**CITY OF CLOVERDALE**

**ORDINANCE NO. 685-2012**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLOVERDALE REPEALING CITY OF CLOVERDALE MUNICIPAL CODE TITLE 18 (ZONING ORDINANCE) IN ITS ENTIRETY AND ADOPTING A REVISED TITLE 18 (ZONING ORDINANCE)**

**WHEREAS**, the City Council adopted an updated General Plan on May 13, 2009 by Resolution 022-2009, and adopted an amendment to the General Plan on June 28, 2010 by Resolution 031-2010 to establish Urban Growth Boundary (UGB) provisions; and

**WHEREAS**, Cloverdale voters approved a UGB measure at the November, 2010 election, as a General Plan amendment, which is now incorporated into the General Plan; and

**WHEREAS**, in accordance with the requirements of the California Environmental Quality Act ("CEQA"), on May 13, 2009, by Resolution No. 020-2009, the City Council certified the Environmental Impact Report for the General Plan, and on June 28, 2010, by Resolution No. 031-2010, the City Council adopted a Negative Declaration for the UGB amendment; and

**WHEREAS,** the current City of Cloverdale Zoning Ordinance, Title 18 of the Municipal Code, requires revision to implement certain 2009 General Plan policies and be more fully consistent with the 2009 General Plan, and to implement other changes the desirability of which came to light during the implementation process; and

**WHEREAS**, the Zoning Ordinance revision does not contemplate any land uses or densities that were not included in the General Plan or evaluated in the General Plan EIR, and therefore, the General Plan EIR adequately describes all impacts of the project for CEQA purposes, and;

**WHEREAS**, the Cloverdale Planning Commission held a public hearing on January 4, 2012 to consider the revisions to the Zoning Ordinance, and, after receiving public testimony, adopted Resolution 001-2012, recommending City Council approval of the Zoning Ordinance revisions; and

**WHEREAS**, on March 28, 2012, the City Council reviewed and considered the Initial Study and Negative Declaration of environmental impact for the Zoning Ordinance revision contemplated herein in full compliance with CEQA, and continued the hearing to April 11, 2012 to allow additional public comment; and

**WHEREAS**, at a public hearing held on March 28, 2012, the City Council considered all public comments received both before and during the hearing, the presentation by staff and all pertinent documents regarding the Zoning Ordinance revision, directed staff to make several changes, and requested that the Zoning Ordinance revision be brought back for additional public hearing; and

**WHEREAS**, on April 11, 2012, the City Council adopted Resolution no. 010-2012 approving a Negative Declaration of environmental impact for the Zoning Ordinance revision contemplated herein in full compliance with CEQA; and

**WHEREAS**, the City Council held additional public hearing on April 11, 2012, considered all public comments received both before and during the hearing, the presentation by staff and all pertinent documents regarding the revisions to the Zoning Ordinance, directed staff to remove the new requirements related to recreational vehicle parking on private property, and held the first reading of the Ordinance.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CLOVERDALE DOES ORDAIN AS FOLLOWS:**

Section 1. Purpose and Intent. The 2012 Zoning Ordinance proposed for adoption is determined to be consistent with the 2009 General Plan and furthers the implementation of the goals, objectives and policies of the 2009 General Plan.

Section 2. Repeal. Cloverdale Municipal Code Title 18, Zoning Ordinance, is hereby repealed in its entirety.

Section 3. Adoption. A new Title 18 of the Cloverdale Municipal Code, entitled, Zoning Ordinance, is hereby adopted as shown in Attachment 1, which is attached to and made a part of this ordinance for all purposes.

Section 4. Severability. If any provision of this Ordinance or the application thereof to any person or circumstances is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction or preempted by state legislation, such decision or legislation shall not affect the validity of the remaining portions of this Ordinance. The City Council of the City of Cloverdale declares that it would have passed this ordinance and each and every section, subsection, sentence, clause or phrase hereof not declared invalid or unconstitutional without regard to any such decision or preemptive legislation.

Section 5. Effective Date and Publication. This Ordinance of the City of Cloverdale shall be effective thirty (30) days after the date of its passage. Before expiration of fifteen (15) days after its passage, this ordinance or a summary thereof as provided in Government Code Section 36933, shall be published at least once in a newspaper of general circulation published and circulated in the City of Cloverdale, along with the names of the City Council members voting for and against its passage.

It is hereby certified that the foregoing Ordinance No. 685-2012 was introduced before the City Council of the City of Cloverdale at a regular meeting thereof on the 11th day of April 2012 and passed and adopted upon its second reading on the 9th day of May 2012 by the following voice vote: (5-ayes, 0-noes).

AYES in favor of: Mayor Cox, Vice Mayor Palla, Councilmember Maacks, Councilmember Russell, and Councilmember Wolter

NOES:

ABSTAIN:

ABSENT:

Approved:

Robert M. Cox, Mayor

Attested:

Roberto J Bartoli Jr., Deputy City Clerk

CITY OF
CLOVERDALE

# ZONING ORDINANCE

Introduced April 11, 2012

Adopted May 9th

# TITLE 18

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# Chapter 18.01
# GENERAL PROVISIONS

## Section 18.01.010 Title

This Title is known as the Zoning Code of the City of Cloverdale.

## Section 18.01.020 Purpose and Intent

The City Council of the City of Cloverdale has established these standards, guidelines, and procedures to protect and promote the public health, safety, convenience, and welfare of present and future citizens of Cloverdale, specifically to:

A. Implement the goals, objectives, policies and programs of the Cloverdale General Plan, and manage future growth and development in accordance with that plan;

B. Protect the character of Cloverdale by providing standards for physical changes within the City;

C. Attain the aesthetic, physical, social and economic advantages resulting from comprehensive and orderly land use and resource planning; and

D. Promote stability and reduce conflict between and among the residential, commercial and industrial communities within the City while maintaining a flexible framework for land use decisions.

## Section 18.01.030 Authority

Authority for the regulations contained in this Title is based on Section 7, Article XI of the California Constitution, the provisions of the California Planning and Zoning Law (Division 1 of Title 7 of the California Government Code), which provide for the regulation of the intensity of land use and the adoption of standards for the regulation of population density, and the police power granted to municipalities by the laws of the State of California. These authorities confer to the City the authority through this Title to determine the form and function of physical development and use of land in the City.

## Section 18.01.040 Applicability

All properties within the boundaries of the City of Cloverdale shall be subject to the provisions of this Title.

**A. Private Projects**

1. No land, building, or structure shall be developed, used, constructed, altered, or maintained except in conformance with the provisions of this Title.

2. No use that requires a permit, license or approval under the provisions of this Title shall be made, continued, established or operated until the permit, license or approval is finally granted, and all conditions of the permit, license or approval have been complied with, performed, and completed.

3. No use that requires a permit, license or approval under the provisions of this Title shall be established or operated in violation of, or contrary to, any terms or conditions of the granted permit, license or approval.

**B. Public Projects**

Unless otherwise exempted, federal, state, county, and City governmental projects shall be subject to the provisions of this ordinance, including projects operated by any combination of these agencies, or by a private person for the benefit of any such governmental agency.

**Section 18.01.050 Consistency with General Plan**

An application for any permit, license or approval submitted for processing pursuant to this Title must be consistent with the General Plan and this Title, or to the extent inconsistent with the General Plan and/or this Title, must include an application to amend the General Plan and/or this Title. In a case of a conflict in regulation between this Title and the General Plan, the General Plan shall prevail.

All development and land uses within the City shall be consistent with the Cloverdale General Plan, all applicable specific plans, this Title and all other applicable laws, Titles, ordinances, Codes, policies, and regulations.

**Section 18.01.060 Zoning Districts**

**A. Establishment of Zoning Districts**

Cloverdale shall be divided into land use Zoning Districts which are consistent with and implement the General Plan.

**B. Adoption of Zoning Map**

The boundaries of the Zoning Districts established pursuant to this Section are delineated upon that certain map entitled the "City of Cloverdale Zoning Map" sometimes referred to as the "Zoning Map." The Zoning Map, together with all legends, notations, references, boundaries, and other information thereon, is hereby incorporated into this Title by reference.

A copy of the current Zoning Map shall be kept on file with the City Clerk and Planning Director and shall be made available to the public. Changes in the boundaries of any Zoning District shall be made by ordinance pursuant to Section 18.03.080 of this Title, and shall be reflected on the Zoning Map. The City Clerk shall be responsible for keeping official records relative to Zoning Map amendments.

**C. Determination of Zoning District Boundaries**

1. Wherever a lot is divided by the boundary between Zoning Districts, the regulations applicable within each Zoning District shall apply to the portion of the site situated in that Zoning District.

2. The following rules shall apply for determining the boundaries of any Zoning District on the Zoning Map:

   a. Where boundaries are indicated as approximately following street and alley lines or other identifiable property or boundary lines, such lines, shall be construed to be the Zoning District boundary. Where boundaries

are indicated as within a street or alley, the center lines thereof shall be construed to be the Zoning District boundary.

b. In property, where a Zoning District boundary divides a lot, the location of the Zoning District boundary, unless the same shall be indicated by dimensions, shall be generally determined by the Planning Director by use of the scale appearing on the Zoning Map.

c. A symbol or symbols indicating the classification of property on the Zoning Map shall in each instance apply to the whole of the areas within the Zoning District boundaries.

**Section 18.01.070 Severability**

If any provision of this Title or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of this Title, and to this end, the provisions of this Title are intended to be severable. When a provision of this Title refers to another Section of this Title, a change in the referenced Section number by subsequent amendment of this Title shall not affect the applicability of the Section contents, unless the referenced Section contents are also amended or deleted.

**Section 18.01.080 Indemnification**

In submitting an application for a permit, license or discretionary approval pursuant to this Title, the applicant and property owner agree, as part of the application, to defend, indemnify, hold harmless the City of Cloverdale, the Cloverdale Community Development Agency, and their respective agents, officers, employees (indemnitees) from any claim, action or proceeding of any kind, the purpose of which is to attack, set aside, void, or annul an approval of an application and/or adoption of an environmental document or determination concerning it. To the maximum extent permitted by applicable low, this agreement to indemnify, defend and hold harmless shall include, but not be limited to, damages, costs, expenses, attorney fees or expert witness fees that may be asserted or incurred by any person or entity, including the applicant, third parties and/or the indemnitees, arising out of or in connection with the approval of the application, whether or not there is concurrent, passive or active negligence on the part of the indemnitees. Counsel proposed by applicant and/or property owner to defend the indemnitees shall be subject to City and/or Community Development Agency approval, which approval will not be unreasonably withheld.

Nothing in this Section shall prohibit the City from participating in the defense of any claim, action or proceeding at its own expense. The City shall have the right to determine the existence of any conflict of interest which in its sole discretion affects the rights of the City and/or Community Development Agency and/or the ability of the applicant and/or property owner and/or their legal counsel to adequately represent the City and/or Community Development Agency in the defense of any claim, action or proceeding. In the event the City and/or the Community Development Agency, in their sole discretion, determines that a conflict of interest exists, subject to applicable law, the City shall have the right to defend the claim, action or proceeding with counsel of its choice at the expense of applicant and/or the property owner.

In the event that an action, claim or proceeding described above is initiated, the City shall promptly notify the applicant and property owner of the existence of the action, claim or proceeding and shall cooperate in the defense.

## Section 18.01.090 Conflicts and Clarifications

### A. Relation to Private Agreements

The provisions of this Title shall not interfere with or void any recorded easement, legally established covenant or other existing agreement which is more restrictive than the provisions of this Title. Where this Title imposes greater restriction than imposed by an easement, covenant or agreement, this Title shall control.

### B. Conflict with Other Regulations

Nothing in this Title or requirements or conditions imposed pursuant to this Title shall supersede any other regulations or requirements adopted by the City, the State of California or any federal agency that has jurisdiction by law over uses and development authorized by this Title. Where conflict occurs between the provisions of this Title and any other City ordinance, code, chapter, resolution, guideline or regulation, the more restrictive provision shall govern, unless otherwise specified.

### C. Interpretation

The Planning Director has the authority to interpret any provision of this Title and/or any definition not expressly provided in this Title and to issue an interpretation. The Planning Director may also refer any issue of interpretation to the Planning Commission for its determination. In the event of disagreement with an interpretation of the Planning Director, upon written request, the interpretation shall be referred to the Planning Commission for review. Written requests received by the Planning Director shall be placed on the next available Planning Commission agenda. A fee to recover the cost of an interpretation by the Planning Commission sought by an applicant may be set by the City Council.

### D. Time Limits

All references to days are to calendar days, unless otherwise indicated. When a deadline falls on a weekend, holiday or a day when City offices are closed, the deadline shall be extended to the next working day. The end of a time period shall be the close of business on the last day of the period.

### E. State Law Requirements

Any references in this Title to specific provisions of state law shall be construed to mean the applicable state law provisions as they may be from time to time amended.

### F. Section and Chapter Headings

Section and chapter headings shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning and intent of any Section or chapter. In case of subsequent amendment to a Section or chapter number or heading, references in this Title to other Sections or chapters of this Code by number or chapter heading shall be construed in a manner which gives meaning to the intent of the reference.

### G. Language

See Section 18.14.020.

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# CHAPTER 18.02

# ADMINISTRATION AND ENFORCEMENT

## Section 18.02.010 Purpose and Intent

The purpose of this Title is to establish the procedures for the administration of this Code and to set forth certain basic responsibilities of the officials and bodies charged with its administration.

## Section 18.02.020 Compliance with Title for Permit Issuance

All officials, departments and employees of the City with the authority or discretion to issue permits or licenses shall comply with the provisions of this Title and shall issue no permit, certificate or license which conflicts with this Title. Any permit or license which conflicts with this Title shall be null and void.

## Section 18.02.030 Planning Agency

Pursuant to Section 65100 of the California Government Code, the planning agency for the City of Cloverdale shall consist of the City Council, Planning Commission, Design Review Committee and the Planning Department acting under authority of this Title.

## Section 18.02.040 Review of Permits, Applications and Licenses

The City Council, Planning Commission, Planning Director, or other City Manager designee, shall have the authority to review and act upon the applications for entitlements and approvals as shown in Table 18.03.100.

## Section 18.02.050 Planning Commission

The Planning Commission shall be appointed pursuant to the procedures specified in Sections 2.36.010 through 2.36.060 of the Cloverdale Municipal Code. The members of the Planning Commission shall have the powers and duties provided for by Sections 65000 through 65906 of the Government Code, as now or hereafter amended.

In addition, the Planning Commission shall have the responsibility to:

1. Investigate and make recommendations to the City Council regarding reasonable and practical means for implementing the General Plan or any element thereof, so that it will serve as an effective guide for orderly growth and development, preservation and conservation of open space and natural resources, and for the efficient and effective expenditure of public funds relating to the subjects addressed in the General Plan.
2. Provide annual reports to the City Council on the status of the General Plan and progress in its implementation.
3. Provide interpretation of this Title as set forth in Section 18.01.090.
4. Serve as the Design Review Committee.

## Section 18.02.060 Design Review Committee

The Planning Commission shall serve in the capacity of the Design Review Committee. The Commission shall prepare, review, and recommend appropriate architectural standards and guidelines, subject to City Council approval. Standards and guidelines are to be set forth in

pictorial and/or narrative form, and may illustrate undesirable as well as desirable examples of design. The Planning Commission shall periodically review these standards and guidelines and may make recommendation for appropriate amendments.

The Planning Commission shall review and approve applications for Design Review, pursuant to this Title and Table 18.03.100.

**Section 18.02.070 Planning Director**

This Title shall be administered by the Planning Director or other City Manager designee whose responsibilities include the following functions to be carried out either directly or by subordinate employees under supervision or direction of the Planning Director or other City Manager designee.

**A. Powers and Duties**

1. Application Process

   All applications for permit, licenses and approvals pursuant to this Title shall be submitted to the Planning Director for processing. The Planning Director or his/her designee shall be responsible for:

   - Determining completeness of applications;
   - Completing appropriate documentation under the California Environmental Quality Act for permits issued and actions taken pursuant to this Title;
   - Collecting applicable fees;
   - Establishing a permanent file for each application or project;
   - Posting/publishing public notices;
   - Preparing reports;
   - Processing appeals; and
   - Presenting staff reports to the Planning Commission and City Council.

2. Administrative Approvals

   When authorized to do so by any provision of this Title, the Planning Director may administratively approve certain plans, permits and entitlements pursuant to Table 18.03.100.

3. The Planning Director shall be responsible for providing information regarding the provisions and requirements of this Title to the public.

**B. Coordination**

The Planning Director shall coordinate matters related to the administration of this Title with other agencies, city departments, and city boards and commissions, and shall provide information on the status of development proposals to interested parties.

**Section 18.02.080 Violations and Enforcement**

**A. Criminal Enforcement and Penalties for Violations**

Violations of this Title may be prosecuted as misdemeanors punishable by a fine of not more than one thousand dollars ($1,000) or by imprisonment for a period not to exceed six

months, or by both fine and imprisonment. If a Code Enforcement Officer (as defined in Section 1.10.030 of the Cloverdale Municipal Code) elects to charge a violation of this Title as a criminal violation, such Code Enforcement Officer shall issue a criminal citation with a notice to appear, signed by the alleged violator. If the person cited refuses to sign the notice to appear, or as an alternative to issuing a notice of violation, the matter may be assigned to the City Attorney for issuance of a criminal complaint. In no event may the penalty imposed pursuant to this Section exceed that which is permitted under state law.

**B. Civil and Administrative Enforcement and Penalties for Violations**

Violations of this Title are declared to be public nuisances. Violations of this Title may be prosecuted as a nuisance and enforced by a civil court action as provided in Municipal Code Chapter 1.13 or via administrative enforcement as a nuisance as provided in Chapter 1.14. Notwithstanding any other provisions of this chapter, whenever the existence or continuance of any violation of this chapter or any nuisance condition poses an imminent or immediate threat of harm to persons or property, or to public health, welfare or safety, such violation or condition may be summarily abated in accordance with Municipal Code Section 1.15.010. Each and every day during any portion of which a nuisance condition exists or continues may be deemed a separate and distinct violation for purposes of setting the amount of penalty to be imposed.

**C. Alternative Remedies Provided**

In addition to the other remedies specified in this chapter, violations of this Title are subject to the enforcement remedies in Municipal Code Chapters 1.10 through 1.12 and 1.15. In addition, the City expressly reserves the right to utilize enforcement remedies available under any applicable state or federal statute or pursuant to any other lawful power of the City. All such remedies shall be alternative to or in addition to or in conjunction with, and not exclusive of, one another. The election of remedies shall be at the sole discretion of the City.

**D. Appeal of Administrative Enforcement**

A responsible person charged with a violation of this Title pursuant to Municipal Code Chapter 1.14 shall be entitled to pursue the appeal procedures set forth in Municipal Code Section 1.14.070 for responsible persons named in notices of violations.

**E. No Mandatory Duty of Care**

This chapter is not intended to impose, and shall not be construed or given effect in a manner that imposes, upon the City, or any officer, employee, agent, or representative of the City, a mandatory duty of care toward persons or property within or without the City limits, so as to provide a basis of civil liability for damages, except as may otherwise be imposed by law.

## Section 18.02.090 Nonconforming Uses, Structures, Lots and Signs

**A. Purpose**

This Section is intended to limit the number and extent of nonconforming uses, including signs, by regulating their enlargement, re-establishment after abandonment, and alteration or restoration after destruction of the structures they occupy. In addition, this Section is intended to limit the number and extent of nonconforming structures by prohibiting their being moved, altered, or enlarged in a manner that would increase the discrepancy between existing conditions and the provisions of this Title. This Section also is intended to limit the circumstances under which a nonconforming lot may be reduced in size.

## B. Nonconforming Uses

1. Right to Continue a Nonconforming Use

A use of a structure or land, including parking, which was lawfully established and maintained, but which does not conform with the use regulations or required standards for the Zoning District in which it is located, by reason of adoption of this Title (or a prior enactment of the City) or amendment thereto, or by reason of annexation of territory to the City, shall be deemed to be a nonconforming use and may be continued, except as otherwise provided by this Section. The right to continue a nonconforming use shall attach to the land and shall not be affected by a change of ownership, tenancy, or management provided that there is no expansion, substitution or other change in use and no substantial alteration or other change in the building, structure and/or site.

2. Nonconformity Due to Lack of Entitlement

Any use established at a time when permits or other entitlements were not required and is nonconforming only because of the absence of an entitlement shall not be modified, altered, or expanded to occupy a greater land area without first securing approval of the required entitlement (e.g., Conditional Use Permit). The use shall be deemed a conforming use upon securing the applicable entitlement.

3. Modification or Expansion of Nonconforming Uses

a. Single Family Residences

(i) A detached single family residence existing as a nonconforming use in Commercial or Industrial Zoning Districts may be continued as a residential use, and may be altered, provided that no increase in the number of dwelling units or increase greater than 50% in the usable floor area, as it existed on the effective date of this Title, occurs provided that the setbacks of the Zoning District in which it is located are met.

(ii) A detached single family residence existing as a nonconforming use in a multiple family Zoning District may be continued as a single family residential use and may be altered or rebuilt, provided that the setbacks of the Zoning District in which it is located are met.

4. Discontinuation of Nonconforming Use

Whenever a nonconforming use has been changed to a conforming use or has been discontinued for a continuous period of 180 days or more, the nonconforming use shall not be reestablished, and the use of the structure or site thereafter shall be in conformity with the regulations for the Zoning District in which it is located.

## C. Nonconforming Structures

1. Prior Building Permits

Nothing contained in this Title shall be deemed to require any change in the

plans, construction, or designated use of any building for which a building permit has been issued prior to the effective date of this Title, provided that said permit does not lapse.

2. Right to Continue and Maintain a Nonconforming Structure

A structure or building which was lawfully erected, but which does not conform with current standards of coverage, setbacks, height of structures, or distances between structures prescribed in the regulations for the Zoning District in which the structure is located, by reason of adoption of this Title (or a prior enactment of the City) or amendment thereto, or by reason of annexation of territory to the City shall be deemed to be a nonconforming structure and may be used and maintained, except as otherwise provided by this Section. Routine maintenance and repairs may be performed on a nonconforming structure.

3. Alterations and Enlargements of Nonconforming Structures

A nonconforming structure shall not be altered or reconstructed, and/or its use changed,so as to increase the discrepancy between existing conditions and the standards for front yard, side yards, rear yard, height of structures, distances between structures, floor area ratio, and parking facilities as prescribed in the regulations for the Zoning District in which the structure is located.

4. Restoration of a Damaged Structure

a. Single Family Residential Structures

(i) Whenever a nonconforming structure designed for and used as a single family residence is destroyed by fire or other calamity, by act of God, or by the public enemy, the structure may be restored and the nonconforming use may be resumed, provided that restoration is started within one year and diligently pursued to completion, and provided further that the restored structure does not exceed the square footage of the original structure or otherwise create or increase any element of nonconformity. When a single-family residential structure is voluntarily razed or is required by law to be razed, the structure shall not be restored except in full conformity with the regulations for the zone in which it is located and the nonconforming use shall not be resumed.

b. Other Structures

(i) Whenever any nonconforming structure other than a single family residential structure is destroyed by fire or other calamity, by act of God, or by the public enemy such that the cost of replacing or restoring the entire structure to its condition immediately prior to destruction is 50 percent or less of the value of the structure immediately prior to its destruction, the structure may be restored and the nonconforming use may be resumed, provided that restoration is started within one year and diligently pursued to completion, and provided further that the restored structure does not exceed the square footage of the original structure or otherwise create or increase any element of nonconformity.

(ii) When the destruction of a nonconforming structure other than a single family residence exceeds 50 percent of its value immediately prior to

destruction or is voluntarily razed or is required by law to be razed, the structure shall not be restored except in full conformity with the regulations for the zone in which it is located and the nonconforming use shall not be resumed.

**D. Nonconforming Lots**

A lot which when lawfully created or established, complied with the size or dimensional requirements of the Zoning District where located, but that does not conform to the current size or dimensional regulations of the Zoning District where located, or that does not conform to the current requirements of the Subdivision Ordinance governing lot standards shall be deemed a nonconforming lot, provided that it is shown on a duly approved and recorded tract or parcel map, or has been issued, or is eligible for issuance of a certificate of compliance or conditional certificate of compliance. A nonconforming lot may be used as a building site subject to compliance with all applicable requirements of this Title.

**E. Nonconforming Signs**

A nonconforming sign is a sign lawfully constructed and maintained prior to the effective date of this chapter, but that does not conform to the provisions of this chapter, or because of a Zoning District change after the effective date of this chapter affecting the property upon which the sign is located, does not comply with the applicable Zoning District regulations. This chapter is intended to limit the number and extent of nonconforming signs by prohibiting alteration or enlargement thereof that would increase the discrepancy between existing conditions and the standards and requirements of this Chapter and to provide for the elimination of nonconforming signs in Residential Zoning Districts, in accordance with applicable law.

1. Alteration, Enlargement, Relocation and Reconstruction of Signs

   No nonconforming sign shall be altered (including change of copy or face change), enlarged, relocated, and/or reconstructed, unless such action reduces the degree of nonconformity and a sign permit has been issued pursuant to this chapter. A nonconforming sign may be maintained or its text changed subject to a permit issued pursuant to this provision without affecting its nonconforming status.

2. Repair or Reconstruction of Damaged or Destroyed Signs

   A nonconforming sign suffering destruction or damage reducing its fair market value by 75 percent or more as of the date of such destruction or damage shall be removed or repaired to conform with all applicable provisions of Chapter 18.12.

**Section 18.02.100 Residential Growth Management**

The purpose of this Section is to regulate residential development in an orderly manner. The Cloverdale General Plan requires the City to develop a growth management program to allocate an average of 75 units per year, but also allow flexibility in the application of the policy so that growth does not exceed 375 units in any five-year period. The program includes a strategy to meet the City's Housing Element fair share goals and compact development goals.

The adoption of this Growth Management Program will assure that growth is consistent with the sewer and water capacity of the City. The General Plan is based on a maximum population of 12,000 by 2025 to assure that population growth does not exceed the City's

planned infrastructure capacity by the year 2025.

Adherence to the growth management program will not prevent the City from attaining its regional fair share housing needs as determined by the Association of Bay Area Governments (ABAG) because the program gives first preference to affordable housing, and the number of housing units allowed exceeds the expected number of fair share units.

**A. Administration**

The City Council, by resolution, may from time to time adopt or amend policies, procedures, rules, and requirements, including the adoption of a processing fee, to implement and administer the provisions of this Growth Management Program.

**B. Annual Residential Building Permit Allocations**

The following chart identifies the annual allocation (number of units allowed) in any calendar year and the method for arriving at the annual allocation.

| Calendar Year | A<br>Current Year Annual Allocation | B<br>Bldg Permits Issued in the Calendar Year | C<br>A – B + 75 = Next Years' Allocation | D<br>5-year Moving Average |
|---|---|---|---|---|
| 2010 | 75 | | | |
| 2011 | | | | |
| 2012 | | | | |
| Etc to 2025 | | | | |

NOTES TO TABLE:

A. Annual allocation is the number of building permits that can be issued in the calendar year.

B. Building permits issued in the calendar year (entered at the end of the calendar year).

C. Annual allocation less permits issued plus 75 units for the next year equals the next years' allocation.

D. Moving average of past five years' permits, with 2010 being year one of the moving average. Five year moving average may not exceed 375 units.

**C. Exemptions**

The following are exempt from regulation by the Residential Growth Management Program:

1. Second dwelling units as defined in this Title and legally exempted under California Government Code Section 65852.2.

2. Reconstruction, partial reconstruction, restoration or additions to existing residential dwelling units that do not result in an increase to the existing number of residential dwelling units.

3. Commercial, professional office, industrial or other non-residential projects.

4. Community care facilities, homeless shelters, healthcare facilities, elder care facilities, nursing homes, and sanitariums.

**D. Allocation Procedures**

1. Issuance of building permits shall be allowed by the Planning Director until the annual allocation has been fully exhausted. The Planning Director may determine if allocations will be issued daily, weekly, monthly, or at some other

interval.

2. If there is an application for an affordable housing project, and the Planning Director determines that building permits for that project may be issued within the calendar year, the Planning Director may reserve enough units in the allocation to allow building permit issuance for that project.

3. If there are applications for permits for land which was within the City limits as of May 13, 2009, permits for such land shall be issued prior to permits issued for lands which were outside the City limits as of May 13, 2009.

4. If a building permit with an allocation expires, the allocation for that permit shall be added back to the allocation process.

## Chapter 18.03
## LAND USE PERMITS AND APPROVALS


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# Chapter 18.03
# LAND USE PERMITS AND APPROVALS

## Section 18.03.010 Purpose and Intent

These provisions are intended to prescribe the procedure for filing applications for permits, amendments, approvals, and appeals when required or permitted by this Title. These provisions are intended to provide the framework by which applications are processed, evaluated and approved by the City of Cloverdale.

## Section 18.03.020 Development Review Process

This Section provides procedures and requirements for the preparation, filing and processing of applications for the planning permits required by this Title. Table 18.03.100 lists the various applications and the approval authority.

