non-marring and shall not require regular maintenance. Bicycle racks shall be located in a weather-protected area whenever feasible.~~

~~B. Bicycle parking facility design is subject to review and approval by the Economic and Community Development Director.~~

~~C. Bicycle parking facilities shall be securely anchored to the ground or building.~~

~~D. Bicycle parking facilities shall not impede pedestrian or vehicular circulation.~~

~~E. Bicycle parking facilities shall be located in highly visible well-lit areas to deter theft and vandalism. Whenever possible, bicycle parking should be located in close proximity to a building's entrance. Where applicable, bicycle parking facilities and automobile parking shall be separated by a physical barrier or sufficient distance to protect bicycles from damage.~~

~~F. Informational signage indicating the presence of bicycle parking shall be installed adjacent to any new bicycle parking facilities.~~

~~G. When more than ten (10) bicycle parking facilities are required by this title, they shall be required to be weather protected through the use of bicycle shelters or lockers or a combination of the two. Bicycle shelter shall be designed to be visually and aesthetically consistent with adjacent existing or proposed structures. Bicycle shelter design is subject to review and approval by the Economic and Community Development Director.~~

~~18.28.090 Design criteria for bicycle parking facilities located in multifamily residential zoning districts.~~

~~A. Bicycle parking facilities shall consist of bicycle lockers or racks and shall be in conformance with the criteria listed in Section 18.28.080 (A) through (D).~~

~~B. Bicycle parking facilities shall be located in a weather protected, enclosed and secure area that is highly visible and well-lit to deter theft and vandalism. Where applicable, bicycle parking facilities and automobile parking shall be separated by a physical barrier or sufficient distance to protect bicycles from damage. The provision of bicycle lockers in lieu of racks will satisfy the requirement that the bicycle parking facilities be located in a weather protected, enclosed and secure area.~~

~~C. Five percent (5%) of the bicycle parking demand required by this title shall be accessible to guests and does not need to be located in a weather protected or enclosed area.~~

18.28.~~100~~090 Substitution of automobile parking with bicycle parking facilities.

Subject to approval by the decision maker, the required automobile parking demand for a particular use may be reduced by up to ten percent (10%) when additional bicycle parking facilities are provided beyond what is required by the applicable provisions listed in this title. The required automobile parking demand may be reduced at a rate of one (1) parking space for each six (6) additional bicycle parking facilities provided.

18.28.~~140~~100 Transportation demand management programs.

A. Subject to use permit approval, up to a twenty-five percent (25%) reduction in required parking demand may be granted by the decision-making body if transit demand management (TDM) measures are implemented that reduce a project's overall number of vehicle trips generated and related parking demand. TDM

measures may include, but are not limited to, provision of shuttles to and from BART, implementation of public transit pass programs, installation of showers and lockers to encourage people to bike or walk to work, preferential parking for people who car pool, etc.

B. A TDM plan, prepared by a qualified professional, shall be submitted with the use permit application. At a minimum, the TDM plan shall include a description of proposed TDM measures, a quantitative analysis of how measures will reduce the project's vehicles trips generated and related parking demand, and a detailed implementation plan to

ensure TDM management through the life of the use permit. A responsible party (i.e., project applicant, property owner, homeowner's association, etc.) shall be identified for the implementation and management of the plan. The proposed parking demand reduction will be based on the information contained in the TDM plan. The City shall hire a consultant, at the applicant's and/or property owner's expense, to conduct a third-party peer review of the TDM plan.

C. Yearly monitoring reports (measured from the date of use permit approval) shall be submitted by the responsible party listed in the TDM plan to the Economic and Community Development Department. Monitoring reports shall detail the TDM measures being implemented and the success of these measures including the number and percentages of people who are utilizing TDM programs and the amount of vehicle trips reduced. Monitoring reports shall be prepared by a qualified professional and may be subject to a third-party peer review paid for by the applicant and/or property owner. Failure to implement the programs and/or strategies listed in the TDM plan or failure to submit monitoring reports in a timely manner may result in revocation of the use permit subject to the provisions listed in Section 18.56.100.

D. This provision applies to the following types of uses:

1. Commercial;
2. Industrial;
3. Private institutional; and
4. Multifamily residential.

Chapter 18.32 RESIDENTIAL DISTRICTS

18.32.040 Walls, fences and hedges.

A. Walls, fences and hedges located in any residential district shall be subject to the following height, location and design restrictions.

1. In the required rear and interior side yards the maximum height shall be six (6) feet as measured above the surface of the ground, except that an additional one and one-half (1.5) foot of lattice may be added above a six (6) foot high fence.
2. Height Exception. Fences a maximum of eight (8) feet in height may be allowed in the required rear yard or interior side yards when the yard abuts a flood control channel, railroad, park, licensed residential care or health facility, school, child care center, commercial use, industrial use or major arterials, including Alvarado-Niles Road, Dyer Street, Decoto Road, Whipple Road, Union City Boulevard, Mission Boulevard, Alvarado Boulevard and Lowry Road. Soundwalls are exempted from height restrictions when they are part of a site development review approval of a subdivision. The owner of the lot on which an eight (8) foot fence is constructed in accordance with this subsection shall

reduce the fence height to six (6) feet within thirty (30) calendar days of the removal, relocation, or the termination of operations of the adjacent facility or use. When an eight (8) foot fence adjoins a fence of a lower height at any point other than at the intersection of two (2) or more lot lines, the eight (8) foot fence shall be designed to step or slope down to the height of the adjoining fence.

3. When located in the front yard, the maximum height shall be three (3) feet above the surface of the ground.

4. On corner and reverse corner lots, the maximum height shall be three (3) feet in the exterior side yard, except that fences meeting the other requirements listed in Section 18.32.040(A) may be permitted when located ten (10) feet from the side street lot line and at least thirty-five (35) feet from the front lot line, but not closer to the front lot line than the front face of the structure.

5. On lots developed with multifamily residential uses, fences a maximum of eight (8) feet in height may be permitted to enclose interior private open space areas at the end units of building clusters. Interior private open space areas are those areas which are located between a building unit and a garage or other structure.

6. Fences shall be wood, masonry, or earth materials. Metal, plastic, or other similar materials shall not be used except as posts or other support elements.

~~all districts, the design of fences and walls, and materials used in construction, shall aesthetically complement the yard area, and be compatible with neighboring yards, fences and structures. Acceptable materials are deemed to be natural materials such as wood, masonry and earth materials, and do not include metal, plastic or other similar materials where such fences and structures are intended to exceed three (3) feet above the surface of the ground.~~

B. Retaining Walls. Retaining walls located in any residential district, except for those located in the hillside combining district, shall be subject to the following restrictions.

1. A retaining wall which is not part of a building shall not exceed three (3) feet in height.

2. Fencing on top of a retaining wall is permitted when the total height of both the wall and fence do not exceed the applicable maximum height requirement in Section 18.32.040(A).

3. The sides of exposed exterior retaining walls shall be architecturally treated.

4. Exceptions. Exceptions may be granted by the director where the director finds that no practical alternative exists, the purpose of the regulation will not be compromised, and no detrimental impact will result.

18.32.080 Lot coverage.

The maximum site area covered by all structures located on the site shall be as prescribed in the following table:

District	Coverage
RS 10000	50%
RS 8000	50%
RS 7000	50%
RS 6000	50%
RS 4500	50%
<u>RM 3500</u>	<u>70%</u>
RM 2500	40 70%
RM 1500	40 80%
<u>RM 3500</u>	<u>40%</u>

18.32.090 Front yard.

A. In the RS districts the minimum front yard shall be twenty (20) feet.

1. Except that in the RS 10000 and RS 8000 districts the minimum front yard shall be twenty-five (25) feet.

B. In the RM districts, the ~~required front yard may be reduced by five (5) feet when all required off-street parking spaces are located on the rear half of the site or are entered parallel to the front lot line of the site~~ minimum front yard shall be ten (10) feet.

18.32.100 Side yards.

A. Residential Uses. The minimum side yard for ~~a permitted~~ residential uses shall be ten percent (10%) of the width of the site; provided, that a side yard of not more than ten (10) feet shall be required and a side yard of not less than five (5) feet shall be permitted subject to the following exceptions:

1. An interior side yard providing access to a dwelling or dwelling units shall not be less than twelve (12) feet wide, with the exception of access to accessory dwelling units in R and RS districts, where the minimum side yard standards are permitted. Where the side yard provides access to off-street automobile parking, it shall be not less than twelve (12) feet and shall be paved to a ten (10) foot width. A street side yard of a corner lot providing access to a dwelling or dwelling units shall be regulated by the street side yard setbacks for the district.

2. In RM districts, where a side lot line of a site adjoins an RS district and private rear yard spaces of individual units are proposed to be located along the side lot line, a side yard setback of not less than twenty (20) feet shall be required.

3. In the RS districts, with the exception of the RS 4500 district where ten (10) feet is permissible, on the street side of a corner lot, the side yard shall be fifteen (15) feet. In the RM districts, the street side shall be ten (10) feet.

4. In the RS 4500 district:

a. Side yards may be eliminated on one (1) side (zero side yard); provided, that the side wall contains no windows or other openings. An interior side yard must be maintained on at least one (1) side of dwellings on adjoining lots where side yards are aggregated on a single side. Where dwellings are placed on the zero lot line and where a one-story structure is adjacent to another one-story structure on an adjacent lot, the minimum separation between structures shall be ten (10) feet. In no case shall a dwelling be located closer than ten (10) feet to the nonzero lot line side lot line.

b. Where dwellings are placed on the zero lot line and where a one-story structure is adjacent to a two-story structure on an adjoining lot or when a two-story structure is adjacent to another two-story structure on an adjacent lot, the minimum separation between structures shall be fifteen (15) feet. Second-story additions to existing single-family dwellings placed on the zero lot line are exempt from the increased side yard building separation provision stated above, but a minimum side yard of ten (10) feet must be maintained on one (1) side.

B. Nonresidential Uses. The minimum side yard for a ~~conditional-nonresidential~~ use and its accessory structures shall be ten percent (10%) of the width of the site; provided, that a side yard of not more than twenty (20) feet shall be required and a side yard of not less than ten (10) feet shall be permitted, subject to the following exceptions:

1. In the RS districts, on the street side of a corner lot, the side yard shall be not less than twenty (20) feet.

2. In the RM districts, on the street side of a corner lot, the side lot shall be not less than fifteen percent (15%) of the width of the site; provided, that a side yard of not more than twenty (20) feet shall be required and a side yard of not less than fifteen (15) feet shall be permitted.

3. One (1) foot shall be added at ground level to each interior side yard for each two (2) feet of height by which the structure exceeds twelve (12) feet.

~~4. Single-family residential uses within the H-combining district are subject to the setbacks for permitted uses provided in subsection A above.~~

18.32.105 Rear yards.

A. In all RS ~~and RM~~ districts excepting the RS 4500 district, the minimum rear yard shall be twenty (20) feet; however, the minimum rear yard may be reduced to fifteen (15) feet if remaining rear or side yard area has a square footage area of twenty percent (20%) or more of the total lot area and a dimension of not less than fifteen (15) feet.

B. In the RS 4500 district, the minimum rear yard shall be fifteen (15) feet; however, the minimum rear yard may be reduced to ten (10) feet if remaining rear or side yard area has a square footage area of fifteen percent (15%) or more of the total lot area and a dimension of not less than ten (10) feet.

C. In the RM districts, the minimum rear yard shall be fifteen (15) feet.

CD. In the RM districts where multiple units are proposed on a site, the rear yard shall be deemed to be the yard area at the opposite end of the site from the frontage.

DE. For through lots, the minimum rear yard shall be twenty (20) feet in RS districts and fifteen (15) feet in RM districts.

18.32.115 ~~Open space and IL~~landscaped areas.

A. In all districts, the required front yard shall be landscaped and permanently maintained not including approved driveways and pedestrian pathways. Not less than five (5) feet of the required side yard on the street side of a corner lot, and not less than ten (10) feet of the required rear yard adjoining the rear property line of a double frontage lot shall be landscaped and permanently maintained. Non-living landscaping shall not exceed twenty-five percent (25%) of any required landscaped area unless approval from the City Arborist or City Landscape Architect is obtained.

~~B. In RM districts, for each dwelling unit on the site, not less than three hundred (300) square feet of usable open space conforming to the following standards shall be required:~~

~~1. The usable open space may be common space accessible to more than one (1) dwelling unit or may be private space for the exclusive use of individual units.~~

~~2. At least one-half (0.5) of the required space shall be provided at ground level exclusive of front yard setback areas, and not more than one-half (0.5) of the requirement may be satisfied by balconies or roof decks.~~

~~3. Each square foot of private open space shall be considered equivalent to two (2) square feet of common space, and may be so substituted, except in the RM 3500 district where one (1) foot shall be considered equivalent to one and one-half (1.5) square feet of common space.~~

~~4. Common usable open space shall have a minimum area of three hundred (300) square feet, and shall have no dimension less than fifteen (15) feet.~~

~~5. Private usable open space at ground level shall have a minimum area of one hundred fifty (150) square feet, and shall have no dimension less than ten (10) feet.~~

~~6. Open space located in parking area, driveway or service area shall not be counted, nor shall open space with a slope greater than ten percent (10%).~~

~~C. Projects located in the RM 2500 and RM 3500 districts, that include development of a vacant site or substantial modification of a developed site, shall provide landscaped~~

~~areas that measure a minimum of forty percent (40%) of the project site area. Pools, tennis courts, and other recreational facilities, as well as street furniture, kiosks, plazas and gathering areas can be included in the landscape calculation. This area can also be utilized to satisfy the common, usable open space requirements listed in subsection B. Projects that cannot provide the minimum amount of required landscaping shall pay a landscape in-lieu fee in the amount set forth in the City's Master Fee Schedule.~~

~~D. Projects located in the RM 1500 district, which include development of a vacant site or substantial modification of a developed site, shall provide landscaped areas that measure a minimum of twenty-five percent (25%) of the project site area. Pools, tennis courts, and other recreational facilities, as well as street furniture, kiosks, plazas and gathering areas can be included in the landscape calculation. This area can also be utilized to satisfy the common usable open space requirements listed in subsection B. Projects that cannot provide the minimum amount of required landscaping shall pay a landscape in-lieu fee in the amount set forth in the City's Master Fee Schedule.~~

E. New landscaping and modifications to existing landscaping shall comply with the provisions listed in Chapter 18.112, Water Efficient Landscape, and the Landscape Standards Policy Statement.

F. Replacement of dead, dying or deficient landscaping shall be required for establishment of new non-residential uses or modification of existing uses.

18.32.120 Height of structures.

In the RS, ~~RM 2500 and RM 3500~~ districts, no principal structure shall exceed thirty (30) feet in height. Spires, cupolas, chimneys, elevator penthouses, flagpoles and necessary mechanical appurtenances may be allowed to a maximum height limit of forty (40) feet. Amateur radio antennas and antenna structures may be allowed to exceed the basic height limitation, subject to required approvals, in accordance with Section 18.32.190.

In the RM 2500 and RM 3500 districts, no structure shall exceed forty (45) feet in height.

In the RM 1500 district, no structure shall exceed seventy-five (75) feet in height.

18.32.125 Design criteria.

The following design criteria shall be used to evaluate new construction and additions or modifications to existing structures within residential districts:

A. Single-family manufactured homes placed as a sole principal residence on a single-family lot and constructed after June 15, 1976, are subject to the following design criteria:

1. The manufactured home width shall not be less than twenty (20) feet and may be a double-wide, multi-sectional unit.

2. The exterior siding material shall extend to the ground, except that when a solid concrete or masonry perimeter foundation is to be used, the exterior covering material need not extend below the top of the foundation.

3. The roof of the manufactured home shall have a pitch of not less than two and one-half (2.5) inches of vertical rise for each twelve (12) inches of horizontal run.

4. The roof shall have eave and gable overhangs of not less than twelve (12) inches measured from the vertical side of the manufactured home, or what is customarily found on existing residential structures in the vicinity. The overhang shall have the same slope and be covered with the same roofing material as the roof itself.

5. The exterior siding material and roof of the enclosed garage shall be the same as that of the manufactured home.

6. The finished floor of the manufactured home shall not exceed thirty (30) inches above the exterior finish grade of the lot.

7. The façade of the manufactured home shall be designed with sufficient detail to make it visually compatible with the existing residential structures in the vicinity. Such detail shall include door and window trim, window type and any special architectural features uniformly present on surrounding residences.