### A. Pre-application Review

A prospective applicant is encouraged to request a pre-application conference with planning staff before permit application submittal. The purpose of the conference is to inform the applicant of City requirements as they apply to the proposed project, review the City's approval process, discuss possible project alternatives or modifications, and to identify the information and materials the City will require with the application. Neither the pre-application review nor the provision of information and/or pertinent policies shall be construed as a recommendation for approval or disapproval of the application/project. Any failure by staff to identify all required studies or all applicable requirements does not constitute a waiver of those requirements.

### B. Application Submittal

1. Applications may only be filed by the owner of the subject property or another person with the written consent of all owners of the property.

2. All applications filed as provided by this Title shall be on forms provided by the Planning Department and accompanied by a filing fee as established by resolution of the City Council. Applications shall not be deemed complete until all fees, maps and other documents required at the time of filing of the application have been submitted, and no processing shall commence until the fees are paid in full. An application subject to environmental review pursuant to the California Environmental Quality Act (CEQA) shall not be considered complete until the applicant has submitted all studies and other documentation deemed necessary to make an environmental determination pursuant to Public Resources Code Section 21080.1. It is the responsibility of the applicant to provide information in support of any required findings for approval.

3. At the discretion of the Planning Director, or where otherwise required by this Title or other City ordinance, resolution or regulation or by state or federal law, an application may be referred to any public agency that may be affected by or have an interest in the proposed project.

4. Pursuant to Government Code Section 65943, the applicant shall be informed in writing no later than 30 calendar days after filing whether an application for a development project is complete and has been accepted for processing or that the

application is incomplete and additional information, specified in the letter, is needed. Legislative actions are not subject to the 30 day time limit.

5. Where the Planning Director has determined that an application is incomplete, but the applicant believes that the application is complete and/or that the information required by the Planning Director is not required, the applicant may appeal the determination in compliance with the provisions of Section 18.03.040.

6. If an applicant fails to provide the additional information specified in the Planning Director's letter within six months after the first filing with the Planning Department, the application shall expire and be deemed withdrawn. The Planning Director may grant one six-month extension if requested in writing by the applicant prior to the date of expiration. After the expiration of an application, project approval shall require the submittal of a new, complete application, together with all required deposits and/or fees.

**C. Additional Information**

The Planning Director may request the applicant to submit additional information in the course of processing the application if such information could not be anticipated as part of the original application. Such a request to clarify, amplify, correct, or otherwise supplement submitted information shall not invalidate the original determination that the application was complete at the time the determination was originally made. The Planning Director may also request any additional information needed to prepare adequate environmental documentation pursuant to the CEQA and any applicable CEQA guidelines. The submittal of the additional information shall occur within six months from the time of the Planning Director's letter notifying the applicant that additional information is requested. If the information is not submitted within the six month period, the Planning Director shall schedule the application for review and decision by the review authority with a recommendation for project denial. One six month extension may be granted if requested in writing by the applicant prior to the end of the six month submittal period.

**D. Environmental Review**

No permit, license or approval shall be granted pursuant to this Title prior to the completion and/or certification of applicable environmental documentation pursuant to the CEQA.

**E. Consideration of Concurrent Applications**

Where original approval authority rests with the Planning Director for projects being processed pursuant to the provisions of this Title, and one or more related permit, license or other entitlement required for the same project requires the approval of the Planning Commission or City Council and is being processed concurrently, then to provide for efficient project review and approval, the Planning Director shall make a recommendation to the Planning Commission or City Council, as applicable, for consideration and action by such body together with such permit, license or other entitlement concerning such project as requires the action of such body.

Where original approval authority rests with the Planning Commission for projects being processed pursuant to the provisions of this Title, and one or more related permit, license or other entitlement required for the same project requires the approval of the City Council and is being processed concurrently, then to provide for efficient project review and approval, the

Planning Commission shall make a recommendation to the City Council for consideration and action by the City Council together with such permit, license or other entitlement concerning such project as requires the action of the City Council.

**F. Effective Date of Decision**

A decision that is subject to appeal shall not become effective for 10 consecutive calendar days following the action by the appropriate decision-making body in order to allow time for the filing of an appeal.

**G. New Applications Following Denial**

Following the denial of an application, no application for the same or substantially the same use on the same site shall be filed within one year from the effective date of the denial unless denied without prejudice.

**H. Approval to Extend With Land or Applicant**

Unless otherwise specified, all permits, licenses and approvals granted pursuant to this Title shall run with the land, and shall continue to be valid upon a change of ownership of the site or structure to which it applies, with the exception of Home Occupation Permits, which shall be personal to the applicant and not transferable.

**I. Expiration of Approvals and Extensions of Time**

1. Expiration dates are shown in Table 18.03.100. Project or entitlement approvals will expire as indicated in Table 18.03.100 unless a building permit is issued in compliance with the approved entitlement, and substantial construction is commenced and diligently pursued toward completion or a Certificate of Occupancy is issued.

   A one year extension of time may be issued for projects or entitlements described in this chapter upon written request prior to expiration. Extension approval shall be granted by the final approving authority unless the conditions of approval give the extension authority to another deciding body. Extension requests for projects not subject to the Subdivision Map Act shall only be considered if the written request for the extension is filed with the Planning Director prior to the approval expiration date. No more than two one-year extensions may be granted. Extension requests for entitlements subject to the Subdivision Map Act shall only be considered if the written request for the extension is filed prior to the expiration of the parcel map, tentative subdivision map or vesting tentative subdivision map, as provided for and subject to the limitations of the Subdivision Map Act and the Subdivision Ordinance of the City of Cloverdale.

2. In order for an extension to be granted, the approving authority shall find:

   a. The permit holder has documented good faith effort to commence work or use;

   b. It is in the best interest of the City to grant the extension;

   c. There are no substantial changes to the project or the circumstances under which the project is undertaken and no new information of substantial importance that would require further environmental review pursuant to CEQA.

3. In granting an extension pursuant to this subsection, the approving authority may modify the conditions of approval as deemed necessary to fulfill the purposes of this Title.

**Table 18.03.100**
**Permits, Licenses and Approvals**

| Type of Application | Public Hearing Required? | Approval body and action[1] | Sets of Labels Required | Public Notice Radius | Approval Expiration Date |
|---|---|---|---|---|---|
| General Plan Amendment | Yes | PC – Resolution<br>CC – Resolution | 3 | 300′ | N/A |
| Specific Plan | Yes | PC – Resolution<br>CC – Resolution & Ordinance | 3 | 300′ | Per State Law |
| Zoning Ordinance or Map Amendment | Yes | PC – Resolution<br>CC – Ordinance | 3 | 300′ | N/A |
| Preliminary Development Plan | Yes | PC – Resolution<br>CC – Resolution | 3 | 300′ | 2 years [2] |
| Precise Development Plan | Yes | PC – Resolution<br>CC – Resolution | 3 | 300′ | 2 years |
| Conditional Use Permit | Yes | PC – Resolution | 2 | 300′ | 2 years |
| Plot Plan Review | No | Planning Director letter[3] | - | - | 2 years |
| PUD Permit | Yes | PC – Resolution | 2 | 300′ | 2 years |
| Variance | Yes | PC – Resolution | 2 | 300′ | 2 years |
| Design Review - major | No | PC – Resolution | - | - | 2 years |
| Design Review - minor | No | Planning Director letter | - | - | 2 years |
| Historic Design Review | No | Planning Director letter | - | - | 2 years |
| Planned Sign Program | Yes | PC – Resolution | 2 | 300′ | 2 years |
| Administrative Sign Permit | No | Planning Director letter | - | - | 2 years |
| Minor Exception | No | Planning Director letter | | | 2 years |
| Home Occupation Permit | No | Planning Director | - | - | 2 years |
| Vesting Tentative Map | Yes | PC – Resolution<br>CC – Resolution | 2 | 300′ | |
| Tentative Map | Yes | PC – Resolution | 2 | 300′ | |
| Final Map | No | CC – Resolution | - | - | N/A |
| Lot Line Adjustment | Yes | Planning Director letter | 2 | 300′ | N/A |
| Lot Merger | Yes | Planning Director letter | 2 | 300′ | N/A |
| Reversion to Acreage | Yes | CC – Resolution | 2 | 300′ | N/A |
| Cert. of Compliance | No | Planning Director letter | - | - | N/A |

1. Does not include concurrent processing of applications. See Section 18.03.020.E.
2. A Preliminary Development Plan expires within two years unless a Precise Development Plan is filed for a single-phase project or for any phase of a multi-phase project.

## Section 18.03.030 Revocation or Modification of Permits, Licenses or Approvals

### A. Purpose and Intent

In order to protect the public health, safety, and welfare, and in order to enforce the provisions of this Title, it may, from time to time, become necessary to revoke or modify a previously approved permit, license or approval. The purpose of this Section is to provide a process for revoking or modifying permits which protects the public health, safety, and welfare, as well as the rights to due process of permit holders within the City.

### B. Authority

The Planning Commission is authorized to revoke or modify any permit, license or approval, subject to the appeal provisions of Section 18.03.040. A public hearing pursuant to Section 18.03.050 shall be required for revocation of permits.

### C. Initiation of Revocation or Modification

Revocation or modification may be initiated by a majority vote of the Planning Commission or City Council or by the City Manager in response to citizen complaints or other information which relates to one or more of the findings set forth in subsection 18.03.130.E below.

### D. Notification and Time Limits for Correction

1. The Planning Director shall notify the permit holder in writing of pending revocation/modification and shall state specifically the reasons for revocation/modification. A public hearing before the Planning Commission shall be set pursuant to the provision of Section 18.03.050 and notice shall be given to the applicant.
2. In taking action to revoke/modify a permit, the Planning Commission shall have discretion to set an effective date of the revocation/modification, in order to allow the permit holder adequate and appropriate time in which to make corrections deemed necessary by the Planning Commission.

### E. Required Findings

A permit subject to revocation/modification pursuant to the provisions of this Section may be revoked or modified by the Planning Commission if any one of the following findings is made:

1. That the permit was obtained by misrepresentation or fraud.
2. That the conditions of the permit have not been met or the use granted in the permit granted is being or has been substantially expanded or substantially changed in character or otherwise exercised contrary to the terms of the approval or in violation of any statute, ordinance, law, or regulation.
3. That the continuation of a permit, license or approval would be detrimental to the health, safety and general welfare of the people in the immediate area of the use or would be detrimental to property and improvements in the immediate area of the use, or to the public health or safety, or to the general welfare of the City.

## Section 18.03.040 Appeals

### A. Appeal of Action

1. Any affected person may appeal a decision of the Planning Director to the Planning Commission. A decision of the Planning Commission on such appeal may be further appealed to the City Council, whose decision shall be final.
2. Any affected person may appeal a decision of the Planning Commission to the City Council, whose decision shall be final.
3. Once an appeal is filed, the appellate body's authority to review the decision being appealed is not limited to the original reason stated for the appeal. The Planning Commission or City Council may review and take action on all determinations, interpretations, decisions, judgments, or similar actions taken on the application or project, and are not limited to the reason stated for the appeal.

### B. Filing of Appeals

1. Appeals shall be in writing on a form obtained from the Planning Department (for appeals to Planning Commission) or City Clerk (for appeals to City Council). The appellant shall state the specific reasons for the basis of the appeal. Appeal applications shall include the required fee and mailing labels for property owners within 300 feet of the project being appealed, unless otherwise provided in this Title.
2. An appeal of a Planning Director action shall be filed with the secretary of the Planning Commission within ten (10) consecutive days following the date of action for which an appeal is made.
3. An appeal of a Planning Commission decision shall be filed in the office of the City Clerk and with the Planning Director within ten (10) consecutive days following the date of action for which an appeal is made.

### C. Appeal Hearings

Public notice of an appeal hearing shall be given in the same manner as set forth for Public Hearings, Section 18.03.050. A hearing date shall be set within 30 days of the filing of the appeal form and necessary materials. In hearing an appeal, the appeal body may affirm, affirm in part, or reverse or otherwise modify the previous determination that is the subject of appeal.

### D. Effective Date of Appealed Actions

The filing of an appeal shall suspend any approval or entitlement granted pursuant to an approval and all work, establishment of any affected structure or institution of use pursuant to the approval or entitlement appealed until the final determination of the appeal.

## Section 18.03.050 Public Hearing and Notification Procedures

### A. Purpose

This Section defines procedures for conducting public hearings for applications when required by this Title. The purpose of this Section is to ensure public awareness and full and open public discussion and debate regarding proposed actions being taken pursuant to this Title.

A public hearing shall be held prior to action by the Planning Commission or City

Council when required by state law or local ordinances, resolutions, guidelines, or policies.

**B. Notice of Hearings**

The Planning Director is authorized to advertise and notice Planning Commission public hearings when and as required by this Title, including but not limited to this Section and Table 18.03.100. The City Clerk is authorized to advertise and notice City Council public hearings when required by this Title. Unless otherwise required by State law, all public hearings shall be advertised in a newspaper of local circulation at least ten days in advance of the hearing. The notice shall state a general description of the project, its location, the applicant's name, and the time and place of the hearing and shall invite public comment.

## Section 18.03.060 General Plan Amendment

**A. Purpose and Intent**

The purpose of this Section is to provide a method for amending the General Plan, as provided for in state law, to ensure its continued effectiveness.

**B. Authority**

The City Council is authorized to approve General Plan Amendments. The Planning Commission shall provide recommendations to the City Council regarding General Plan Amendments. Public hearings shall be required pursuant to the provisions of Section 18.03.050.

The City Council may amend all or part of the General Plan, or any element thereof. All Zoning Districts, any specific plan, and other plans of the City that are applicable to the same areas or matters affected by the General Plan Amendment, and which by law must be consistent with the General Plan, shall be reviewed and amended concurrently as necessary to ensure consistency between the General Plan and implementing zoning, specific plans, and other plans.

**C. Initiation of Amendments to the General Plan**

An amendment to the General Plan or any Element thereof may be initiated by any of the following actions:

1. A majority of the City Council or Planning Commission.
2. The filing of an application from a property owner or his/her authorized agent, or any affected party. If the property for which a General Plan Amendment is proposed has more than one owner, all the owners or their authorized agents shall join in filing the application.

**D. Restriction on Number of Amendments**

Except as otherwise provided in state law no mandatory element of the General Plan shall be amended more frequently than four times during any calendar year. Each amendment may include more than one change to the General Plan.

## Section 18.03.070 Specific Plan

**A. Purpose and Intent**

Specific Plans prepared pursuant to California Government Code Section 65450, et. seq. are a significant tool to implement the General Plan, as well as an inducement to the development of large-scale mixed use developments desired by the City. The purpose of this

Section is to provide a method for reviewing and approving a Specific Plan with customized development and use regulations.

**B. Authority**

The City Council is authorized to approve Specific Plans. The Planning Commission shall provide recommendations to the City Council regarding Specific Plans. Public hearings shall be required pursuant to the provisions of Section 18.03.050.

**C. Applicability**

This Section shall apply to the properties designated in the Cloverdale General Plan Land Use Element as requiring preparation of a Specific Plan and to any other project site for which the applicant believes that implementation of a Specific Plan will benefit the project and the City.

All Specific Plan applications shall be accompanied by a zone change application requesting a change from the existing Zoning District to the Specific Plan Zoning District. A Specific Plan shall conform to the policies of the General Plan designation for the area. The minimum size for a Specific Plan shall be five (5) acres. Smaller parcels may be combined in an application to meet minimum qualification for land area.

**D. Submittal Requirements**

A Specific Plan application shall include the following information:

1. Identification of the geographical area where Zoning District standards and subarea standards shall apply.
2. Description of the intent and character of area development.
3. Identification of environmental mitigation measures and important features to be preserved.
4. Identification of uses permitted and uses requiring Conditional Use Permits.
5. Identification of street and right-of-way standards and easements for provisions of utilities and pathways.
6. Identification of standards for weight and bulk, set-back, parking, lot size, percentage of open space and type of landscaping.

**E. Findings**

The City Council may approve or conditionally approve a Specific Plan provided that all of the following findings are made:

1. The Specific Plan is consistent with the goals and policies of the City's General Plan.
2. The Specific Plan is consistent with the adopted county Airport Land Use Plan.
3. The Specific Plan meets the content requirements set forth in California Government Code Section 65450.

## Section 18.030.080 Amendment to Zoning Ordinance and Map

**A. Purpose and Intent**

This Section establishes the procedures for amending this Title and the Zoning Map.

The amendment process is necessary to provide and ensure consistency between this Title and the General Plan and state law, to increase the effectiveness of this Title, and to improve clarity in implementing General Plan goals and objectives.

**B. Authority**

Authority for approval of amendments to this Title, including amendments to the Zoning Map, shall be vested in the City Council. The Planning Commission shall provide recommendations to the City Council regarding such amendments. Public hearings shall be required pursuant to the provisions of Section 18.03.050. Amendments that are not consistent with the General Plan must be accompanied by a General Plan Amendment application.

**C. Initiation of Amendments to Zoning Districts and Title 18**

An amendment to Zoning Districts or other provisions of this Title may be initiated by any of the following actions:

1. A majority of the City Council or Planning Commission.
2. The filing of an application from a property owner or his/her authorized agent or any affected party. If the property for which an amendment is proposed has more than one owner, all the owners or their authorized agents shall join in filing the application.

**D. Pre-Zoning**

1. For the purpose of establishing zoning regulations, which would become effective only upon annexation, property outside the corporate boundaries of the City of Cloverdale, but within the sphere of influence, may be classified within one or more Zoning Districts in the same manner and subject to the same procedural requirements as prescribed herein for properties within the City.
2. Upon passage of an ordinance establishing the applicable pre-zoning designation for property outside the City, the Zoning Map shall be revised to identify each Zoning District(s) applicable to such property with the label of "Pre-", in addition to such other map designation as may be applicable.

**E. Recordation of Zoning Map Amendments**

A change in Zoning District boundaries shall be indicated by revising the Zoning Map and by listing on the Zoning Map the number of the ordinance amending the map.

## Section 18.03.090 Preliminary Development Plan

**A. Purpose and Intent**

The Preliminary Development Plan process is intended for master planning of PD zoned sites that will be developed in phases.

**B. Authority**

A Preliminary Development Plan shall be adopted by resolution of the City Council after recommendation by the Planning Commission. Public hearings shall be required pursuant to the provisions of Section 18.03.050. A Preliminary Development Plan shall be consistent with the General Plan.

Approval of the Preliminary Development Plan shall be limited to the general acceptability of the land uses and densities proposed and their interrelationships and shall not

be construed as approval of the precise location of uses, configuration of parcels or engineering feasibility.

**C. Findings**

The City Council may approve or conditionally approve a Preliminary Development Plan provided that all of the following findings are made:

1. The proposed development, or a major phase thereof, can be substantially completed within a period of six years;
2. If phased, each individual phase of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability and the proposed uses will be harmonious with present uses in the vicinity;
3. The proposed density of development will not exceed the General Plan densities for the entire site under consideration;
4. The project will continue the development pattern of adjacent residential neighborhoods without abrupt change and will not have a significant adverse effect on traffic patterns, views and/or land use in adjacent residential neighborhoods;
5. Existing or proposed utility services are adequate to serve the proposed development and adequate fire protection can be provided; and
6. The use and development of the property conforms to the General Plan and that any deviation from this Title will not compromise the public health, safety and general welfare or objectives of the General Plan.

**D. Amendments and Expiration**

Amendments to an approved Preliminary Development Plan shall be subject to the same procedures as that for a Conditional Use Permit.

Failure to file a Precise Development Plan for a single phase project or any phase of a multiple phased project within two years of the date of approval or conditional approval of the Preliminary Development Plan shall terminate all proceedings; provided that upon application for an extension filed not less than thirty days prior to the expiration date, the Planning Commission may grant an extension of one year, which extension may be renewed upon reapplication to the Planning Commission for a period not to exceed one additional year.

## Section 18.03.100 Precise Development Plan

**A. Purpose and Intent**

The Precise Development Plan is the entitlement under the PD Zoning District which approves a project or a phase of a project. The Precise Development Plan process provides a greater level of detail and review of a "Planned Development" and follows the approval of a Preliminary Development Plan. The Precise Development Plan examines the precise location of uses, configuration of parcels and design of public improvements.

Only a Precise Development Plan is required for projects to be processed in a single phase.

**B. Authority**

A Precise Development Plan shall be adopted by resolution of the City Council after

recommendation by the Planning Commission. Public hearings shall be required pursuant to the provisions of Section 18.03.050.

Application for a Precise Development Plan shall not constitute an application for subdivision. If a subdivision of land is proposed in conjunction with a Precise Development Plan, separate application, review, and findings shall be made in accordance with the provisions of the Subdivision Map Act and Title 17 of this Code.

**C. Design Review Required**

Application for a Precise Development Plan shall include all of the submittals required for Design Review. In addition, the application may require a visual simulation showing how the design of buildings will relate to roadways, surrounding off-site development and/or significant natural features on the site. Design Review pursuant to the provisions of Section 18.03.150 shall be required for any proposed development.

**D. Conditions of Approval**

In granting a Precise Development Plan, the City Council shall require that the use and development of the property conforms with a site plan, architectural drawings, or statements submitted in support of the application or with such modifications thereof as may be deemed necessary to protect the public health, safety, or general welfare and to secure the objectives of the General Plan. The City Council may also impose conditions as may be deemed necessary to achieve these purposes.

**E. Findings**

The City Council may approve a request for a Precise Development Plan only if all of the following findings of fact are made:

1. The proposed development is consistent with the goals, objectives, and programs of the General Plan and any applicable specific plan.
2. The site for the proposed development is adequate in size and shape to accommodate said use and all yards, open spaces, setbacks, walls and fences, parking area, loading areas, landscaping, and other features required.
3. The site for the proposed development has adequate access, meaning that the site design and development plan conditions consider the limitations of existing streets and highways.
4. Adequate public services exist, or will be provided in accordance with the conditions of development plan approval, to serve the proposed development; and that the approval of the proposed development will not result in a reduction of such public services to properties in the vicinity so as to be a detriment to public health, safety, or welfare.
5. The proposed development, as conditioned, will not have a substantial adverse effect on surrounding property, or the permitted use thereof, and will be compatible with the existing and planned land use character of the surrounding area.
6. The improvements required, and the manner of development, adequately address all natural and man-made hazards associated with the proposed development and the project site, including, but not limited to, flood, seismic,

fire, and slope hazards.

7. The proposed development carries out the intent of the Planned Development provisions by providing more efficient use of the land and an excellence of design greater than that which could be achieved through the application of conventional development standards.

8. If clustered housing is proposed, the result of clustering residential units is a more desirable and environmentally sensitive development plan which creates usable open space areas for the enjoyment of project residents and which preserves significant environmental features.

**D. Amendments and Expiration**

Amendments to any elements of an approved Precise Development Plan shall occur in the same manner set forth for a Conditional Use Permit.

The Precise Development Plan and any other permits approved in conjunction with the proposed development shall expire two years after the date of approval or conditional approval if no building permits have been issued; provided that upon application for an extension filed not less than thirty days prior to the expiration date, the Planning Commission may grant an extension of one year, which extension may be renewed upon reapplication to the Planning Commission for a period not to exceed one additional year.

## Section 18.03.110 Conditional Use Permit

**A. Purpose and Intent**

A Conditional Use Permit process is intended to allow uses that are generally consistent with the purposes of the Zoning District in which they are proposed, but require special consideration because of their special impacts, to ensure that the use can be designed, located and operated in a manner that will not interfere with the use and enjoyment of surrounding properties. The review shall consider location, design, configuration and special impacts with respect to applicable policies, standards and criteria to determine whether adverse impacts can be sufficiently minimized through specific conditions and requirements so as to permit the use on a particular site.

**B. Authority**

The Planning Commission is authorized to approve Conditional Use Permits, subject to the appeal provisions of Section 18.03.040. The Planning Director shall provide recommendations to the Planning Commission regarding Conditional Use Permits. Public hearings shall be required pursuant to the provisions of Section 18.03.050.

Where a structure which is the subject of a Conditional Use Permit application has historic value as identified in the Open Space and Conservation element of the General Plan, and the granting of the application would tend to encourage the preservation of the structure or tend to make preservation economically feasible, it is the policy of the City that such permit be granted unless there is substantial evidence that the intended use would be contrary to or substantially inconsistent with the general objectives of this Title or the public peace, health, welfare or safety.

**C. Design Review Required**

Conditional Use Permit applications involving new construction or any changes to the exterior of an existing building shall also be subject to the Design Review procedures outlined

in Section 18.03.150.

**D. Findings**

The Planning Commission may approve or conditionally approve a Conditional Use Permit application in whole or in part only if it can make all of the following written findings:

1. The proposed use is permitted within the subject Zoning District pursuant to the provisions of this Section and complies with all the applicable provisions of this ordinance, the goals, and objectives of the Cloverdale General Plan, and the development policies and standards of the City.
2. The proposed use would not impair the integrity and character of the Zoning District in which it is to be established or located.
3. The site is suitable for the type and intensity of use or development that is proposed.
4. There are adequate provisions for water, sanitation and public utilities and services to ensure public health and safety.
5. The proposed use will not be detrimental to the public health, safety, or welfare or materially injurious to properties and improvements in the vicinity.

If a Conditional Use Permit to allow residential uses on the ground floor in Commercial Zoning Districts is proposed, the following additional finding must be made:

6. The residential use does not detract from the primary commercial use of the property or interrupt the continuity of business use in a commercial area.

**E. Conditions of Approval**

In granting a Conditional Use Permit, the Planning Commission shall require that the use and development of the property conform with a site plan, architectural drawings, and/or statements submitted in support of the application or with such modifications thereof as may be deemed necessary to protect the public health, safety or general welfare and to secure the objectives of the General Plan. In addition, conditions of approval for a Conditional Use Permit may be imposed as necessary to enable the Planning Commission to make all of the required findings, including but not be limited to:

1. Requirements for open space, fences, walls, and screening buffers;
2. Requirements for landscaping and erosion control measures, including maintenance thereof;
3. Requirements for dedications and street improvements;
4. Regulation of vehicular ingress and egress and traffic circulation; and
5. Regulation of hours of operation.

**F. Revisions/Modifications**

Revisions or modifications of Conditional Use Permits may be requested by the applicant. Further, the Planning Commission may periodically review, modify, or revoke a Conditional Use Permit.

1. Revisions/Modifications Requested by Applicant

A revision or modification to an approved Conditional Use Permit, such as, but not limited to, change in conditions of approval, expansions, intensification, location, or hours of operation, may be requested by an applicant. The applicant shall supply necessary information, as determined by the City, to indicate reasons for the requested change. The requested revision or modification shall be processed in the same manner as the original Conditional Use Permit.

2. Review by Planning Commission

The Planning Commission may periodically review any Conditional Use Permit to ensure that it is being operated in a manner consistent with conditions of approval or in a manner that is not detrimental to the public health, safety, or welfare, or that unreasonably interferes with the use and enjoyment of properties in the vicinity. If, after review, the Planning Commission deems there is sufficient evidence to warrant a full examination, a public hearing date shall be set. At such public hearing, the Planning Commission may modify or revoke the permit pursuant to the provisions of 18.03.030.

**G. Discontinuation of Use**

If the operation of a use which has been approved by Conditional Use Permit is abandoned or discontinued for a period of 180 days (six months), the use shall not be re-established without permit approval granted in conformity with the regulations of the Zoning District in which it is located.

**Section 18.03.120 Plot Plan Review**

**A. Purpose and Intent**

Where Plot Plan Review is required by this Title, its approval certifies that the land use or development will satisfy all applicable provisions of this Title. Plot Plan approval is required when a development or use of land is listed in a particular Zoning District as "Permitted Subject to Plot Plan Review". Plot Plan approval enables issuance of a Building Permit under the Municipal Code or the establishment of a land use that does not require a Building Permit but is still subject to the standards of this chapter.

**B. Authority**

The Planning Director is authorized to approve Plot Plan Reviews, subject to the appeal provisions of Section 18.03.040. The Planning Director may forward the application to the Planning Commission for its review and approval. If forwarded to the Planning Commission, a public hearing shall be required pursuant to Section 18.03.050 of this Title.

**C. Findings**

Plot Plan Review may be approved only if all of the following findings of fact can be made by the Planning Director or Planning Commission:

1. The proposed project is consistent with the goals, objectives, policies and programs of the Cloverdale General Plan.
2. The proposed project conforms to applicable performance standards and will not be detrimental to the public health, safety or general welfare.
3. The physical location or placement of the use on the site is compatible with the

surrounding neighborhood.

**D. Conditions of Approval**

In approving a Plot Plan Review, the Planning Director or Planning Commission shall require that the use and development of the property conform with a site plan and/or statements submitted in support of the application or with such modifications thereof as may be deemed necessary to protect the public health, safety or general welfare and to secure the objectives of the General Plan.

**E. Discontinuation of Use**

If the operation of a use which has been approved by Plot Plan Review is abandoned or discontinued for a period of 180 days (six months), the use shall not be re-established without permit approval granted in conformity with the regulations of the Zoning District in which it is located.

**Section 18.03.130 PUD Permit**

**A. Purpose**

The purpose of the PUD Permit is to allow freedom of design in order to obtain development which will be an asset to the City because it results in a use of land and a physical environment which equals or surpasses the quality of development that would be required by regulations otherwise applicable to the Zoning District in which a property is located. The PUD Permit is intended for use on small parcels that do not meet the minimum acreage provision for a Planned Development District.