B. Single-family dwellings, including site-built, modular homes, and additions and modifications to existing structures, shall be compatible with the scale, bulk, style, and character of dwellings in the vicinity, and shall incorporate the following design criteria:

1. The Director or appropriate decision-body may grant exceptions to the following design standards to accommodate a complete architectural design, to ensure neighborhood compatibility, or where they find that adequate design features have been incorporated to create visual variety and avoid a bulky or monolithic appearance.

2. Building Façades and Materials:

a. No façade facing a public right-of-way shall run in a continuous plane of more than ten (10) feet and no façade facing an interior lot line shall run in a continuous plane of more than fifteen (15) feet without incorporating one (1) or more of the following:

i. A vertical wall shift at least one (1) foot in depth;

ii. A change in material type;

iii. Windows or building entrances;

iv. A projection such as a stoop, bay window, or overhang.

b. A minimum of three (3) exterior colors or a combination of materials and colors shall be used on the building façade.

- i. Stucco must be used in combination with a secondary material.
- c. Transitions for both materials and colors shall be located at internal corners.
- i. Wainscoting shall wrap onto the side elevations and shall continue until the fence line or till no longer visible from the right-of-way. This distance shall not be less than five (5) feet.
- d. Second-story façades shall incorporate the following:
 - i. A minimum of a six (6) foot inset from the front wall plane.
 - ii. A minimum of an eighteen (18) inch inset from the side and rear wall plane.
- e. Where chimney extensions are involved, the extension shall conform in design and materials with the existing chimney.
- 3. Windows and Glazing.
 - a. All windows shall incorporate the following:
 - i. Trim at least three (3) inches in width must be provided around all windows, or
 - ii. Windows must be recessed at least two (2) inches from the plane of the surrounding exterior wall.
 - b. Upper story windows located less than ten (10) feet from and facing rear or side yard of an adjacent property shall be located to maximize privacy for adjacent properties by using at least one (1) of the following techniques:
 - i. The sill height located a minimum of sixty (60) inches above the finished floor.
 - ii. The location of the window is such that the centerline of the glazing is offset greater than fifteen (15) lateral feet from the centerline of any glazing on an existing adjacent primary structure.
 - iii. Any window located partially or entirely below sixty (60) inches from the finished floor consists of frosted or obscured glazing.
 - iv. As used in this section, frosted or obscure glass is glass which is patterned or textured such that objects, shapes, and patterns beyond the glass are not easily distinguishable.
- 4. Roof Form and Detailing.
 - a. New structures shall provide a roof pitch no less than two and one-half (2.5) inches of vertical rise for each twelve (12) inches of horizontal run.
 - i. Mansard roofs shall be prohibited.

b. Alterations or additions to an existing structure shall provide the same roof form, material and color as the existing structure.

c. Roof material and color shall be the same throughout the entirety of the roof.

d. Overhanging eaves shall extend a minimum of twelve (12) inches beyond the supporting wall.

5. Principal Entrance.

a. The principal entrance shall face the street frontage.

b. The principal entrance shall be emphasized by utilizing at least one (1) of the following methods:

i. A projection (e.g., overhang) with a minimum depth of three (3) feet and a minimum horizontal area of thirty (30) square feet.

ii. A recess with a minimum depth of three (3) feet and a minimum horizontal area of thirty (30) square feet.

iii. A landing, deck, porch, or stoop with a minimum six (6) foot by six (6) foot area.

c. The principal entrance shall be clearly identifiable and connected to the public street by a pedestrian path with a minimum width of three (3) feet.

C. Relocated single-family dwellings and their accessory structures shall meet the above-noted design criteria and be subject to the requirements set forth in the ordinance pertaining to house moving permits.

D. Semidetached Single-Family Dwellings and Multifamily Dwellings. All semidetached single-family dwellings and multifamily dwelling development shall comply with 18.24.050.1. ~~Common interior walls between dwellings where applicable shall be constructed as party walls and shall comply with the provisions of the Uniform Building Code as adopted by the City.~~

~~2. Exterior colors and textures shall not be changed from the original or its equivalent as provided with the original development. In the event of destruction of all or part of the housing unit by fire, earthquake or other cause, it shall be rebuilt in accordance with the approved conditional use permit with the same or equivalent colors and textures. Site development review or administrative site development review approval shall be required for any exterior additions, changes or reductions in yard space from that provided with the original development. No garages shall be converted to living space. There shall be no reduction in livable space or storage space.~~

~~E. Additions to semidetached single-family dwellings shall be compatible with the existing and adjacent residences in terms of materials and design. The addition shall be located and designed so as to not disrupt the privacy of, or create noise impacts on, adjacent residents and yards. Required setbacks and open space for developments~~

~~located in other than RS 4500 zoning districts shall be established through the use permit process.~~

~~F. All residential development, including new construction and additions, shall be articulated on all elevations. A higher degree of articulation shall be provided on the front elevation defined as the elevation that faces the front lot line and includes the main entry point to the residence.~~

G. Accessory structures over one hundred twenty (120) square feet in area shall have an exterior appearance and character that reflects the existing primary residence in terms of materials and design. The color scheme shall match or be complementary to the existing residence. The structure shall be located and designed so as to not disrupt the privacy of, or create noise impacts on adjacent residents and yards.

H. All wood burning appliances installed in new residential units or wood burning appliances being added to or replacing wood burning appliances in existing residential units shall comply with the following regulations. Gas fireplaces shall be exempt from these regulations; however, the conversion of a gas fireplace to burn wood shall constitute the installation of a wood burning appliance and shall be subject to the following regulations. A wood burning appliance shall comply with these regulations if: (1) it is reconstructed; (2) additions, alterations or repairs are made to the appliance that requires opening up immediately adjacent walls; or (3) the residential units in which the appliance is located are renovated, and the renovation includes opening up walls immediately adjacent to the appliance. It shall be unlawful to:

1. Use any wood burning appliance when the Bay Area Air Quality Management District issues a "Spare the Air Tonight" warning and when an alternate approved heat source is available;

2. Install a wood burning appliance that is not one (1) of the following: (a) a pellet-fueled wood heater; (b) an EPA certified wood heater; or (c) a fireplace certified by EPA should EPA develop a fireplace certification program;

3. Use any of the following prohibited fuels in a wood burning appliance: (a) garbage; (b) treated wood; (c) plastic products; (d) rubber products; (e) waste petroleum products; (f) paints; (g) paint solvents; (h) coal; (i) glossy or colored papers; (j) particle board; (k) saltwater driftwood.

Any person who plans to install a wood burning appliance must submit documentation to the Building Division of the City demonstrating that the appliance is in compliance with subsection (H)(2) of this section. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be punishable as provided by law

I. All multifamily developments shall comply with the provisions listed in Chapter 7.04 regarding management of waste and recyclable materials.

18.32.150 Off-street loading.

~~Loading berths shall be provided and designed in compliance with the requirements of Section 18.36.140. Off-street loading berths accessory to uses allowed in residential districts shall be provided in accordance with the regulations set forth hereinafter as well as in general provisions of Chapter 18.04.~~

~~Such uses as require off-street loading facilities shall provide one (1) off-street loading berth for a gross floor area up to five thousand (5,000) square feet and for each additional ten thousand (10,000) square feet of gross floor area one (1) additional loading berth.~~

~~A.—— Location. All required loading berths shall be located on the same zoning lot as the use served. No loading berth for vehicles over two (2) ton capacity shall be closer than fifty (50) feet to any other property in residential districts unless completely enclosed by walls, or a uniformly solid fence or wall or any combination thereof, not less than six (6) feet in height.~~

~~No permitted or required loading berth shall be located within twenty-five (25) feet of the nearest point of intersection of any two (2) streets. No loading berth shall be located in a required front or side yard, and any loading berth located in a required rear yard shall be open to the sky.~~

~~B.—— Size. Unless otherwise specified, a required off-street loading berth shall be at least ten (10) feet in width by at least twenty-five (25) feet in length, exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least fourteen (14) feet.~~

~~C.—— Access. Each required off-street loading berth shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements and subject to approval by the City Engineer.~~

~~D.—— Surfacing. All open off-street loading berths shall be improved with a compacted rock base, not less than five (5) inches thick surfaced with not less than two (2) inches of asphaltic concrete or some comparable all-weather dustless material.~~

~~E.—— Repair and Service. No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities provided in any residence districts.~~

~~F.—— Space allocated to any off-street loading shall not be counted as satisfying off-street parking requirements.~~

~~G.—— Uses for which off-street loading facilities are required herein but which are located in buildings of less floor area than the minimum prescribed for such required facilities shall be provided with adequate receiving facilities off any adjacent alley, service drive or open space on the same zoning lot which is accessible by motor vehicles.~~

18.32.160 Off-street parking.

Off-street parking spaces and bicycle parking facilities that are accessory to uses allowed in residential districts shall be provided in accordance with the regulations set forth hereinafter as well as those in general provisions in Chapter 18.04.

A. Required accessory off-street parking facilities provided for uses listed herein shall be solely for the parking of passenger automobiles of patrons, occupants or employees of such uses, provided that in the RM districts, not more than twenty-five percent (25%) of the accessory parking spaces required for a dwelling, lodging, house, motel or hotel may be rented out on a monthly basis to occupants of other dwellings, lodging rooming houses, motel or hotels.

B. Off-street parking facilities are to be provided in the following ratio:

1. In the RS district, a minimum of two (2) covered and enclosed parking spaces per unit.

a. A third covered and enclosed parking space shall be provided either when the habitable areas of the primary residence (excluding accessory dwelling units) exceeds three thousand (3,000) square feet, or when there are five (5) or more rooms that can be used for sleeping purposes. In neighborhoods where two (2) car garages are predominant, the additional parking space shall be provided as a tandem space to ensure neighborhood consistency.

2. In the RM district, parking shall be provided as follows:

a. One (1) and ~~one-half (1.5)~~ spaces per one (1) bedroom or studio unit, ~~one (1)~~ of which must be covered, plus one-quarter (0.25) space per unit for guest parking;

b. Two (2) spaces per unit with two (2) or more bedrooms, one (1) of which must be covered, plus one-quarter (0.25) space per unit for guest parking.

3. Senior Housing. One-half (0.5) of a covered parking space shall be provided for each bedroom, and one-quarter (0.25) of a parking space shall be provided for each unit for guest parking. The number of parking spaces required for senior housing may be decreased by the Planning Commission if it is found that a specific use will not create as great a need for off-street parking.

4. Affordable Housing. For housing developments with one hundred percent (100%) of the units affordable to lower-income households (except for one (1) manager's unit), parking shall be provided at a ratio of one (1) parking space per studio or one (1) bedroom unit, one and one-half (1.5) parking spaces per two (2) bedroom unit, and two (2) parking spaces per three (3) or four (4) bedroom unit.

C. Size.

1. Uncovered off-street parking spaces shall be at least nine (9) feet in width by eighteen (18) feet in length, exclusive of access drives, aisles, ramps, or columns. Such space shall have a vertical clearance of at least seven (7) feet.
2. Enclosed two-car garages shall have a minimum unobstructed interior dimension of twenty (20) feet in width by twenty (20) feet in length.
3. When permitted enclosed tandem garages shall have a minimum unobstructed interior dimension of ten (10) feet in width by forty (40) feet in length.
4. Enclosed one-car garages shall have a minimum unobstructed interior dimension of ten (10) feet in width by twenty (20) feet in length.
5. Covered off-street parking spaces shall be at least ten (10) feet in width by twenty (20) feet in length.

D. Access. Each required off-street parking space shall open directly upon an aisle or driveway of such width and design as to provide safe and sufficient means of vehicular access to such parking space. All off-street parking facilities shall be designed with appropriate means of vehicular access to the street or alley in a manner which will least interfere with traffic movements. Driveways across public property shall be approved by the Director of Public Works.

E. Screening and Landscaping. All open automobile parking areas shall be effectively screened on each side adjoining or fronting on any premises by a wall, fence or densely planted compact hedge not less than five (5) feet nor more than six (6) feet in height. Such required screening shall conform to the front and side yard setback requirements of the district in which the parking is located.

F. All parking spaces required for dwelling units shall be located on the same zoning lot as the dwelling served. Parking spaces for all other uses shall be located on the same zoning lot as the use served except as otherwise provided in Chapter 18.04. Off-street parking shall be provided according to the following ratios:

1. Church, School, College, and Other Institutional Auditoriums. One (1) parking space shall be provided for each five (5) seats based upon maximum seating capacity.
2. Hospitals. One (1) parking space shall be provided for each three (3) hospital beds, plus one (1) parking space for each two (2) employees, plus one (1) parking space for each doctor assigned to the staff.
3. Libraries, Art Galleries and Museums—Public. One (1) parking space shall be provided for each one thousand (1,000) square feet of gross floor area.
4. Recreation Buildings or Community Centers. One (1) parking space shall be provided for each two (2) employees, plus spaces adequate in number to serve the visiting public and as determined by the City Planning Commission.

5. Public Utility and Public Service Uses. One (1) parking space shall be provided for each two (2) employees on maximum shift, plus spaces adequate in number to serve the public as determined by the City Planning Commission. Where such uses are unmanned, no spaces need be provided.

6. Sanitariums, Convalescent Homes and Nursing Homes. One (1) parking space for each six (6) beds, plus one (1) parking space for each two (2) employees, plus one (1) parking space for each doctor assigned to the staff.

7. Schools—Nursery, Elementary, Junior and Senior High. One (1) parking space for each two (2) employees, plus one (1) parking space for each ten (10) students in the senior high school.

G. No commercial vehicle in excess of three (3) tons gross unladen vehicle weight (except pickup trucks) shall be parked or stored on any lot in a residential district where in residential use; provided, however, that this section shall not prohibit temporary parking of any such vehicle while making pickups, deliveries or providing services for the residents on the lot on which the vehicle is parked.

H. Mobilehome/Recreational Vehicle Parking. Mobilehomes, recreational vehicles, trailers or boats which are on trailers may be parked in rear yards, or within driveways, on concrete aprons adjacent to driveways, or on other compact material for vehicle parking adjacent to driveways constructed pursuant to approval by the Economic and Community Development Department. Parking aprons shall comply with subsection I of this section. All such vehicles must be fully contained on private property, and shall not overhang into any portion of the public right-of-way, including the sidewalk. In addition, such vehicles may be parked within side yards which provide access to off-street parking, and are a minimum of twelve (12) feet wide with at least ten (10) feet of paved width. A minimum three (3) foot setback shall be retained along the interior side yard lot line from all vehicles.

I. In compliance with Chapter 10.36, Stopping, Standing and Parking, it is unlawful for any person, firm or group to park any vehicle, trailer, boat trailer or boat, or parts thereof within the side yard, front yard or corner vision triangle, as established by this title. This section does not apply to driveways or concrete parking aprons constructed pursuant to approval by the Economic and Community Development Department, or to driveways or concrete (or other appropriate material) parking aprons constructed prior to the adoption of the ordinance codified herein; provided, however, that such parking shall be limited to currently registered operable vehicles and shall be located on a stabilized permanent surface installed in accordance with this section.

Except for cul-de-sac or fan-shaped lots with reduced front yards, such vehicle parking areas shall not cover more than sixty percent (60%) of any required front yard or an area greater than six hundred (600) square feet, whichever is less. Parking on permeable surfaces in any instance shall not be allowed. Parking pads independent of the driveway or driveway apron shall not be allowed in the front or street side yards.

J. In the RM 1500 and RM 2500 zoning districts, a minimum of one (1) bicycle parking facility shall be provided for every three (3) units. Bicycle parking facilities shall be

designed and installed in conformance with the criteria outlined in Section 18.28.090080. Bicycle parking may be substituted for automobile parking subject to the provisions outlined in Section 18.28.400-090 and approval by the decision maker.