A PUD Permit is allowed in the DTC, DTS, TOD, O-R, R-R, R-1 and R-2 Zoning Districts in order to better serve the intent of those Zoning Districts, to provide for pedestrian-oriented development in the downtown area and to protect the existing built environment. PUD Permit standards are set forth in Sections 18.04.060 and 18.05.050.

**B. Authority**

The Planning Commission is authorized to approve PUD Permits, subject to the appeal provisions of Section 18.03.040. A public hearing pursuant to Section 18.03.050 of this Title shall be required. PUD Permit applications shall be subject to Conditional Use Permit application procedures.

**C. Design Review Required**

PUD Permits for new construction or any changes to the exterior of an existing building shall be subject to the Design Review procedures outlined in Section 18.03.150.

**D. Findings**

The Planning Commission may approve or conditionally approve a PUD Permit application in whole or in part, only if it can make all of the following written findings:

1. The proposed use is permitted within the subject Zoning District pursuant to the provisions of this Section and is in conformance with the goals, objectives and densities of the Cloverdale General Plan.

2. The proposed project results in a use of land and a physical environment which equals or surpasses the quality of development that would be allowed under the regulations otherwise applicable to the Zoning District in which the project is

located.

3. The site is suitable for the type and intensity of use or development that is proposed.

4. There are adequate provisions for water, sanitation and public utilities and services to ensure public health and safety.

5. The proposed use will not be detrimental to the public health, safety, or welfare or materially injurious to properties and improvements in the vicinity.

**E. Conditions of Approval**

In granting a PUD Permit, the Planning Commission shall require that the use and development of the property conform with a site plan, architectural drawings, and statements submitted in support of the application or with such modifications thereof as may be deemed necessary to protect the public health, safety or general welfare and to secure the objectives of the General Plan.

**F. Revisions/Modifications**

Revisions or modifications of PUD Permits may be requested by an applicant. The applicant shall supply information necessary, as determined by the City, to indicate reasons for the requested change. The requested revision or modification shall be subject to the same procedures as revisions to a Conditional Use Permit.

**Section 18.03.140 Variance**

**A. Purpose and Intent**

The purpose of this Section is to provide flexibility from the strict application of development standards when special circumstances pertaining to the property, such as size, shape, topography, or location, deprive such property of privileges enjoyed by similar properties in the vicinity and in the same Zoning District (consistent with the objectives of this Title). Any variance granted shall be subject to such conditions as will assure that the adjustment thereby authorized shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and Zoning District in which such property is situated.

**B. Authority**

The Planning Commission is authorized to grant variances, subject to the appeal provisions of Section 18.03.040. The Planning Director shall provide recommendations to the Planning Commission regarding variance requests. A public hearing pursuant to the provisions of Section 18.03.050 shall be required.

Variances may be granted with respect to dimensional and other development standards, including, but not limited to, standards or requirements in this Title applicable to walls; fences; screening and landscaping; signs; site area; width and depth; coverage; front, side, and rear yards; height of structures; usable open space; and on-street and off-street parking and loading facilities. In approving a variance, the Planning Commission may impose reasonable conditions. Variances may not be granted to allow uses or activities that this Title does not expressly allow in the zone in which the property is located.

**C. Findings**

The Planning Commission may approve a variance application only if it can make all of

the following findings:

1. That special circumstances exist with respect to the property in question, including, but not limited to size, shape, topography, location or surroundings, such that strict interpretation and enforcement of this Title would result in practical difficulty or unnecessary physical hardship inconsistent with the objectives of this Title.
2. That the special circumstances were not created by the owner or applicant.
3. That strict interpretation and enforcement of this Title would deprive the applicant of privileges enjoyed by the owners of other properties in the vicinity and under the identical zoning classification.
4. That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and Zoning District in which the property is situated.

If a variance to the parking regulations prescribed in Chapter 18.11 is proposed, the following additional finding must be made:

5. The granting of the requested variance will not result in the parking of vehicles on public streets in such a manner as to interfere with the free flow of traffic or displace public parking for commercial and residential uses.

**D. Conditions of Approval**

In granting a variance, the Planning Commission shall require that the development of the property conforms with a site plan and/or statements submitted in support of the application or with such modifications thereof as may be deemed necessary to protect the public health, safety or general welfare and to secure the objectives of the General Plan. In addition, conditions of approval for a variance may be imposed as necessary to enable the Planning Commission to make all of the required findings. Such conditions of approval may, include, but are not limited to:

1. Requirements for open spaces, fences, walls, and screening buffers;
2. Requirements for landscaping and erosion control measures, including maintenance thereof;
3. Requirements for dedications and street improvements;
4. Regulation of vehicular ingress and egress and traffic circulation;
5. Other conditions that the Planning Commission deems necessary to ensure compatibility with surrounding uses, to preserve the public health, safety or welfare.

## Section 18.03.150 Design Review - Major & Minor

**A. Purpose and Intent**

The City of Cloverdale is a City with unique characteristics, and the Design Review process is intended to protect the City's spectacular natural vistas and dynamic natural features as well as to preserve the scale and character of established older neighborhoods and the City's downtown. Design Review is also intended to promote high-quality design and well-built and maintained buildings, landscaping and public amenities in order to further the relationship

between the appearance of buildings and structures, property values and the taxable value of property in the City.

The Design Review process is intended to implement General Plan objectives and policies through the following:

1. Design standards contained in Chapter 18.10;
2. Residential, Commercial and Industrial Design Guidelines; and
3. Documents that stipulate standards and regulations governing design.

Design Review shall ensure that the following standards are met:

1. The location and configuration of structures developed within the City are visually harmonious with their sites and with natural landforms and surrounding sites, structures, and streetscapes.
2. The proposed design produces harmonious transitions in both the scale and character of development between adjacent land uses.
3. Site access and circulation thereon is safe and convenient for pedestrians, bicyclists and vehicles.
4. Sensitive areas, structures, and sites are designed to respect notable features of the project site.
5. Building, site and architectural design is accomplished in an energy efficient manner.
6. Materials, textures, colors, and details of proposed construction are an appropriate expression of the design concept and function, and are, to the extent feasible, compatible with the adjacent and neighboring structures and functions.
7. Development proposals do not unnecessarily block scenic views from other buildings or from public ways, or visually dominate their surroundings with respect to mass and scale, to an extent inappropriate at their use.
8. The amount and arrangement of open space and landscaping conforms to the requirements of this Title, provides visually pleasing settings, and is appropriate to the design and function of the structure, site, and surrounding area.
9. The design and location of signs and their materials and colors are consistent with the scale and character of the buildings to which they are attached or are located on the same site, and to ensure visual harmony between signs and surrounding developments.
10. Excessive and unsightly grading of hillsides does not occur, and to ensure the preservation of the character of natural landforms and existing vegetation is preserved where feasible.
11. Excellence in architectural design is maintained in order to enhance the visual environment of the City and protect the economic value of existing structures.
12. Historically significant structures and sites are developed in a manner consistent with their historic values.
13. The public health, safety, convenience, comfort, prosperity, and general welfare

are protected.

14. Development plans comply with applicable policies, standards, ordinances, and design guidelines.

15. Outdoor lighting complies with the requirements of Section 18.09.050.

**B. Authority**

The Planning Commission is authorized to approve Design Review applications or make recommendations to the City Council. Design Review applications shall be approved by the decision-making body acting on the permit or approval requiring Design Review pursuant to this Title. The Planning Director may approve minor Design Review applications without requesting a recommendation from the Planning Commission.

**C. Design Review Required**

Design Review shall be required for new construction, building remodeling which changes the exterior appearance and is visible from the street or sidewalk, and the installation of awnings or similar features attached to the exterior building façade that require a building permit for the land uses and areas listed below. See also chapter 18.09 which contains development standards for specific uses that may also require Design Review.

- All commercial buildings;
- All industrial buildings;
- Any property fronting on Cloverdale Boulevard;
- Any property fronting on Highway 101;
- New housing with two or more units on a parcel;
- Second residential dwelling units; and
- Emergency shelters and transitional housing.

The levels of Design Review are as follows:

1. Conceptual

   Review by the Planning Commission or Planning Director for the purpose of providing the applicant with the authority's tentative reaction to the general design concept of a proposed project. Such review shall not include a formal decision on the application by the decision making authority.

2. Minor

   Minor changes to the exterior of existing non-residential buildings that require a building permit, including awnings, or a change of use in a non-residential building and site not involving substantial site changes (the latter determination will be made at the time of business license application.)

3. Major

   a. Commercial, industrial, office and residential projects (two or more residential units per site) which involve the development of vacant land with site and building improvements or substantial changes or additions to a previously developed site;

b. Applications involving a change of use that requires substantial changes to the site and proposals for exterior building modifications;

c. Projects subject to development approval by the Planning Commission, such as Subdivisions, Precise Development Plans, Conditional Use Permits, PUD Permits, and Variances;

d. Projects subject to the California Environmental Quality Act.

**D. Submittal and Review Requirements**

Whenever a permit or approval requires Design Review pursuant to this Title, an applicant shall file the appropriate application with the Planning Department.

**E. Findings**

The Planning Commission, City Council, or Planning Director, when authorized, may approve a Design Review request only if all of the following findings of fact can be made:

1. The proposal is consistent with the General Plan, any applicable Specific Plan and the provisions of this Title, including but not limited to Development Standards and Design Review Standards for the Zoning District in which the property is located, and with the Design Guidelines for the City of Cloverdale and/or Design Guidelines for the area in which the project is located.

2. The proposal will not be detrimental to the health, safety, comfort and general welfare of the persons residing or working in the neighborhood of the proposed project.

3. The general appearance of the proposal is in keeping with the character of the neighborhood.

**Section 18.03.160 Historic Design Review**

The goal of Historic Design Review is to preserve historic and older buildings, so that visitors and residents can understand the City's history and development. The Historic Design Review provisions preserve information about the City's past by retaining the historic designs, materials, and construction techniques used to build historic and conservation buildings.

A secondary goal of Historic Design Review is to maintain the character of the older neighborhoods; therefore, any design review required on sites adjoining or near a historic or conservation structure should be reviewed for compatibility with historic or conservation structures.

**A. Applicability**

The Historic Design Review provisions affect two levels of historic resources - conservation structures and historic structures. Historic Design Review shall be required for new construction or alteration of an historic or conservation structure.

**B. Authority**

Where Historic Design Review approval is requested in conjunction with another permit, the approval body shall be as set forth in Table 18.03.100. Where considered alone, the Planning Director may approve Historic Design Review applications.

## C. Design Review for Conservation Structures

1. Prior to Design Review approval, an historic report shall be prepared using the Sanborn Map, historic photographs, and existing historic evaluations (such as the historic analysis of the Cloverdale Boulevard Project). If no studies or photographs are available, a best estimate of original design and materials shall be prepared and noted on a current photograph based on elements of the structure that remain and have not been altered.

2. Guidelines for Historic Design Review

   a. The pre-1939 structure or remaining portions of the pre-1939 structure is the primary element to be conserved or preserved.

   b. Where additions are proposed to a conservation or historic structure, the additions shall be secondary to the pre-1939 building elements. If the original structure is one story, appropriate additions would be one story, or a second story located to the rear of the building in a manner that does not detract from the pre-1939 building elements. Design of any addition should be based on features, elements, and materials of the pre-1939 portion of the building, should not introduce design materials common to other historic eras and should not be more ornamental than existing elements.

   c. For conservation structures, the goal is to preserve the front and sides of the buildings. Rear elements can be modified.

   d. Identified pre-1939 materials should be preserved and repaired if possible rather than replaced. If a portion of pre-1939 element (e.g. wall, railing, window, siding, porch, etc.) is damaged beyond repair, it is preferable to repair the damaged portion with like materials, rather than replace the entire element. If the element in its entirety is damaged beyond repair, the repairs should be made with materials that match or are a substantial match with the original element.

   e. Roof replacement shall be appropriate to the pre-1939 structure. In general, the appropriate roofing for residential structures would be the same as roofing installed when the building was constructed or would closely approximate the historic roofing materials and be in keeping with the architectural style of the structure. Where roof replacement is designed for energy conservation or water catchments, alternative materials that most closely approximate the historic roofing materials may be used.

   f. Pre-1939 windows should be repaired and preserved, rather than replaced. A primary goal is to preserve original windows on the front and front half of each side of the structure. If replacement windows are necessary, it is preferable to place them within existing pre-1939 frames. If a majority of windows must be replaced, one or more pre-1939 windows should be retained as an example of the appropriate window for the structure.

**D. Design Review for Historic Structures**

If the structure is listed on the national or state registers, the Secretary of the Interior's Standards for Rehabilitation of Historic Structures shall apply. If the structure is on a local list, the design review standards for conservation structures shall apply to all elevations of the structure.

**E. Designation of Locally Significant Historic Structures and Conservation Districts**

After recommendation by the Planning Commission, the City Council may, by resolution, designate a local structure as a locally significant historic structure or an area with more than 50% conservation and historic structures as a Conservation District. Public notice to property owners and properties within 300 feet of the boundaries shall be given and public hearings held at both the Planning Commission and City Council.

## Section 18.03.170 Planned Sign Program & Administrative Sign Permit

**A. Purpose**

The purpose of this chapter is to establish regulations for the design, construction, location, and maintenance of signs that balance the need of residents, businesses, visitors, and institutions for adequate identification, communication, and advertising with the objectives of protecting public health, safety, and general welfare and promoting a well-maintained and visually attractive community, consistent with state and federal law.

**B. Applicability**

The provisions of this chapter apply to signs constructed or physically altered on or after the effective date of this chapter in all Zoning Districts, except as provided below. Nonconforming signs are addressed in Section 18.02.090.

**C. Permits Required; Review Process; Expiration**

No sign shall be erected, re-erected, constructed or altered (including change of copy or face change), except as provided by this Section, unless an Administrative Sign Permit or Planned Sign Program has been issued.

1. Administrative Sign Permit

   An Administrative Sign Permit is required for:

   a. Downtown Sign Program signs;

   b. Signs on properties with two or less separate permitted uses and a total aggregate sign area of 100 square feet or less;

   c. Monument signs less than 8 feet high; and

   d. Individual tenant signs within a site or building that has an approved Planned Sign Program.

   The Planning Director is authorized to approve, conditionally approve, or deny an Administrative Sign Permit, subject to the appeal provisions in Section 18.03.040. A public hearing is not required for approval of an Administrative Sign Permit. The Planning Director may, at his or her discretion, refer an Administrative Sign Permit to the Planning Commission.

2. Planned Sign Program

A Planned Sign Program is required for any sign request that does not qualify for an Administrative Sign Permit. A Planned Sign Program is a master sign plan for all intended signs for a site or building. The Planning Commission is authorized to approve, conditionally approve, or deny a Planned Sign Program subject to the appeal provisions in Section 18.03.040. A public hearing pursuant to the provisions of Section 18.03.050 shall be required for approval of a Planned Signed Program.

**D. Findings**

An Administrative Sign Permit or Planned Sign Program may be approved if the following findings are made:

1. Signs are visually compatible with the building they identify by utilizing materials, colors, or design motif included in the building.
2. Signs are compatible with surrounding land uses and placement, design, and lighting characteristics do not adversely affect surrounding properties.
3. Signs are in accordance with all applicable requirements of this Code and other applicable law.

**E. Expiration and Time Extension**

An Administrative Sign Permit or Planned Sign Program shall expire two years from the date of issuance or a later time specified in writing in the permit, unless the sign has been erected, re-erected, constructed or altered and installed at the sign location prior to the permit expiration date applicable to the permit. Prior to the expiration of an Administrative Sign Permit or Planned Sign Program, the applicant may apply to the Planning Director for an extension of up to one additional year. The Planning Director may approve extensions with or without conditions or may deny extensions of the approved sign. Changed circumstances may be one basis for denial of an extension.

**F. Applications for Filing**

An application for an Administrative Sign Permit or Planned Sign Program shall be made upon forms furnished by the Planning Director and accompanied by the required fee and working drawings adequate to show the location, construction and design, including colors, materials, lighting, electrical elements, and advertising copy, of the sign in accordance with Chapter 18.12. The application shall include a calculation of the total allowed sign area and total proposed sign area for the site.

## Section 18.03.180 Minor Exception

**A. Purpose and Intent**

In order to provide flexibility within the existing built environment necessary to achieve the objectives of this Title, the selected development standards listed below and applicable off-street parking requirements are subject to administrative review and adjustment, in those circumstances where such adjustment will be compatible with adjoining uses and consistent with the goals and objectives of the General Plan and intent of this Title.

**B. Authority**

The Planning Director may grant a Minor Exception in accordance with the procedures in this Section where there is a justifiable cause or reason, subject to the appeal provisions of Section 18.03.040 of this Title. Any Minor Exception granted shall be subject to such conditions as will assure that the adjustment does not constitute a grant of special privilege inconsistent with the provisions and objectives of this Title. A public hearing shall not be required for granting of a Minor Exception.

The Planning Director is limited to granting Minor Exceptions for the following:

1. Fence Height

   In any Zoning District, the maximum height of any fence, wall, or equivalent screening may be increased by a maximum of two (2) feet where the topography of sloping sites or a difference in grade between adjoining sites warrants an increase in height to maintain a level of privacy, or to maintain the effectiveness of screening, as would generally be provided by such fence, wall, or screening in similar circumstances absent such slope or grade difference.

2. Setbacks

   In any Residential Zoning District, the minimum setback may be decreased by not more than ten percent (10%) where such decreases are necessary for significantly improved site planning or architectural design, creation or maintenance of views, or would otherwise facilitate highly desirable features or amenities, and where such increase will not unreasonably affect contiguous sites.

3. Lot Coverage

   In any Zoning District, the maximum allowable lot coverage may be increased by not more than ten percent (10%) of the net lot area where such increases are necessary for significantly improved site planning or architectural design, creation or maintenance of views, or would otherwise facilitate highly desirable features or amenities, and where such increase will not unreasonably affect contiguous sites.

4. Height

   In any Zoning District, the maximum allowable building height may be increased by ten percent (10%). Such increases may be approved only where necessary to significantly improve the site plan or architectural design and where scenic views or solar access on surrounding properties are not affected.

5. Parking

   In Commercial Zoning Districts, strict adherence to the parking standards contained in Chapter 18.11 may be waived when a change or expansion in use is proposed in an existing building that does not increase the parking requirement by more than 10%. Strict adherence to the parking standards for single-family dwellings may be waived when an addition or enlargement of 10% or less is proposed and it is not feasible to provide sufficient on-site parking on the lot.

**C. Findings**

The Planning Director shall make all the following findings prior to approving an

application for a Minor Exception:

1. That the strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship;
2. That there are exceptional circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties in the same Zoning District;
3. That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges enjoyed by other property owners in the same Zoning District;
4. That the granting of the Minor Exception will not constitute a grant of special privilege inconsistent with the limitations on other properties under the identical zoning classification and will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity; and
5. That the granting of a Minor Exception is consistent with the objectives and policies of the General Plan and this Title.

## Section 18.03.190 Home Occupation Permit

### A. Purpose and Intent

The Home Occupation Permit is intended to allow for enterprises that are conducted within homes existing in Residential Zoning Districts and that are clearly incidental and secondary to the use of the dwelling unit and compatible with surrounding residential uses.

### B. Authority

The Planning Director is authorized to approve Home Occupation Permits, subject to the appeal provisions of Section 18.03.040. A public hearing is not required for approval of a Home Occupation Permit. If a Home Occupation Application proposes a use which is controversial or needs further clarification on a policy issue, the Planning Director may forward the application to the Planning Commission for their approval.

### C. Findings

The Planning Director or Planning Commission may approve a Home Occupation Permit application only if all of the following findings of fact can be made:

1. The Home Occupation Permit is in conformance with the Cloverdale General Plan and this Title.
2. The Home Occupation will comply with all provisions of this Section.
3. The Home Occupation Permit would not be detrimental to the health, safety and general welfare.

## Chapter 18.04
## RESIDENTIAL ZONING DISTRICTS


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# Chapter 18.04
# RESIDENTIAL ZONING DISTRICTS

## Section 18.04.010 Purpose and Intent

The General Plan outlines goals, objectives and policies regarding the character of residential uses and development. It is the purpose of this chapter to provide regulations that implement these goals, objectives and policies, which provide a wide range of residential opportunities and dwelling unit types to meet the needs of present and future Cloverdale residents. It is the further intent of this chapter to ensure adequate light, air, privacy, and open space for each dwelling; to minimize traffic congestion and to avoid the overloading of utilities; to prevent the construction of buildings of excessive bulk or number in relation to the land area around them; to protect residential properties from objectionable noise, illumination, unsightliness, odors, smoke and other influences; and to facilitate the provision of utility services and other public facilities commensurate with anticipated population, dwelling unit densities and service requirements.

## Section 18.04.020 Residential Zoning Districts

### A. Intent of Rural Residential (R-R) Zoning District

This designation is applied to hillside, hilltop, and ridgeline areas, generally defined as areas that are above the 400 foot elevation. The maximum density is one dwelling unit per five net acres; units may be clustered to preserve natural features.

### B. Intent of Single Family Residential (R-1) Zoning District

This designation is intended for traditional single family subdivision development, generally with 6,000 square foot lot sizes. It is applied primarily to areas that have been subdivided since 1960. The maximum density is four dwelling units per net acre.

### C. Intent of Two-Family Residential (R-2) Zoning District

This designation allows for a variety of development types such as single family attached or detached units, small lot single family, and renter/owner opportunities such as duplexes and triplexes, or low density rental units. The R-2 Zoning District around the downtown is intended to conserve the building types, livability, and walkability of older residential areas. The R-2 Zoning District requires a minimum lot area of 6,000 sq. ft. for interior lots and 7,000 sq. ft. for corner lots in accordance with the General Plan land use densities set forth in Exhibit 2.2, 5,445 square feet of lot area is required per unit. The maximum density is eight dwelling units per net acre.

### D. Intent of Multi-Family Residential (R-3) Zoning District

This designation allows high density condominiums or apartments and is intended for areas that are close to services, and within a reasonable walking distance from transportation, shopping, or employment. The R-3 Zoning District requires a minimum lot area of 10,000 sq. ft. The maximum density is sixteen dwelling units per net acre.

## Section 18.04.030 Residential Densities

The ultimate density allowed in any residential Zoning District shall be determined through the residential land division, land use permit and approval review process and public hearings as described in this Title, but shall not exceed the General Plan densities. The Planning

Commission and/or City Council shall have the authority to reasonably condition any residential development to ensure proper transition and compatibility to adjacent residential developments, existing or proposed.

**Section 18.04.040 Residential Zoning District Use Regulations**

Subject to applicable General Plan policies and all applicable City ordinances, resolutions and/or regulations, the following table identifies whether a use is a permitted use or requires a City permit. The legend identifies the type of permit required. Uses not permitted in the table are prohibited. Where relevant, a reference to the applicable Section of this Title or the Municipal Code has been provided.

Many uses in this table have a corresponding definition in Chapter 18.14.

## Table 18.04.040-A

### Uses Permitted Within Residential Zoning Districts

**Legend**

P Permitted
PP Permitted Subject to Plot Plan Review
C Permitted Subject to Approval of a Conditional Use Permit
PUD Permitted subject to Approval of a Planned Unit Development Permit
NP Not Permitted

| USE | R-R | R-1 | R-2 | R-3 | Reference |
|---|---|---|---|---|---|
| **Residential Uses**[3] | | | | | |
| Single Family Detached - standard lot sizes | P | P | P | NP | |
| Small Lot Single Family Detached | PUD | PUD | PUD | NP | |
| Single Family Attached (townhouse, etc.) | NP | PUD | PUD | C | |
| Single Room Occupancy (SRO)Living Unit | NP | NP | NP | C | |
| Condominium | NP | NP | NP | C | |
| Multiple Family Attached or Detached | NP | NP | P | P | |
| Second Residential Dwelling Unit | P | P | P | P | |
| Permanent Supportive Housing | C | C | C | C | |
| Residential Care Facility (include facilities for the elderly) (6 or fewer persons) | P | P | P | P | |
| Residential Care Facility (including facilities for the elderly) (7 or more persons) | NP | NP | NP | C | |
| Senior Independent Living Uses | NP | NP | NP | PP | |
| Convalescent Home | NP | C | C | C | |
| Mobilehome Park | NP | NP | NP | C | 15.28 |
| Manufactured Homes | C | C | C | NP | 15.24 |
| Boarding/Rooming Houses | NP | NP | NP | C | |
| Guest Quarters | P | PP | C | NP | |
| **Hotels and Lodging** | **R-R** | **R-1** | **R-2** | **R-3** | **Reference** |
| Bed and Breakfast Inns | C | C | C | C | 18.09.100 |
| **Public/Quasi Public Uses** | **R-R** | **R-1** | **R-2** | **R-3** | **Reference** |
| Public/Quasi Public Uses | C | C | C | C | |
| Small Family Day Care | P | P | P | P | |
| Large Family Day Care | PP | PP | PP | PP | 18.09.160 |
| Adult Day Care | C | C | C | C | |
| Child Day Care | C | C | C | C | |
| Commercial Recreation Facilities, Outdoor | C | C | C | C | |
| **Agricultural Uses** | **R-R** | **R-1** | **R-2** | **R-3** | **Reference** |
| F.F.A., 4-H, or similar organization small animal and fowl projects[1] | P | P | P | C | |

| | R-R | R-1 | R-2 | R-3 | Reference |
|---|---|---|---|---|---|
| Equestrian Centers, Riding Academies, Commercial Stables. Feed and Tack Stores accessory to Commercial Stables | C | NP | NP | NP | |
| Raising of up to five (5) chickens, excluding roosters [1] | P | P | P[2] | P[2] | |
| Keeping of horses (minimum 2.5 acres for first horse, an additional acre for each horse thereafter) | C | C | NP | NP | |
| Bee keeping | P | P | NP | NP | |
| Orchards, vineyards, greenhouses, horticulture<br>• Use area less than 0.5 acres<br>• Use area 0.5 acres or larger | <br>P<br>P | <br>P<br>C | <br>P<br>C | <br>C<br>C | |
| Light farming, except commercial dairies, rabbit, fox, goat or hog farms or commercial chicken or poultry ranches | P | P | NP | NP | |
| Commercial dairies, rabbit, goat or commercial chicken or poultry ranches (10 acre min.) | C | C | NP | NP | |
| Large animal hospitals, Commercial Kennels (10 acre min.) | C | NP | NP | NP | 18.09.150 |
| **Accessory Uses** | **R-R** | **R-1** | **R-2** | **R-3** | **Reference** |
| Home Occupations | P | P | P | P | 18.09.120 |
| Accessory Uses and Structures meeting all City standards | P | P | P | P | 18.09.070 |
| Accessory Uses and Structures located on the same site as a use requiring Conditional Use Permit or Plot Plan Review | PP | PP | PP | PP | 18.09.070 |
| Private Tennis Court | C | C | C | C | |
| Recreational Vehicle Storage Yard incidental to a Multiple Family Housing Development | NP | NP | NP | C | |
| Other uses similar to, and no more objectionable than the uses identified above, as determined by the Planning Commission | C | C | C | C | |

NOTES TO TABLE:

1. Animals and fowl shall be confined in a pen or fenced area that is located no closer than 25 feet to any residence other than that on the project site and are not permitted in front or street side setbacks. Every yard, pen, coop, or other enclosure for the keeping therein of small animals and/or poultry shall at all times be kept and maintained in a clean, sanitary and sightly condition, and free from any offensive odor.

2. Not permitted on lots containing more than one dwelling unit per lot.

3. Employee housing for farmworkers accommodating six or fewer workers shall be considered a residential use and shall not require any special approvals that are not required of a family dwelling of the same type in the same Zoning District.

## Section 18.04.050 Residential Site Development Standards

The following site development standards shall apply to all land and permitted or conditionally permitted buildings located within their respective Residential Zoning Districts. The standards stated herein shall not be construed to supersede more restrictive site development standards contained in the Conditions, Covenants and Restrictions for any property or dwelling unit. However, in no case shall private deed restrictions permit a lesser standard than a minimum standard established by this Section or permit a greater standard than a maximum standard established by this Section.

### A. General Requirements

Table 18.04.050-A sets forth minimum site development standards for residential development projects.

**Table 18.04.050-A**
**Residential Site Development Standards**

| | R-R | R-1 | R-2 | R-3 |
|---|---|---|---|---|
| Density (maximum) | 0.2 | 4.0 | 8.0 | 16.0 |
| Lot Area[1,3] (minimum)<br>• Interior Lot<br>• Corner Lot | <br>30 acres<br>30 acres | <br>6,000 sf<br>7,000 sf | <br>6,000 sf<br>7,000 sf | <br>10,000 sf<br>10,000 sf |
| Lot Width (minimum) | 150' | 60' | 60' | 60' |
| Lot Depth (minimum) | 100' | 100' | 100' | 100' |
| Front Setback[5,6] (minimum) | 35' | 20' | 20' | 20' |
| Side Setback[5,6] (minimum)<br>• Interior | 20' | 1 Story or Lower Story of a 2 Story Residence: 5'<br>2nd Story or 2 Story Residence: 10' | | |
| • Street Side | 20' | 15' | 15' | 15' |
| Rear Setback[5,6] (minimum)<br>• One Story Building<br>• Two Story Building | <br>30'<br>30′ | <br>20'<br>20′ | <br>20′<br>20′ | <br>10′<br>20′ |
| Floor Area Ratio[2] (maximum)<br>• 0 – 4,000 sf net site<br>• 4,001 sf and larger net site | <br>.35<br>.40 | <br>.35<br>.40 | <br>.35<br>.40 | <br>.35<br>.40 |
| Building Height (maximum) | 35' or 2 stories, whichever is less.<br>14' for accessory buildings | | | |
| Distance Between Buildings[4] (minimum) | 20' | 10' | 10' | 10' |
| Provision of Open Space<br>• Public Open Space per Unit<br>• Private Open Space per Unit | <br>-<br>- | <br>-<br>- | <br>100 sf<br>60 sf | <br>100 sf<br>60 sf |

NOTES TO TABLE:

1. For detached single family units, including detached units in PUD permits, planned developments and specific plans, no more than 25% of lots in any development may be less than 4,000 square feet. No lots may be less than 3,000 square feet.

2. Floor area ratio (FAR) provisions apply to all units, including units in PUD permits, planned developments and specific plans. In a planned development, a composite FAR may substitute for individual lot FAR.

3. Refer to Subdivision Ordinance Section 17.20.140 (2) for minimum lot areas for parcels with slope greater than 7%.

4. Within a Planned Unit Development, building separations may be reduced to zero feet (0') provided that firewalls are provided per UBC standards.

5. When a residential development is proposed to be located adjacent to or across the street from a developed Industrially-zoned property, a minimum building setback of 50 feet measured from the property line shall be required from such Industrial Zoning District. The 15

feet of this setback located adjacent to the street or Industrial Zoning District boundary line shall be landscaped; the remainder of the setback area within the site may be used for off-street parking purposes. A three-foot high wall, berm or combination wall/berm shall be constructed within the landscaped area along street setbacks; along all other lot lines adjacent to Industrial Zoning Districts, walls shall be constructed in accordance with the provisions of Section 18.09.030.

6. A 50 foot buffer setback is required on each side of waterways shown on the General Plan Conservation Area Map.

**B. Modifications to Required Setbacks**

1. On residential structures porches, steps, eaves, awnings, chimneys, balconies, stairways, wing walls and bay windows may not project more than 3 feet into any required front or rear yard area, and may not project into any required side yard area so as to cover more than one-half of said required side yard.

2. Canopies or roofs attached to the main building may extend into a required rear or interior side yard provided that:

   a. Portions of such structures extending into the yard shall not exceed 14 feet in height or project closer than 3 feet to an interior side yard lot line or closer than 5 feet at the rear lot line, and;

   b. Such structures shall be entirely open on at least 3 sides except for necessary supporting columns.

3. On a site situated between sites improved with buildings, the minimum front setback shall be the average depth of the front yards on the improved sites adjoining the side lines of the site.

4. Where a site is not situated between sites improved with buildings and where sites comprising forty (40) percent of the frontage on a block are improved with buildings, the minimum front setback shall be the average of the existing front yard depths in the block.

5. On a site which is not rectangular or approximately rectangular, or is a flag lot, the location of the required front setback shall be determined by the Planning Director.

6. Where the natural grade of the front setback of a lot has a slope such that it is not practicable to provide a driveway with a grade of fifteen (15) percent or less to a private garage or carport, the garage or carport may be located within the required front setback.

**Section 18.04.060 PUD Permit Provisions for Residential Zoning Districts**

A PUD Permit may be granted for Small Lot Single Family Detached or Single Family Attached (duplex, triplex, fourplex) residences pursuant to Table 18.04.040-A. Any project approval shall meet all requirements of the underlying Residential Zoning District and all requirements of this chapter, including floor area ratios, rear yard setbacks, and parking, with the exception that minimum building site, minimum lot width, minimum lot depth, and minimum front yard setbacks may be reduced. No side yard is required between attached

units. In the R-R Zoning District, the PUD permit process may be used to allow clustering to preserve hillsides and natural features.

## Chapter 18.05
## COMMERCIAL ZONING DISTRICTS


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# Chapter 18.05
# COMMERCIAL ZONING DISTRICTS

## Section 18.05.010 Purpose and Intent

The Cloverdale General Plan and Station Area/Downtown Precise Plan ("Station Area Plan") outline goals, objectives and policies regarding the character of commercial and residential uses and development for the Cloverdale Depot, the Cloverdale Downtown and opportunity development sites at Citrus Fair Drive and Cloverdale Boulevard. It is the purpose of this chapter to implement these goals, objectives and policies and to complement the City's other Commercial Zoning Districts. The destination commercial area subject to the Alexander Valley Specific Plan is described in Chapter 18.09. The remaining Commercial Zoning Districts have two centers - downtown and the Furber Plaza area. For the past 20 years, the City has concentrated on removing strip commercial development that lined Cloverdale Boulevard when it was a state highway, and has focused on strengthening two concentrated commercial areas -- the downtown and the Furber Plaza shopping center area although a small amount of strip commercial remains along Cloverdale Boulevard. The purpose of the Commercial Zoning Districts is to continue the focus on the two core commercial areas and integrate the City and the expected passenger rail service to the Cloverdale Depot while also providing higher density transit-oriented and some mixed residential uses

## Section 18.05.020 Commercial Zoning Districts

### A. Intent of Office/Multi-Family Residential (O-R) Zoning District

The purpose of the Office/Multi-Family Residential (O-R) Zoning District is to provide for a mix of compatible office and residential uses, and to conserve the historic land use and development patterns surrounding the downtown core. The historic patterns are based on older, smaller single family residential buildings with typical single family front yards and parking, with a distinct neighborhood fabric of houses in close walking proximity to the downtown. While the O-R Zoning District allows office uses, the intent is to maintain and conserve a residential neighborhood appearance. To that purpose, a PUD Permit may be granted giving the residential character precedence over parking and other site development standards. No retail use is permitted.

### B. Intent of Downtown Commercial (DTC) Zoning District

The purpose of the Downtown Commercial (DTC) Zoning District is to provide for downtown commercial, cultural and office-related uses which recognize and are compatible with the historical, small town nature of the downtown area. Residential uses are allowed if sited on the second story or behind a commercial building. The Zoning District is established in order to reinforce the image of the downtown as the "heart" of Cloverdale and as a public gathering place; provide for a broad range of pedestrian-oriented commercial, office, institutional, cultural, and public uses; and to maximize the efficiency of the City's downtown district by limiting or prohibiting uses that break the continuity of commercial frontage or are incompatible with an attractive pedestrian shopping area; and to promote special architecture and streetscape design that strives to achieve the adopted downtown design elements.

### C. Intent of the Downtown Support (DTS) Zoning District

The purpose of the Downtown Support Zoning District is to encourage land uses that support the Downtown Core by providing a wide range of uses that provide customers for the pedestrian-oriented retail in the DTC Zoning District. Appropriate uses would be offices which provide daytime customers, lodging and residential uses which provide general customer support, and entertainment uses which draw people downtown.

### D. Intent of the Transit Oriented Development (TOD) Zoning District

The main purpose of the TOD Zoning District is to provide high-density residential development to provide riders for the SMART passenger rail station and employees and customers to support the downtown pedestrian-oriented retail core. A secondary purpose of the Zoning District is to allow public or office uses with high employment densities, to provide an employment destination for passenger rail and a source of customers to support the downtown pedestrian retail. Associated uses that provide non-retail services to residents are also allowed.

All building designs, except public or hospital use, should have a residential design and should face the street, even if the primary use is non-residential, as further described in the TOD Design Standards set forth in this Chapter.

### E. Intent of General Commercial (G-C) Zoning District

The primary purpose of the General Commercial (G-C) Zoning District is to create, preserve and enhance areas for small scale retail establishments which are conveniently located to provide for frequently recurring needs of outlying residents, which uses are clearly subservient to the downtown and which are appropriate at intersections of major thoroughfares that surround residential neighborhoods. The Zoning District is also used for the Furber Plaza Shopping Center, which provides retail and commercial services for the area south of downtown. The provisions of the G-C Zoning District specifically favor retail uses, and office or other non-retail use should not disrupt a pedestrian shopping experience except as smaller storefronts in a row of retail shops or in areas on a site separate from the retail area.

### F. Intent of Service Commercial (S-C) Zoning District

The primary purpose of the Service Commercial (S-C) Zoning District is to allow more intensive retail, service and heavy commercial uses including warehousing and wholesale commercial uses. Residential uses are not allowed. While the light industrial and heavy commercial uses would normally be expected in industrial areas, the S-C Zoning District allows for certain of those uses to be established at in-town locations where they can serve resident needs if the external impacts of those uses do not disturb adjoining residential and commercial neighborhoods.

## Section 18.05.030 Commercial Zoning District Use Regulations

Subject to applicable General Plan policies and all applicable City ordinances, resolutions and/or regulations, the following table identifies whether a use is a permitted use or requires a City permit. The legend identifies the type of permit required. Uses not permitted in the table are prohibited. Where relevant, a reference to the applicable Section of this Title or the Municipal Code has been provided.

Many uses in this table have a corresponding definition in Chapter 18.14.

## TABLE 18.05.030-A
## Uses Permitted Within Commercial Zoning Districts

**Legend**

P Permitted
PP Permitted Subject to Plot Plan Review
C Permitted Subject to issuance of a Conditional Use Permit
PUD Permitted Subject to issuance of a PUD Permit
NP Not Permitted
NL No Limitation (does not apply in the Zoning District)

| Land Uses | Commercial Zoning Districts | | | | | | |
|---|---|---|---|---|---|---|---|
| **Office & Related Uses** | **DTC** | **DTS** | **TOD** | **O-R** | **G-C** | **SC** | **Reference** |
| Administrative Offices | | | | | | | |
| • Less than 1,500 square feet | P | P | P | P | P | C | |
| • 1,501 square feet or larger | C | P | C | C | C | C | |
| • More than 50 feet of first floor frontage | NP | NP | NL | NL | NL | NL | |
| General Office | | | | | | | |
| • Less than 1,500 square feet | P | P | PP | P | P | P | |
| • 1,501 square feet or larger | C | P | NP | C | C | C | |
| • More than 50 feet of first floor frontage | NP | NP | NL | NL | NL | NL | |
| **Commercial Uses** | **DTC** | **DTS** | **TOD** | **O-R** | **G-C** | **SC** | **Reference** |
| Pedestrian-Oriented Retail[1] | | | | | | | |
| • Less than 2,500 square feet | P | P | NP | NP | P | C | |
| • 2,501 square feet or larger | PP | PP | NP | NP | P | C | |
| • More than 50 feet of first floor frontage | PP | PP | NP | NP | NL | NL | |
| General Retail[1] | | | | | | | |
| • Less than 1,500 square feet | P | P | NP | NP | P | P | |
| • 1,501square feet or larger | C | C | NP | NP | PP | PP | |
| • More than 50 feet of first floor frontage | NP | NP | NP | NP | NL | NL | |
| Household Services[1] | | | | | | | |
| • Less than 1,500 square | P | P | NP | NP | P | C | |
| • 1,501 square feet or larger | C | P | NP | NP | C | C | |
| • More than 50 feet of first floor frontage | NP | NP | NP | NP | NL | NL | |
| Personal Services | | | | | | | |
| • Less than 1,500 square feet | P | P | C | P | P | C | |
| • 1,501 square feet or larger | C | P | NP | C | C | C | |
| • More than 50 feet of first floor frontage | NP | NP | NL | NL | NL | NL | |
| Artist and Photographic Studios and Galleries | | | | | | | |
| • Including the sale of artwork, equipment or supplies | P | P | PP | NP | P | NP | |
| • Not including the sale of artwork, equipment or supplies | P | P | NP | PP | P | NP | |
| Catering Establishments | PP | PP | NP | NP | PP | P | |

| | DTC | DTS | TOD | O-R | G-C | SC | Reference |
|---|---|---|---|---|---|---|---|
| Dry Cleaning (with on-site cleaning equipment); Self-Service Laundry | NP | PP | PP | NP | C | C | |
| Feed and Tack Stores | NP | NP | NP | NP | C | PP | |
| Parking Lot Kiosks (e.g. film, coffee, etc.) | NP | NP | NP | NP | C | NP | |
| Liquor Stores | C | C | C | NP | C | C | |
| Outside Sales or Display Areas (for uses allowed in the underlying Zoning District) | | | | | | | |
| • Less than 100 square feet | PP | PP | NP | NP | C | C | |
| • 101 square feet or more | NP | NP | NP | NP | C | C | |
| Animal Care | NP | NP | NP | NP | NP | C | |
| Second Hand Store | C | C | NP | NP | C | NP | |
| **Restaurants** | **DTC** | **DTS** | **TOD** | **O-R** | **G-C** | **SC** | **Reference** |
| With Entertainment | C | C | NP | NP | C | C | |
| Without Entertainment | | | | | | | |
| • Less than 50 seats | P | P | C | NP | P | C | |
| • 51 seats or more | PP | C | C | NP | PP | C | |
| Outdoor Seating (accessory to a restaurant including sidewalk seating/cafe) | | | | | | | 18.09.210 |
| • Less than 12 outdoor seats | P | PP | NP | NP | PP | C | |
| • 13 or more outdoor seats | PP | C | NP | NP | C | C | |
| Drive-Through Facility | NP | NP | NP | NP | C | C | 18.09.110 |
| Bar/Cocktail Lounge | C | C | NP | NP | C | C | |
| Wine/Beer Tasting/Sampling and Sales | PP | PP | PP | NP | PP | C | |
| **Hotels and Lodging** | **DTC** | **DTS** | **TOD** | **O-R** | **G-C** | **SC** | **Reference** |
| Bed and Breakfast Inn | PP | C | C | C | NP | C | 18.09.100 |
| Vacation Rental | C | C | NP | NP | C | NP | 18.09.250 |
| Hotels and Motels | | | | | | | |
| • Up to 12 rooms | C | PP | PP | C | C | C | |
| • 13 rooms or more | C | PP | C | NP | C | C | |
| Recreational Vehicle Park | NP | NP | NP | NP | NP | C | |
| **Medical Services** | **DTC** | **DTS** | **TOD** | **O-R** | **G-C** | **SC** | **Reference** |
| • Major | NP | C | C | NP | C | NP | |
| • Minor | C | PP | C | C | C | C | |
| • More than 25 feet of first floor frontage | NP | - | - | - | - | - | |
| Veterinary Offices | | | | | | | |
| • Without exterior kennels, pens, & runs | NP | C | NP | PP | C | C | |
| • With exterior kennels, pens, and runs | NP | NP | NP | NP | NP | C | |
| **Vehicle Sales and Repair** | **DTC** | **DTS** | **TOD** | **O-R** | **G-C** | **SC** | **Reference** |
| Sales and/or repair of automobiles, light trucks, boats, campers, and , motorcycles; car washes, tire sales & service | NP | NP | NP | NP | NP | C | 18.09.260 |
| Automobile Service Station | NP | C | NP | NP | C | C | 18.09.200 |
| **Industrial/Research & Development Uses** | **DTC** | **DTS** | **TOD** | **O-R** | **G-C** | **SC** | **Reference** |
| Manufacturing or Processing, Light | NP | NP | NP | NP | NP | C | |
| Contractor Shops (with no outdoor storage of materials or equipment) | NP | NP | NP | NP | NP | C | |

| | DTC | DTS | TOD | O-R | G-C | SC | Reference |
|---|---|---|---|---|---|---|---|
| Recycling Facilities<br>• Reverse Vending Machines<br>• Small | NP<br>NP | NP<br>NP | NP<br>NP | NP<br>NP | PP<br>PP | PP<br>PP | 18.09.170 |
| Wholesale and Distribution; Warehouses | NP | NP | NP | NP | NP | C | |
| Self-Storage Warehouse | NP | NP | NP | NP | C | PP | 18.09.190 |
| Public/Quasi Public Uses | DTC | DTS | TOD | O-R | G-C | SC | Reference |
| Public/Quasi Public Uses | C | C | C | C | C | C | |
| Theaters (including motion picture and live performing arts) | PP | PP | NP | NP | NP | NP | |
| Day Care Facilities | NP | C | C | C | C | NP | |
| Recreation Uses | DTC | DTS | TOD | O-R | G-C | SC | Reference |
| Athletic and Health Clubs; Indoor Commercial Recreation Facilities | C | C | C | NP | C | C | |
| Dance Schools; Yoga and Pilates Studios | C | C | C | NP | C | C | |
| Commercial recreation facilities (outdoor) | NP | C | C | NP | C | C | |
| Residential Uses[3] | DTC | DTS | TOD | O-R | G-C | SC | Reference |
| Residential Care Facilities and Convalescent Homes | NP | C | C | C | C | C | |
| Multi-Family Residential<br>• Above a permitted commercial or office use<br>• First Floor | PP<br>PUD | PP<br>C | PP<br>PP | PP<br>C | C<br>C | NP<br>NP | |
| Single-Family House | NP | NP | NP | PP | NP | NP | |
| Single Room Occupancy (SRO)Living Unit | NP | C | C | NP | NP | NP | 18.09.220 |
| Emergency Shelters and Transitional Housing | NP | NP | PP | NP | PP | NP | |
| **Accessory Uses** | **DTC** | **DTS** | **TOD** | **O-R** | **G-C** | **SC** | **Reference** |
| Accessory Uses (located on the same site as a permitted use) | PP | PP | PP | PP | PP | PP | |
| Temporary Uses | PP | PP | PP | PP | PP | PP | |
| Other uses similar to, and no more objectionable than the uses identified above, as determined by the Planning Commission | C | C | C | C | C | C | |
| Outdoor Storage (on a vacant parcel) | NP | NP | NP | NP | NP | NP | |

NOTES TO TABLE:

1. Commercial projects which serve as a City-proposed catalyst project for downtown development may be approved with a Conditional Use Permit in the TOD Zoning District.

2. Uses with approved Conditional Use Permits that relocate within the same Zoning District are subject to Plot Plan Review instead of another Conditional Use Permit.

3. Employee housing for farmworkers accommodating six or fewer workers shall be considered a residential use and shall not require any special approvals that are not required of a family dwelling of the same type in the same Zoning District.

## Section 18.05.040 Commercial Site Development Standards

### A. General Requirements

The table below sets forth minimum Site Development Standards for commercial development within Commercial Zoning Districts.

**Table 18.05.040-A**
**Commercial Site Development Standards**

| | DTC | DTS | TOD | O-R | G-C | S-C |
|---|---|---|---|---|---|---|
| Lot Area[4] (square feet) | - | - | - | 6,000 | 6,000 | 6,000 |
| Lot Width | - | - | - | 60' | 60' | 60' |
| Lot Depth | - | - | - | 100' | 100' | 100' |
| Front Setback[1,2,3] | | | | | | |
| • Maximum | - | - | 15' | 20' | 15' | 20' |
| • Minimum | - | - | 10' | - | - | - |
| Side Setback[1,2,3] | | | | | | |
| • Interior | - | - | 10' | 5' | - | - |
| • Street Side | - | - | 10' | 15' | 10' | 20' |
| Rear Setback[1,2,3] | - | - | 10' | 15' | 10' | 10' |
| • Abutting R-1 or R-2 zoning | - | - | 20' | 20' | 10' | 10' |
| Building Length (maximum) | - | - | 120' | - | - | - |
| Lot Coverage (maximum) | 100% | 100% | - | 60% | 60% | 60% |
| Floor Area Ratio (maximum) | 3.0 | 2.0 | 1.0 | 0.8 | 1.0 | 1.0 |
| Building Height<br>• Maximum | 40' or 3 stories | 35' or 2 stories | 40' or 3 stories | 35' or 2 stories | 35' or 2 stories | 35' or 2 stories |
| • Minimum | 25' | 25' | 2 stories | - | - | - |
| First Floor Ceiling Height (minimum) | 12' | 12' | - | - | - | - |
| Distance Between Buildings (minimum) | - | - | 20' | - | - | - |
| Provision of Open Space | | | | | | |
| • Public Open Space per 1,000 sf of building | - | - | 100 sf | - | - | - |
| • Public Open Space/Res. Unit | - | - | 150 sf | - | - | - |
| • Private Open Space/Res. Unit | - | - | 60 sf | - | - | - |

NOTES TO TABLE:

1. Larger setbacks may be required based on requirements in Chapter 18.09, surrounding development, or building code regulations.

2. A 50 foot buffer setback is required on each side of waterways shown on the General Plan Conservation Area Map.

3. When a residential development is proposed to be located adjacent to or across the street from a developed Industrially-zoned property, a minimum building setback of 50 feet measured from the property line shall be required from such Industrial Zoning District. The 15 feet of this setback located adjacent to the street or Industrial Zoning District boundary line

shall be landscaped; the remainder of the setback area within the site may be used for off-street parking purposes. A three-foot high wall, berm or combination wall/berm shall be constructed within the landscaped area along street setbacks; along all other lot lines adjacent to Industrial Zoning Districts, walls shall be constructed in accordance with the provisions of Section 18.09.030.

4. The creation of new lots within Commercial Zoning Districts following the date of the adoption of this Title shall conform to the minimum dimensions stated in Table 18.05.040-A, except in the case of condominium lots or individual lots within a shopping center, in which case no minimums are established except at the boundary of the shopping center or commercial development. Parcels created within shopping centers are exempt from the site development standards stated herein, as they relate to minimum site areas, and minimum lot width and depth, as long as the following conditions are met:

a. A conceptual development plan for the entire center has been developed and approved pursuant to this Title;

b. Appropriate easements for reciprocal access, parking and maintenance are recorded; and

c. All applicable setbacks adjacent to the exterior boundaries of the shopping center or commercial development are met.

**B. Modifications to Required Setbacks**

Eaves, roof projections, awnings, and similar architectural features when located at least 8 feet above grade may project into required building setback area a maximum distance of 3 feet, provided that such feature shall be at least 5 feet from a property line.

**C. Modifications to Building Height**

1. The maximum height prescribed in Table 18.05-040-A for all non-residential uses, except public buildings, schools, churches and hospitals may be modified as follows:

   a. Flues, chimneys, antennas, elevators and other mechanical equipment, spires, bell towers, or similar architectural, utility, or mechanical features which exceed the height limit by not more than 15 feet may be allowed, provided such features shall not be used for habitable space and appropriate screening is provided, if necessary.

2. The maximum height prescribed in Table 18.05-040-A for all public buildings, schools, churches and hospitals may be modified as follows:

   a. Flues, chimneys, antennas, elevators and other mechanical equipment, spires, bell towers, or similar architectural, utility, or mechanical features may not exceed a height of 50 feet measured from the finished grade to the highest point of such a structure.

**Section 18.05.050 PUD Permit Provisions in Commercial Zoning Districts**

A PUD Permit may be granted to modify provisions of the Commercial Zoning Districts as follows.

## A. Office/Multi Family (O-R) Zoning District

A PUD Permit may be granted to modify provisions of O-R Zoning District in a manner that conserves the existing built environment and livability for residents as the neighborhoods change from residential to office or mixed use.

1. Parking may be reduced for the conversion of an existing house to office use, as long as the house is not expanded, and the parking is maximized to the extent possible, while also retaining the appearance and feel of a residential property (e.g. parking in the residential driveway, including tandem parking, and/or parking to the rear of the building). Reductions shall not be allowed if parking other than in a driveway is provided in the front or street side yard.
2. Mixed residential and office use or conversion from single family to multiple family use may be allowed within a pre-existing residential structure without requiring that the residential use be above a conforming office use.
3. Underlying Zoning District site development standards and parking standards may be reduced or waived for properties that meet criteria for historic designation in the National or State Registers, or for historic conservation sites based on General Plan criteria. Zoning District requirements may be modified with the following provisions:
    a. A historic report shall be prepared identifying the design, materials, and site features that generally meet the criteria in National Register Bulletin 15, "How to Apply the National Register Criteria for Evaluation."
    b. The PUD Permit shall include a plan for preservation of the identified historic design, materials, and site features, and the project shall implement the plan.

## B. Downtown Core (DTC) Zoning District

A PUD Permit may be granted to modify provisions of the DTC Zoning District to allow residential development that supports downtown business.

1. First floor multi-family residential uses may be allowed on properties which do not have frontage other than a driveway on a street and do not have the potential to be used for pedestrian-oriented commercial buildings or uses.
2. For sites which have pedestrian-oriented buildings and mixed residential and commercial uses, a portion of the multi-family residential development may be placed on the first floor to the rear of the building, as long as the square footage of residential use does not exceed 50% of the commercial use on the first floor, and the residential use does not front on the sidewalk.
3. Residential densities may exceed those allowed in the General Plan for a project providing senior housing.

## Chapter 18.06
## INDUSTRIAL ZONING DISTRICTS


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# Chapter 18.06
# INDUSTRIAL ZONING DISTRICTS

## Section 18.06.010 Purpose and Intent

The primary purpose of the Industrial Zoning Districts is to provide a sound and diversified economic base and employment opportunities for the citizens of Cloverdale. It is the further intent of this chapter to accomplish this via the establishment of a specific, well-defined pattern of industrial activities which is compatible with residential, commercial, institutional, and other uses within the community; has good access to the regional transportation system; accommodates the personal needs of workers and business visitors; and which meets the service needs of local businesses.

## Section 18.060.020 Industrial Zoning Districts

### A. General Industrial (M-1) Zoning District

This designation is intended to provide additional employment opportunities in Cloverdale. It is the intent of this designation that industrial uses be located and conditioned to create as few adverse environmental effects as possible. M-1 properties are therefore located away from residential uses and sensitive habitats to the fullest extent possible. Primary uses include manufacturing, industrial parks, wineries, lumber mills, assembly, warehousing and distribution. Secondary uses include professional office and research and development.

### B. Industrial Park (M-P) Zoning District

This designation is intended to provide additional service-oriented employment opportunities in Cloverdale. Primary uses include professional office and research and development. Secondary uses include manufacturing, industrial parks, wineries, warehouses, and nurseries.

## Section 18.06.030 Industrial Zoning District Use Regulations

Subject to applicable General Plan policies and all applicable City ordinances, resolutions and/or regulations, the following table identifies whether a use is a permitted use or requires a City permit. The legend identifies the type of permit required. Uses not permitted in the table are prohibited.

Many uses in this table have a corresponding definition in Chapter 18.14.

**Table 18.06.030-A**

**Uses Permitted Within Industrial Zoning Districts**

**Legend**

P Permitted

PP Permitted Subject to Plot Plan Review

C Permitted Subject to Issuance of a Conditional Use Permit (See Section 18.03.120 for additional information - use may be permitted without or subject to Plot Plan review based on criteria listed herein)

NP Not Permitted

| Land Uses | M-1 | M-P | Reference |
|---|---|---|---|
| **Manufacturing Uses** | | | |
| Manufacturing – Light | | | |
| • Less than 10,000 square feet | P | P | |
| • 10,001 square feet or greater | P | PP | |
| Manufacturing – Medium | | | |
| • Less than 10,000 square feet | P | PP | |
| • 10,001 square feet or greater | PP | C | |
| Manufacturing – Heavy | C | NP | |
| Outdoor Storage (with screening) | PP | C | |
| **Wholesale and Warehouse Uses** | **M-1** | **M-P** | **Reference** |
| Light wholesale, storage, and distribution: Including wholesaling, storage, warehousing, freight handling, and shipping and trucking services and terminals; storage and wholesaling to retailers of unfinished, raw, and semi-refined products requiring further processing, fabrication, or manufacturing. Outdoor storage shall be permitted subject to applicable screening requirements. | | | |
| • Less than 10,000 square feet | P | P | |
| • 10,001 square feet or greater | PP | C | |
| Contractor's shops and/or storage yard: | | | |
| • Including outdoor storage of equipment, materials and vehicles for construction industry contractors | C | NP | |
| • Including indoor storage of equipment, materials and vehicles for construction industry contractors, with no outdoor storage | PP | C | |
| Self-Storage Warehouses | P | C | 18.09.190 |

| | M-1 | M-P | Reference |
|---|---|---|---|
| Recreational Vehicle Storage | | | |
| • Outdoor (subject to applicable screening requirements) | C | NP | |
| • Indoor | P | P | |
| Recycling Facilities | | | 18.09.170 |
| • Reverse Vending Machines | PP | PP | |
| • Small Collection Facilities | PP | PP | |
| • Large Collection Facilities | PP | C | |
| • Processing Facility | C | NP | |
| • Transfer Facility | C | NP | |
| Truck Terminals | C | C | |
| Towing Services | | | |
| • Indoor Storage | P | P | |
| • Outdoor Storage | C | NP | |
| **Commercial Uses and Services** | **M-1** | **M-P** | **Reference** |
| Adult Entertainment Establishments | C | C | |
| Ambulance | C | C | |
| Appliance Repair | C | C | |
| Sales and repair of automobiles, light trucks, boats, campers, and motorcycles; car washes; tire sales & service; automobile rental agencies | C | C | 18.09.260<br>18.09.090 |
| Commercial Laundry and Dry-Cleaning Facilities | C | C | |
| Day Care Center (serving the industrial area) | C | PP | |
| Deli, Cafes and Coffee Shops (serving the industrial area) | PP | PP | |
| Furniture Stores | C | C | |
| Gymnasiums, Health Clubs, Spas, and Similar Commercial Recreation Uses | C | C | |
| Swimming Pool and Spa Sales, Supply and Cleaning Services | | | |
| • With Indoor Storage | P | P | |
| • With Outdoor Storage/Display | PP | NP | |
| Veterinary Offices (including exterior kennels, pens or runs) | C | C | |

| Office and Related Uses | M-1 | M-P | Reference |
|---|---|---|---|
| Administrative and Executive Offices (incidental to primary use) | PP | P | |
| Clerical and Professional Offices (incidental to primary use) | PP | P | |
| Research, Development and Testing Offices, Laboratories and Facilities<br>• Under 10,000 square feet<br>• 10,001 square feet and larger | <br>PP<br>C | <br>P<br>P | |
| **Public and Quasi-Public Uses** | **M-1** | **M-P** | **Reference** |
| Public and Quasi-Public Uses[1] | C | C | |
| **Accessory Uses** | **M-1** | **M-P** | **Reference** |
| Employee's Cafeteria or Auditorium | P | P | |
| Other Accessory Structures and Uses (located on the same site as a use requiring Plot Plan Review or a Conditional Use Permit) | PP | PP | |
| Watchman's or Caretaker's Living Quarters (maximum 1,000 square feet), when clearly incidental to and on the same site as an otherwise permitted use | PP | PP | |
| Temporary Uses | PP | PP | |
| Other uses similar to, and no more objectionable than the uses identified above, as determined by the Planning Commission | C | C | |

NOTES TO TABLE:

1. Public/quasi-public uses may be allowed if the use does not occupy more than 20% of the floor area of a multi-tenant facility, and Conditional Use Permit conditions specify that the existing and future industrial use of the site shall not be limited or compromised because of the use. Parking may be shared with industrial uses, without increasing the number of spaces, but the total number of parking spaces on the site shall meet the parking requirements in Chapter 18.11, Parking and Loading Requirements.