Chapter 18.35 CORRIDOR MIXED USE COMMERCIAL (CMU) DISTRICT

18.35.110 Front yard.

~~For lots with frontage on Mission Boulevard, Mission Boulevard shall be considered the front yard. Front yard setbacks shall be fifteen (15) feet from the face of the parking curb and five (5) feet from the property line to ensure a comfortable pedestrian environment. On Mission Boulevard, the front yard setback shall be five (5) feet from the property line and a minimum of fifteen (15) feet from the face of curb to ensure a comfortable pedestrian environment.~~

18.35.150 Design criteria.

~~A. All development shall comply with Section 18.24.050.~~

~~The design of new buildings and the rehabilitation of existing or relocated buildings shall be guided by the following design and siting criteria:~~

~~A. All new development and all rehabilitation or remodeling of buildings should stress the California Mission style architecture and should provide landscaping to minimize the impression that this roadway is a dividing line in the City.~~

~~B. Private improvements should complement and exploit the public investment in area improvements to the fullest extent such as, but not limited to, sidewalk improvements, the undergrounding of overhead utilities, and improved street lighting.~~

~~C. Weather protection in the form of shade trees, awnings and overhangs should be provided to extent feasible. Long distances with no weather protection should be avoided.~~

~~D. Development designs should feature building frontages unbroken by wide openings created by parking areas, and emphasis should be given to building and sidewalk amenities that will attract foot traffic.~~

~~E. Scale should be maintained in parking lots. Wherever feasible these should be located to the rear of buildings, and should be broken up by planted areas and shade trees to give a sense of human scale and provide amenities.~~

~~F. Where parking lots are located to the rear of buildings, attractive rear entrances should be provided.~~

~~G. Extensive landscaping should be provided along the street frontage.~~

~~H. Development design may feature varied setbacks to accommodate small garden courts and landscaped areas along the street frontage as a means of enhancing the street scene and encouraging foot traffic.~~

~~I. Exterior treatments of new and remodeled buildings should favor natural materials and earth tone colors to match the California Mission style architecture.~~

~~J. For mixed use and stand alone residential developments, development design should offer commercial/retail uses and/or amenity spaces on the first floor with residential units only to be located above the first floor when directly adjacent to Mission Boulevard.~~

~~K. The streetscape along Mission Boulevard should be enhanced by public art and landscape improvements that enhance the areas visual appeal and establish Mission Boulevard as a gateway to the City.~~

~~18.35.170 Residential open space.~~

~~All residential development shall provide residential open space features, such as courtyards, pool and spa areas, recreation facilities, and play areas for use by the tenants/owners.~~

18.35.200 Off-street loading.

~~Loading berths shall be provided and designed in compliance For commercial uses, loading berth requirements shall be evaluated on a project by project basis. Any required loading berths shall comply with the requirements of Section 18.36.140.~~

~~18.35.210 Laundry facilities.~~

~~Laundry facilities shall be provided to serve all residential dwelling units. Such facilities shall include washer and dryer appliances connected to utilities. In developments with common laundry facilities, the facilities must be in easily accessible locations and provide an adequate number of washers and dryers to serve the total number of units.~~

Chapter 18.36 COMMERCIAL DISTRICTS

18.36.050 Required conditions.

In commercial districts, including the CUL and CMU districts, the following conditions shall be required:

A. Where a site adjoins an A, OS or R district, a solid masonry wall six (6) feet in height shall be located on the property line, except that walls located in the street side yard setback shall not exceed three (3) feet in height.

B. No wall, fence, or hedge shall exceed six (6) feet in height if located in a required side yard or rear yard, unless a greater height is approved through the site development review or use permit process. A wall, fence, or hedge located in a required front yard or street side yard setback shall not exceed three (3) feet in height.

C. Outdoor storage of materials and equipment permitted through the issuance of a use permit shall occur only within an area which is screened from view from public rights-of-way by a solid wall or fence with solid gates where necessary, or compact evergreen hedge not less than six (6) feet in height; provided, that no materials or equipment shall be stored to a height greater than that of the wall, fence or hedge with the exception of live plant material.

D. A use not conducted entirely within a completely enclosed structure shall be screened by a solid wall or fence, or compact evergreen hedge not less than six (6) feet in height, if such use without such screening is found by the Planning Commission to have a substantial and detrimental effect on property values in the area.

E. All business, services, and processes shall be conducted entirely within a completely enclosed structure except for off-street parking and loading areas, and where permitted by a use permit, gasoline service stations, outdoor dining areas, nurseries, garden shops, lumber and other building materials stores. Temporary outdoor commercial events are permitted as provided by Chapter 18.54.

F. Products which are produced and sold on-site shall be sold at retail, and not wholesale.

G. Permitted and conditional uses in the Union Landing Commercial district shall be subject to the special design and siting criteria contained in Chapter 18.39.

H. Other provisions of this chapter notwithstanding, all storage, handling or other use of hazardous materials shall be subject to the provisions of Chapter 18.43 of this title.

I. All commercial development, including both new construction and additions, shall be articulated on all elevations.

J. Additions and modifications to commercial projects which are subject to the provisions of Chapter 18.76, Administrative Site Development Review, shall be designed to integrate with the existing project in terms of siting and architectural design. Above-ground utility installations, when permitted, shall be screened from public view. Roof equipment shall be screened by architecturally designed panels which are in proportion and scale with the roof line of the existing building.

K. All wood burning appliances installed in new commercial buildings or wood burning appliances being added to or replacing wood burning appliances in existing commercial buildings shall comply with the following regulations. Commercial buildings shall include, but not be limited to, hotels and restaurants. Gas fireplaces shall be exempt from these regulations; however, the conversion of a gas fireplace to burn wood shall constitute the installation of a wood burning appliance and shall be subject to the following regulations.

1. A wood burning appliance shall comply with these regulations if:
 - a. It is reconstructed;
 - b. Additions, alterations or repairs are made to the appliance that require opening up immediately-adjacent walls; or
 - c. The residential units in which the appliance is located is renovated, and the renovation includes opening up walls immediately adjacent to the appliance.
2. It is unlawful to:
 - a. Use any wood burning appliance when the Bay Area Air Quality Management District issues a "Spare the Air Tonight" warning and when an alternate approved heat source is available;
 - b. Install a wood burning appliance that is not one of the following:
 - i. A pellet-fueled wood heater,
 - ii. An EPA certified wood heater, or
 - iii. A fireplace certified by EPA should EPA develop a fireplace certification program;
 - c. Use any of the following prohibited fuels in a wood burning appliance:
 - i. Garbage,
 - ii. Treated wood,
 - iii. Plastic products,
 - iv. Rubber products,
 - v. Waste petroleum products,
 - vi. Paints,
 - vii. Paint solvents,
 - viii. Coal,
 - ix. Glossy or colored papers,
 - x. Particle board,
 - xi. Saltwater driftwood.

Any person who plans to install a wood burning appliance must submit documentation to the Building Division of the City demonstrating that the appliance is in compliance with subsection (K)(2)(b) of this section. Any person violating any of the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction shall be punishable as provided by law.

~~L. Permitted and conditional uses in the CC district located on Mission Boulevard shall be subject to the special design and siting criteria contained in Section 18.36.200 of this chapter.~~

M. Accessory structures must conform to the following standards:

1. No accessory building or structure shall be constructed on any lot prior to the time of construction of the principal building to which it is accessory.
2. No detached accessory building or buildings shall occupy more than thirty percent (30%) of the area of a required rear yard.
3. No detached accessory building located in a required rear yard shall exceed twelve (12) feet in height.

N. All development shall comply with the provisions listed in Chapter 7.04 regarding management of waste and recyclable materials.

18.36.090 Front yard.

A minimum front yard of twenty (20) feet shall be required, except as provided below.

A. For structures which exceed twenty (20) feet in height, the required setbacks shall be a minimum of twenty-five (25) feet.

B. On Mission Boulevard, the front yard setback shall be five (5) feet from the property line and a minimum of fifteen (15) feet from the face of curb to ensure a comfortable pedestrian environment.

18.36.140 Off-street loading.

A. Required Loading Berths. ~~Where appropriate, t~~The Planning Commission may require loading berths for each of the commercial districts that shall not be less than ten (10) feet by twenty-five (25) feet and shall be provided in accordance with the following schedule:

Required Number

Gross Nonresidential Floor Area

1 to 10,000 sq. ft.	1
10,001 to 25,000 sq. ft.	2
25,001 to 40,000 sq. ft.	3
40,001 to 100,000 sq. ft.	4

For each additional two hundred thousand (200,000) square feet of nonresidential floor area or fraction thereof over one hundred thousand (100,000) square feet of floor area one (1) additional loading berth shall be provided.

B. Design. All loading docks shall be designed according to the following standard unless an alternative design is approved through the site development review or administrative site development review process.

1. Loading dock entrances shall not exceed 20 feet in width.

21. Loading docks shall be located inside a building and equipped with closable doors.

18.36.150 Off-street parking.

Public automobile and bicycle parking facilities shall be provided as follows:

A. Places of Assembly.

1. Churches: one (1) space for each five (5) seats in main assembly room or one (1) space for each fifty (50) square feet of floor area, whichever requirement is greater;

2. Funeral homes, mortuaries: one (1) space for each fifty (50) square feet of chapel area or one (1) space for each five (5) seats in the same, whichever requirement is greater;

3. Places of public assembly having fixed seating, such as auditoriums, theaters, assembly halls, sports arenas, stadiums: one (1) space for each four (4) seats;

4. Places of public assembly having no fixed seats, such as dance halls, exhibition halls, gymnasiums, skating rinks, lodges: one (1) space for each one hundred (100) square feet of floor area used for public assembly;

5. Schools.

a. Business, professional, trade, art, craft, music and dancing schools and colleges: one (1) space for each employee plus one (1) for each four (4) students,

b. Nursery and day care centers: one (1) space for every ten (10) children, plus one (1) space for every two (2) employees.

B. Office, Business, Commercial and Service Uses.

1. Bowling alleys: six (6) spaces for each lane;

2. Hotels and motels: one (1) space for every room plus one (1) space for every two (2) employees on maximum shift;

3. Medical and dental clinic and offices: one (1) space for every two hundred (200) square feet of gross floor area;

4. Offices, banks and professional offices: one (1) space for every two hundred (200) square feet of gross ground floor area and one (1) space for every three hundred (300) square feet of gross floor area above or below the ground floor;

5. Restaurants, bars, nightclubs and lounges: one (1) space for every three (3) seats or one (1) space for every one hundred (100) square feet of gross floor area, whichever requirement is greater;

6. Rest homes, convalescent hospitals, sanitariums: one (1) space for every four (4) beds plus one (1) space for every two (2) employees;

7. Retail sales of automobiles, automobile parts, appliances, furniture, machinery, equipment rental, building materials, nurseries, and other similar retail uses involving primarily bulk merchandise: one (1) space for each four hundred (400) square feet of gross floor area plus one (1) space for each two thousand (2,000) square feet of lot area occupied by such area;

8. Service and repair uses such as printing, upholstering, appliance repair, sheet metal working, wood working or roofing: one (1) space for every five hundred (500) square feet of gross floor area;

9. Service stations: three (3) spaces for each hoist, rack or other area designed for servicing or minor repairs plus one (1) space for every two (2) employees on maximum shift.

C. Light retail sales, business and commercial establishments: one (1) space for every one hundred seventy-five (175) square feet where gross floor area is less than ten thousand (10,000) square feet; one (1) space for every two hundred (200) square feet where gross floor area is ten thousand (10,000) square feet or greater.

D. Other uses shall be provided on the same basis as required for the most similar use or as determined by the City Planning Commission.

E. Bicycle parking facilities shall be provided, at a minimum, in an amount equal to ten percent (10%) of the required automobile parking demand as determined by this chapter except for areas within one-half (1/2) mile of the Intermodal Station. For bicycle

parking demand ratios in these areas, see subsection F of this section. Required facilities shall be designed and installed in conformance with the design criteria outlined in Section 18.28.080. The number of required bicycle parking facilities may be increased by the decision maker for a specific use if it is found that such use shall create a greater demand for these facilities. Bicycle parking may be substituted for automobile parking subject to the provisions outlined in Section 18.28.~~400-090~~ and approval by the decision maker.

F. For areas within one-half (1/2) mile of the Intermodal Station, bicycle parking facilities shall be provided, at a minimum, in an amount equal to twenty percent of the required automobile parking demand as determined by this chapter. A minimum of twenty percent (20%) of the required bicycle parking demand shall be enclosed and secure to accommodate long-term users. Required facilities shall be designed and installed in conformance with the design criteria outlined in Section 18.28.080. The number of required bicycle parking facilities may be increased by the decision maker for a specific use if it is found that such use shall create a greater demand for these facilities. Bicycle parking may be substituted for automobile parking subject to the provisions outlined in Section 18.28.~~400-090~~ and approval by the decision maker.

18.36.200 Design Criteria~~Special design and siting criteria for uses on Mission Boulevard~~

A. All development shall comply with Section 18.24.050.

B. Mixed Use Development along Mission Boulevard, CC District.

1. Mixed-use developments shall be regulated by the standard lot size, setback, maximum height, off-street parking requirements, and maximum lot coverage requirements of the CC, Community Commercial district.

2. For residential uses located above ground floor commercial uses, the density limitations, off-street parking and bicycle parking requirements shall be based on the regulations for the RM 1500 district.

~~Special design and siting criteria for uses on Mission Boulevard.~~

~~To enhance the image and establish the area along Mission Boulevard, between Decoto Road and the Hayward city limits, as a gateway to Union City by intensifying the land use and providing opportunities for new mixed-use (commercial and residential) developments. The design of new buildings and the rehabilitation of existing or relocated buildings not within Corridor Mixed Use Commercial (GMU) district shall be guided by the following design and siting criteria:~~

~~A. All new construction and all rehabilitation or remodeling of buildings should stress the California Mission style architecture and should provide landscaping to minimize the impression that this roadway is a dividing line in the City.~~

~~B. Private improvements should complement and exploit the public investment in area improvements to the fullest extent such as, but not limited to sidewalk improvements, the undergrounding of overhead utilities, and improved street lighting.~~

~~C. Weather protection in the form of shade trees, awnings and overhangs should be provided. Long distances with no weather protection should be avoided.~~

~~D. Development designs should feature building frontages unbroken by wide openings created by parking areas, and emphasis should be given to building and sidewalk amenities that will attract foot traffic.~~

~~E. Scale should be maintained in parking lots. Wherever feasible these should be located to the rear of buildings, and should be broken up by planted areas and shade trees to give a sense of human scale and provide amenities.~~

~~F. Where parking lots are located to the rear of buildings, attractive rear entrances should be provided.~~

~~G. On Mission Boulevard, the front yard setback shall be five (5) feet from the property line and a minimum of fifteen (15) feet from the face of curb to ensure a comfortable pedestrian environment.~~

~~H. Extensive landscaping should be provided along the street frontage.~~

~~I. Development design may feature varied setbacks to accommodate small garden courts and landscaped areas along the street frontage as a means of enhancing the street scene and encouraging foot traffic.~~

~~J. Exterior treatments of new and remodeled buildings should favor natural materials and earth tone colors to match the California Mission style architecture.~~

~~K. Special efforts should be made to encourage a safe, well lighted pedestrian environment along Mission Boulevard.~~

~~L. Mixed use developments shall be regulated by the standard lot size, setback, maximum height, off street parking requirements, and maximum lot coverage requirements of the CC, Community Commercial district.~~

~~M. For residential uses located above ground floor commercial uses, the density limitations, off street parking and bicycle parking requirements shall be based on the regulations for the RM 1500 district.~~

~~N. Development design should offer commercial/retail uses on the first floor with residential units only to be located above the first floor when directly adjacent to Mission Boulevard.~~

~~O. On street parking shall be permitted on Mission Boulevard.~~

~~P. The streetscape along Mission Boulevard should be enhanced by public art and landscape improvements that enhance the areas visual appeal and establish Mission Boulevard as a gateway to the City.~~

~~Q. Sign sizes and placement should be coordinated to avoid the clutter created by signs of unrelated size and shape.~~

Chapter 18.37 STATION EAST MIXED USE RESIDENTIAL (SEMU-R) DISTRICT

18.37.140 Design criteria.

A. All development shall comply with Section 18.24.050.

~~A. Architectural Standards. Buildings shall be designed with a contemporary or “modern” vocabulary, using varied geometric volumes and a variety of high-quality materials (e.g. metal and glass). The following shall apply to any new buildings, additions to buildings which increase existing square footage by fifty percent (50%) or more, or modifications to existing buildings which modify the exterior of the building:~~

~~1. All street-facing façades must include at least one horizontal or vertical projection or recess at least four feet in depth, or two projections or recesses at least two and one-half (2½) feet in depth, for every fifty (50) horizontal feet of wall. The articulated elements must be greater than one story in height and may be grouped rather than evenly spaced in fifty (50) foot modules.~~

~~2. Lower and upper stories shall be separated by horizontal detailing such as an awning, overhang, cornice line, or belt course. Separation may occur either above the ground floor or second floor.~~

~~3. All street-facing façades must include vertical projections or recesses such as pilasters, porches, decks, bay windows, entry recesses, and other details that provide architectural articulation and design interest.~~

~~4. Window designs shall differentiate the various components of the building (e.g., ground floor retail spaces, stair towers, corners, or residential units).~~

~~5. Façade elements must establish building scale and pattern, using architectural techniques such as clustering or aligning windows and doors to form a regular pattern. Horizontal building elements should be roughly aligned (within three (3) feet of height) with others in the same block.~~

~~6. The design of townhomes shall be articulated such that individual units are differentiated from each other. Each unit shall maintain separate, identifiable roof forms, massing, fenestration, and street-facing doorways.~~

~~7. Ground floor residential units shall provide finish floor elevations of between eighteen (18) to forty two (42) inches above the adjoining sidewalk.~~

~~8. Buildings shall not include blank walls which exceed twenty (20) feet.~~

~~9. For the portions of the buildings that face onto the Grand Paseo and have a length longer than ninety (90) feet and where the Grand Paseo is less than forty (40) feet in width, the building massing shall reduce to create architectural relief and interest. This can be ensured, in part, by calculating the surface area of the first floor plane of any building façade that faces the paseo (length of the first floor of the building X height of that floor = surface area). The second floor paseo-facing area shall be no more than ninety five percent (95%) of the first floor area. The third floor paseo-facing area shall be no more than eighty five percent (85%) of the first floor area and the fourth floor no more than seventy five (75%) of the first floor area.~~

~~B. Exterior Materials. Exterior building materials shall be chosen based on character, durability, ease of maintenance and context, and may include:~~

~~1. Steel—Porcelain enamel panels, steel windows, steel exterior doors, steel rails and fences, painted, stainless or pre-weathered steel are acceptable;~~

~~2. Aluminum—Windows, panels (luco-bond and aluminum plate), storefront, curtain wall, doors; aluminum should be natural finish anodized, powder-coated or kynar (no bronze anodized);~~

~~3. Other metal;~~

~~4. Glass—Clear, low-e, nonreflective, solar-bronze or solar gray glass, shadow boxes and spandrel glass is permitted;~~

~~5. Brick, natural clay colors;~~

~~6. Stone;~~

~~7. Pre-cast concrete, glass-fiber reinforced concrete;~~

~~8. High-quality, cast-in-place concrete;~~

~~9. Ceramic tile;~~

~~10. Cement plaster; and~~

~~11. Wood.~~

~~C. Equipment Screening. Mechanical/utility equipment shall be sited and screened in accordance with the following:~~

~~1. In instances where mechanical equipment cannot be located within the building due to building code or utility provider requirements, it shall be adequately screened from~~

~~off-site view and located at the rear of the site in an enclosure with walls matching the material and color of the building. The enclosure shall include gates or heavy gauge corrugated steel and shall be surrounded by trees, shrubs and climbing vines;~~

~~2. In instances where utility equipment cannot be located within the building or undergrounded due to building code or utility provider requirements, it shall be screened by locating at the rear of the site in an enclosure with walls matching the material and color of the building. The enclosure shall include gates or heavy gauge corrugated steel and shall be surrounded by trees, shrubs and climbing vines. Alternate locations may be considered to meet utility provider requirements; and~~

~~3. In instances where mechanical equipment is located on the building roof, roof top screening shall be provided, which is integrated into the building architecture.~~

~~D. Bicycle and Pedestrian Facilities. Projects that include development of a vacant site or substantial modification of a developed site shall accommodate bicycle and pedestrian facilities/access including:~~

~~1. Provisions for safe, well lit and visually attractive pedestrian access from public streets to the parking areas and building entries;~~

~~2. Pedestrian pathways between buildings and parcels;~~

~~3. Public pedestrian and bicycle connections to the Station District's existing and proposed bicycle and pedestrian network;~~

~~4. Publicly accessible pedestrian amenities which may include plazas, pocket parks, seating areas, fountains, public art, and/or eating areas;~~

~~5. Orientation of outdoor public spaces towards activated ground floor building frontages; and~~

~~6. Inclusion of bicycle paths and bicycle parking facilities consistent with the Bicycle and Pedestrian Master Plan and designed and installed in conformance with the design criteria outlined in Section 18.28.080.~~

~~E. Ground Floor Commercial Uses. The design of ground floor commercial uses shall comply with the following:~~

~~1. Minimum depth of commercial space is thirty-five (35) feet and minimum height is twenty (20) feet floor to floor; and~~

~~2. A minimum of twenty-five percent (25%) of the ground floor commercial area shall be designed to accommodate a restaurant use; and~~

~~3. Between two and one half (2½) feet and seven (7) feet above grade, ground floor transparency (i.e., amount of glazing) shall be forty percent (40%) for grocery stores and fifty percent (50%) for all other commercial uses; and~~

~~4. Ground floor façades shall be designed to give identity to each retail and service establishment, through recesses, enhanced materials, signage and architectural features that are integral components of the building; and~~

~~5. The maximum distance of blank wall (a façade without doors, windows, landscaping treatments, or other pedestrian interest) on the ground level of any building facing a street, open space, or paseo shall not exceed twenty (20) feet in length; and~~

~~6. The design of ground floor commercial uses shall promote indoor/outdoor connections by providing some or all of the following:~~

~~a. Sliding or removable windows/doors;~~

~~b. Low planters with wide seat walls;~~

~~c. Recessed entrances and porticos that increase the indoor/outdoor quality or allow for increased outdoor seating or display;~~

~~d. Awnings and canopies that may encroach into the public right-of-way subject to approval of an encroachment permit by the Public Works Department; and~~

~~e. Visually transparent storefronts with clear glass windows and doors that are not blocked by storage, racks or shelving placed against glass.~~

~~18.37.160 Residential open space.~~

~~All residential development and mixed use development shall provide residential open space features, such as courtyards, pool and spa areas, recreation facilities, and picnic and play areas for use by the tenants/owners.~~

18.37.190 Bicycle parking.

A. Bicycle parking facilities shall be provided, at a minimum, in an amount equal to:

Bicycle Parking Requirements	Short-Term Bicycle Parking Requirements	Long-Term Bicycle Parking Requirements
All other residential	1.0 space/20 dwelling units Minimum of 2 spaces	1.0 space/4 dwelling units Minimum of 2 spaces
Retail	1.0 space/3,000 square feet	1.0 space/10,000 square feet
Office, R&D, and Other Nonresidential uses	1.0 space/8,000 square feet. Minimum of 2 spaces	1.0 space/4,000 square feet

B. Required facilities shall be designed and installed in conformance with the design criteria outlined in Section 18.28.080.

C. Bicycle parking may be substituted for automobile parking subject to the provisions outlined in Section 18.28.~~090400~~ and approval by the decision makers.

18.37.200 Off-street loading.

A. ~~Adequate~~Loading docks and/or berths shall be provided on site to serve the use. Such facilities shall be designed according to the following standards unless an alternative design is approved ~~located on the rear or side of the building, be screened from the public right-of-way, and are subject to review and approval~~ through the site development review process.

~~1. Loading dock entrances shall not exceed 20 feet in width.~~

~~21. Loading docks shall be located inside a building and equipped with closable doors.~~

~~B2.~~ ~~Adequate~~Loading zones shall be provided along the street frontage(s).

18.37.210 Laundry facilities.

~~Laundry facilities shall be provided to serve all residential dwelling units. Such facilities shall include washer and dryer appliances connected to utilities. In developments with common laundry facilities, the facilities must be in easily accessible locations and provide an adequate number of washers and dryers to serve the total number of units.~~

Chapter 18.38 STATION MIXED USE COMMERCIAL (CSMU) DISTRICT

18.38.150 Design criteria.

~~A. All development shall comply with Section 18.24.050.~~

~~New development, to the maximum extent feasible, shall comply with the following design guidelines as illustrated in pages 70 through 74 of the Intermodal Station District and Transit Facility Plan.~~

~~A. General Design Standards for Buildings and Structures. General massing, architectural details, materials, fenestration, ground floor treatment and parking garages comply with the following guidelines:~~

~~1. Street Walls. Buildings along streets shall:~~

~~a. Be continuous along setback lines and are required at street corners to maintain an active urban character;~~

~~b. Allow variations in the building edge (including arcades and column articulations for entrances, mid-block pedestrian ways, interior courtyards, and other design considerations) as long as the appearance of a continuous built edge is maintained;~~

~~c. Encourage minor street wall variations to add architectural interest and provide pedestrian amenities, such as seating and ATMs;~~

~~d. Include multiple pedestrian entrances for large buildings to increase street activity and interest;~~

~~e. Keep vehicle entrances and exits to a minimum and the scale minimized to maintain a pedestrian environment;~~

~~f. Have ground floor retail where feasible and maximize window coverage to provide flexible use as office or retail;~~

~~g. Have ground floor retail/commercial space with at least a twelve (12) foot ceiling height and a forty (40) foot to fifty (50) foot minimum depth.~~

~~2. Exterior Material Palette Standards. Exterior materials shall be chosen based on character, durability, ease of maintenance and context, and shall include:~~

~~a. Brick, natural clay colors;~~

~~b. Stone;~~

~~c. Steel Porcelain enamel panels, steel windows, steel exterior doors, steel rails and fences, painted, stainless or pre-weathered steel are acceptable;~~

~~d. Aluminum Windows, panels (luco-bond and aluminum plate), storefront, curtain wall, doors; aluminum should be natural finish anodized, powder-coated or kynar (no bronze anodized);~~

~~e. Glass Clear, low-e, nonreflective, solar-bronze or solar gray glass, shadow boxes and spandrel glass is permitted;~~

~~f. Pre-cast concrete, glass-fiber reinforced concrete;~~

~~g. High-quality, cast-in-place concrete;~~

~~h. Ceramic tile;~~

~~i. Cement plaster; and~~

~~j. Wood.~~

~~3. Fenestration Standards. Windows and doors on buildings shall be used to help define building character. By establishing the fenestration patterns, the shape, scale,~~

~~proportion, rhythm, groupings, relationships to plan, and exterior wall planes should all be taken into consideration along with adjacent buildings, structures and open spaces.~~

~~4.—— Ground Floor Treatments Standards. The ground floor on buildings shall:~~

~~a.—— Be designed so that the building imparts a sense of human activity, habitation, and interest to the street;~~

~~b.—— Not result in blank, undifferentiated street-level façades;~~

~~c.—— Incorporate building lighting along public sidewalks and other pedestrian walkways that reflect the design of the overall building and provide a safe environment.~~

~~5.—— Projections/Signage Standards.~~

~~a.—— Projections and signs may project over the sidewalk to indicate and demarcate shop fronts and increase pedestrian interest, subject to approvals of an encroachment permit by the Public Works Department and a Sign Plan per Chapter 18.30.~~

~~b.—— No commercial billboards, “A” frame signs, and excessive banners are permitted per Chapter 18.30 of this title.~~

~~6.—— Garage Podiums Standards. Garage podiums shall:~~

~~a.—— Not include blank walls at the pedestrian level;~~

~~b.—— Be screened with retail uses, building lobbies, residential entries, or other habitable uses, or landscaping;~~

~~c.—— Be treated as a design feature to be seen from eye level and above with open space uses as the preferred design alternative;~~

~~d.—— Be engineered and designed with structure adequate to support “garden-like” plantings, mature trees, shrubs, perennial borders, ground cover, and paving materials balancing planted and paved surfaces;~~

~~e.—— Be activated with common lobbies and/or individual entries to garden apartments and townhouses;~~

~~f.—— Clearly demarcate differences between common and private open space at the podium level;~~

~~g.—— Have direct access from grade to the podium level that is integrated with the street and open space network, such as access from the pedestrian alleys.~~

~~7.—— Parking Design Standards. Parking:~~

~~a.—— Is required to be structured, unless it is on-street curbside parking;~~

- ~~b. — Lots are not allowed after the initial phases of development;~~
- ~~c. — On the ground floor, should be screened from the sidewalk by street-oriented uses, such as housing units with street access, retail uses, building entrances, lobbies and foyers, community facilities, or landscape elements;~~
- ~~d. — Entrances and exits for vehicles should be kept to a minimum in scale and number;~~
- ~~e. — Entrances and exits shall be discouraged on Eleventh Street, Union Square, and Railroad Avenue, and prohibited on Decoto Road;~~
- ~~f. — Entrances and exits shall be encouraged on side streets where side street access is available.~~
- ~~B. — Specific Design Standards for Buildings and Structures. Specific design standards for office and research and development, residential, ground floor service commercial, and parking garages follows:~~
 - ~~1. — Office/Commercial/Research and Development (R and D) Uses:~~
 - ~~a. — Ground Floor Treatments Standards. Ground floor treatment for office and research and development buildings shall:~~
 - ~~i. — Have building entrances, lobbies and accessory public uses oriented to the nearest public space or street;~~
 - ~~ii. — Have buildings fronting multiple streets to provide multiple public entrances;~~
 - ~~iii. — Have buildings that abut a pedestrian alley provide an entrance facing that alley;~~
 - ~~iv. — Include windows where office or other private uses are at the street level that provide visual transparency and a sense of interior activity to enliven the street.~~
 - ~~b. — Service/Loading Entries Standards. Service entries shall:~~
 - ~~i. — Be located on the side streets and positioned to minimize noise impacts on adjacent residential units and public open space, and to minimize pedestrian/vehicle conflicts and traffic congestion;~~
 - ~~ii. — Have loading dock dimensions limited to minimum functional requirements;~~
 - ~~iii. — Have loading docks located on the interior of the buildings to limit their visibility from the street.~~
 - ~~2. — Residential Uses:~~
 - ~~a. — Residential Uses Overall Design Standards. Residential development shall:~~

~~i. Be designed with the safety and security of children in mind, without creating a “gated community” effect;~~

~~ii. Incorporate amenities such as play areas and other open spaces within the development;~~

~~iii. Not include sound walls and security fences that isolate or impede pedestrian access to residential development;~~

~~iv. Encourage balconies on above ground units where possible.~~

~~b. Ground Floor Treatments Standards. Ground floors of residential development shall:~~

~~i. Include multiple entries at the street level to create fine grained, pedestrian-oriented streets;~~

~~ii. Include residential units with individual entrances fronting the street;~~

~~iii. Promote a pedestrian friendly environment through the use of design features such as stairs, stoops, porches, doors and landscaping.~~

~~c. Parking Standards. Parking for residential development should promote a pleasant pedestrian experience by:~~

~~i. Limiting multiple individual garage entrances;~~

~~ii. Interspersing garage entries with “active uses” such as housing entries or occupied space;~~

~~iii. Screening parking from the street.~~

~~3. Ground Floor Service/Retail.~~

~~a. Indoor/Outdoor Connections Standards. Retail establishments and restaurants/café shall have:~~

~~i. Strong indoor/outdoor connections;~~

~~ii. Sliding or removable windows/doors;~~

~~iii. Outdoor displays and café seating in front of commercial/retail establishments that are designed to increase pedestrian activity and interest, subject to administrative use permit approval as identified in the café standards located in Section 18.36.190;~~

~~iv. Low planters with wide seat walls;~~

~~v. Recessed entrances and porticos that increase the indoor/outdoor quality or allow for increased outdoor seating or display;~~

~~vi. Awnings and canopies that may encroach into the public right-of-way subject to approval of an encroachment permit by the Public Works Department;~~

~~vii. Visually transparent storefronts with clear glass windows and doors that are not blocked by storage, racks or shelving against glass;~~

~~viii. An entrance on the alley when buildings abut a pedestrian alley.~~

~~b. General Parking Garage Standards. Parking garage design shall:~~

~~i. Be clean, well lit, and designed for the safety and security of patrons, while avoiding excessive light spill into adjacent residential areas;~~

~~ii. Complement adjacent land uses.~~

~~c. Street Wall Standards. Parking street wall design shall:~~

~~i. Have a seven (7) foot minimum setback for landscape elements that screen the ground floor of parking on streets that do not have retail frontages (except on Eleventh Street where a setback is not allowed at street corners);~~

~~ii. Complement the façades of adjacent uses.~~

~~d. Ground Floor Treatments Standards. Ground floor treatments shall:~~

~~i. Emphasize the use of retail and/or commercial space at the street level to maximize window coverage;~~

~~ii. Include retail frontages along Eleventh Street, the public plaza, and facing the Intermodal Transit Facility where commercial space should have at least a ten (10) foot ceiling height and a forty (40) foot to fifty (50) foot depth;~~

~~iii. Be screened with architectural and/or landscape elements in locations where there is no ground floor commercial use.~~

~~18.38.170 Residential open space.~~

~~All residential development shall provide residential open space features, such as courtyards, pool and spa areas, recreation facilities, and picnic and play areas for use by the tenants/owners following approval by the Planning Commission.~~

18.38.195 Bicycle parking.

A. Bicycle parking facilities shall be provided, at a minimum, in an amount equal to:

Bicycle Parking Requirements	Short-Term Bicycle Parking Requirements	Long-Term Bicycle Parking Requirements
Multi-family residential on BART property ¹	1 space/20 dwelling units Minimum of 2 spaces	1 space/1 dwelling units
Multi-family residential	1 space/20 dwellings units Minimum of 2 spaces	1 space/4 dwelling units Minimum of 2 spaces
Retail	1 space/3,000 square feet	1 space/10,000 square feet
Office, R&D, and other nonresidential uses	1 space/8,000 square feet Minimum of 2 spaces	2 space/4,000 square feet

Notes:

1. Bicycle parking standards on BART property authorized by Public Utilities Code Sections 29010.1—2901.12.

B. Required facilities shall be designed and installed in conformance with the design criteria outlined in Section 18.28.080.