## Section 18.06.040 Industrial Site Development Standards

The following property development standards shall apply to all land and buildings constructed within the Industrial Zoning Districts.

### A. General Requirements

Table 18.06.040-A sets forth minimum site development standards required for the Industrial Zoning Districts within the City of Cloverdale.

**Table 18.06.040-A**
**Site Development Standards for Industrial Districts**

| | M-1 | M-P |
|---|---|---|
| Lot Area (minimum) | 10,000 sf | 20,000 sf |
| Lot Width (minimum) | 100' | 100' |
| Lot Depth (minimum) | 100' | 100' |
| Front Setback[1,2] (minimum) | 15' | 15' |
| Side Setback[1,2] (minimum)<br>• Interior<br>• Street Side | <br>0'<br>15' | <br>0'<br>15' |
| Rear Setback[1,2] (minimum) | 10' | 10' |
| Lot Coverage (maximum) | 60% | 60% |
| Building Height (maximum) | 50' | 50' |

NOTES TO TABLE:

1. When an Industrial Zoning District abuts or is situated across the street from a property in any Residential District, a minimum building setback of 50 feet measured from the property line shall be required from such Residential Zoning District. The 15 feet of this setback located adjacent to the street or Residential Zoning District boundary line shall be landscaped; the remainder of the setback area within the site may be used for off-street parking purposes. A three-foot high wall, berm or combination wall/berm shall be constructed within the landscaped area along street setbacks; along all other lot lines adjacent to Residential Zoning Districts, walls shall be constructed in accordance with the provisions of chapter 18.09.

2. A 50 foot buffer setback is required on each side of waterways shown on the General Plan Conservation Area Map.

**B. Modifications to Required Setbacks**

Eaves, roof projections, awnings, and similar architectural features when located at least 8 feet above grade may project into required building setback area a maximum distance of 3 feet, provided that such feature shall be at least 5 feet from a property line

## C. Modifications to Building Height

1. The maximum height prescribed in Table 18.06.040-A for all non-residential uses, except public buildings, schools, churches and hospitals may be modified as follows:

   a. Flues, chimneys, antennas, elevators and other mechanical equipment, spires, bell towers, or similar architectural, utility, or mechanical features which exceed the height limit by not more than 15 feet may be allowed, provided such features shall not be used for habitable space and appropriate screening is provided, if necessary.

2. The maximum height prescribed in Table 18.06.040-A_for all public buildings, schools, churches and hospitals may be modified as follows:

   a. Flues, chimneys, antennas, elevators and other mechanical equipment, spires, bell towers, or similar architectural, utility, or mechanical features may not exceed a height of 50 feet measured from the finished grade to the highest point of such a structure.

## Chapter 18.07
## PUBLIC INSTITUTIONAL (PI) ZONING DISTRICT


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# Chapter 18.07

# PUBLIC INSTITUTIONAL (PI) ZONING DISTRICT

## Section 18.07.010 Purpose and Intent

The Public Institutional (PI) Zoning District is established for the following purposes:

1. To ensure that the public, quasi-public, and institutional use of property is related to the purposes and policies of the General Plan and the Public/Quasi-Public land use classification contained in the General Plan;
2. To recognize the public, quasi-public, and institutional nature of particular parcels of land and provide standards and guidelines for their continued use and future development; and
3. To ensure that the public, quasi-public, and institutional structures and developments in the district will be compatible with surrounding districts and uses.

The requirements of the PI Zoning District are intended to apply to publicly-owned property, property owned by quasi-public or public service entities, and property used or planned to be used for certain institutional facilities.

## Section 18.07.020 Public Institutional Zoning District Use Regulations

Subject to applicable General Plan policies and all applicable City ordinances, resolutions and/or regulations, the following table identifies whether a use is a permitted use or requires a City permit. The legend identifies the type of permit required. Uses not permitted in the table are prohibited.

Many uses in this table have a corresponding definition in Chapter 18.14.

**Table 18.07.020-A**

**Uses Permitted Within Public Institutional Zoning District**

**Legend**

P Permitted

PP Permitted Subject to Plot Plan Review

C Permitted Subject to Issuance of a Conditional Use Permit (See Section 18.03.120 for additional information - use may be permitted without or subject to Plot Plan review based on criteria listed herein)

NP Not Permitted

| Land Uses | P-I[1] |
|---|---|
| Government Services | PP |
| Libraries and Museums | PP |
| Emergency Shelters | PP |
| Air Transportation Facilities | C |
| Cemeteries | C |
| Clubs, Lodges, and Meeting Halls | C |
| Community Centers | C |
| Maintenance and Service Facilities | C |
| Public Safety Facilities | C |
| Recreational Facilities, Public | C |
| Religious Facilities | C |
| Schools | C |
| Transportation Terminals | C |
| Utilities, Major | C |
| Gravel Mining | C |

NOTES TO TABLE:

1. The uses permitted subject to the approval of a Conditional Use Permit also require Design Review approval.

**Section 18.07.030 Public Institutional Site Development Standards**

The following minimum site development standards shall apply to property within the PI Zoning District:

**Table 18.07.030-A**

**Site Development Standards for Public Institutional Zoning District**

| | **P-I** |
|---|---|
| Lot Size (minimum) | 6,000 sf |
| Lot Width (minimum) | 60′ |
| Lot Depth (minimum) | 100′ |
| Setbacks (minimum) | To be determined by Conditional Use Permit and design review, taking into account surrounding uses and zoning. |
| Lot Coverage (maximum) | |
| Building Height (maximum) | |

## A. Modifications to Required Setbacks

Eaves, roof projections, awnings, and similar architectural features when located at least 8 feet above grade may project into required building setback area a maximum distance of 3 feet, provided that such feature shall be at least 5 feet from a property line.

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## Chapter 18.08
## SPECIAL ZONING DISTRICTS


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# Chapter 18.08
# SPECIAL ZONING DISTRICTS

## Section 18.08.010 Planned Unit Development (PD) Zoning District

### A. Purpose and Intent

The purpose of the PD Zoning District is to provide flexibility in land use development standards for well-planned developments that conform to the General Plan land use provisions and achieve one or more of the following purposes.

1. Permit the clustering of single-family or multifamily dwellings in order to preserve unique features on a property or provide for public parks and/or buildings.
2. Allow master planning of sites with multiple property owners in order to provide predictable land use expectations for individual owners.
3. Allow master planning of large sites over two acres so that the property can be developed in phases, providing predictable land use expectations for each phase of the development.
4. Allow City-initiated PD zoning to achieve goals such as historic preservation, neighborhood conservation, or phasing of development.

### B. Establishment of District

A PD Zoning District may be combined with any district shown in the Residential, Commercial or Industrial Zoning Districts in accordance with the provisions of this Section and Section 18.03. Each PD Zoning District shall be numbered. The Zoning Map shall identify the underlying Zoning District and the PD Zoning District number (e.g. R-1-PD/1). A PD Zoning District may include more than one underlying Zoning District. The application for a PD Zoning District shall include Development Standards for the Planned Unit Development. The standards shall include, but not be limited to, information regarding allowable uses, parking, setbacks, building heights, lot coverage, grading, landscaping, and other issues appropriate to the Zoning District.

A PD Zoning District may be established as an amendment to this Title in accordance with Chapter 18.03 upon application of the property owner or owners or upon recommendation of a majority of the Planning Commission and/or action of the City Council on parcels of land which are suitable for, and of sufficient acreage (minimum two acres) to contain a Planned Unit Development.

### C. Permitted Uses

All provisions of the underlying Zoning District shall apply unless specifically modified by a Preliminary and/or Precise Development Plan. The following modifications to underlying Zoning District provisions may be allowed.

1. Clustering of single-family or multifamily dwellings in Residential Zoning Districts in order to preserve unique features on a property or provide for public parks and/or buildings. Development shall not exceed General Plan densities; however, clustering may be used to achieve the allowable General Plan density

for the entire site including the land area of features preserved. Undevelopable lands shall not count toward allowable densities.

2. Master planning of a site or area with multiple property owners in order to provide predictable land use expectations for individual owners. Land uses shall be consistent with underlying General Plan land uses; however, residential densities may be distributed throughout the master planned area as if it were a single property.

3. City-initiated PD zoning to achieve goals such as historic preservation, neighborhood conservation, or phasing of development or to:

   a. Enhance and preserve unique features on a property, such as historical significance, unusual topographic or physiographic characteristics.

   b. Allow provision for or development of parks, public buildings, and public amenities.

**D. Variation from Zoning District Regulations**

The regulations and requirements of the Zoning District with which the PD Zoning District is combined shall apply, except as may be modified or changed by the approved development plan or policy statement. In a PD Zoning District, the Precise Development Plan approved and adopted by the City Council may allow variation from the strict application of Zoning District regulations with respect to fences, walls and hedges; screening and landscaping; front and side yards; distances between structures (building separations may be reduced to zero feet (0') provided that firewalls are provided per UBC standards); heights; internal street rights-of-way, pavement widths and sidewalks; lot coverage, and the determination of usable open space. All such variations from Zoning District regulations shall be noted in the approved development plan. Variations from the following regulations shall not be allowed: residential floor area ratio and residential rear yard setbacks.

**E. Residential Densities**

Residential densities in a PD Zoning District shall not exceed the residential densities permitted by the General Plan, including undevelopable lands as defined.

**Section 18.08.020 Individual PD Zoning District Development Standards**

The following PD Zoning Districts have been established by appropriate action of the City Council, subject to the following deviations from base Zoning District standards. If a Preliminary Development Plan or Precise Development Plan has expired per chapter 18.03, a new Precise and/or Preliminary Development Plan must be filed and approved prior to any use of the property within the PD Zoning District.

**A. P-D/1 Jefferson Springs**

All provisions of the R-1 Single Family Residential Zoning District shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

**B. P-D/2 Jefferson Villas**

All provisions of the R-1 Single Family Residential Zoning District shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

**C. P-D/3 Solar Park**

All provisions of the R-3 Multi-Family Residential Zoning District as it exists or may be modified shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

**D. P-D/4 Kings Valley**

All provisions of the R-3 Multi-Family Residential Zoning District as it exists or may be modified shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

**E. P-D/5 Bandiera Winery**

1. Permitted Uses

- Winery with total annual production of 50,000 cases.
- Addition to existing winery building to be used exclusively for small wood aging.
- A small retail sales area.
- Crushing, fermenting, aging, bottling and shipping of all wine produced as bottled case goods.

2. Operating Provisions

- No tasting or tours.
- Storage and/or fermenting tanks shall not be visible outside of buildings.
- Maximum of five full-time employees.
- All company owned equipment shall be parked off street in the crushing-fermenting area.
- Operating hours during the crushing season shall not exceed a 10 to 12 hour work day. All other work days shall be standard 8 hour days.

**F. P-D/6 Clover Springs**

All provisions of the R-1 Single Family Residential Zoning District shall apply with the following exceptions:

1. The following are the only permitted uses, provided that uses shall also comply with the permitting requirements set forth in Chapter 18.03 entitled Land Use Permits and Approvals.

- Single family dwellings
- Accessory buildings
- Home Occupations
- Accessory uses per the R-1 Zoning District
- Open space/Passive parks
- Private recreation facilities
- Guest quarters/in-law residence

2. Residential Siting and Planning Design Guidelines

a. Encroachments into Required Yards - Architectural features such as roof eaves, fireplaces, box-outs, built-in shelves, bay windows and similar features are permitted to extend up to two feet six inches (2′ 6″) into the minimum front, rear and side yard setbacks.

b. Ground-Level Air Conditioning Unit Screening and Locations - Ground air conditioning units are to be within a fenced yard, or otherwise screened with walls, fencing or landscaping. Air conditioning units that are located within a solid fenced side or rear yard are not required to be screened. Ground level air conditioning units and their enclosures are permitted within the side or rear yard setback, provided enclosures do not exceed five feet (5′) in height and are located at least two feet (2′) from the side property line and five feet (5′) from the rear property line.

c. Fencing Standards

Side and rear yard, interior lots: Side and rear yard fencing may be constructed up to six feet (6′) in height, as measured from the high side of the fence. The fencing in the side and rear yard shall conform to the privacy fence standard.

Side yard on corner lots: Fencing is permitted in the side yard abutting a street with a minimum setback of eight feet (8′) from the back of the property line.

Front yard: Courtyard walls are permitted in the front yard, up to ten feet (10′) from the back of the walk. Courtyard walls encroaching into the required front yard setback may not exceed three feet (3′) in height.

Open Space lots: Open fencing will be utilized along lot edges common to open spaces, as well as to define community areas. Provided regulations contained within the project CC&Rs are complied with, homeowners have the following options for open fencing:

- Two foot (2′) knee-high wall (a short masonry wall)
- Two foot (2′) knee-high wall with four foot (4′) wrought-iron style fence on top.
- Six foot (6′) wrought iron style fence may be utilized in the side yard areas of open space lots, along interior property lines. Wrought-iron style fencing is to be of a consistent design throughout the project.
- A three and one-half foot (3′6″′) split rail fence will be constructed as part of the landscaping along Porterfield Creek.

Fencing adjacent to streets: There are a number of areas within the project that back up to streets that require fencing, the following fencing standards have been established for these areas:

- Six foot (6′) wooden barrier fence will be constructed adjacent to Cloverdale Boulevard.
- Six foot (6′) perimeter wood fence will be constructed along the Foothills Boulevard landscape corridor and the lots that back up to the existing Hot Springs Road.

All solid wood fences will be painted/stained to be consistent with the criteria established within the CC&Rs for the project.

d. Trash Receptacle Storage – trash receptacle storage is restricted to the garage within a non-fenced yard, or within a screened area located behind the leading edge of the house.

3. Residential Housing Siting Criteria

| Setbacks | Estate | Premier | Classic |
|---|---|---|---|
| Front Yard, Living Space | 15′ | 15′ | 15′ |
| Front Yard, Garage Door (3, 7) | 18′ | 18′ | 18′ |
| Side Yard, Interior (6) | 5′ | 5′ | 5′ |
| Side Yard, Adjacent to Street (8) | 12.5′ | 12.5′ | 12.5′ |
| Rear Yard (3, 4, 6) | 15′ | 15′ | 15′ |
| Building Coverage (5) | 50% | 50% | 50% |

Height Limit

Maximum Building Height 35′

Attached Shade Structures

All shade structures shall conform to a minimum twelve foot (12′) rear yard setback and a five foot (5′) side yard setback. The three foot (3′) encroachment into the standard fifteen (15′) setback shall not be enclosed by more than 20% of its perimeter and shall not exceed 50% of the required usable rear yard area.

The number of lots within Phase I which would be allowed to utilize this provision for a reduction in the rear yard setback shall be in accordance with the parcels detailed in the August 19, 1997 letter submitted by the Del Webb California Corporation to the City, and in no case, shall the number of lots exceed 40% of the total lot count of Phase I. The number of lots within Phase II which would be allowed to utilize this provision shall not exceed 40% of the total lot count of Phase I. The number of lots within Phase II which would be allowed to utilize this provision shall not exceed 40% of the total lot count unless otherwise approved by the City through the adoption of the Precise Development Plan for Phase II.

Accessory Structures

Permitted outside of the required front yard; 5 foot (5′) setback required from a side or rear property line for detached structures; may be further regulated by the project CC&Rs.

Off-Street Parking

Two spaces per dwelling unit

Footnotes (Siting Criteria)

i. Lot width is measured eighteen feet (18′) from the back of the front property line. Cul-de-sac, elbow lots and lots on curved streets may have a width less than specified provided they meet lot area and building setback requirements.

ii. Required lot depth may be reduced up to ten feet (10′) in some cases, provided the lots otherwise meet lot area and building setback requirements. Some

examples of such cases are lots on cul-de-sacs or elbows and constrained by trees or natural features.

iii. Driveway length is measured from property line to face of garage door. Architectural projections of up to two feet (2′) will be allowed to project into the front and side yard setbacks.

iv. The rear yard setback is exclusive of roof overhangs and architectural projections.

v. Roof overhangs, patios, covered porches, shade structures, driveways, walkways and the like are exempted from the building coverage calculation.

vi. Air conditioning units can encroach up to three feet (3′) into the side and rear yard setbacks.

vii. The front yard setback will be staggered a minimum of two feet (2′) on every third unit. This requirement will not apply where the street centerline radius is 1,000 feet or less, on the bulb area of cul-de-sac lots or on elbow lots.

viii. The measurement for minimum sideyard setbacks for corner lots will be taken from the back of the sidewalk. All corner lots will have a minimum corner sideyard setback of twelve and a half feet (12′6″) with the exception of lots 74, 114, 159 and 160 which will have a minimum fifteen foot (15′) setback from the back of the sidewalk. These lots differ in setback due to their location adjacent to a collector or arterial street.

4. Recreation Facility Siting Criteria

Setbacks

| | |
|---|---|
| Building Setback from Street Right-of-Way | 30′ |
| Building Setback from Adjacent Residential Property Line | 30′ |
| Building Setback from Open Space | 10′ |
| Outdoor Recreation Facility Setback from Street Right-of-Way | 10′ |
| Outdoor Recreation Facility Setback from Residential Lots | 10′ |
| Outdoor Recreation Facility Setback from Open Space | 10′ |
| Parking Lot Setback from Residential Property Line | 25′ |
| Parking Lot Setback from Street Right-of-Way | 10′ |
| Building, Parking and Outdoor Recreation Facility Setback From the Flowline of Porterfield Creek | 60′ |

Height Limit

| | |
|---|---|
| Maximum Building Height | One-Story (40′) |

Parking Requirements

| | |
|---|---|
| Parking Requirements | 1 space/250 sf of building area |

## G. P-D/7 Rancho de Amigos - Residential Portions

All provisions of the R-1 Single Family Residential Zoning District shall apply to the single-family lots.

Provisions of the R-3 Multi-Family Residential District shall apply to the townhouse portion of the site. All structures built in conformity with the adopting site plan shall be legal conforming structures within the townhouse development.

**H. P-D/7 Rancho de Amigos - Shopping Center/Business Park**

For the shopping center portion of the site, all provisions of the General Commercial (G-C) Zoning District shall apply. New development is subject to the Architectural Design Guidelines and Sign Program on file in the Planning Department. For the business park portion of the site, an assisted living project is compatible with the business park designation.

**I. P-D/8 Furber II** - The Preliminary Development Plan for this P-D expired and is null and void.

**J. P-D/9 Citrus Gardens**

All provisions of the R-3 Multi-Family Residential Zoning District as it exists or may be modified shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

**K. P-D/10 The Cottages**

All provisions of the R-1 Single Family Residential Zoning District shall apply with the following exceptions:

1. Sideyard Setbacks
   - a. A minimum separation of twenty feet (20′) between two-story wall to two-story wall of adjoining residential units.
   - b. A minimum separation of fifteen feet (15′) between single story wall to two story wall of adjoining residential units.
   - c. A minimum separation of ten feet (10′) between single story wall to single story wall of adjoining residential units.
2. Height limitations
   - a. All residences placed on Lots 12 - 24 and 42-48 of Area I and Lots 140, 141, 154, 155, 166, 167 and 180 of Area II are single story in height. If the height of any residential unit listed above is desired to be increased beyond single story, the applicant shall submit a visual analysis containing a minimum of two cross-sections for each area that extend across the width of the property. The visual analysis shall depict the height and orientation of the residential unit, location of any retaining walls, roads, building pads, and integration of all proposed landscaping. The visual analysis shall be submitted to the Planning Commission for their review and approval.
3. Open Space
   - a. All properties adjoining the northerly property line (Lots 11 - 20) shall maintain a thirty foot (30′) open space buffer area in which no development may occur. "Development" shall include the construction or placement of any permanent structure that would be subject to the issuance of a building permit including, but not limited to decks,

platforms, accessory buildings and swimming pools or the construction of any temporary structure not subject to the Building Code such as, but not limited to, accessory structures, play equipment and saunas.

**L. P-D/11 Ioli Ranch**

All provisions of the R-3 Multi-Family Residential Zoning District as it exists or may be modified shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

**M. P-D/12 Vineyards At Cloverdale**

All provisions of the R-1 Single Family Residential Zoning District shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

**N. P-D/13 Sunrise Hills**

All provisions of the R-1 Single Family Residential Zoning District shall apply. All structures built in conformity with the adopting site plan shall be legal conforming structures.

**O. P-D/14 Sunrise Hills II**

All provisions of the R-1 Single Family Residential Zoning District shall apply, with the following exceptions:

Setbacks

| | |
|---|---|
| Front Yard, Living Space | 10′ |
| Front Yard, Garage Door | 20′ |
| Side Yard, Interior | 1-story = 5′; 2-story = 10′ |
| Rear Yard | 10′ to rear of house or detached garage |

**P. P-D/15 Rink Mixed Use**

Development shall be as shown on adopted site plan as follows:

1. Setbacks:
   a. Minimum side yard from adjacent properties: 9 feet
   b. Rear setback from adjacent property: 20.58 feet
   c. Front setback from North Cloverdale Boulevard: 18.64 feet
2. Height limits: Shall comply with requirements of R-2 district.
3. Parking: 21 off-street space; uncovered spaces to be shared with office uses.

**Q. P-D/16 Creekside**

The following standards adopted with the Precise Development Plan shall apply:

| Lot # | Lot Size (sf) | Unit Size (sf) | Lot Coverage | FAR | Front Setback | Right Side Setback | Left Side Setback | Rear Setback |
|---|---|---|---|---|---|---|---|---|
| 1 | 3,774 | 1,858 | 38% | .49 | 21′ | 5′ | 4′6″ | 22′ |
| 2 | 3,774 | 1,858 | 38% | .49 | 21′ | 5′ | 4′6″ | 22′ |
| 3 | 3,774 | 1,858 | 38% | .49 | 21′ | 5′ | 4′6″ | 22′ |
| 4 | 3,774 | 1,858 | 38% | .49 | 21′ | 5′ | 4′6″ | 22′ |
| 5 | 3,650 | 1,858 | 39.3% | .51 | 21′ | 5′ | 4′6″ | 18′ |
| 6 | 3,798 | 1,858 | 37.8% | .49 | 21′ | 5′ | 5′9″ | 18′ |
| 7 | 13,000 | 2,110 | 11.1% | .16 | 24′ | 26′ | 5′ | 47′ |
| 8 | 5,563 | 1,978 | 25.6% | .36 | 24′ | 5′ | 5′ | 45′ |
| 9 | 8,445 | 2,406 | 17.7% | .28 | 45′2″ | 5′ | 5′ | 104′ |
| 10 | 36,060 | 3,713 | 7.4% | .10 | 135′9″ | 83′ | 5′ | 150′ |

## Section 18.08.030 Specific Plan (SP) Zoning District

### A. Purpose and Intent

It is the purpose of this Section to provide a method for the zoning of lands with adopted Specific Plans for which customized development and use regulations have been approved by the City Council. The creation of a Specific Plan (SP) Zoning District is necessary to provide adequate development flexibility for innovation in residential building types, land use mixes, site design, and development concepts.

### B. Applicability

This Section shall apply to the properties designated in the Cloverdale General Plan Land Use Element as requiring preparation of a Specific Plan and to any other project site for which the applicant believes that implementation of a Specific Plan will benefit the project and the City.

All Specific Plan applications shall be accompanied by a zone change application requesting a change from the existing Zoning District to the Specific Plan Zoning District. The Specific Plan Zoning District shall be designated on the Zoning Map by the symbol "SP" followed by a number to designate the Specific Plan (e.g. SP-3.1, SP-3.2, etc.). Each Specific Plan Zoning District shall be a logical geographical unit and may include one or more parcels. Any Specific Plan Zoning District may be broken down into subareas for the purpose of assigning specific development standards and regulations.

A Specific Plan Zoning District shall conform to the policies of the General Plan designation for the area. The minimum size for a Specific Plan Zoning District shall be five (5) acres. Smaller parcels may be combined in an application to meet minimum qualification for land area.

### C. Establishment of a Specific Plan Zoning District

A Specific Plan Zoning District shall be established by recommendation of the Planning Commission and approval of an ordinance by the City Council and include the following information:

1. Identification of the geographical area where Zoning District standards and subarea standards shall apply.
2. Description of the intent and character of area development.
3. Identification of environmental mitigation measures and important features to be preserved.
4. Identification of uses permitted and uses requiring Conditional Use Permits.
5. Identification of street and right-of-way standards and easements for provisions of utilities and pathways.
6. Identification of standards for weight and bulk, set-back, parking, lot size, percentage of open space and type of landscaping.

### D. Adoption of Specific Plan Zoning District

Adoption of a Specific Plan District shall be as follows:

1. The Planning Director shall determine that the proposal for a Specific Plan Zoning District includes the information required.
2. The Planning Director shall propose acceptance of a completed environmental document prepared pursuant to CEQA or shall otherwise demonstrate compliance with CEQA.
3. The Planning Commission shall hold a public hearing after providing a minimum of 10 days notice published in a newspaper of local circulation and by mailing first class to the owners of property within 300 feet of the Specific Plan area as their names and addresses are shown on the latest adopted County Tax Roll.
4. The Planning Commission shall recommend Zoning District adoption to the City Council through resolution with a minimum affirmative vote of the majority of the total voting membership of the Planning Commission.
5. The City Council shall hold a public hearing in accordance with the notice requirements above.
6. The City Council shall adopt a Specific Plan Zoning District by amendment of this Title. Any changes proposed by the City Council not previously considered by the Planning Commission must be referred to the Planning Commission for consideration and recommendation prior to City Council action.

## Section 18.08.040 Individual Specific Plan Zoning District Development Standards

The following SP Zoning Districts have been established by appropriate action of the City Council, subject to the following provisions.

## A. SP-1 Alexander Valley Resort Specific Plan

This Section provides regulations and standards for the development of the Alexander Valley Resort Project site and the SP-1 Zoning District.

## B. Precise Development Plan Required

1. A Precise Development Plan shall be required prior to any development in each of the six (6) land use designations in this Plan: Resort Hotel/Spa, Golf Course, Resort Residential, Single-Family Residential, Estate Residential, and Entry Commercial. Each Precise Development Plan shall be consistent with the Alexander Valley Resort Specific Plan and the phasing provisions below.

2. A visual "gateway" or entrance theme shall be submitted by the Developer and approved by the City prior to or with the first Precise Development Plan approval. A visual analysis of the rough grading plan for the site, including the grading for the proposed western hill with the serpentine outcropping shall be prepared prior to or with the first Precise Development Plan, together with the proposed "gateway" theme.

3. A Precise Development Plan amendment, as specified in this Section, shall be required for any change to the approved Precise Development Plan, except for minor changes in golf course design and alignment.

4. The project shall meet all requirements of the Cloverdale Inclusionary Housing Ordinance as it exists or is amended.

5. Precise Development Plans for all phases of the development may be submitted and approved simultaneously, provided that no temporary or permanent occupancy permits for the Resort Residential, Single-Family Residential and Estate Residential units shall be issued until: 1) an occupancy permit is issued for the Hotel: and 2) nine holes of the golf course, west of the NWP rail line, are complete.

6. Construction of the first nine (9) holes of the golf course is dependent on the availability of recycled wastewater ("Recycled Water"), transportation of that water to the west side of the NWP tracks, annexation to the City of Cloverdale, and City entitlements. The timing of the construction of the second nine (9) holes contemplated by this Specific Plan ("Regulation Course") is dependent, in part, on the rescission or expiration of the Williamson Act Contract ("Contract") on a portion of the Project property that is included as a part of the second nine (9) holes, the availability of Recycled Water and obtaining permanent railroad crossing rights from the North Coast Railroad Authority ("Crossing Rights").