C. Bicycle parking may be substituted for automobile parking subject to the provisions outlined in Section 18.28.~~100-090~~ and approval by the decision marker.

18.38.210 Loading.

A. ~~Adequate~~ IL loading docks and/or berths shall be provided on-site to serve the use. Such facilities shall be designed according to the following standards unless an alternative design is approved located on the rear or side of the building, be screened from the public right-of-way, and are subject to review and approval through the site development review process.

~~1. Loading dock entrances shall not exceed 20 feet in width.~~

~~22. Loading docks shall be located inside a building and equipped with closable doors.~~

~~B3.~~ Adequate IL loading zones shall be provided along the street frontage(s).

~~18.38.220 Residential storage.~~

~~Each residential unit shall have at least two hundred (200) cubic feet of enclosed, weather-proofed and lockable private storage space in addition to guest, linen, pantry and clothes closets customarily provided. Such space may be provided in any location approved by the Economic and Community Development Department, but shall not be divided into two (2) or more locations.~~

~~18.38.230 Laundry facilities.~~

~~Laundry facilities shall be provided to serve all residential dwelling units. Such facilities shall include washer and dryer appliances connected to utilities. In developments with~~

~~common laundry facilities, the facilities must be in easily accessible locations and provide an adequate number of washers and dryers to serve the total number of units.~~

~~18.38.250 Review.~~

~~Through the use permit process established in Chapter 18.56, the approving body may approve variations to the following development standards: building height; setbacks; storage requirements; off-street parking and loading; location of bicycle parking; heights of walls, fences and hedges; and lot or parcel street frontage width and depth, provided that the development offers a high-quality architectural and pedestrian environment and amenities.~~

Chapter 18.100 511 AREA DISTRICT

18.100.070 Development standards and requirements—Residential Specific Plan designations.

A. Development near the Turk Island landfill shall provide the following:

1. Space to accommodate monitoring wells for methane gas migration within one thousand (1,000) feet from the landfill boundary if no long-term monitoring is provided along the periphery of the landfill;
2. Undergrounding of utilities located within one thousand (1,000) feet of the landfill boundary shall be done in such a manner to preclude migration of landfill gas; and
3. An evaluation of the need to install a landfill gas protection system for development within Development Area B-2 as identified by the Specific Plan. This evaluation shall be reviewed and accepted by the Office of Solid Waste Management of the Alameda County Division of Environmental Health prior to issuance of a building permit.

~~B. Usable open space for attached units shall be at the rate and meet the requirements of Section 18.32.115~~Residential development shall be subject to Chapter 18.32 except where a specific development standard, use allowance, or other requirement or allowance is established in this Chapter.

~~C. For zero lot line housing, the side wall on the zero setback shall contain no windows or other openings.~~

~~D. Semiattached and attached housing shall meet the requirements of Section 8.32.050(E)(2).~~

~~E. Two (2) Story Standards.~~

~~1. For two (2) story single-family dwellings, the requirements of Section 18.32.100(A)(6) shall apply.~~

~~2. Second story additions, excluding attached units, shall comply with Section 18.32.125.~~

~~F. Landscaping shall be consistent with the City landscape standards policy statement and applicable Specific Plan policies.~~

~~G. Distance between main structures shall be consistent with Section 18.32.130.~~

~~H. Off-street loading shall be consistent with Section 18.32.150.~~

~~I. Off-street parking shall be consistent with Section 18.32.160.~~

~~J. Walls, fences and hedges shall be consistent with Section 18.32.040.~~

KC. Development will be designed and constructed consistent with Chapter 15.64, as amended.

Attachment 1: Planning Commission Study
Session Staff Report,
June 15, 2023

(<https://unioncity.novusagenda.com/agendapublic/CoverSheet.aspx?ItemID=3914&MeetingID=1677>)

**CITY OF UNION CITY
MINUTES FOR THE REGULAR PLANNING COMMISSION MEETING
ON THURSDAY, JUNE 15, 2023 AT 7:00 P.M.
IN THE COUNCIL CHAMBERS OF CITY HALL
34009 ALVARADO-NILES ROAD
UNION CITY, CA 94587
AND VIA TELECONFERENCE**

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

PRESENT: Chairperson Lee Guio, Vice Chairperson Ed Mack Agbuya, Commissioners Jo Ann Lew, Seyi Mclelland and Amandeep Sandhu

ABSENT: None

STAFF: Carmela Campbell (Economic & Community Development Director); Erica Gonzalez (City Attorney, Meyers Nave); Derek Farmer (Planning Manager); Coleman Frick (Senior Planner); Brandon H. DeLucas (Associate Planner) and Denisse Anzoategui (Administrative Assistant III)

Chairperson Guio reported that he and Commissioner Sandhu would have a potential conflict of interest with Item 5.B.2. He requested the agenda be modified to allow the item to be heard last on the meeting agenda.

2. APPROVAL OF MINUTES

A. The regular Planning Commission minutes for May 18, 2023

Commissioner Lew requested the following corrections to the May 18, 2023 Planning Commission meeting minutes:

Page 1, revise the statement under Item 2. Approval of Minutes, to read:

Vice Chairperson Agbuya stated the meeting minutes for the Planning Commission meetings of April 6 and April 20, 2023 were accepted with no modifications.

Commissioner Lew also referenced Page 2, the first sentence of the second full paragraph under Item B.1, and clarified she had not submitted a Desk Item to staff. The Desk Item had been prepared by staff in response to some questions she had submitted. She asked that the first sentence of the second full paragraph of Page 2 be so corrected.

Erica Gonzalez, City Attorney, Meyers Nave clarified, when asked by the Chair, that a formal motion was not required to approve the meeting minutes.

Carmela Campbell (Economic & Community Development Director) recommended the meeting agenda be further modified with the agenda items to be heard in the following order: Item 6.B.1, 5.A.1, 5.B.1, 6, 7, 8, 9, 5.B.2 and Item 10.

3. ORAL COMMUNICATIONS: None

4. WRITTEN COMMUNICATIONS: None

B. NEW REPORTS

1. STUDY SESSION: REVIEW OF DRAFT ZONING TEXT AMENDMENTS (AT-23-004) RELATED TO OBJECTIVE DEVELOPMENT STANDARDS

Coleman Frick, Senior Planner introduced Martha Miller, Miller Planning & Associates, Lead Consultant for the Objective Development Standards project, who provided a PowerPoint presentation for the Study Session Review of Draft Zoning Text Amendments (AT-23-004) related to objective development standards.

Mr. Frick reported that additional amendments were in process, for consistency with the project, to other chapters of the Union City Municipal Code (UCMC). This included amendments within the District Specific Standards to ensure consistency with the objective standards located in the Bulk Regulations Chapter. As part of next steps, the Revised Draft Standards would be presented to the Planning Commission in July. In parallel with that process, staff was working on a more standardized process for standard conditions of approval, the timing of which had not clearly been defined but may return to the Planning Commission later in the year.

Mr. Frick added that along with the draft standards, the attachment to the June 15, 2023 staff report included code language, some of which was dense in terms of the way it had been described since it painted a picture on how best to pursue design or development. Another parallel aspect of the project was to develop visuals to be incorporated into the UCMC, and to create a handbook and checklist as part of the project which would assist both applicants and staff to review any project against the draft standards.

Mr. Frick reported the Final Draft Objective Development Standards were intended to be presented to the Planning Commission on July 20, 2023 and would include incorporation of any changes based on feedback at the Planning Commission meeting. Adoption of the Final Objective Development Standards would be considered by the City Council at its meeting in September 2023.

Mr. Frick recommended the Planning Commission review the draft amendments and provide any feedback on the Draft Objective Standards.

Commissioner Lew referenced Attachment 3, Draft Zoning Text Amendments Page 1 Chapter 18.24 Bulk Regulations Section 18.24.060 Objective design standards, A. Applicability, 1. Exceptions c. SB 9 Housing Developments, and suggested it would be helpful for Senate Bill (SB) 9 to be clearly defined.

Mr. Frick explained that the exceptions in this section were for development in other zoning districts, and the objective standards applied to Multifamily Residential or Mixed Use Development. SB 9 included objective development standards in single-family zoning districts which the Planning Commission had considered in the summer of 2022.

Commissioner Lew suggested SB 9 be defined in the list of definitions for Title 18.

Associate Planner Brandon H. DeLucas explained the definition for SB 9 units had been included in the SB 9 Chapter under Title 18, which the Planning Commission had previously reviewed in 2022. Because SB 9 was a newer law similar to accessory dwelling units (ADUs) and was regularly updated, the definitions had been contained in that chapter in case the state updated the law again and since it made it easier for staff to provide updates.

Mr. Frick confirmed information for SB 9 had been included in Chapter 18.31 of the UCMC.

Ms. Campbell suggested a citation could be added where SB 9 had been defined in this section.

Commissioner Lew also commented that it was a general rule for acronyms to be spelled out when they first appeared in a document and suggested acronyms be spelled out in this chapter to make it easier for the reader, and Ms. Campbell confirmed the change would be made.

Commissioner Lew referenced Page 2 B. Building Design Requirements, 2. Entrances, b. Residential Uses, i. Shared Entrances (2), which read: *Primary building entranceways located in the interior of a site shall be connected to a publicly accessible sidewalk by a walkway with a minimum width of four (4) feet.* She clarified with Ms. Miller that statement meant it was not inside the building but inside the perimeter of the property. Ms. Miller expressed the willingness to further wordsmith the section to make it clearer.

Commissioner Lew referenced the same page under B. Building Design Requirements, 2. Entrances, b. Residential Uses, i. Shared Entrances (3), which read: *The primary entranceway shall lead to a common area a minimum of ten (10) feet in each dimension referred.* She clarified with Ms. Miller that statement referred to length and width and not the height of the entranceway. Staff expressed willingness to rewrite the standard to read "...ten (10) feet by ten (10) feet, consistent with other standards.

Commissioner Lew again referencing the same page under B. Building Design Requirements, 2. Entrances, b. Residential Uses, i. Shared Entrances (4), which read: *The primary entranceway shall incorporate one (1) or more architectural features such as windows, sidelights, lighting, or signage into the entranceway.* She clarified with Ms. Miller that at minimum a development must have one of those options.

Mr. Frick noted the objective development standards were all minimum requirements and anyone could pursue additional features as desired. The intent was to ensure the high-quality design that the City valued. He stated once the objective development standards had been adopted, a handbook would be prepared to assist applicants with preparing plans using the objective development standards, which process was underway, to be finalized after the Final Objective Development Standards had been adopted. It would also include a checklist for both staff and the applicants to use to review projects.

Commissioner Lew referenced Page 3 B. Building Design Requirements, 2. Entrances, b. Residential Uses, i. Shared Entrances (5)(c) which read: *A covered, uncovered, or partially covered landing, deck, or stoop with a minimum six (6) foot by eight (8) foot area.* She questioned why anyone would want an uncovered landing.

Ms. Miller stated that could be something where the landing could be required to be partially covered to a certain amount, but as written the standard allowed flexibility.

Mr. Frick suggested the reference to an "uncovered landing" could be removed from that section.

Commissioner Lew suggested a partially uncovered landing should be the minimum. She suggested the reference to "uncovered landing" be removed from that section.

Commissioner Lew referenced Page 3 B. Building Design Requirements, 2. Entrances, b. Residential Uses, ii. Individual Entrances (4), which should also be revised since it too referenced "uncovered landing, porch, deck or stoop" and appeared to conflict with b. Residential Uses, ii. Individual Entrances (5)(a), as written.

Ms. Miller clarified the distinction in the language for the sections referenced and how they applied but stated the reference to "uncovered" could be removed from those sections. The two sets of standards applied depending on whether one provided the primary entrance as a Shared Entrance or Individual Entrance.

Commissioner Lew suggested any entrance whether shared or individual if outside in the elements should be covered. She also referenced Pages 13 and 14, Section B. Building Design Requirements, 6. Vehicle Parking, a. Access v. and identified a typographical error in the third line. To Page 15, 6a. Access, c. Residential Districts, ii. Above Ground Parking – Maximum Parking Frontage (1)(a), she asked for clarification of the use of the term “infeasible” and whether it would include something that was too costly.

Mr. Frick explained that the section addressed a reduction in the exceptions to the objective development standards. Two findings were required as shown in the section which he read into the record. He suggested it could potentially be financially “infeasible” if demonstrated by the applicant.

Commissioner Lew commented that the Station East developer had decided not to do underground parking since it was infeasible and she understood it was due to cost.

Mr. DeLucas commented that was due to the applicant having modified the overall design of the project to remove the underground parking, which was an example of “infeasible.”

Mr. Frick clarified the exception referenced related to above ground parking and the example provided was for underground parking.

Commissioner Lew noted the cost factor was the exception where that type of above ground parking was too costly, and Mr. Frick suggested that example did not fit exactly with the language in the section under discussion for above ground parking. The standard was the maximum parking frontage percentage that the exception would be requested from. He again clarified the intent of the two sections under discussion.

Ms. Campbell further clarified the City did not have a requirement that multifamily development provide underground or submerged parking.

Mr. Frick explained the standard was intended to maintain the pedestrian feel of Transit Oriented Development (TOD). He used the Station District as an example with the standard referenced intended to minimize the percentage of the frontage devoted to parking. The exception would allow a larger area for parking than the 40 percent threshold shown in that section. Anywhere where there was a reduction or exception listed, it was either directly related to the standard shown in Attachment 3, or depending on how it had been organized in the code one of the standards as shown in Attachment 3.

Commissioner Lew commented on the use of the phrase “is infeasible” whereas other areas of Attachment 3 used the phrase “not feasible” and asked if there was one preference over another.

Mr. Frick advised that staff would review the use of the terms to ensure consistency in the document.

Commissioner Lew referenced Page 16 Section B. Building Design Requirements, 7. Off-Street Loading Areas b. and clarified with Mr. Frick the loading docks referenced in this section would apply to the loading of goods in any of the districts referenced. The intent was that the loading dock shall be located inside a building and equipped with closable doors given the visibility of loading activities, with the intent that the loading dock be away from other uses of a development to reduce vehicular and pedestrian conflicts.

Ms. Campbell explained that staff had been doing research in this area for Planning Area 1 in the Station District and staff had looked at examples from other mixed use districts. It was fairly common to have a loading dock in a garage that was tucked in. Ms. Campbell stated of the examples she had seen, semi-trucks backed into an elevated loading dock that connected to a store in the back allowing the semi-truck to unload. Acknowledging a concern with the not-to-

exceed 20-foot width requirement for the loading dock entrance, as written in this section, she would confirm whether that dimension was consistent with the current UCMC and best practices in terms of width.

Ms. Miller confirmed that it was common to have loading docks that were tucked-in in the mixed use districts, which were typically within the structure.

Commissioner Low referenced Page 19 of Chapter 18.28, Off-Street Parking and Loading, Section 18.28.080: Design criteria for bicycle parking facilities, B. Short-Term Bicycle Parking 2., and clarified with Ms. Miller the intent that a bicycle rack allow the use of a “high-security U-shaped lock,” which was the most constrained bicycle lock but whatever lock one wanted to use to secure their bicycle could be used.

Mr. Frick added the intent was to allow a tire and frame to be locked, which was consistent with what most bicyclists used.

Commissioner Mclelland referenced Attachment 3 Chapter 18.24 Bulk Regulations, Section 18.24.060 Objective design standards, Page 6, 4. Building Articulation c. Street Facing Facades Along Mission Boulevard, viii, and asked whether the street-facing balconies would be required to be covered or uncovered.

Mr. Frick stated this section related to facades along Mission Boulevard with the intent to have standards that were consistent with the Mission style. If balconies were to be provided, they would be required to be consistent with the Mission style design. The goal was to allow some flexibility with different balcony types but ensure they fit in with the Mission style. The way this section had been written, the balconies were not necessarily required to be designed to obscure views but staff could look into ways to amend this standard to ensure any balcony storage was obscured from view and to address concerns with visibility.

Ms. Campbell acknowledged that balcony storage had been a huge issue in Union City, particularly with development in the Station District. Operationally, balcony storage would be addressed through the recordation of maintenance standards with the deed for the property, with tenants required to maintain balconies clear of storage. If any issues occurred, they could be reported to the Property Manager or Homeowner’s Association (HOA).