   If the Developer is unable to achieve rescission of the Contract, obtain sufficient Recycled Water, and/or obtain Crossing Rights in a timely manner, so as to allow for completion of the Regulation Course, the Developer shall amend the Precise Development Plan for the golf course to provide for a nine (9) hole course, including a driving range and clubhouse, on property owned by the Developer that is not subject to the Contract, dependent on Recycled Water, or dependent on Crossing Rights ("9-Hole Course"). Developer shall propose an

alternate use for the remaining acreage. Such use may require an amendment to the Alexander Valley Resort Specific Plan.

**C. Relationship to the Zoning Ordinance**

All provisions of this Title shall apply in the SP-1 Zoning District, except as specifically modified by this Section.

**D. Pedestrian/Bicycle Trails**

Each Precise Development Plan shall provide for pedestrian/bicycle trails to complete the trails system identified in the Specific Plan.

**E. Resort Hotel/Spa**

The 100-150 room hotel and a full-service spa facility will function together as a wine country destination resort and as the anchor of the Alexander Valley Resort project. Amenities will include, those normally found in a resort complex, including, but not limited to, a restaurant, conference center and gift shop. The Resort shall be consistent with all aspects of the Cloverdale General Plan Destination Commercial land use designation and applicable goals of the Land Use and Community Design Elements.

The hotel will be sited on a knoll overlooking Resort Residential and Golf Course areas and capitalizing on Alexander Valley/Russian River vistas. The European wine country style architectural theme described in this Specific Plan shall be consistent throughout the Resort. The hotel is assigned a visually prominent location on the Project site and shall be designed to quality resort style standards. The mass of the building(s) shall be broken up by favoring terraced roofs and offsets in wall planes. The maximum height for the hotel shall be 62 feet above ground level, including towers and similarly distinct architectural elements. The spa shall be confined within the hotel complex. Outdoor facilities, consisting of a swimming pool and other recreational activity areas shall be sited and buffered to reduce noise intrusion on the hotel.

Parking areas shall be off-street, landscaped and screened from view. It is anticipated that parking for the Resort complex, the Resort Residential units and the Golf Course facilities will share parking areas, particularly during off-peak hours. For example, the hotel may use golf club parking in the evening when the golf course is not in use.

**F. Golf Course**

1. The Alexander Valley Golf Club will be a regulation 18-hole golf course, with multiple tee areas providing varying overall lengths up to 6500 yards. A clubhouse, practice facility and maintenance area, natural resource preserves, and pedestrian/bicycle trails are included as a part of the golf course project. The Alexander Valley Golf Club will be open to Golf Club members, guests of the Resort and the general public on a daily fee basis.

2. Clubhouse uses and standards:

   a. Maximum height of the clubhouse building shall be 35 feet.

   b. Allowable uses are golf course management offices, pro shop, men and women's locker rooms, restaurant and banquet facilities and golf cart storage. Any expansion or change after Precise Development Plan approval shall require a Precise Development Plan amendment.

c. The Precise Development Plan for the golf clubhouse shall provide adequate parking to serve peak demand for banquet activities and shall include parking that complies with the City of Cloverdale standards. Shared parking may be proposed between golfing and banquet facilities if the uses have different peaking characteristics. Shared parking may only be allowed based on a shared parking analysis, using Urban Land Institute or similar methodologies, and approved by the City's Planning Director.

3. Practice facilities:

   a. The practice facilities, which include a driving range and a putting green, will be sited so as to buffer the hotel and Resort Residential areas from the adjacent industrial uses.

   b. The driving range will be recessed from the hotel site and heavily buffered, on all sides, by landscaping.

   c. Protective netting will be installed to protect adjacent uses from errant golf balls.

4. Maintenance facilities:

   a. Maximum height of maintenance building structures shall be 24 feet.

   b. All activities and equipment storage shall be within enclosed buildings, except for sand, gravel and similar bulk construction materials, which shall be screened from public view with fences, landscaping, buildings or similar features.

5. Natural resource areas shall meet requirements of the Alexander Valley Resort Specific Plan.

6. Accessory structures, including snack shop, restrooms and a maintenance building shall be allowed on the golf course.

7. All Golf Course improvements shall conform to the "gateway" design concept.

**G. Resort Residential**

1. Resort Residential units shall meet the provisions of the R-CT or R-3 Multi-Family Residential Zoning Districts as they exist or may be modified.

2. The Precise Development Plan for Resort Residential shall conform to Specific Plan policies to mitigate impacts from the adjoining industrial area.

3. An Acoustic Study shall be submitted, and building assemblies shall be designed so that interior noise levels shall not exceed 45dBA inside all living units.

**H. Single-Family Residential**

1. Single-Family Residential units shall meet the requirements of the R-2 Zoning District, as it exists or may be amended, except that lot sizes may be reduced to 4,000 square feet and the lot width, depth and setback requirements reduced based on the PUD Permit provisions in Chapter 18.03. No more than one dwelling unit may be built on each lot.

2. A visual analysis shall be submitted with the Precise Development Plan application for the Single-Family Residential area. Steps to minimize views of houses from the City shall be detailed.

3. Site and building design shall conform to the gateway design concept.

4. A Precise Development Plan amendment shall be required for any addition to or expansion of housing units after initial construction, including accessory structures.

**I. Estate Residential**

1. Estate Residential units shall meet the requirements of the R-1 Zoning District, except that setbacks and lot sizes may be modified to save significant trees and oak forest groupings.

2. A visual analysis shall be submitted with the Precise Development Plan application for the Estate Residential area. Steps to minimize views of houses from the City and Alexander Valley shall be detailed.

3. An arborist report shall be provided with Precise Development Plan submittal. The report shall identify significant individual trees and significant groupings of trees (oak forest). Houses and lots shall be sited to preserve trees and forest groupings to the extent possible.

4. A Precise Development Plan amendment shall be required for any addition to or expansion of housing units after initial construction, including accessory structures and removal of significant trees identified in the arborist report.

**J. Entry Commercial**

1. An entry design theme and visual analysis shall be submitted with the Precise Development Plan application for the Entry Commercial area. Design shall include a visual buffer, such as landscape and berms, between Asti Road and the development on the site.

2. Design shall conform to the "gateway" design concept.

3. Entry Commercial development shall meet the requirements of the G-C Zoning District. Additionally, the following uses shall be permitted by right:

   a. Restaurants: without entertainment
      serving alcoholic beverages
      with indoor and outdoor seating
      with catering

   b. Wine Tasting Facility

   c. Administrative and Executive Offices

   d. Clerical and Professional Offices

   Service stations, drive-through uses and internally illuminated signs shall not be allowed.

4. A Precise Development Plan amendment shall be required for any expansion of buildings after initial construction. A use permit shall be required for any uses that

require a use permit in the G-C Zoning District, with the exception of the permitted uses listed in the preceding paragraph.

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# Chapter 18.09

# SPECIAL PROVISIONS AND DEVELOPMENT STANDARDS

## Section 18.09.010 Purpose and Intent

The purpose of this chapter is to identify and establish standards for specific uses and activities that are permitted or conditionally permitted in several or all districts, but which have the potential to create significant effects on the community and surrounding properties. These provisions are supplemental standards and requirements to minimize the effects of these uses and activities and to protect the health, safety, and welfare of their occupants and the general public in accordance with the goals, objectives, policies, and implementation programs of the General Plan.

## Section 18.09.020 Applicability

The activities and uses covered or described in this chapter, where permitted within the Zoning District in which they are to be located, shall comply with the provisions herein, in addition to all other standards and provisions of this Title, including but not limited to the development standards and design standards for the Zoning District in which an activity or use is located.

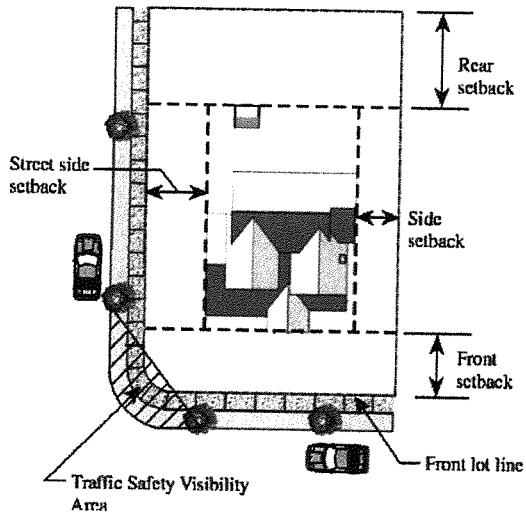
# SPECIAL PROVISIONS

## Section 18.09.030 Fences, Walls and Hedges

In addition to the regulations set forth in this Section, all fences, walls or hedges shall be constructed and maintained so that they do not constitute a hazard to traffic, persons or property.

A. In any required front yard, a wall, hedge, or fence shall not exceed 3 feet in height within the front yard setback or within the area called the "vision triangle" or "traffic safety visibility area". The boundaries of this area are formed by measuring from the intersection of the street corner property lines to points 20 feet along the front and street side property lines. These two points are then connected with a straight line resulting in the "vision triangle".

**Figure 18.09.030-A**
**Vision Triangle or Traffic Safety Visibility Area**




B. A wall, hedge, or fence not more than six (6) feet in height may be maintained along any interior side yard, rear yard or street side yard provided that such wall, hedge, or fence does not extend into the required front yard.

C. Materials, textures, colors, and design of the fence or wall shall be compatible with on-site development and adjacent properties.

D. Chain link fencing is not allowed in the DTC, DTS, O-R, and TOD Zoning Districts, except for temporary purposes when needed to protect areas for public safety and to restrict access to construction projects. The fencing must be removed when the public safety issue is resolved or the construction is completed.

## Section 18.09.040 Hillside Protection

### A. Applicability and Definitions

Hillside policies apply to any properties with slopes greater than 20% on all or part of the site. Such a site is called a Hillside Site.

### B. Regulations for Hillside Sites

1. For any hillside sites outside the Urban Growth Boundary (UGB), the UGB provisions shall apply.
2. For any hillside sites inside the UGB, the following standards apply.
   a. Residential densities shall be based on net acres.
   b. On hillside sites, any development, grading for roadways, and lighting, including building lighting, shall not be visible from the level areas of the City below the 400 foot elevation. Any such development shall be screened by topographic features, setbacks from top of pad to the structure, or similar means. A sight line analysis may be required in order to show that the structure is not visible.

c. Where a hillside site has land with slopes over 20% and slopes less than 20%, development should be placed on lands less than 20% if feasible. Development may be clustered to achieve General Plan allowed densities on lands less than 20% slope. Remaining hillside areas (with slopes over 20%) shall be deemed undevelopable areas and made subject to easements or other legal guarantees that prohibit development of the hillsides and cannot be removed without City approval. Subject to applicable law, open space areas shall provide for trails as outlined in the Parks and Recreation Element if feasible.

d. All development applications for hillside sites shall submit a Grading and Erosion Control Plan which addresses prompt revegetation of disturbed areas, avoidance of grading activities during wet weather, avoidance of drainage corridors and riverbanks, and other erosion control measures sufficient in the sole discretion of the City Engineer or other City Manager designee to control erosion resulting from the proposed project.

e. All development applications for hillside sites shall submit a geotechnical investigation concerning areas with identified significant geologic hazards or areas where the City Engineer determines such hazards may exist, including such hazards as potential liquefaction-related failures, slope stability and erosion hazards, existing or potential soil instability, or expansive soils. The report shall include an assessment of geologic and seismic hazards. The reviewing body may require preparation and implementation of a plan for implementing any or all recommendations contained in the report so as to eliminate or adequately mitigate the geologic and/or seismic hazards identified in the report.

f. Recreation uses above the 400 foot elevation may be allowed if lighting is not visible from the valley floor within the City limits below the 400 foot elevation, and the access roads, trail systems, and supporting structures or facilities are generally not visible from areas of the City below the 400 foot elevation.

g. Hillside Conservation Areas may be annexed if the annexation provides permanent hillside open space or recreation opportunities for the City.

h. Any roads serving hillside development shall follow natural contours, with minimum disruption to hills or forests, minimum or no curbside parking, and no lighting visible from the valley floor within the City limits.

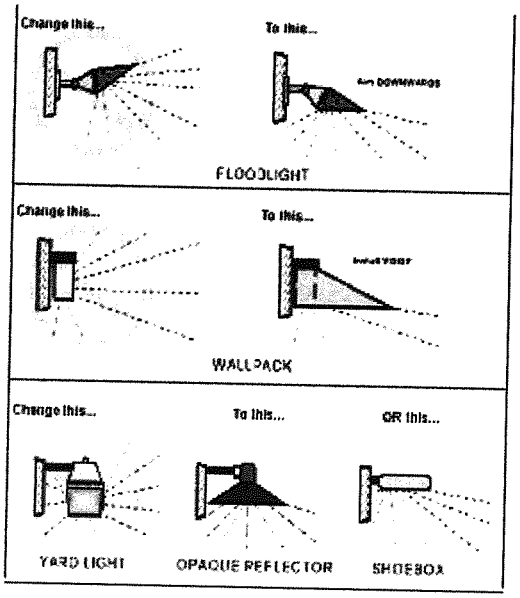
## Section 18.09.050 Outdoor Lighting

The purpose of this Section is to create standards for outdoor lighting that minimize light pollution, glare, and light trespass caused by inappropriate or misaligned light fixtures. These standards conserve energy and preserve the nighttime sky while maintaining nighttime safety, utility, security and productivity.

## A. Applicability

1. All new outdoor lighting installed after the effective date of this chapter shall conform to the requirements established by this chapter.

2. All existing outdoor lighting fixtures located on a property that is part of an application for Design Review, Conditional Use Permit, subdivision or a building permit for a new structure or addition(s) of 25 percent or more in terms of gross floor area, seating capacity, or parking spaces (either with a single addition or cumulative additions), shall meet the requirements of this Section for the entire property. Such applications are required to include an outdoor lighting plan. Conformity shall occur prior to issuance of a Certificate of Occupancy. All existing outdoor lighting fixtures shall be adjusted or modified to the extent practical to reduce or eliminate glare, light trespass, and light pollution.




## B. Exemptions

The following are exempt from the provisions of this Section:

1. Seasonal displays using multiple low wattage bulbs (approximately 15 lumens or less) provided that they do not constitute a fire hazard, create a nuisance, and are maintained in a safe and attractive condition.

2. Vehicular lights and all emergency lighting needed by the police department and fire protection district, or other emergency services.

3. Temporary lighting used for the construction or repair of roadways, utilities, and other public infrastructure.

4. All lighting required by state or federal regulatory agencies.

5. The Planning Director may authorize temporary exemptions for activities such as circuses, fairs, carnivals, sporting events and promotional activities if the following findings can be made:

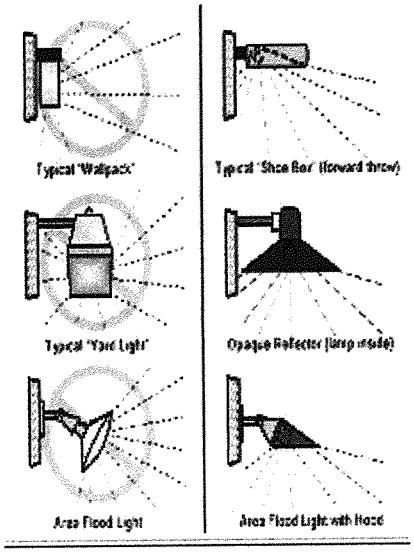
a. The purpose for which the lighting is proposed is not intended to extend beyond thirty (30) days.

b. The proposed lighting is designed in such a manner as to minimize light pollution as much as feasible.

c. The proposed lighting will comply with the purpose of this Section.

**C. Minimum Development Standards**

1. All outdoor lighting fixtures shall be designed, located, installed, aimed downward or toward structures, retrofitted if necessary, and maintained in order to prevent glare, light trespass and light pollution.




2. Fixtures and light systems shall be in good working order and maintained in a manner that serves the original design intent of the system.

3. Automatic teller machine (ATM) and other bank lighting shall be full cutoff and shall not cause glare or light trespass.

4. Externally illuminated signs, advertising displays, flags and building identification shall use top mounted light fixtures which shine light downward and are fully shielded.

5. Light poles shall be restricted to a maximum height of 20 feet except that on parcels adjacent to Residential Zoning Districts, the maximum height shall be restricted to 15 feet.

6. The use of façade, or "wash" lighting is limited to public buildings or buildings with historic importance. Façade lighting may be approved only when it is determined that it is compatible with the level of lighting in the immediate area and where it will not generate excessive illumination, skyglow or glare.

7. The use of searchlights is prohibited.

**D. Submission of Plans**

All applications for Design Review, Plot Plan Review, Conditional Use Permits, Subdivisions and all new outdoor lighting installations on commercial, industrial, public, institutional and multi-family residential projects of four or more units shall include lighting plans, regardless of whether the lighting is preexisting or proposed, showing the following:

1. The proposed location, mounting height, shielding, lamp source type, lumen output, wattage and aiming point of each existing and proposed outdoor lighting fixture indicated on a site plan and/or elevations.
2. Manufacturer specification sheets, cut-sheets, or other manufacturer- provided information for all proposed outdoor lighting fixtures to show fixture diagrams and light output levels.
3. The Planning Director may require additional information including, but not limited to, a written narrative to demonstrate the objectives of the lighting, photometric data, Color Rendering Index (CRI) of all lamps and other descriptive information on the fixtures and/or a computer generated photometric grid showing footcandle readings every 10 feet within the property or site and 10 feet beyond the property lines.
4. The Planning Director may approve, deny or require modifications to any outdoor lighting plan in order to meet the purpose of this chapter.

**Section 18.09.060 Tree Preservation**

**RESERVED**

## DEVELOPMENT STANDARDS

**Section 18.09.070 Accessory Structures**

Accessory structures shall be allowed in any Zoning District. Unless otherwise provided in the applicable Zoning District, the following regulations apply to all accessory structures in addition to the provisions of the Zoning District in which the structure is located. See Section 18.09.180 for Second Residential Dwelling Unit Development Standards.

**A. Accessory Structures within Residential Zoning Districts**

1. An accessory structure shall meet the front and street side yard setback requirements of the Zoning District.
2. The total square footage of all structures, including accessory structures, shall be included in calculating floor area ratio.
3. Accessory structures may be located in required interior side and rear yards, provided that, in the aggregate, no more than five hundred (500) square feet or 10 percent of the combined area of the required side and rear yards, whichever is greater, shall be covered by such structures and provided that on reverse corner lots an accessory structure shall not be located closer to the rear property line than the required side yard on the adjoining key lot.
4. Accessory structures that are exempt from building permit requirements as set forth in the California Building Standards Code as in effect in the City may be

located within an interior side yard or rear yard, but must be included in the aggregate coverage and floor area ratio calculations.

5. Accessory structures requiring a building permit shall be a minimum of 10 feet from any dwelling and set back a minimum of 5 feet from the interior side yard and rear yard property line. On corner lots, accessory structures shall be set back a minimum of 20 feet from the intersection of the street right-of-way.

6. Accessory structures shall not exceed 14 feet in height and shall be no higher than the main structure.

7. Garages entering from the front of the lot shall be located not less than 20 feet from the property line providing access. Garages entering from the side or rear of the lot shall be located not less than 15 feet from the property line providing access.

**B. Accessory Structures within Nonresidential Zoning Districts**

1. In any nonresidential Zoning District, accessory structures shall not be located in front of the main building.

2. In any nonresidential Zoning District, accessory structures shall meet all of the setback requirements for main buildings.

**Section 18.09.080 Automobile Dealerships**

This Section is to ensure that automobile dealerships (both new and used) do not create an adverse impact on adjacent properties and surrounding neighborhoods by reason of insufficient on-site customer and employee parking, traffic generation, including road testing of vehicles, obstruction of traffic, visual blight, bright lights, noise, fumes, or drainage run-off.

**A. Parking**

Areas designated for employee and customer parking shall not be used for vehicle storage or display.

**B. Vehicle Display Areas**

A minimum ten-foot landscape and decorative curb strip shall be provided along the street frontage perimeter of all vehicle display areas. Final design treatment shall be subject to Design Review approval. All parking areas not used for vehicle display shall be subject to applicable screening requirements.

**C. Lighting**

All lighting shall comply with the provisions of Section 18.09 Outdoor Lighting.

**D. Loading and Unloading of Vehicles**

Loading and unloading of vehicles is permitted only within the following constraints. The dealership operator is deemed to be responsible and liable for any activities of a common carrier, operator, or other person controlling such loading or unloading activities to the extent any such activities violate the provisions of this Subsection.

1. Loading and unloading of vehicles is limited to the hours of 8:00 a.m. to 6:00 p.m. Monday through Saturday, excluding legal holidays.

2. Off-loading shall be on-site, or off-site subject to the approval of the City Engineer. Loading and unloading shall not block the ingress or egress of any adjacent property.

**E. Storage of Vehicles to be Repaired**

No vehicles to be repaired shall be parked or stored on any public street or alley.

**F. Repair of Vehicles**

The repair and service facility portion of any automobile dealership shall comply with the provisions of chapter 18.09, Vehicle Repair Facilities.

**G. Queuing of Vehicles**

An adequate on-site queuing area for service customers shall be provided. The queuing area or lanes shall be large enough to hold at least one and a half vehicles for each service bay in the facility. On-site driveways may be used for queuing, but may not interfere with access to required parking spaces. Regular parking spaces may not double as queuing spaces.

**H. Noise Control**

1. There shall be no outdoor loudspeaker. Interior loudspeakers shall not be audible on any adjoining residential properties.
2. All noise generating equipment exposed to the exterior shall be muffled with sound absorbing materials to minimize noise impacts on adjacent properties, and shall not be operated before 8:00 a.m. or after 6:00 p.m. if reasonably likely to cause annoyance to abutting residences.
3. Rooftop storage areas shall be screened with landscaping or noise absorbing materials to minimize noise impacts on adjacent properties.

**I. Toxic Waste and Storage and Disposal**

Gasoline storage tanks shall meet all applicable state and local health regulations, and shall be constructed and maintained under the same conditions and standards that apply to service stations.

## Section 18.09.090 Automobile Rental Agencies

These standards are to ensure that automobile rental agencies do not create an adverse impact on adjacent properties and surrounding neighborhoods by reason of insufficient on-site customer and employee parking, traffic generation including road testing of vehicles, obstruction of traffic, visual blight, bright lights, noise, fumes, or drainage run-off.

**A. Repair of Vehicles**

No vehicle repair work shall occur on the premises unless the rental agency is otherwise permitted and licensed to repair vehicles.

**B. Storage of Vehicles**

No vehicles to be displayed, sold, rented, or repaired shall be parked or stored on any street or alley.

## Section 18.09.100 Bed and Breakfast Inns

The purpose of these standards is to ensure that Bed and Breakfast Inns located in Residential or Commercial Zoning Districts conform to the existing character of the neighborhood in which they are located and do not create an adverse impact on adjacent properties.

### A. Permit Required

A Conditional Use Permit or Plot Plan Review shall be required for any Bed and Breakfast Inn.

### B. Minimum Development Standards

1. Any proposed Bed and Breakfast Inn shall be compatible with the neighborhood in which it is located in terms of landscaping, scale, and architectural character. The use shall be harmonious and compatible with the existing uses within the neighborhood.
2. Excessive amounts of paving shall not be allowed. Areas devoted to parking and paving should not be disproportionate to the site size.
3. Each Bed and Breakfast Inn that provides food service to its guests shall comply with all applicable provisions of the Sonoma County Health Department, as well as all state laws regulating food handling establishments.
4. All California Building Standards Code and Fire Code requirements as in effect in the City for the level of occupancy of the Bed and Breakfast Inn shall be met.
5. All Environmental Health Regulations shall be met.
6. The owner or manager shall reside on the premises.
7. Guest stays shall be limited to fourteen (14) consecutive days with a seven (7) day period between stays.
8. No meals, except for light refreshments, shall be served after 11:00 a.m. Only guests may be served. No cooking shall be allowed in guest rooms.
9. One non-internally illuminated sign may be displayed. The size, color, text and location shall be reviewed as part of the Conditional Use Permit or Plot Plan Review for the Bed and Breakfast Inn. The words "hotel" or "motel" shall not be allowed.
10. Transient Occupancy Tax (TOT) shall be paid by the owner or manager in accordance with all applicable requirements of this Code. Nonpayment of TOT when the use is still operational may constitute grounds for amendment or revocation of the Conditional Use Permit/Plot Plan Review by the Planning Commission. Nonpayment for a period of one year shall be evidence that the use is discontinued.

## Section 18.09.110 Drive-In Restaurants and Drive-Through Facilities

The purpose of these standards is to ensure that drive-in restaurants and drive-through facilities do not result in adverse impacts on adjacent properties and residents or on surrounding neighborhoods by reason of customer and employee parking demand, traffic

generation, noise, light, litter, or cumulative impact of such demands in one area, consistent with the goals, objectives, and policies of the General Plan.

**A. Permit Required**

Drive-in restaurants and drive-through facilities may be permitted only with approval of a Conditional Use Permit. The provisions of this Section shall apply to all new drive-in restaurants and drive-through facilities and to any expansion of more than 30% of the gross floor area in an existing drive-in restaurant or drive-through facility. Floor area added for the purpose of compliance with state or local health laws or access requirements for the disabled shall not be included in floor area calculations for purposes of determining applicability of this Section.

**B. Minimum Development Standards**

1. Hours of Operation

   When located on a site adjacent to, or separated by an alley from, any residentially zoned property, a drive-in restaurant or drive-through facility shall not open prior to 6:00 a.m., nor remain open after 10:00 p.m.

2. Driveways

   Drive-in restaurants and drive-through facilities shall have two points of ingress/egress.

3. Queuing

   Drive-in restaurants and drive-through facilities shall have a capacity for queuing a minimum of six vehicles awaiting service. Queuing area shall not interfere with on or off-site circulation patterns and shall be reviewed and approved by the City Engineer prior to approval of a Conditional Use Permit.

4. Parking

   A parking and vehicular circulation plan encompassing adjoining streets and alleys shall be submitted for review and approval by the City Engineer and Planning Director prior to approval of a Conditional Use Permit.

5. Refuse Storage Area

   A minimum of one outdoor trash and one outdoor recycling receptacle shall be provided on-site adjacent to each driveway exit or as approved by the Planning Director. At least one additional on-site outdoor trash receptacle shall be provided for every 10 required parking spaces.

6. Noise

   Any drive-in or drive-through speaker system shall not be audible above daytime ambient noise levels beyond the property boundaries. The system shall be designed to compensate for ambient noise levels in the immediate area, and shall not be located within 30 feet of any Residential Zoning District or any property used for residential uses.

7. Performance Standards for Drive-through Uses

a. Pedestrian walkways should not intersect the drive-through drive aisles, but where they do, they shall have clear visibility, and they must be emphasized by enriched paving or striping.

b. Drive-through aisles shall have a minimum 12 foot width on curves and a minimum 11 foot width on straight sections.

c. Drive-through aisles shall provide sufficient stacking area behind menu or order board to accommodate a minimum of 6 cars.

d. All service areas, rest rooms and ground mounted and roof mounted mechanical equipment shall be screened from view.

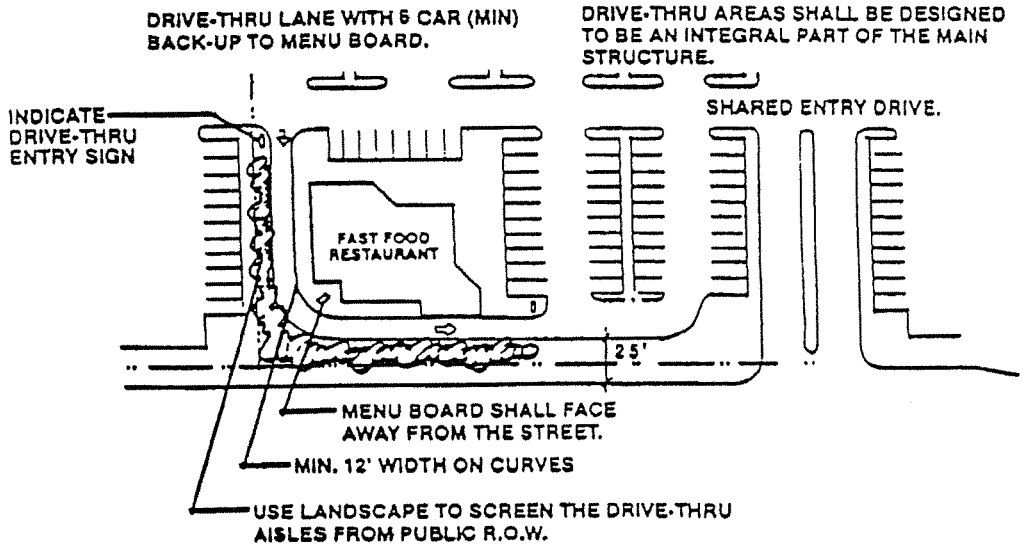
e. Landscaping shall screen drive-through or drive-in aisles from the public right of way and shall be used to minimize the visual impact of readerboard signs and directional signs.

f. Drive-through aisles shall be constructed with (PCC) concrete.

g. Parking areas and the drive-through aisle and structure shall be set back from the ultimate curb face a minimum of 25 feet.

**Figure 18.09.110-A**

**Drive-through Uses**




## Section 18.09.120 Home Occupations

The Home Occupation Permit is intended to allow for enterprises that are conducted within homes existing in Residential Zoning Districts and that are clearly incidental and secondary to the use of the dwelling unit and compatible with surrounding residential uses.

### A. Performance Standards

1. No more than one home occupation shall be permitted in any dwelling unit, and the home occupation shall be clearly incidental and subordinate to the dwelling's use for residential purposes by its inhabitants.

2. No one, other than lawful residents of the premises, shall be engaged in the business activity.
3. There shall be no change in the outward appearance of the building or premises or other visible evidence of the activity.
4. No equipment or processes shall be used on the subject property that creates noise, smoke, glare, fumes, odors, vibration, electrical, radio, or television interference disruptive to surrounding properties.
5. There shall be no retail sales of products on the premises, except produce (fruit or vegetables) that are grown on the subject property.
6. There shall not be a significant increase in parking demand or in automobile, pedestrian or truck traffic as a result of the home occupation. Customers or clientele shall not regularly visit the dwelling. However, incidental visits may be permitted such as, but not limited to, the sale of produce grown on the property or music lessons.
7. No home occupation shall cause the loss or reduction of covered parking or be conducted in a garage. The garage should be kept clear for the parking of vehicles at all times.
8. There shall be no storage of materials or supplies used in the home occupation outdoors or within a garage.
9. Any hazardous materials to be used in the home occupation shall be listed on the application and material safety data sheets (MSDS) shall be provided with the application for each material.
10. No signs shall be displayed in conjunction with the home occupation, other than a nameplate as provided for in chapter 18.12.
11. A home occupation permit shall be valid only for the person to whom it is issued, and the permit is not valid until a current City Business License is obtained.

**B. Prohibited Home Occupation Uses**

The following uses, either by operation or nature are considered not to be incidental to or compatible with residential activities and therefore are not permitted.

1. Automotive and other vehicle repair (body or mechanical), painting, or storage
2. Barber and beauty shop
3. Carpentry and cabinet making
4. Welding and machine operation
5. Medical offices, clinics and laboratories
6. Animal hospitals and grooming facilities
7. Contractor's storage yards; provided, however, that the parking of one commercial vehicle with an unladen weight of 4,500 pounds or less may be permitted.

8. Adult entertainment
9. Exercise studios
10. Music instruction having more than one student at any one time.
11. Dancing and educational instruction having more than five (5) students at any one (1) time and more than three (3) classes per day.
12. Junk yards
13. Other uses the Planning Commission determines to be similar to those listed above.

**Section 18.09.130 Hotel/ Motel Conversions**

The purpose of these standards is to ensure that hotels and motels provide services for travelers, maintain peace and quiet for fellow visitors and surrounding neighborhoods, pay Transient Occupancy Taxes to assure that services can be provided and that any change to long-term residency provides improvements that are suitable for long-term occupancy.

A. Transient Occupancy Tax shall be paid for all hotel/motel stays. Maximum stay in a hotel or motel room shall be 30 days.

B. It is not the intention of the City to encourage hotels/motels to convert to permanent occupancy. However, if the hotel/motel cannot be economically operated, the entire hotel/motel may be changed to residential use. A hotel/motel may not have both transient and non-transient occupancy.

1. A Conditional Use Permit shall be required for a change to permanent occupancy. The Conditional Use Permit application shall demonstrate how permanent parking can be provided and how private and public open space can be provided for occupants. For units with one room (exclusive of the bathroom) the Planning Commission may consider the SRO requirements for parking and open space. For units with more than one room (exclusive of the bathroom) the Planning Commission may consider the multi-family requirements for parking and open space.

**Section 18.09.140 Interim Agricultural Uses**

On parcels that are 2.5 acres or larger in size located within any Zoning District, the following agricultural uses shall be permitted or conditionally permitted.

**A. Permitted Uses**

1. All types of agricultural, horticulture and grazing, excluding concentrated feed lots or commercial poultry enterprises, shall be permitted subject to the following stipulations:

   a. The total number of horses, sheep and other cleft-hoofed animals shall meet the standards of Municipal Code Section 6.04.150 et seq.

   b. Aviaries shall not exceed a total of 50 birds per acre of gross site area.

   c. The retail sale of products raised on the property shall be permitted but shall exclude retail nursery sales and the commercial sale of animals permitted for grazing purposes.

**B. Conditionally Permitted Uses**

The following uses shall be permitted subject to the issuance of a Conditional Use Permit as provided in Section 18.03 of this Title.

a. Frog Farms.

b. Fish hatcheries or farms for their stocking, breeding, or commercial sale.

c. Worm farms.

d. The propagation, processing and wholesale distribution of nursery plant stock, including the on-site sale of related materials and supplies associated with landscape improvement and/or maintenance operations, where the sale of such non-plant-related nursery stock is clearly incidental and related to the stock propagated onsite for distribution. However, outdoor storage and display shall be limited solely to the retail sale of the nursery plant stock.

e. The raising of rabbits, chinchilla, nutria, hamsters, guinea pigs, and other such animals similar in size, appearance and weight, for commercial purposes.

**Section 18.09.150 Kennels (Commercial and Noncommercial)**

The purpose of these regulations is to ensure that the operation and maintenance of commercial and noncommercial kennels does not create a nuisance or otherwise impair the enjoyment of surrounding properties. Commercial and non-commercial dog kennels including training schools, animal shelters, and breeding establishments that incorporate outside holding pens, runs, etc. shall be permitted subject to the issuance of a Conditional Use Permit as provided in Section 18.03 of this Title.

**A. Performance Standards for Commercial and Noncommercial Kennels**

1. All kennels shall comply with the provisions of Section 6.04.220 et seq. of the Municipal Code.

2. The kennel area shall be sound attenuated so that the noise level does not exceed any applicable standards.

3. No animal runs, exercise areas, or keeping of the kenneled animals for commercial or noncommercial purposes shall be located within a required setback area.

**Section 18.09.160 Large Family Day Care**

The purpose of these standards is to ensure that large family day care homes providing child care in Residential Zoning Districts do not adversely impact the adjacent neighborhood. While large family day care homes are needed by Cloverdale residents in close proximity to their homes, potential traffic, noise and safety impacts of this use need to be regulated in the interest of nearby residents and the children in the day care facility. It is also the intent of this Section to allow family day care homes in residential surroundings to give children a home environment that is conducive to healthy and safe development.

**A. Plot Plan Review Required**

Plot Plan Review or Conditional Use Permit shall be required for any large family day care facility. Pursuant to Health and Safety Code Section 1597.46 (c), large family day care homes shall not be subject to California Environmental Quality Act review.

**B. Performance Standards for Large Family Day Care Homes**

1. Structures

   Large family day care homes, as defined in California Health and Safety Code Section 1597.465, as it may be subsequently modified or amended, shall conform to all property development standards of the Zoning District in which it is located unless otherwise provided in this Section and shall conform to all requirements of Section 1597.46 of the California Health and Safety Code.

2. Outdoor Play Area

   The outdoor play area shall comply with the provisions of California Health and Safety Code governing child day care facilities. Stationary play equipment shall not be located in required front or side yard setbacks.

3. Fences and Walls

   For purposes of noise abatement, a six foot high solid fence or wall shall be constructed on all property lines, except that, in the front yard, a fence or wall shall not exceed 3 feet in height on interior parcels. Materials, textures, colors, and design of the fence or wall shall be compatible with on-site development and adjacent properties. All fences or walls shall provide for safety with controlled points of entry.

4. Landscaping

   On-site landscaping shall be consistent with that prevailing in the neighborhood.

5. On-Site parking

   One on-site parking space for each staff person other than the homeowner shall be required in addition to the required parking for the residential building.

6. Passenger Loading

   A passenger loading/unloading plan shall be submitted with the Plot Plan Review application and is subject to the review and approval of the City Engineer.

7. Lighting

   If provided on the parcel, lighting shall be stationary, directed away from adjacent properties and public right-of-way except passenger loading areas, of an intensity compatible with the residential neighborhood and comply with applicable requirements of Section 18.09.050 Outdoor Lighting.

8. Hours of Operation

   For the purposes of noise abatement, large family day care homes in Residential Zoning Districts may operate Monday through Friday, between the hours of 6:00 a.m. and 7:00 p.m.

9. Outdoor Activity

   For the purposes of noise abatement, outdoor activities for large family day care homes in Residential Zoning Districts may only be conducted between the hours of 8:00 a.m. and 7:00 p.m.

10. Concentration of Uses

    No Large Family Day Care Home shall be located within 150 feet of another such use.

11. State and Other Licensing

    All large family day care homes shall be state licensed and shall be operated according to all applicable state and local regulations.

**Section 18.09.170 Recycling Facilities**

Recycling facilities allowed within the Commercial and Industrial Zoning Districts and as defined in Chapter 18.14 shall be subject to the following standards:

**A. Reverse Vending Machines**

Reverse Vending Machines may be approved subject to Plot Plan Review pursuant to Section 18.03 of this chapter only if the following conditions are met. If these conditions cannot be met, the use is subject to approval of a Conditional Use Permit by the Planning Commission.

1. The machines are established as an accessory use to an allowed main use that is in compliance with this Title and the building and fire Codes of the City of Cloverdale.
2. The machines are located within 30 feet of the entrance to the commercial structure and shall not obstruct pedestrian or vehicular circulation.
3. The machines do not occupy parking spaces required by the primary use.
4. The machines occupy no more than 50 square feet of floor space per installation, including any protective enclosure, and shall be no more than eight (8) feet in height.
5. The machines are constructed and maintained with durable, waterproof and rustproof material.
6. The machines are clearly marked to identify the type of material to be deposited, operating instructions, and the identity and phone number of the operator or responsible person to call if the machine is inoperative.
7. The machines have a sign area of a maximum of four (4) square feet per machine, exclusive of operating instructions.
8. The machines are maintained in a clean, litter-free condition on a daily basis.

9. The machines have operating hours no greater than the host use.

10. The machines are illuminated in accordance with Section 18.09.050 Outdoor Lighting to ensure comfortable and safe operations if operating hours are between dusk and dawn.

**B. Recycling Facilities - Small Collection Facilities**

Small Collection Facilities may be approved in Commercial and Industrial Zoning Districts subject to Plot Plan Review pursuant to Section 18.03 of this Chapter, only if the following conditions are met. If these conditions cannot be met, the use is subject to approval of a Conditional Use Permit by the Planning Commission.

1. The facilities are established in conjunction with an existing commercial use or community service facility that is in compliance with this chapter and the building and fire Code of the City of Cloverdale.

2. The facilities occupy less than 350 square feet and no more than five (5) parking spaces, not including space that will be periodically needed for removal of materials or exchange of containers.

3. The facilities are set back at least ten 10 feet from any property line and shall not obstruct pedestrian or vehicular circulation.

4. The facilities use no power-driven processing equipment except for Reverse Vending Machines.

5. The facilities use containers that are constructed and maintained with durable waterproof and rustproof material, covered when site is not attended, secured from unauthorized entry or removal of material and shall be of a capacity sufficient to accommodate materials collected and collection schedule.

6. All recyclable material is sorted in containers or in the mobile unit vehicle and materials are not left outside of containers when an attendant is not present.

7. The facilities are maintained free of litter and any other undesirable materials. Mobile facilities, where truck or containers are removed at the end of each collection day, shall be swept at the end of each collection day.

8. The operation of the facilities does not exceed noise levels of any applicable noise standard.

9. The facilities do not impair any landscaping required by any permit issued pursuant thereto;

10. The facilities are adequately screened. The design, height, materials and location of screening shall be approved by the Planning Director.

Occupation of parking spaces by the facility and by the attendant may not reduce available parking spaces below the minimum number required for the primary host use unless all of the following conditions exist:

1. The facility is located in a convenience zone or a potential convenience zone as designated by the California Department of Conservation.

2. A parking study shows that existing parking capacity is not already fully utilized during the time the recycling facility will be on the site.

   A reduction in available parking spaces in an established parking facility may then be allowed as follows. The approval will be reconsidered at the end of 18 months.

   a. For commercial host use:

| Number of Available Parking Spaces | Maximum Reduction |
|---|---|
| 0-25 | 0 |
| 26-35 | 2 |
| 36-49 | 3 |
| 50-99 | 4 |
| 100+ | 5 |

   b. For a community facility host use: A maximum five (5) space reduction will be allowed when not in conflict with parking needs of the host use.

3. No additional parking spaces will be required for customers of a Small Collection Facility located at the established parking lot of a host use. One space will be provided for the attendant, if needed.

4. Mobile Recycling Units shall have an area clearly marked to prohibit other vehicular parking during hours when the Mobile Unit is scheduled to be present.

5. Attended facilities located within 100 feet of a property zoned or occupied for residential use shall operate only during the hours between 9:00 a.m. and 7:00 p.m.

6. Containers for the 24-hour donation of materials shall be at least 30 feet from any property zoned or occupied for residential use unless there is a recognized service corridor acoustical shielding between the containers and the residential use.

7. Containers shall be clearly marked to identify the type of material that may be deposited; the facility shall be clearly marked to identify the name and telephone number of the facility operator and the hours of operation, and shall display a notice stating that no material shall be left outside the recycling enclosure or containers.

8. Signs shall be in conformance with Chapter 18.12.

9. If the Plot Plan Review/Conditional Use Permit approval expires without renewal, the collection facility shall be removed from the site on the day following permit expiration.

**C. Recycling Facilities - Large Collection Facilities**

Large collection facilities may be approved in Industrial Zoning Districts subject to Plot Plan Review or Conditional Use Permit, only if the following conditions are met.

1. The facility shall not abut a parcel zoned for residential use.
2. Structure setbacks and landscape requirements shall be those applicable to the Zoning District in which the facility is located.
3. Exterior storage of materials shall be screened from view from adjacent public rights of way and adjoining parcels.
4. The site shall be maintained clean, sanitary, and free of litter and any other undesirable materials, and shall be cleaned of loose debris on a daily basis.
5. Any containers provided for "after hours" deposit of recyclable materials shall be located at least 300 feet from any Residential Zoning District, constructed of sturdy, rustproof material(s), with sufficient capacity to accommodate materials collected, and secured from unauthorized entry or removal of materials.
6. Dust, fumes, odor, smoke, or vibration, above ambient levels, shall not be detectable from adjoining parcels.

**D. Recycling Facilities - Processing and Transfer Facilities**

Recycling processing facilities, excluding scrap and dismantling yards, and transfer facilities are permitted subject to approval of a Conditional Use Permit in the General Industrial District in compliance with the following standards. Information on how the standards will be met shall be included in the Conditional Use Permit application submittal materials.

1. The facility shall not abut a parcel planned, zoned or occupied for residential use.
2. The facility shall operate in an area completely enclosed on all sides by landscaping and an opaque fence or wall of sufficient height to completely screen the facility from public view.
3. The site shall be maintained free of fluids, odors, litter, rubbish and any other non-recyclable materials. The site shall be cleaned of debris on a daily basis and will be secured from unauthorized entry and removal of materials when attendants are not present.
4. Processing facilities are limited to baling, briquetting, compacting, crushing, grinding, shredding, sorting of source-separated recyclable materials, and repairing of reusable materials.
5. A processing facility shall not exceed 45,000 square feet, may have up to an average of two outbound truck shipments of material each day, and shall not bale, compact, or shred ferrous metals other than beverage and food containers.
6. Dust generated from the facility shall be controlled to the maximum extent possible. Measures shall include, but are not limited to, misting systems, water trucks, manual or mechanical sweeping and use of negative ventilation. The Conditional Use Permit application materials shall include a dust control plan.
7. Odors generated by the facility shall be controlled and be prevented from migrating off-site to the maximum extent possible. Odor control measures may include, but are not limited to, misting systems, masking agents, containment and use of negative ventilation.
8. Noise levels shall not exceed standards established in the General Plan.

9. All on-site access areas, tipping areas, staging areas and sorting areas shall be surfaced with asphalt concrete or concrete paving.

10. Operating hours shall not exceed 8:00 a.m. to 7:00 p.m. when located within two hundred (200) feet of a residentially zoned or occupied property.

11. All storage of material shall be in sturdy containers or enclosures which are covered, secured and maintained in good condition. Storage containers for flammable material shall be approved by the fire department.

12. Space shall be provided to park each commercial vehicle operated by the processing or transfer facility and for each employee of the facility.

## Section 18.09.180 Second Residential Dwelling Units

The purpose of these standards is to ensure that second residential dwelling units located in Residential Zoning Districts do not adversely impact either adjacent residential parcels or the surrounding neighborhood, and are developed in a manner which protects the integrity of the Residential Zoning District, while providing for needed housing opportunities for owners of eligible parcels. The second residential dwelling unit may be established by the conversion of an attic, basement, garage (with replacement of covered parking) or other portion of a single-family unit. A detached second residential dwelling unit may be established by the conversion of an accessory structure or by new construction. The City has determined that second residential dwelling units which are allowed on parcels with primary residences:

1. Provide for unmet housing needs;

2. Provide for efficient use of existing public infrastructure; and

3. Provide relatively affordable housing.

### A. Applicability

Second residential dwelling units are permitted in any Residential Zoning District subject to Design Review approval pursuant to Section 18.03 of this Title and as otherwise provided in this Section. Second residential dwelling units shall be prohibited on lots containing a guest house, garage converted to residential or non-residential use, mobile home, or more than one existing single family dwelling. The primary dwelling unit shall be completed and occupied prior to occupying a second residential dwelling unit.

### B. Property Development Standards

The second residential dwelling unit shall comply with all property development standards of the District in which it is located, existing building and fire Codes, and Design Review criteria, including but not limited to, setbacks, height limits and maximum lot coverage. In addition, the following standards shall apply:

1. The minimum lot size for a parcel to be eligible for a second residential dwelling unit shall be 6,000 square feet.

2. The parcel intended for the second residential dwelling unit must contain an existing single-family detached unit.

3. Not more than one second residential dwelling unit shall be placed on the same parcel.

4. Second residential dwelling units shall not exceed an interior size of 800 square feet.

5. Second residential dwelling units shall be subordinate to the primary dwelling in size and location, and the second residential dwelling unit's scale, appearance and character shall be similar to the existing primary dwelling unit and adjacent residences.

6. The second residential dwelling unit may be attached to or detached from the existing primary dwelling unit.

7. A second dwelling unit may be constructed from or within an existing building subject to the provisions of this Section.

8. Prior to issuance of any building permits for a second residential dwelling unit, a Design Review application shall be submitted and approved by the Planning Commission who shall approve, conditionally approve, or disapprove the request based on the provisions of Section 18.03.

9. Separate utility meters may be provided for second dwelling units in the R-2, R-3, and O-R Zoning Districts.

## Section 18.09.190 Self-Storage Warehouses

This Section is to ensure that self-storage warehouse operations, commonly known as "mini-storages," do not result in an adverse impact on adjacent properties by reason of parking demand, traffic generation, fire, or safety hazard, visual blight, or uses indirectly supportive of illegal or criminal activity. The special provisions in this Section are intended to differentiate self-service storage warehousing uses from more intensive wholesale or general warehousing uses, especially in regard to the differing parking requirements for these uses.

### A. Applicability

The provisions of this Section shall apply to all new self-storage warehouse uses and to all existing facilities at such a time as the storage area of the existing business is expanded.

### B. Minimum Development Standards

1. No business activity shall be conducted other than the rental of storage spaces for inactive storage use.

2. All storage shall be fully enclosed within a building or buildings.

3. No flammable or otherwise hazardous materials shall be stored on-site.

4. Residential quarters for a manager or caretaker may be provided in the development.

5. The development shall provide for 2 parking spaces for the manager or caretaker, and a minimum of 5 spaces for customer parking.

6. Aisle width shall be a minimum of 25 feet between buildings to provide unobstructed and safe circulation.

7. The site shall be entirely paved, except for structures and landscaping.

8. All on-site lighting shall be energy efficient, stationary and directed away from adjoining properties and public rights-of-way. See Section 18.09.050.

9. The site shall be completely enclosed with a 6 foot high solid decorative masonry wall, except for points of ingress and egress (including emergency fire access) which shall be properly gated. The gate(s) shall be maintained in good working order and shall remain closed except when in use.

10. Hours of operation for storage facilities located adjacent to Residential Zoning Districts are restricted to 7:00 a.m. to 9:00 p.m., Monday through Saturday, and 9:00 a.m. to 9:00 p.m. on Sundays.

## Section 18.09.200 Automobile Service Stations

The purpose of these standards is to ensure that automobile service stations do not result in an adverse impact on adjacent land uses, especially residential uses. While automobile service stations are needed by residents, visitors, and employees of the City, traffic, glare, and uses associated with automobile service stations, particularly those open 24 hours per day, may be incompatible with nearby uses, particularly residential uses.

### A. Applicability

Automobile service station uses are permitted only with approval of a Conditional Use Permit. The provisions of this Section shall apply to all new automobile service stations and to any expansion of 30% or more in floor area, or a remodeling, or any on-site development that is valued at more than 50% of the value of the improvements on the parcel at the time of remodeling, excluding land value. An existing automobile service station which undergoes a change of ownership, name or similar change without physical alterations to the property is not a "new automobile service station" for purposes of this Section. Subject to applicable law, the provisions of this Section shall also apply to an automobile service station which after being closed for more than 180 days is to be reopened.

### B. Minimum Development Standards

1. Setbacks

   No building or structure shall be located within 20 feet of any curb face, or within 10 feet of any interior parcel line, whichever is more.

2. Corner Locations

   Automobile service station buildings, mini-markets, and other permitted incidental automobile service station related uses proposed at corner locations shall be oriented away from the street frontage. Rear building elevations shall be oriented toward the corner and shall have architectural details consistent with the overall design theme.

3. Gasoline Pumps

   Gasoline pumps shall be at least 20 feet from any property line.

4. Canopies

Canopies shall be at least 10 feet from any property line and shall be attached to and architecturally integrated with the main structure.

5. Walls

Automobile service stations shall be separated from adjacent residential property by a decorative masonry wall of not less than 6 feet in height. Materials, textures, colors, and design of all walls shall be compatible with on-site development and adjacent properties. No wall required to be erected and maintained by the provisions of this Section shall be constructed within 5 feet of a driveway entrance or vehicle access way opening onto a street or alley that would obstruct a cross view of pedestrians on the sidewalk, alley, or elsewhere by motorists entering or exiting the parcel.

6. Paving

The site shall be entirely paved, except for buildings and landscaping.

7. Landscaping

The automobile service station site shall be landscaped pursuant to the following standards:

a. A minimum of 15% of the site shall be landscaped including a planting strip at least five feet wide along all interior parcel lines, non-driveway street frontages, and adjacent to buildings. Planters shall be surrounded by masonry or concrete curbs and so arranged as to preclude motor vehicles from driving across the sidewalk at locations other than access driveways. Permanent opaque landscaping or berming shall be provided and maintained in the planters at a height of not less than 3 feet above the average adjacent grade.

b. A minimum of 150 square foot landscaped area shall be provided at the intersection of 2 property lines at a street corner.

c. All landscaped areas shall be properly maintained in a neat, orderly, and safe manner. Such landscaping and maintenance shall include, but not be limited to, the installation and use of an automatic irrigation system, permanently and completely installed, that delivers water directly to all landscaped areas.

8. Access and Circulation

No more than two driveways with a maximum width of 35 feet each and separated by a distance approved by the City Engineer shall be permitted on any one street frontage and shall be located as follows:

a. Driveways shall not be located closer than 50 feet from the beginning of the curb return of a street intersection, 15 feet from a residential property line or alley, nor as to otherwise interfere with the movement and safety of vehicular and pedestrian traffic, subject to the approval of the City Engineer.

b. All lubrication bays and wash racks shall be located within a fully enclosed building. Access to the service bays and wash racks shall not be located within 50 feet of a residentially zoned property, and shall be oriented away from public rights-of-way.

9. Restrooms

Each automobile_service station shall provide a men's and women's public rest room that are accessible to the general public and physically disabled during all hours the automobile_service station is open to the public. Restrooms shall be attached to a structure on-site with entrances or signage clearly visible from the gasoline service area or cashier station, and concealed from view of adjacent properties by planters or decorative screening and shall be maintained on a regular basis.

10. Telephones

At least one public telephone shall be provided at each automobile_service station in a location that is easily visible from public rights-of-way.

11. Vending Machines

Coin-operated vending machines may be permitted within or abutting a structure for the purpose of dispensing items commonly found in automobile service stations, such as refreshments and maps. Vending machines outside of buildings may not be illuminated.

12. Location of Activities

All repair and service activities and operations shall be conducted entirely within an enclosed service building, except as follows:

a. The dispensing of petroleum products, water, and air from pump islands.

b. Replacement service activities such as wiper blades, fuses, radiator caps, and lamps.

c. Minor repair work taking less than one hour to perform.

d. The sale of items from vending machines placed next to the main building in a designated area not to exceed 32 square feet, and screened from public view.

e. The display of merchandise offered for customer convenience on each pump island, provided that the aggregate display area on each island shall not exceed 12 square feet and that the products shall be enclosed in a specially designed case.

f. Motor vehicle products displayed along the front of the building and within 36 inches of the building, limited to 5 feet in height and not more than 10 feet in length.

13. Lighting - See Section 18.09.050 Outdoor Lighting.

14. Refuse Storage and Disposal

Trash areas shall be provided and screened according to the provisions of Section 18.10.060.

a. All trash shall be deposited in the trash area and the gates leading thereto shall be maintained in working order and shall remain closed except when in use.

b. Refuse bins shall be provided and placed in a location convenient for customers.

c. Trash areas shall not be used for storage. The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment, or permanently disabled, junked, or wrecked vehicles may be stored outside the main building.

15. Equipment Rental

Rental of equipment such as trailers and trucks shall be permitted subject to the following restrictions:

a. Rental equipment may not occupy or interfere with the required parking for the automobile service station.

b. The rental of the equipment must clearly be incidental and secondary to the main activity on the site.

16. Operation of Facilities

The automobile service station shall at all times be operated in a manner not detrimental to surrounding properties or residents. Site activities shall not produce or be reasonably anticipated to produce any of the following:

a. Damage or nuisance from noise, smoke, odor, dust, or vibration.

b. Hazard from explosion, contamination, or fire.

c. Hazard occasioned by the unusual volume or character of traffic, or the congregating of a large number of people or vehicles.

## Section 18.09.210 Sidewalk Cafes

The purpose of this Section is to permit sidewalk cafes that enhance the pedestrian ambiance of the City, but to also ensure that they do not adversely impact adjacent properties and surrounding neighborhoods consistent with the goals, objectives, and policies of the General Plan.

### A. Permit Required

The Planning Director is authorized to approve sidewalk cafes through the Plot Plan Review process, or the Planning Commission may through the Conditional Use Permit process, consistent with Table 18.050.030-A subject to issuance of an encroachment permit by the City Engineer and the appeal provisions of chapter18.03.

## B. Minimum Development Requirements

Each sidewalk cafe shall comply with the property development standards for the Zoning District in which it is to be located and with the special conditions below.

1. Accessory Use

   The sidewalk cafe shall be conducted as an accessory use to a legally established restaurant or other eating and drinking establishment.

2. Location

   A sidewalk cafe may be located on the public sidewalk immediately adjacent to and abutting the indoor restaurant which operates the cafe, provided that the area in which the sidewalk cafe is located extends no farther along the sidewalk's length than the actual sidewalk frontage of the operating indoor restaurant.

3. Sidewalk Clearances

   A sidewalk cafe may be permitted only where the sidewalk is wide enough to adequately accommodate the usual pedestrian traffic in the area, all applicable access requirements (including state and federal disability access requirements), all applicable City standards for pedestrian travel ways and the operation of the proposed cafe. A sidewalk cafe shall not occupy more than 50 percent of the sidewalk's width at any point and not less than 5 consecutive feet of sidewalk width at every point shall be kept clear and unimpeded for pedestrian traffic.

4. Enclosure

   Awnings or umbrellas may be used in conjunction with a sidewalk cafe, but there shall be no permanent roof or shelter over the sidewalk cafe area. Awnings shall be adequately secured, retractable, and shall comply with the provisions of the California Building Standards Code as in effect in the City.

5. Fixtures

   The furnishings of the interior of the sidewalk cafe shall consist only of movable tables, chairs, umbrellas and outdoor heaters. Lighting fixtures may be permanently affixed onto the exterior front of the main building. Music or speakers shall be prohibited.

6. Refuse Storage Area

   No structure or enclosure to accommodate the storage of trash or garbage shall be erected or placed on, adjacent to, or separate from the sidewalk cafe on the public sidewalk or right-of-way. Sidewalk cafes shall remain clear of litter at all times.

7. Hours of Operation

   The hours of operation of the sidewalk cafe shall be limited to the hours of operation of the associated restaurant or other eating and drinking establishment.

8. Food and Beverages

A sidewalk cafe may serve only food and non-alcoholic beverages prepared or stocked for sale at the adjoining indoor restaurant; provided, however, that the service of beer or wine, or both, solely for on-premise consumption by customers within the area of the sidewalk cafe may be authorized by the Planning Director as part of the Plot Plan approval.