Commissioner Mclelland referenced outdoor areas and supported green areas for any new development. She asked how to determine between the use of grass or paved areas, expressed a preference for grass, and while maintenance was required asked how that was balanced out in a project.

Ms. Campbell commented that when working with Mixed Use projects, a developer typically had a Landscape Architect or designer propose something and try to create certain environments and space them out through a development. There were some limitations in the amount of paving a project could have and the project design would be reviewed through the design review process. She agreed that more green space was desired to be cultivated in the higher-density areas.

Commissioner Mclelland suggested for the larger buildings the use of grass broke up the monotony, look and feel of a building and made them more harmonious.

Mr. Frick commented that the objective development standards did not speak specifically to the percentages of the types of ground cover but provided examples with other sections of the UCMC that informed the use of landscape standards and landscape requirements related to the use of water. No specific requirements had been proposed related to green space as part of this project.

Commissioner Mclelland also spoke to the objective development standards for rooftop equipment that was to be screened from view from the street. She asked whether solar panels would be permitted or required and how they would be accommodated.

Mr. Frick reported the California Building Code (CBC) included certain solar requirements for developments, although that was not something staff had looked at closely as part of the objective development standards. None of the objective development standards prohibited having solar on any of the buildings and there were certain restrictions on a city's ability to deny solar projects with little discretion a city may exert in prohibiting a development from having solar.

Mr. DeLucas commented that tile roofs were a bit more difficult when including solar, although it was possible. Typically, that section of the tiles was removed and composition shingles used under the solar where that area was backfilled so that it still looked completely like a tile roof from the street. He acknowledged that would add to the cost.

Mr. Frick clarified the issues most common with solar on tile roofs typically occurred with older roofs. New construction for single-family residential was required to be designed to accommodate solar into a project pursuant to the CBC and title-type roofs for these developments included solar.

Commissioner Mclelland understood electric vehicles in the parking garages would be accommodated as well, and Mr. Frick commented that some of those requirements had been included in the CBC. Staff had considered including additional electric vehicle (EV) charging stations in the menu of options for amenities but had decided it would be better to address that amenity through the discretion of the developer and given that the CBC was continually innovating through that space. The objective development standards would not hamper EV charging stations and as part of the latest CBC update in January 2023, the requirements for EV charging stations had been strengthened to encourage and require EV charging stations.

Ms. Campbell added that the EV charging station issue was primarily a building code issue and that previously, developers only had to install the electrical conduit for the charging stations, but the latest CBC update required installation of some EV charging stations.

Commissioner Sandhu agreed with Commissioner Lew's recommendation to remove the term "uncovered landing" from the sections of the objective development standards as discussed. She also suggested rather than grass that turf be considered since it would not use as much water and would last longer.

Mr. Frick clarified that considerations of grass versus turf and other landscaping materials had not been addressed in the objective development standards since there were other areas of the UCMC that included landscape requirements and a Landscape Policy Statement. If those standards were updated in the future, staff could note the comment from Commissioner Sandhu. He reiterated there were restrictions on the use of grass and turf based on water efficient landscape requirements.

Commissioner Sandhu also agreed that more EV charging stations should be included given the state requirements to limit gas fueled vehicles in the future.

Ms. Campbell explained that the City would adopt and update its Building Code consistent with any state requirements for EV charging stations and staff would track the status of any state legislation regarding EV charging stations.

Chairperson Guio referenced Attachment 3 Chapter 18.24 Bulk Regulations, Section 18.24.060 Objective design standards on Page 11, C. Space Requirements 4. Required Residential Amenities a. Activity Areas, iv. Common Open Space. (1) Minimum Dimensions, which read: *Minimum Dimensions. Common open space shall be a minimum of fifteen (15) feet by fifteen (15)*

feet. He clarified with Ms. Miller that those were the minimum dimensions to qualify as common open space and the intent was to ensure that the area was usable space.

Chairperson Guio pointed out that they were not differentiating between indoor or outdoor space and asked whether there was a percentage of indoor versus outdoor space required.

Ms. Miller explained that no indoor common open space was required, although there would have to be a certain amount of activity space. A certain amount could be provided as indoor activity area such as a community room as an example, but that indoor area would not qualify as all of the activity space. At a minimum, some outdoor area was required. Pursuant to the language in this section, the portion being met through common open space must meet the dimension shown and she offered examples.

Chairperson Guio found the explanation made sense but may not make sense when reading the document, and Mr. Frick recognized the challenges in writing the objective development standards in a certain sequence.

Mr. Frick also offered examples of how the section under discussion would apply with the intent to establish minimum thresholds based on the unit count. He asked the Chair whether he found the dimensions shown to be too small or whether it fit in with the other required activity space.

Chairperson Guio found both applied but also found the dimensions to be small, and Mr. Frick advised that staff could look into that detail more and consider whether it should be amended. The options for amenity space could also be made clearer in the handbook yet to be prepared.

Commissioner Lew referenced an item in the staff report, page 7, Definitions and Figures, but clarified that upon further reading, the item did not require correction.

PUBLIC COMMENT OPENED

Chairperson Guio reported there were no comments from the public.

PUBLIC COMMENT CLOSED

5. PUBLIC HEARINGS

A. CONTINUED HEARINGS

1. Continued from June 1, 2023: NEW HAVEN UNIFIED SCHOOL DISTRICT/CITY OF UNION CITY, TENTATIVE PARCEL MAP (TPM-23-001), 311100 FREDI STREET (APN: 483-20-17-5); New Haven Unified School District ("District") and the City of Union City ("City") are requesting approval of Tentative Parcel Map (TPM-23-001) to create two parcels measuring 16.38 acres (Parcel 1) and 2.01 acres (Parcel 2) to facilitate a transfer of Parcel 2, which includes the Holly Community Center and Fire Station #32, from the District to the City. Staff recommends that the project be determined categorically exempt from the California Environmental Quality Act (CEQA) per Section 15315, Minor Land Divisions, of the CEQA Guidelines.

Economic & Community Development Director Campbell provided a PowerPoint presentation of the staff report for New Haven Unified School District (NHUSD)/City of Union City, Tentative Parcel Map (TPM-23-001).

Ms. Campbell recommended the Planning Commission approve Tentative Parcel Map 11356 (TPM-23-001) for a two-lot subdivision associated with the Land Exchange Agreement between the City of Union City and the NHUSD, making the specific findings listed in Section VI of the staff report, subject to the Condition of Approval and adopt a resolution confirming this action.

Commissioner Mclelland clarified with Ms. Campbell the Joint Use Agreement was not within the purview of the Planning Commission and what was being brought before the Planning Commission was action to implement the Land Exchange Agreement.

Commissioner Lew asked why the value of the land being transferred had not been included in the staff report.

Ms. Campbell advised that was not something typically included in a Tentative Parcel Map and not required as part of the findings to approve the Tentative Parcel Map. The information had been included in reports to the City Council and the NHUSD. She was unaware whether the value of the land had been part of a professional assessment.

Chairperson Guio again clarified with Ms. Campbell the size of Parcels 1 and 2 with Parcel 2 to include Fire Station #32 and Holly Community Center.

PUBLIC HEARING OPENED

Chairperson Guio reported there were no comments from the public.

PUBLIC HEARING CLOSED

Commissioner Lew moved that the Planning Commission approve Tentative Parcel Map 11356 (TPM-23-001) associated with the Land Exchange Agreement between the City of Union City and the New Haven Unified School District, making the specific findings listed in Section VI of the staff report, subject to the Condition of Approval, and adopt a resolution confirming this action.

Commissioner Sandhu seconded.

The motion was carried by the following roll call vote:

AYES: (GUIO, AGBUYA, LEW, MCLELLAND, SANDHU)
NOES: NONE
ABSTAIN: NONE
ABSENT: NONE

The motion passed 5-0.

B. NEW HEARINGS:

1. **CITY OF UNION CITY , ZONING TEXT AMENDMENT (AT-23-003); The City of Union City is requesting approval to amend Title 18 of the Union City Municipal Code, Chapter 18.08, Definitions, Chapter 18.36, Commercial Districts, Chapter 18.40, Industrial Districts, Chapter 18.76, Site Development Review, and add Chapter 18.43, Use of Hazardous Materials. These amendments modify and standardize uses, update development and performance standards, establish objective design standards, and reformat the chapters for ease of use and consistency with other chapters in Title 18. Staff recommends that the project be determined categorically exempt from environmental review in accordance with**

California Environmental Quality Act Guidelines Section 15061(b)(3), the general exemption for projects with no potential for a significant effect on the environment.

Associate Planner DeLucas provided a PowerPoint presentation of the staff report for City of Union City Zoning Text Amendment (AT-23-003).

Mr. DeLucas reported a Desk Item had been included as part of the staff report in response to questions and comments from Commissioner Lew. Staff had clarified the reasoning for the removal of the definitions for *automobile wrecking yards* and *salvage yards* since the uses did not meet the economic development goals of the City and since noxious uses would no longer be permitted within the UCMC; updated the definition numbering; removed dash for specific use regulations/notes column; updated references in Chapter 18.43 and addressed minor grammatical errors.

Mr. DeLucas recommended the Planning Commission recommend approval of Zoning Text Amendment (AT-23-003), as modified by the Desk Item, to the City Council, make the specific findings as listed in the staff report in support of the recommendation of approval, and adopt a resolution confirming this action.

Vice Chair Agbuya asked when the frontage had been reduced from 65 to 25 feet for the front yard setback and whether there would still be ample parking spaces, and Mr. DeLucas explained that the reduction in the setback allowed parking or the building to come closer and if redeveloped they may have to build a parking garage in the back. The parking standards remained the same, but the parking may relocate from either in front or behind the building or in a parking garage.

Commissioner Sandhu asked with the removal of the definitions for automobile wrecking yards and salvage yards whether those uses would have to locate to another city.

Mr. DeLucas confirmed that those uses would have to locate to another city. Union City had no such uses operating in the city as they are not desired uses. Mr. DeLucas further clarified that there are no such existing permitted or legal non-conforming automobile wrecking yards and salvage yards uses operating in Union City.

PUBLIC HEARING OPENED

Chairperson Guio reported there were no comments from the public.

PUBLIC HEARING CLOSED

Vice Chairperson Agbuya moved that the Planning Commission recommend approval of Zoning Text Amendment (AT-23-003), as modified by the Desk Item, to the City Council, and making the specific findings as listed in the staff report in support of the recommendation of approval and adopt a resolution confirming this action.

Commissioner Lew seconded.

The motion was carried by the following roll call vote:

AYES:	(GUIO, AGBUYA, LEW, MCLELLAND, SANDHU)
NOES:	NONE
ABSTAIN:	NONE
ABSENT:	NONE

The motion passed 5-0.

6. **SUPPLEMENTAL STAFF REPORTS:** None

A. **CONTINUED REPORTS:** None

7. **ECONOMIC DEVELOPMENT REPORTS:** None

8. **COMMISSION MATTERS**

A. **Follow-Up on Planning Commission Referrals to the City Council**

There were no reports.

B. **Upcoming applications for the Regular Planning Commission meeting on July 6, 2023**

Ms. Campbell reported the Planning Commission meeting of July 6, 2023 would be canceled.

9. **GOOD OF THE ORDER**

Vice Chairperson Agbuya reported the Grand Opening for Suju's Coffee & Tea, 1752 Decoto Road had been scheduled for June 16, 2023 at 9:00 a.m.

Chairperson Guio reported upcoming community events included: Larry "O" Bike & Auto Swap Meet on June 17, 2023 at the Larry "O" Teen Workshop, 33623 Mission Boulevard from 8:00 a.m. to 2:00 p.m.; Juneteenth would be celebrated on June 19, 2023; Coffee with Cops at Starbucks, 32340 Alvarado Boulevard on June 29, 2023 from 9:00 a.m. to 11:00 a.m.; and Saint Anne's Festival would be held on July 29 and 30, 2023. He wished everyone a safe and sane fireworks celebration on the Fourth of July.

B. **NEW HEARINGS**

At this time, the Planning Commission returned to Item 5.B.2.

Commissioner Sandhu read into the record the following statement: *Under the Political Reform Act, I have an economic conflict of interest in Item 5.B.2. I have a real property interest, my residence, in proximity to property proposed to be rezoned as Corridor Mixed-Use Employment. I will recuse myself from consideration of this item, and will leave the room.*

Chairperson Guio read into the record the following statement: *Under the Political Reform Act, I have an economic conflict of interest in Item 5.B.2. I have a real property interest, my residence, in proximity to property proposed to be rezoned as Corridor Mixed-Use Employment. I will recuse myself from consideration of this item, and will leave the room.*

Chairperson Guio and Commissioner Sandhu both left the meeting.

Vice Chairperson Agbuya Chaired the meeting at this time.

2. **CITY OF UNION CITY , ZONING TEXT AMENDMENT (AT-23-002); AND ZONING MAP AMENDMENT (A-23-001); The City of Union City is requesting approval to amend Title 18 of the Union City Municipal Code, Chapter 18.41, Station East Employment (SEE) District to add a new zoning district for consistency with the Union City 2040 General Plan designation of Mixed-Use Employment (EMU) referred to as "Corridor Mixed Use Employment (CMUE)" and rename this chapter**

“Employment Mixed Use Districts.” Additionally, the amendment would update the SEE District to modify and standardize uses, update development, performance, and objective design standards for consistency with the CMUE District, and reformat the chapter for ease of use and consistency with other chapters in Title 18. The City is also proposing to rezone properties located along the Union City Boulevard Corridor, with a Union City 2040 General Plan designation of Mixed-Use Employment (EMU), from Special Industrial (MS) to CMUE for consistency with the General Plan. Staff recommends that the project be determined categorically exempt from environmental review in accordance with California Environmental Quality Act Guidelines Section 15061 (b)(3), the general exemption for projects with no potential for a significant effect on the environment.

Mr. DeLucas provided a PowerPoint presentation of the staff report for City of Union City Zoning Text Amendment (AT-23-002) and Zoning Map Amendment (A-23-001). A Desk Item had been provided to the Planning Commission in response to questions and comments from Commissioner Lew regarding the project, which included the removal of dashes for specific use regulations/notes column, updated references and addressed minor grammatical errors.

Mr. DeLucas recommended the Planning Commission recommend approval of Zoning Text Amendment (A-23-002) and Zoning Map Amendment (AT-23-001), as modified by the Desk Item, to the City Council, and make the specific findings as listed in the staff report in support of the recommendation of approval and adopt a resolution confirming this action.

PUBLIC HEARING OPENED

Vice Chairperson Agbuya reported there were no comments from the public.

PUBLIC HEARING CLOSED

Commissioner Lew moved that the Planning Commission recommend approval of Zoning Text Amendment (A-23-002) and Zoning Map Amendment (AT-23-001), as modified by the Desk Item, to the City Council, and making the specific findings as listed in the staff report, in support of the recommendation of approval and adopt a resolution confirming this action.

Commissioner Mclelland seconded.

The motion was carried by the following roll call vote:

AYES: (AGBUYA, LEW, MCLELLAND)
NOES: NONE
ABSTAIN: NONE
ABSENT: (GUIO, SANDHU)

The motion passed 3-0-2.

10. ADJOURNMENT: 9:42 P.M.

APPROVED:

LEE GUIO, CHAIRPERSON

ATTEST:

CARMELA CAMPBELL, SECRETARY



Agenda Item

ATTACHMENTS:

Description	Type
▣ STAFF REPORT: USE PERMIT (UP-23-005)	Staff Report
▣ UP-23-005: Exhibit A: Project Plans	Exhibit
▣ UP-23-005: Exhibit B: Statement of Use	Exhibit



Agenda Item

DATE: JULY 20, 2023

TO: PLANNING COMMISSION

FROM: CARMELA CAMPBELL, ECONOMIC, AND COMMUNITY DEVELOPMENT DIRECTOR

SUBJECT: USE PERMIT (UP-23-005)

APPLICANT: HIAWATHA HARRIS, M.D

LEGAL OWNER: TERRENO PARK UNION CITY, LLC

REQUEST: Use Permit (UP-23-005) to operate a professional medical service facility within an existing 2,939 square-foot tenant space within Building B of the Central Plaza development.

LOCATION: 33456 Alvarado-Niles Road (APN: 475-100-36)

SIZE OF PARCEL: 10.08 Acres

GENERAL PLAN: Special Industrial

ZONING: Special Industrial (MS)

SURROUNDING LAND USES:

Table 1 – Surrounding Land Uses			
Location	General Plan Designation	Zoning District	Land Use
North	Light Industrial	ML (Light Industrial)	Light Manufacturing and Warehouse
South	Office Commercial and Residential 10-17 du/ac	CPA (Professional and Administrative Commercial) and RM 2500 (Multi-family Residential)	Office and Multi-family Residential
East	Special Industrial	MS (Special Industrial)	Office and Mini Storage
West	Special Industrial	MS (Special Industrial)	Warehouse

ENVIRONMENTAL ASSESSMENT:

Pursuant to the California Environmental Quality Act (CEQA), this project is categorically exempt under Section 15332, *In-fill Development Projects*, of the CEQA Guidelines.

LOCATION MAPS:



Figure 1 – Zoning Map of 33456 Alvarado-Niles Road.

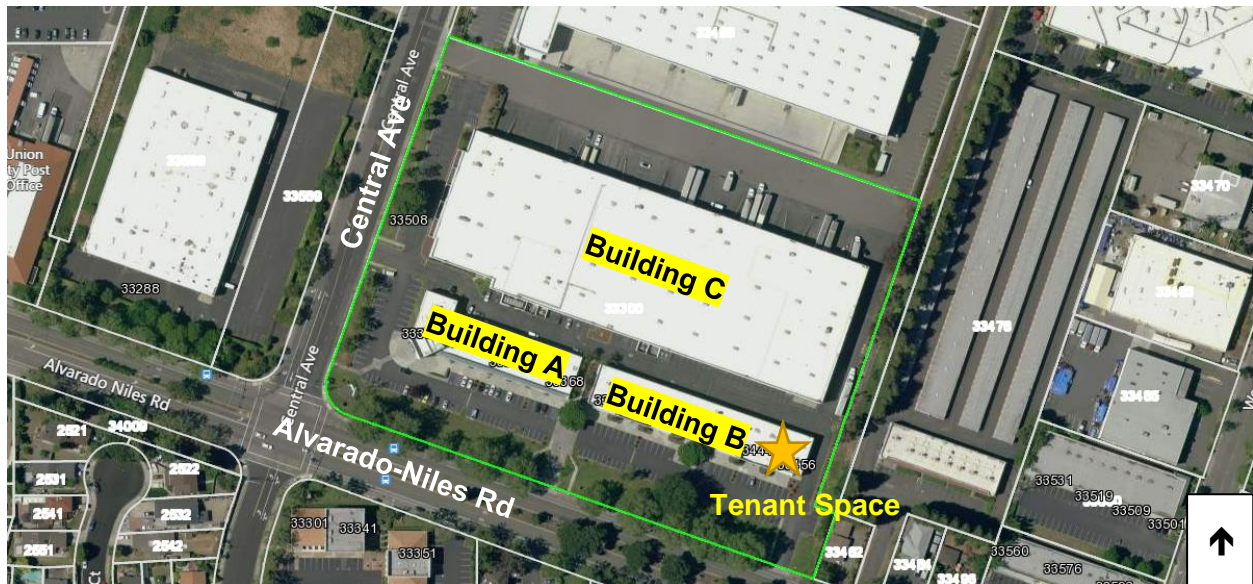


Figure 2 – Location Map of 33456 Alvarado-Niles Road.

I. BACKGROUND & PROPOSAL

The site is located at 33456 Alvarado-Niles Road within the MS (Special Industrial) Zoning District. The tenant space is within Building B of the Central Plaza development. Central Plaza was approved by the Planning Commission in 1987 as a three-building mixed-use project, consisting of:

Building A - 15,010 square feet, approved for retail and restaurant uses;

Building B - 20,490 square feet, approved for office and showroom uses; and

Building C - 133,133 square feet, approved for warehouse and distribution uses.

Central Plaza is currently occupied by a variety of restaurants, small warehouses, professional offices, health services, and a recreational facility. The site has two zoning designations: (1) MS, Special Industrial, along the Alvarado-Niles Road frontage with Buildings A and B; and (2) ML, Light Industrial, on the northern portion of the site with Building C, as illustrated in Figure 1, above.

The project applicant, Hiawatha Harris, M.D., is seeking Use Permit (UP-23-005) approval to operate a professional medical service facility within an existing 2,939 square-foot tenant space within Building B of the Central Plaza development. The hours of operation are anticipated to be 8:30 am to 5:00 pm, Monday thru Friday, and one (1) Saturday each month. The facility would provide psychiatric assessment, prescription services, therapy/counseling, and case management services. The facility would see up to 65 patients per week; however, according to the applicant's Statement of Use, approximately 50 percent of these visits would be conducted remotely, via Telehealth (Zoom) or telephone. Therefore, approximately 32-33 patients would be physically accessing the facility on a weekly basis, thereby further reducing potential impacts to parking at the site. The project plans and Statement of Use are included as Exhibit A and Exhibit B, respectively.

II. PROJECT ANALYSIS

A. Permit Requirements

Health Service uses are conditionally permitted in the MS (Special Industrial) zoning district, subject to the issuance of a Use Permit, per Section 18.40.330.E of the Union City Municipal Code (UCMC).

B. Parking

Central Plaza was approved with 266 parking stalls to be shared amongst the tenants. There are approximately 100 shared parking spaces directly surrounding Building B. The

site was developed with compact spaces and experiences a heavy parking demand during peak lunch hours around the restaurant uses in Building A.

Section 18.36.150 of the Zoning Ordinance requires one parking space for every 200 square feet of medical office space. With 2,939 square feet, the professional medical service operation would require fourteen (14) parking spaces. The attached Statement of Use (Exhibit B) indicates that there would be a maximum of eight (8) staff and two (2) patients on site at any one time. Based on this and staff observations of the center's parking situation, staff has determined that the site provides adequate parking for the professional medical service facility.

C. Consistency with the General Plan

The project is generally consistent with the subject property's General Plan designation of Special Industrial (MS), which allows for the lightest industrial operations, including limited manufacturing, assembly, distribution of manufactured products, R&D facilities, industrial supply, incidental warehousing, offices, and supportive sales, as well as limited commercial uses along major arterials. This designation includes a Floor Area Ratio ("FAR") maximum of 1.0.

Central Plaza currently leases space to restaurants, professional offices, and health services, which supports the surrounding industrial uses, as well as the lightest industrial operations, consistent with the purpose of the MS designation. Staff does not anticipate that a professional medical service facility would have negative impacts on the neighboring uses. The proposed medical services use is consistent with existing and previous uses in the Central Plaza development. Additionally, the use is consistent with the purpose of the MS designation because it is a limited commercial use that supports the surrounding industrial uses, by providing a medical service to employees nearby where they work.

D. Noticing & Communication

Consistent with State law noticing requirements, public hearing notices were posted in the Tri-City Voice on July 6, 2023, and were mailed to neighbors within 300 feet of the project site boundary.

E. Conclusion

The City's Development Review Committee (DRC) has reviewed the proposal and, as conditioned, found that the project meets the requirements discussed above and is consistent with the General Plan.

III. REQUIRED FINDINGS

California Environmental Quality Act (CEQA)

1. *This project is categorically exempt under Section 15332, In-fill Development Projects, of the CEQA Guidelines.*

Use Permit

Section 18.56.060 of the Zoning Ordinance requires that the Planning Commission make a recommendation to the City Council based on the following findings in granting Use Permit approval. Below each finding is a discussion of how the project meets the required finding.

1. That the proposed location of the conditional use is in accord with the purposes of this title and the purposes of the district in which the site is located;

The proposed location of the conditional use is in accordance with the purposes of Title 18 and the purposes of the MS Zoning District in which the site is located. The proposed location of the use is in accordance with the purpose of Title 18, which seeks to promote and protect the public health, safety, morals, comfort, convenience, and the general welfare of the people, to protect the character and maintain the stability of business and industrial areas within the City, and to promote the orderly and beneficial development of such areas.

The proposed location of the project is also in accordance with the purpose of the MS Zoning District, which seeks to provide space for the lightest industrial operations and uses that support nearby industrial uses and that exhibit virtually no nuisance characteristics. The proposed use supports surrounding industrial uses, by providing a medical service to employees nearby where they work.

2. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity;

The proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The project, as conditioned, will be constructed consistent with current Building and Fire Code requirements.

3. That the proposed conditional use is consistent with the general plan, any applicable specific plans, and will comply with each of the applicable provisions of Title 18.

The proposed conditional use is consistent with the General Plan designation of Special Industrial (MS) and will comply with each of the applicable provisions of Title 18. There are no specific plans applicable to the project site.

IV. ALTERNATIVES

1. Approve Use Permit (UP-23-005) as proposed;
2. Approval of Use Permit (UP-23-005) with modified conditions;
3. Denial of Use Permit (UP-23-005) with stated findings; or
4. Continue the matter for further consideration.

V. CONDITIONS OF APPROVAL

PLANNING DIVISION

General

1. All operations and actual site improvements shall be made with adherence to the plans and statement of use, listed in Exhibit A and Exhibit B, respectively, except as they may be modified by other conditions of approval listed below. Any variation or modification from the approved plans are subject to the review and approval of the Economic and Community Development Department.
2. This application shall expire one year from the date of Planning Commission approval unless use has been established, is active and all condition of approval have been addressed.
3. The applicant and/or property owner shall adhere to all conditions of approval. Failure to adhere shall be cause for revocation of the Use Permit
4. The applicant and/or business owner shall obtain a business license from the City and shall maintain said license as long as it operates at this address.
5. All signage, including temporary signs, shall comply with Chapter 18.30 of the Zoning Ordinance and the Central Plaza Master Sign Program
6. The applicant and/or property owner shall ensure that any graffiti appearing on the site be removed within forty-eight hours after discovery. If not removed in a timely manner, the City may, at its option, remove the graffiti and charge the owner for the services performed.
7. The applicant and/or property owner shall obtain all required building and fire permits for any interior tenant improvements and building signage. Plans submitted to the Building Division and Fire Department must demonstrate compliance with all applicable local and state requirements.
8. The applicant and/or property owner shall be responsible for ensuring that all contractors and subcontractors have obtained a valid City of Union City business license for the duration of the project.

BUILDING DIVISION

9. The applicant/property owner shall maintain all public and exterior private improvements to be in compliance with the Americans with Disabilities Act (ADA).

10. Any construction shall fully comply with the Building Standard Codes in effect at the time of building permit issuance.
11. The applicant/property owner shall provide detailed construction plans (working drawings) and calculations to the Building Division for plan review prior to issuance of a building permit. Plans and supporting documents shall be prepared by a state-licensed architect or engineer. Upon completion of the plan check, all applicable fees shall be paid and a building permit issued prior to commencement of any actual construction work on-site.
12. The applicant/property owner shall maintain the property to be free of litter, weeds, debris, etc., both before and after issuance of building permits. Daily litter and debris collection rounds shall be conducted on the site and an adequate number of trash receptacles shall be provided to minimize litter accumulation.
13. The applicant/property owner shall comply with the Construction and Demolition Ordinance 576-01 to divert recyclable debris away from landfills. The applicant and/or property owner shall submit a completed Construction and Demolition Waste Management Plan with their application for a construction or demolition permit.
14. The applicant/property owner shall not locate construction debris boxes within the public right-of-way (ROW), driveways or on adjacent private properties.

FIRE DEPARTMENT

15. The project shall comply with the California Building and Fire Codes and current local ordinances regarding life safety and exiting requirements by installing the required exit signs and emergency lights above all doors and ensuring that the fire sprinklers are meeting all code requirements.
16. The applicant/property owner shall provide a KNOX BOX Mode 3200 (Lock Box) with door hinge, mounted adjacent to the front door no higher than 6 feet, prior to final inspection of building permit.
17. The applicant/property owner shall have the Fire Alarm system professionally monitored by a Central Monitoring Control Center.

ENVIRONMENTAL PROGRAMS

18. The applicant/property owner is hereby advised that unauthorized discharge of any kind to the storm water system, which includes the streets and gutters, is prohibited, and that such discharges, whether intentional or not, are subject to

penalties up to \$20,000 per violation per day. This applies both to the construction phase and to routine facility operations.

ALAMEDA COUNTY WATER DISTRICT

19. The applicant/property owner shall contact the ACWD Engineering Department for modifications of existing water facilities. Any existing water services which will not be used in the new development must be removed by the district at the developer's expense.

VI. RECOMMENDATION

The DRC recommends that the Planning Commission approve Use Permit (UP-23-005), subject to conditions, making the following specific findings in support of this approval:

California Environmental Quality Act (CEQA)

1. That the project is categorically exempt under Section 15332, In-fill Development Projects, of the CEQA guidelines.

Use Permit

2. That the proposed location of the conditional use is in accordance with the purposes of Title 18 and the purposes of the MS Zoning District in which the site is located. The proposed location of the use is in accordance with the purpose of Title 18, which seeks to promote and protect the public health, safety, morals, comfort, convenience, and the general welfare of the people, to protect the character and maintain the stability of business and industrial areas within the City, and to promote the orderly and beneficial development of such areas.

That the proposed location of the project is also in accordance with the purpose of the MS Zoning District, which seeks to provide space for the lightest industrial operations and uses that support nearby industrial uses and that exhibit virtually no nuisance characteristics. The proposed use supports surrounding industrial uses, by providing a medical service to employees nearby where they work.

3. That the proposed location of the conditional use and the conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity. The project, as conditioned, will be constructed consistent with current Building and Fire Code requirements.

4. That the proposed conditional use is consistent with the General Plan designation of Special Industrial (MS) and will comply with each of the applicable provisions of Title 18. There are no specific plans applicable to the project site.

It is further recommended that the Planning Commission adopt a Resolution confirming this action.

Prepared by

Brandon H DeLucas, Associate Planner

Attachments

Exhibit A: Project Plans

Exhibit B: Statement of Use

PROJECT PLAN

HIAWATHA HARRIS, M.D., INC. 33456 Alvarado-Niles Road, Union City, California 94587



ADDRESS, ACCESSOR PARCEL NUMBER (APN)

33456 Alvarado Niles Road, Union City, California 94587, APN 475-100-36

Property Owner:

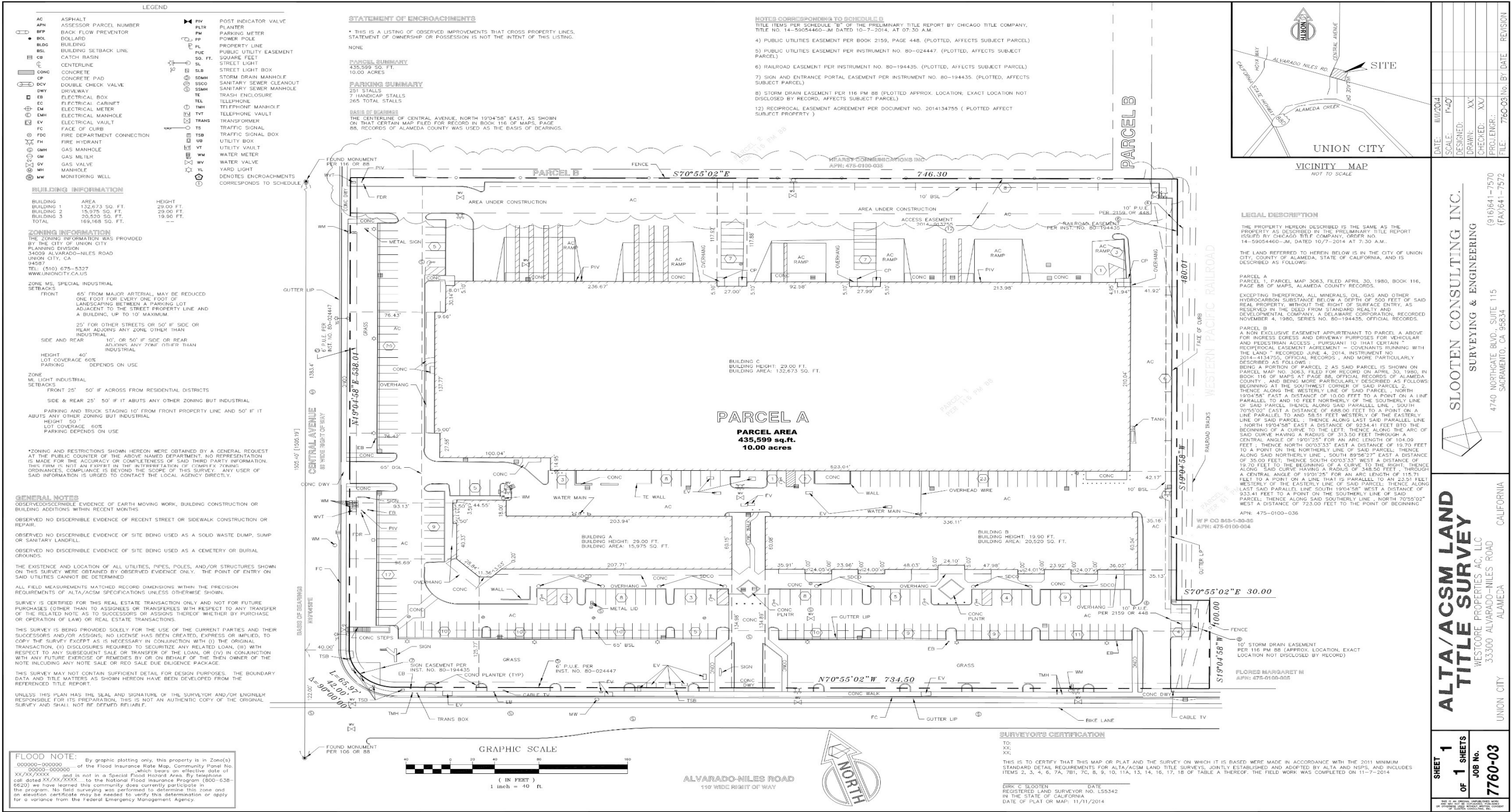
Terreno Realty Corporation, Alex Brener (435,600 sq. ft./ 10.08 Acres)

EXHIBIT A

SCOPE OF WORK

HIAWATHA HARRIS, M.D., INC., intends to relocate its professional medical services offices from Banner Plaza at 2608 Central Avenue, Union City, California 94587 to the new location at Central Plaza 33456 Alvarado Niles Road, Union City, California 94587 after 23 years of operation at the former site. HIAWATHA HARRIS, M.D., INC., intends to establish a professional medical service, providing daily office visits for patients. Monday through Friday from 9am to 5pm and up to one (1) Saturday per month. Aside from the addition of appropriate outdoor signage, and cosmetic addition of interior carpet and paint, there is no other work planned for this project.

SITE PLAN



OFFICE SPACE INTENDED USE TABLE

Space #	INTENDED USE
1	Counseling, Physician Assistant and/or Case Management, Office/Work area: A room for identified staff people providing either case management, counseling/therapy services and/or physician assistant functions. The rooms consist of computers, desks, chairs, and filing cabinets as needed by function to fulfill on the promises of the business.
2	Nurse Office and Work Area: A room for identified staff people providing either nursing, case management, counseling/therapy services and other business operations and or management functions. The rooms consist of computers, desks, chairs, and filing cabinets as needed by function to fulfill on the promises of the business.
3	Provider (Physician) Office and Work Area: A room that contains an office chair, desk and patient chairs to provide consultative medical services during hours of operation from 9am to 5pm Monday – Friday and up to 1 (one) Saturday per month.
4	Provider (Physician) Office and Work Area
5	Conference Room and Work Area: A room in which staff will meet to discuss, plan, and move patient case actions forward. The room consists of computers, desks, conference table and chairs as well as at least one (1) filing cabinet and audio/visual training equipment to fulfill on the promises of the business.
6	Staff Lounge Area : An Area for staff breaks including short and long meal breaks. This designated area will be open during business hours 9am to 5pm Monday – Friday and up to 1 (one) Saturday per month . The room will consist of chairs, tables as well as lounge and study material supplied to support relaxation and a break from duties.
7	Counseling, Physician Assistant and/or Case Management, Office/Work area:
8	Restroom Room: A room that contains one sink and one commode to be used during the work day or during a clinic visit
9	Restroom Room
10	Office Manager (Business Operations) Quality Office and Work Area: A room that contains an office chair, desk and additional chairs to provide services during hours of operation from 9am to 5pm Monday – Friday
11	Office Manager (Business Operations) Quality Office and Work Area
12	Reception - Lobby Area: A waiting area for beneficiaries awaiting in-person visits. This is where everyone who enters the office will check in and out for safety and security and service registration – whether it be to check in for an appointment, rebook a return 30 – 60-day return visit, make a payment for services, or to indicate presence for a work day. This room consists of chairs, reception desks and computers and the safety and security measures and protocols instruction binder.

FLOOR PLAN

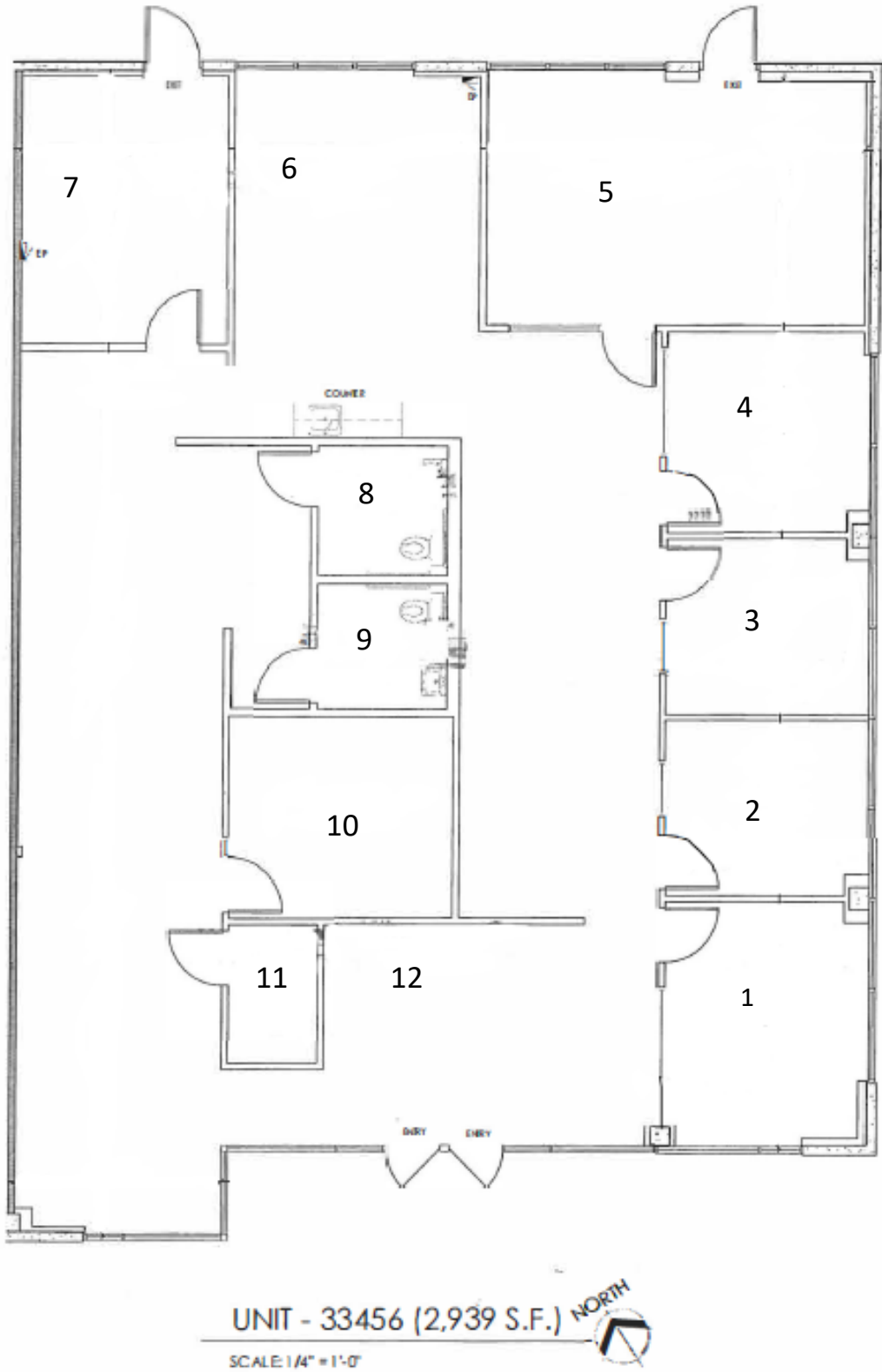


EXHIBIT B

RECEIVED

JUN 28 2023

STATEMENT OF USE

UNION CITY ECONOMIC
& COMMUNITY DEVELOPMENT

The project, **HIAWATHA HARRIS, M.D., INC. 33456**, is a 2,939 sq. ft. office suite located in Central Plaza, Building B, on Alvarado Niles Road, Union City, California 94587. The office suite will be occupied by a professional medical group providing day-time office appointments for patients. These medical and mental health professionals will be supported by adjunct staff who are accountable for the operation of the practice.

The two (2) Physicians, one (1) Nurse, one (1) Physician Assistant, two (2) Reception/Office Assistants represent the (6) full-time staff (FTE). These staff people begin their work day at 8:30am, break for lunch from 12:00 to 12:45 and end at 5:00 pm, Monday through Friday and a (.5) Quality Reviewer, (.5) Case Manager, (.25) Psychologist/Therapist and (.5) Office Manager make up the remaining 1.75 (FTE) staff, in part-time equivalency, Tuesday through Thursday and one (1) Saturday per month. The group or specialty considerations regarding shifts are listed in the corresponding Staffing Shift and Per Hour Client Chart-1. Drop offs and/or deliveries are managed during the course of the business day and the schedules are dictated by their own sources (e.g., postal drop offs, office supply delivery).

The medical group has been providing psychiatric assessment, prescription services, therapy/counseling and case management services to Alameda County qualifying beneficiaries for the past twenty-three (23) years in professional offices located immediately across the street from this newly proposed location. The services are delivered to patients via Telehealth (Zoom), telephone and in-person visits.

In-person visits: These appointments are for up to sixty-five (65) established beneficiaries per week and are conducted in the office setting. During pre-pandemic times, 100% of these visits were in-person. Currently, appointments are scheduled, in consideration of COVID-19, using guidelines that continue to support safe distancing between all people during all appointments and in consideration of staff health and safety. Currently, about 50% of the visits or thirty-two (32) are completed via Telehealth and or telephone. The management company accountable for supporting the medical group manages all matters of allowable patients in an office as well as all of the safety and security protocols for the office and they issues are visited on a quarterly basis.

Most of the patients use county or city sponsored public transportation to arrive at their twenty (20) to thirty (30) minute appointments, one time per month. The following is a per hour summary chart of the staffing shift plan and the maximum client activity and how patients arrive to the office when the office is at full operation capacity (pre-pandemic):

Staffing Shift and Per Hour Client Chart -1

Staffing Shift Plan (# of unduplicated Staff entering during each hour)							Hour Beginning	Average Clients Served	Of those Clients Served # who use Public Transport.	Maximum Clients Served Per hour
M	T	W	Th	F	S		8:30 am	0	0	0
3	3	3	3	3	0					
M	T	W	Th	F	S		9:00 am	1	1	1
2	2	2	2	2	0					
M	T	W	Th	F	S		10:00 am	2	1	2
1	1	1	1	1	0					
M	T	W	Th	F	S		11:00 am	2	1	2
0	0	0	0	0	0					
M	T	W	Th	F	S		Noon	1	1	1
0	0	0	0	0	0					
M	T	W	Th	F	S		1:00 pm**	2	1	2
0	1	1	1	0	0					
M	T	W	Th	F	S		2:00 pm**	2	0	2
0	1	1	1	0	0					
M	T	W	Th	F	S		3:00 pm	2	1	2
0	0	0	0	0	0					
M	T	W	Th	F	S		4:00 pm	2	0	2
0	0	0	0	0	0					
M	T	W	Th	F	S		5:00 pm	0	0	0
0	0	0	0	0	0					
TOTALS										
M	T	W	Th	F	S		8.5 HOURS	14	6	14
6	8	8	8	6	2*					
Exception Notes:										
1. Saturday 1x per month: (1) Physician and (1) Office Staff serve up to (6) patients* 2. The part-time (partial FTE) are concentrated on Tuesday, Wednesday and Thursday and indicate 1 or 2pm entry on the chart.**										

(Sources: HHIMD Union City, Patient Statistics FY2022-2023 and Rolling Averages Count , Staffing Plan FY 2023-24)



Southern California Office
1541 SOLIDAD CANYON RD
SANTA CLARA, CA 95051
TEL: (408) 499-2541 FAX:
TEL: (408) 499-2541 FAX:
WWW.AEPCGROUP.COM

PROJECT
CENTRAL PLAZA
BUSINESS CENTER
HIAWATHA HARRIS M.D., INC.
33155 ALVARADO-NILES RD.
UNION CITY, CA 94587

REVISION
DATE NO. DESCRIPTION
6/24/2023 Office Layout Numbers Added
6/26/2023 Emergency Evacuation Plan
James Jordan, Rehabilitation Team

DRAWING TITLE
UNIT - 33456
AS-BUILT
FLOOR PLAN

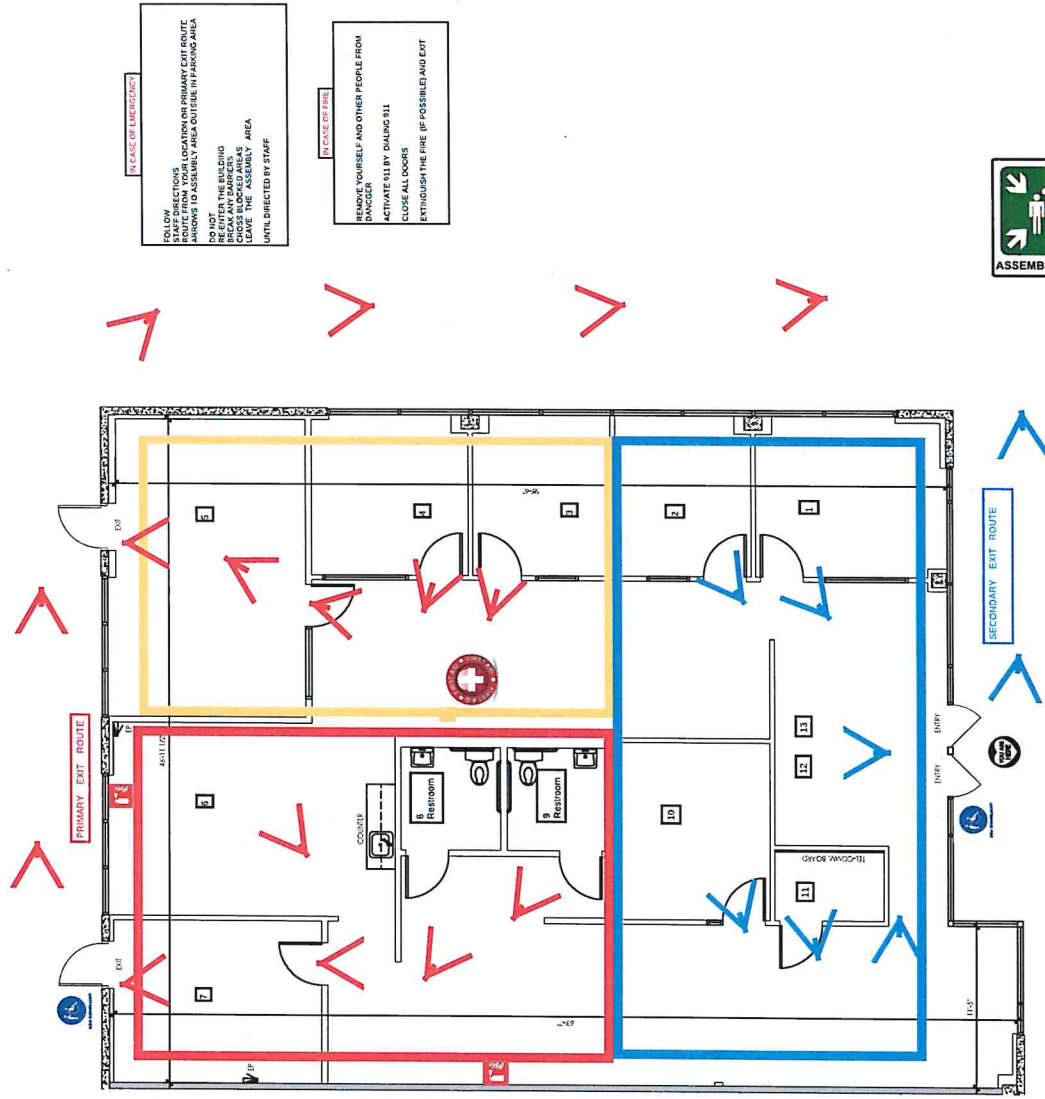
DRAWN BY: ACRC
DATE: JAN 20, 2023
SCALE: AS SHOWN

SHEET NO.

A2.2F

PLAN CHECK NO.

EMERGENCY EVACUATION PLAN
Hiawatha Harris, M.D., Inc. Pathways to Wellness Medication Clinic
33155 Alvarado-Niles Road, Union City, California 94587



UNIT - 33456 (2,939 S.F.)
SCALE: 1/4" = 1'-0"