## Section 18.09.220 Single-Room Occupancy (SRO) Living Units

The purpose of these regulations is to provide development standards for reduced-sized commercial dwelling units, defined as single-room occupancy (SRO) living units, with limited parking requirements to provide additional options for affordable housing opportunities and for people with special needs in proximity to transit and services.

### A. Permit Required

Single-room occupancy living units shall be conditionally permitted in Residential and Commercial Zoning Districts as shown in Tables 18.04.040-A and 18.05.030-A. Design Review shall be required for new construction and/or exterior modifications to existing structures.

### B. Minimum Development Requirements

Each single-room occupancy living unit shall comply with the property development standards for the Zoning District in which it is to be located and with the special conditions below.

1. Excluding the closet and the bathroom area, a SRO living unit shall be a minimum of 150 square feet and a maximum of 400 square feet in floor area. All SRO units must have a closet.
2. Each SRO living unit shall be designed to accommodate a maximum of two persons.
3. SRO projects shall have at least 10 square feet of common usable open space per unit; however, no SRO project shall provide less than 200 square feet of common outdoor open space and 200 square feet of common indoor open space. Maintenance areas, laundry facilities, storage (including bicycle storage), and common hallways shall not be included as usable indoor common space. Landscape areas that are less than 8 feet wide shall not be included as outdoor common space. Fencing shall meet the requirements set forth in Section 18.09.030. Outdoor Lighting shall meet the requirements set forth in Section 18.09.050.
4. Common open spaces shall be designed and furnished for use by residents. Appropriate furnishings for indoor spaces may include such items as lounge chair(s) and/or couch(es), table(s) with chairs, writing desk(s), and television(s). Outdoor furnishings may include such items as outdoor bench(es), table(s) with chairs, barbecue(s), and shade umbrella(s).
5. Any outdoor balconies for individual SRO units shall not be visible from the street or public right-of-way.
6. Laundry facilities with a minimum of one washer and one dryer shall be provided in a separate room. Additional washers and dryers must be provided

for any development that has more than 20 units at the ratio of 1 washer and 1 dryer for every additional 20 units or a portion thereof.

7. Each unit shall have its own bathroom.

8. Each individual single-room occupancy living unit shall have facilities for cooking, refrigeration and washing utensils. Facilities for community garbage storage or disposal shall be provided on each floor.

9. All SRO units must have access to a separate usable storage space within the project.

10. SRO projects shall provide one-half (0.5) off-street parking space plus one (1) easily accessible space for storing and locking a bicycle per unit. SRO projects providing extremely low income and farmworker housing may request reduced parking requirements at the discretion of the approving body.

11. An SRO Facility with 10 or more units shall provide 24 hour on-site management. An SRO Facility with less than 10 units shall provide a management office on-site.

12. All SRO projects must have a management plan approved by the City of Cloverdale Planning Department staff. The management plan shall contain management policies, maintenance plans, rental procedures, tenant rules, and security procedures.

13. A cleaning supply storeroom and/or utility closet with at least one laundry tub with hot and cold running water shall be provided on each floor of the living unit building.

## Section 18.09.230 Solar Energy Systems

This Chapter is intended to implement adopted federal, state and local policies and to promote the use of solar energy by providing for the installation and construction of solar systems subject to reasonable conditions that will protect the public health, safety and welfare.

There are two main types of active solar energy systems: thermal and photovoltaic. Thermal solar energy systems are used to generate heat for hot water, cooking, heating, melting, steam engines, etc. Photovoltaic solar energy systems are used to generate electricity for both grid-tied and off-grid systems

### A. Applicability

This Section applies to both thermal and photovoltaic solar systems. Solar systems may be located in any Zoning District.

### B. Approvals Required

The applicant shall apply for and receive a building permit prior to installation of a solar energy system and/or making a material alteration to the size or placement of any solar energy system. Building permits for solar installations shall be issued administratively in compliance with Government Code §65850.5, Health and Safety Code Section 17959.1 and other applicable law.

## C. Recommended Site Development Standards

Subject to applicable law, the following development standards are recommended for the development of all new solar energy systems. Aesthetic integration of the solar equipment into the architecture of the structure or landscaping is preferred.

1. Roof Mounted Systems

   a. Preferred locations for solar energy panels shall be on non character-defining rooflines of a non-primary elevation or be screened in such a manner as to not be visible from adjacent public streets, to the extent that such location requirements do not unreasonably restrict the ability to install a solar energy system in a cost-efficient manner.

   b. The recommended maximum height of a roof-mounted solar collector is two feet from surface of the roof to the top of the collector, measured perpendicular to the roof surface, not exceeding the overall height of the building, with the remainder of the solar energy system below the level of the solar collector(s).

   c. For hip roofs, the recommended array location should not be closer than one and one-half (1 ½) feet to a hip or valley if modules are to be placed on both sides of a hip or valley.

   d. For gable roofs, the recommended location for modules should be no higher than two (2) feet below the ridge.

   e. On flat roofs it is recommended that arrays be set back from the edge to minimize visibility and that solar panels and devices run parallel to the original roofline.

   f. Solar panels, solar devices, mechanical equipment and mounting structures with non-reflective finishes such as an anodized finish are preferred. Solar panels and solar devices that are similar in color to roof materials, if available, are also preferred.

   g. It is recommended that mechanical equipment attached to the building fascia be painted the same color as the fascia in order to blend into the building.

2. Ground-Mounted Systems

   All ground-mounted solar energy systems shall be considered as and meet the setback requirements for accessory structures, to the extent feasible. Solar energy panels should be located and/or screened in such a manner as to not be visible from adjacent public streets to the extent that such siting requirements do not unreasonably restrict the ability to install a solar energy system in a cost-efficient manner.

3. Historic Structures or Districts

   Care should be taken to avoid removing historic roofing materials in order to add solar panels; disturbing the original roof line, dormers, chimneys or other original features to add solar panels; and altering character-defining elements

such as historic windows, walls, siding or shutters that face public streets or contribute to the character of the building.

**D. Discontinuation of Use**

All equipment associated with a solar energy system shall be removed within thirty days of the discontinuation of the use and the site shall be restored to its original pre-construction condition.

**E. Application Requirements**

1. The location of the roof-mounted solar panel system shall be indicated on the plans, including roof plan, elevation and mounting details for panel installation.
2. A dimensioned plot plan showing parcel boundaries, locations of adjacent buildings and vegetation shall be required for ground-mounted systems.

## Section 18.09.240 Swimming Pools and Recreational Courts

This Section ensures that the construction of swimming pools and recreational courts within Residential Zoning Districts as accessory uses is consistent with the predominant residential character of the neighborhood.

**A. Permit Required**

Swimming pools and recreational courts may be permitted as accessory uses to the primary residential uses.

**B. Swimming Pools**

1. Swimming pools shall be set back a minimum of 5 feet from the rear and interior side property lines and 10 feet from a street side property line to the water line.
2. Swimming pools shall be located within the rear 1/2 of the lot or 50 feet from the front property line, whichever is less.
3. All swimming pools proposed to be heated must be equipped with a solar pool heating system. Conventional swimming pool heating systems are prohibited.
4. Pool filtering equipment shall not be closer than 20 feet to any dwelling other than the owner's.
5. No pool shall occupy over 50% of the required rear yard.

**C. Recreational Courts**

1. The maximum height of fences enclosing recreational courts shall be 6 feet, unless a Conditional Use Permit is obtained allowing a greater height.
2. Recreational courts shall be set back a minimum of 10 feet from side and rear property lines.
3. All lighting shall be:
   a. Designed, constructed, mounted, and maintained such that the light source is cut off when viewed from any point above 5 feet, measured outside of the lot at the lot line.
   b. Used only between the hours of 7:00 a.m. and 10:00 p.m.

4. The surface of any recreational court shall be designed, painted, colored, and/or treated to reduce reflection from any lighting thereon.

The above standards shall be considered minimum standards. The appropriate approval authority may impose more stringent standards in cases where extraordinary site conditions exist.

**Section 18.09.250 Vacation Rentals**

Vacation Rentals are permitted in Commercial Zoning Districts as indicated in Table18.05.030-A. A Vacation Rental is a residence that is rented in its entirety as a tourist accommodation and is distinguished from a Bed and Breakfast Inn because the Vacation Rental does not require an operator to reside on the premises. In general, it is expected that Vacation Rentals will be in existing houses.

**A. Permit Required**

A Conditional Use Permit shall be required for any Vacation Rental. The Conditional Use Permit shall expire and become null and void in one year from the date that the use becomes discontinued.

**B. Minimum Development Requirements**

Vacation Rentals shall comply with the development standards for the Zoning District in which it is to be located and with the special conditions below.

1. Any proposed Vacation Rental shall be compatible with the neighborhood and shall be harmonious and compatible with the existing uses within the neighborhood.
2. A Vacation Rental shall consist of no more than one complete residential unit on a parcel and must be detached from any other residential use.
3. Parking requirements are one space per bedroom. Excessive amounts of paving shall not be allowed. Areas devoted to parking and paving should not be disproportionate to the site size.
4. All California Building Standards Code and Fire Code requirements for the level of occupancy of the Vacation Rental shall apply and must be met.
5. All Environmental Health Regulations shall be met.
6. Guest stays shall be limited to a period less than thirty (30) consecutive days.
7. A City Business License is required and shall be maintained.
8. Transient Occupancy Tax (TOT) shall be paid by the owner or manager per requirements of the City of Cloverdale Municipal Code. Nonpayment of TOT when the use is still operational may constitute grounds for revocation of the Conditional Use Permit by the Planning Commission. Nonpayment for a period of one year shall be evidence that the use is discontinued.

**Section 18.09.260 Vehicle Repair Facilities**

This Section provides for the mitigation of potential noise, fumes, litter, and parking problems associated with motor vehicle repair facilities. The Development Standards contained

in this Section are intended to ensure that vehicle repair facilities operate harmoniously and are compatible with adjacent and surrounding uses.

**A. Permit Required**

Repair facilities are permitted in the applicable Commercial and Industrial Zoning Districts only with approval of a Conditional Use Permit. Each vehicle repair facility, including one that is part of and incorporated within an automobile dealership, shall conform to the development standards of the Zoning District in which it is to be located, with the development standards for automobile dealerships set forth herein, and with the following development standards.

**B. Minimum Development Standards**

1. Paving

   The site shall be entirely paved, except for buildings and landscaping.

2. Structures

   Entrances to individual service bays shall not face public rights-of-way or abutting residential parcels. All structures shall be constructed to achieve a minimum Standard Transmission Coefficient (STC) sound rating of 45-50.

3. Repair Activities

   All repair activities and operations shall be conducted entirely within an enclosed building. Outdoor hoists are prohibited.

4. Enclosure

   Repair facilities performing body and fender work or similar noise-generating activities shall be conducted in fully-enclosed structures with walls of concrete block or similar materials and doors in maximum half open position during operating hours. All painting shall occur within a fully enclosed booth.

5. Litter

   The premises shall be kept in a neat and orderly condition at all times and all improvements shall be maintained in a condition of reasonable repair and appearance. No used or discarded automotive parts or equipment or permanently disabled, junked or wrecked vehicles may be stored outside the main building.

6. Storage

   Exterior parking area shall be used for employee and customer parking only, and not for the repair or finishing work or long term (over one week) storage of vehicles. No vehicles to be repaired shall be parked or stored on any street or in any alley.

## Section 18.09.270 Wind Energy Systems, Small

The purpose and intent of this Section is to enable construction of small wind energy systems for on-site home, farm and small commercial use.

**A. Applicability**

Small wind energy systems may be permitted in any Zoning District on property below the 400 foot elevation subject to obtaining a Conditional Use Permit pursuant to chapter 18.03 of this Title and as otherwise provided in this Section. All proposed small wind energy systems shall also require environmental review in accordance with the California Environmental Quality Act.

**B. Site Development Standards**

The following development standards shall apply to the development of all new small wind energy systems:

1. Minimum parcel size. A small wind energy system shall only be located on a parcel that is a minimum one acre in size.

2. Spacing and collocation. Only one small wind energy system may be located on a parcel and shall not be located on a parcel that is:

   a. Within a scenic corridor identified by the Conservation, Design and Open Space Element of the City General Plan or a Scenic Highway Corridor designated pursuant to Article 2.5 (commencing with Section 260) of Chapter 2 of Division I of the Streets and Highways Code;

   b. Subject to a conservation easement established in compliance with Civil Code Section 815 and following, that does not specifically authorize wind energy conversion systems; or

   c. Subject to an open space easement established in compliance with Government Code Section 51070 and following, that does not specifically authorize wind energy conversion systems.

3. Setback requirements. A small wind energy system shall not be located closer to a property line, public right-of-way and/or public utility lines than the height of the tower.

4. Height limit. A small wind energy system tower (including the turbine) shall not exceed a maximum height of sixty-five feet on a parcel less than five acres, or a maximum height of eighty feet on a parcel of five acres or more; provided that, in all cases, the system shall comply with all applicable Federal Aviation Administration (FAA) requirements, including subpart B (commencing with Section 77.11) of Part 77 of Title 14 of the Code of Federal Regulations regarding installations close to airports, and the State Aeronautics Act (Part I (commencing with Section 21001) of Division 9 of the Public Utilities Code).

5. If the unit is visible beyond the property line, the tower/blades/equipment must be painted a non-reflective, unobtrusive color or have a non-reflective surface. No brand names or advertising may be visible from the ground or any public right-of-way.

6. Turbine. The turbine proposed for the system shall have been approved by the California Energy Commission (CEC) as qualifying under the Emerging Renewables Fund of the CEC's Renewables Investment Plan, or certified by a national program recognized and approved by the CEC.

7. Noise. Except during short-term events including utility outages and severe wind storms, a small wind energy system shall be designed, installed, and operated so that noise generated by the system shall not be a public nuisance or exceed any applicable noise standard.

8. Illumination. No illumination of the tower is permitted except as required by the FAA.

**C. Discontinuation of Use**

All equipment associated with a small wind energy system shall be removed within thirty days of the discontinuation of the use and the site shall be restored to its original pre-construction condition. The system may be declared a public nuisance if it has not generated power for 12 consecutive months, if it falls into general disrepair, or is not properly maintained.

**D. Application Requirements**

A Conditional Use Permit application for a small wind energy system shall include the following:

1. Standard drawings and an engineering analysis of the system's tower, showing compliance with the California Building Standards Code (CBSC) as in effect in the City, and certification by a California-licensed professional mechanical, structural, or civil engineer. A "wet stamp" shall not be required on the drawings and analysis if the application demonstrates that the system is designed to meet the most stringent wind requirements (UBC wind exposure D), the requirements for the worst seismic class (CBSC design category D), and the weakest soil class, with a soil strength of not more than one thousand pounds per square foot.

2. A line drawing of the electrical components of the system in sufficient detail to allow for a determination that the manner of installation conforms to the National Electric Code.

3. Information demonstrating that the system will be used primarily to reduce on-site consumption of electricity.

4. Evidence that the provider of electric utility service to the site has been informed of the applicant's intent to install an interconnected customer-owned electricity generator, unless the applicant intends, and so states in the application, that system will not be connected to the electricity grid.

5. Evidence that the proposed height of the windmill does not exceed the height recommended by the manufacturer or distributor of the system.

6. A visual simulation or architectural rendering.

# Chapter 18.10
# DESIGN STANDARDS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# Chapter 18.10
## DESIGN STANDARDS

### Section 18.10.010 Purpose and Intent

The following design standards are intended to protect the City of Cloverdale's unique characteristics in accordance with the Design Review section of this code.

### Section 18.10.020 Applicability

The activities and uses covered or described in this chapter, where permitted within the Zoning District in which they are to be located, shall comply with the provisions herein, in addition to all other standards and provisions of this Title, including but not limited to the City's Design Guidelines and the development standards for the Zoning District in which an activity or use is located.

### Section 18.10.030 Cloverdale Boulevard Design Standards

All development fronting on the portion of Cloverdale Boulevard shown inside the black line on Table 18.10.030-A is considered "Neighborhood Boulevard" and is subject to the design standards set forth in Table 18.10.030-A below.

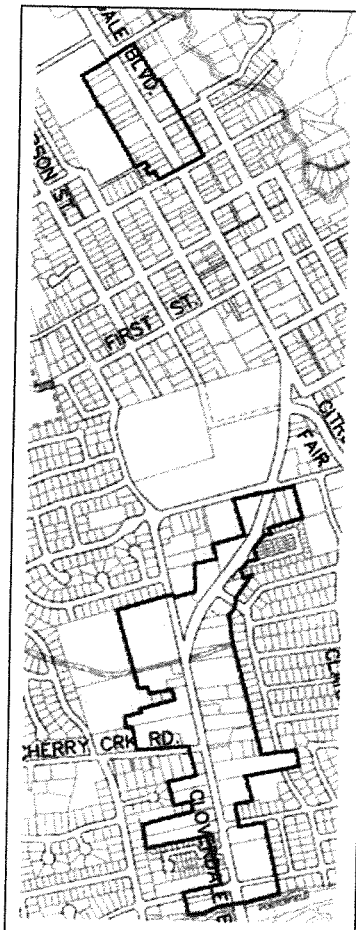
All development fronting on the portions of Cloverdale Boulevard shown by the black line on Table 18.10.030-B is considered "North and South Cloverdale Boulevard" and is subject to the design standards set forth in Table 18.10.030-B below.

### Section 18.10.040 Asti Road and Highway 101 Design Standards

The following design standards shall apply to commercial and industrial properties fronting on Asti Road, Highway 101, and other properties that are directly visible from Highway 101, in addition to any other applicable design standards prescribed by this Title.

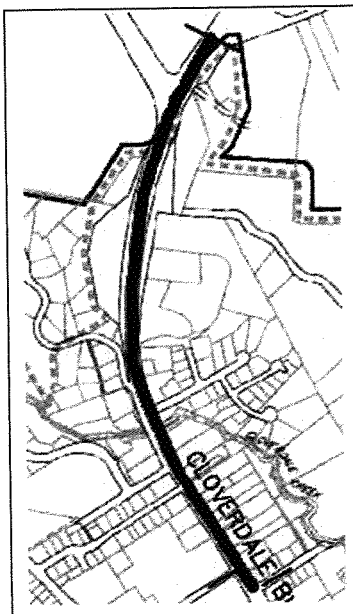
1. The design model for Asti Road is a tree-lined street where walking and bicycling is encouraged, and pavement for automobile uses is minimized, consistent with General Plan policies.
2. On-street parking is not allowed unless separated from travel lanes by a landscaped island or where existing street configuration allows parking.
3. Parking between Asti Road and the front of the building is not allowed.

**Table 18.10.030-A**
**Neighborhood Boulevard Design Standards**

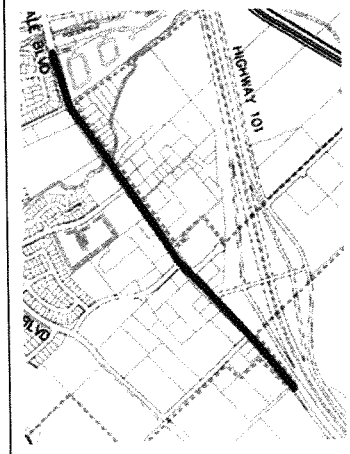



- The intent of the Neighborhood Boulevard design standards is to provide an attractive and appropriate transition into central Cloverdale.
- The design model for Cloverdale Boulevard is a tree-lined street where walking and bicycling is encouraged, and pavement for automobile uses is minimized, consistent with General Plan policies.
- On-street parking is not allowed unless separated from travel lanes by a landscaped island or where existing street configuration allows parking.
- All land uses shall have front entrances on Cloverdale Boulevard.
- Parking between Cloverdale Boulevard and the front of the building is not allowed.
- Building designs shall not allow backing onto Cloverdale Boulevard.
- Residential, office, lodging uses shall be designed as larger residential buildings (e.g. older houses in the northern Neighborhood Boulevard area).
- Retail and other commercial uses shall be designed to complement the residential design standard above.
- Historic design provisions apply to this area.

**Table 18.10.030-B**
**North and South Cloverdale Boulevard Design Standards**




North Cloverdale Boulevard




South Cloverdale Boulevard

- The design intent of the North and South Cloverdale Boulevard design standards is to provide an entrance into the City which identifies Cloverdale as an attractive place to live and as a City where high-quality business investment is welcome and justified.
- The design model for North and South Cloverdale Boulevard is a tree-lined street where walking and bicycling is encouraged, and pavement for automobile uses is minimized, consistent with General Plan policies. The appearance should have elements of a country road or rural street, even though serving City-level traffic.
- Where existing trees are parallel to Cloverdale Boulevard, alternative sidewalk and bikeway alignments may be considered in order to preserve those trees.
- On-street parking is not allowed on Cloverdale Boulevard unless separated from travel lanes by a landscaped island or where existing (pre-2009) street configurations have on-street parking. Removal of street parking is encouraged with new developments if consistent with existing street designs.
- Historic design provisions apply to this area.

## Section 18.10.050 Residential Design Standards

The following residential design standards shall be incorporated into the design of residential developments, where feasible. Where there is a conflict between design standards, the most restrictive shall apply.

Where single family homes are subject to Design Review the following provisions, in addition to the standards listed under Section 18.03.150 and the City's Residential Design Guidelines, shall apply in all cases:

1. The garage is setback from the front façade a minimum of five (5) feet, detached from the residence and located in the rear of the lot, or is not visible from the street.
2. The residence incorporates a front porch or courtyard visible from the street or sidewalk.
3. The location of the residence allows for the protection and preservation of native, mature trees (i.e. any local oak, conifer or hardwood species of at least 8" dbh).
4. Construction of the residence allows for the protection and preservation of natural features such as a creek, wetland, riparian area, etc. as identified in the City General Plan.

## Section 18.10.060 Commercial Design Standards

The following standards shall apply to development in all Commercial Zoning Districts, except as otherwise provided for in this Title:

1. All indoor uses shall be conducted within a completely enclosed structure unless outdoor use is allowed in the Zoning District. See Table 18.05.030-A.
2. There shall be no visible storage of motor vehicles (except display areas for sale or rent of motor vehicles), trailers, airplanes, boats, recreational vehicles, or their composite parts; loose rubbish, garbage, junk, or their receptacles; tents, equipment; or building materials in any portion of a lot. No storage shall occur on any vacant parcel. Building materials for use on the same premises may be stored on the parcel during the time that a valid building permit is in effect for construction.
3. Ground-mounted equipment incidental to commercial development shall be appropriately screened with solid walls and/or landscaping.
4. All roof-mounted air conditioning or heating equipment, vents or ducts shall not be visible from any abutting lot, or any public street or right-of-way. This shall be accomplished through the extension of the main structure or roof or screened in a manner which is architecturally integrated with the main structure(s).
5. Every parcel with a structure shall have trash and recycling receptacles on the premises. The receptacle(s) shall be screened from public view and adjacent residential developments on at least three sides by a solid wall or fence and on the fourth side by a solid gate.
6. Commercial and industrial loading areas shall be screened from public view.
7. Elevations of all structures shall be architecturally treated to ensure compatibility with high quality neighboring structures.

### A. Downtown Commercial (DTC) Zoning District Design Standards

1. The intent of the DTC Zoning District is to encourage retail storefront design at the street level, so that pedestrian-oriented retail uses and similar activity generating uses can locate in the DTC zone without the need for a storefront redesign.

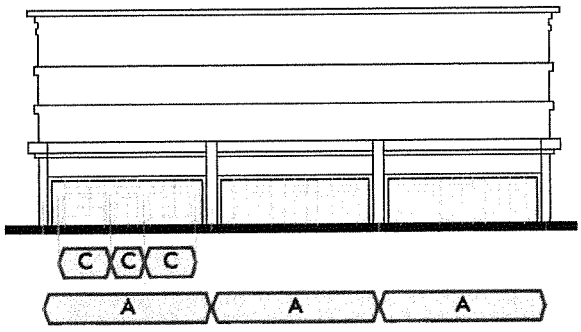
2. The design model for the DTC Zoning District is buildings with 2-3 story height, with the first floor designed for pedestrian-oriented retail and activity generating uses and upper stories available for residential, office, or commercial use. Upper floors will generally be differentiated from first floor designs.

3. A first floor pedestrian-oriented retail design is required, even if the proposed use is non-retail.

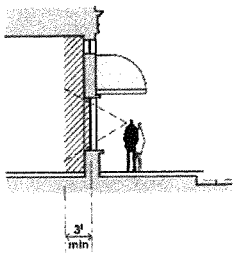
4. The street and sidewalk design standard for the DTC Zoning District is the standard used for 2002 Cloverdale Boulevard improvements on Cloverdale Boulevard and the 2009 First Street improvements on First Street.

5. Building street frontages shall be pedestrian-oriented design as defined in Chapter 18.14 including building faces flush with back of sidewalk, display windows which allow visibility to the interior of the store, recessed store entrances, and entrances at less than 25 foot intervals.

6. Maximum Storefront Design Increment (A) = 50 feet. Maximum Articulation Increment (C) = 25 feet.

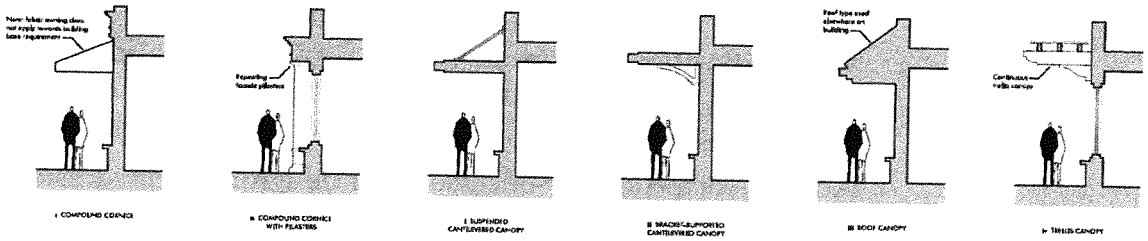



7. There shall be 3′ of unobstructed view through first floor storefront windows.



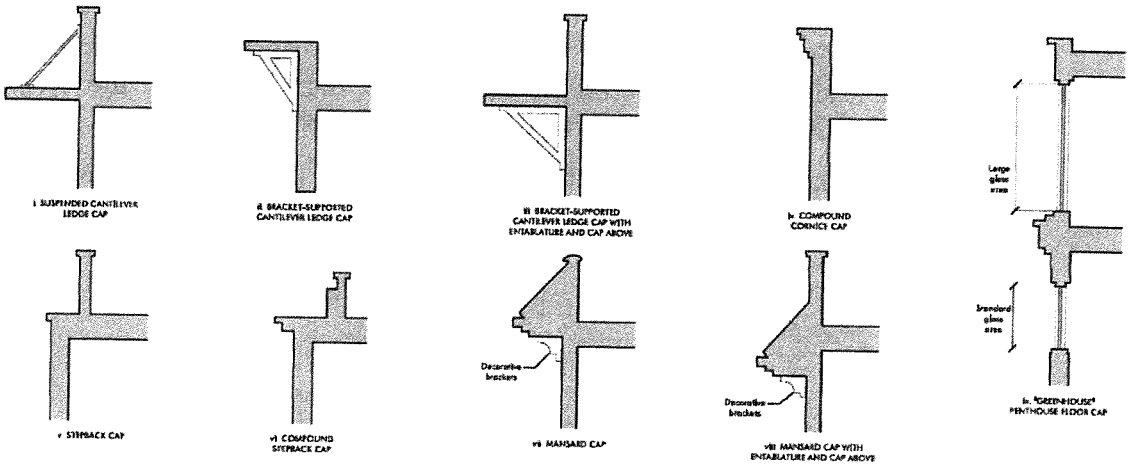

8. All entrances shall be inset or recessed so that doors can open without encroaching into the sidewalk right of way.

9. A structural articulation element (e.g. an intermediate cornice or canopy) is required between the first and second floor. A fabric awning does not satisfy this requirement.



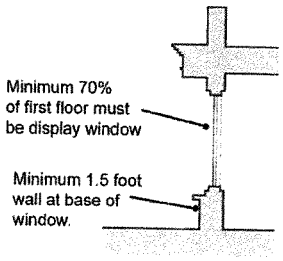
A) CORNICES B) CANOPIES

10. A visible building cap is required at the top of each building wall, except where prohibited by fire Codes.



C) BUILDING CAPS

11. Buildings should be designed for pedestrian-oriented retail use at the sidewalk level. First floor windows shall occupy at least 70% of the first floor street front elevation and shall have a minimum 1.5 foot wall section at the base of each storefront window.




12. All four sides of a building shall be designed with equivalent architectural elements as the building front, unless the elevations are not visible (e.g. flush with an adjoining building).

13. A distinctive corner treatment may be used to emphasize the corner of a building in special locations such as gateways and other places of significance. This treatment differentiates the corner of the building primarily through vertical massing and through articulation with elements such as a corner tower, façade projections/recessions, balconies, roof articulation, and changing repetitive façade elements.

14. In general, windows shall be recessed into the wall plane four inches or more.

15. Residential balconies shall not face a street frontage or be visible from public streets or walkways.

16. Chain link fencing is not allowed in the DTC Zoning District, except for temporary purposes when needed to protect areas for public safety and to restrict access to construction projects. The fencing must be removed when the public safety issue is resolved or the construction is completed.

17. Historic design standards apply in the DTC Zoning District.

**B. Downtown Support (DTS) Zoning District Design Standards**

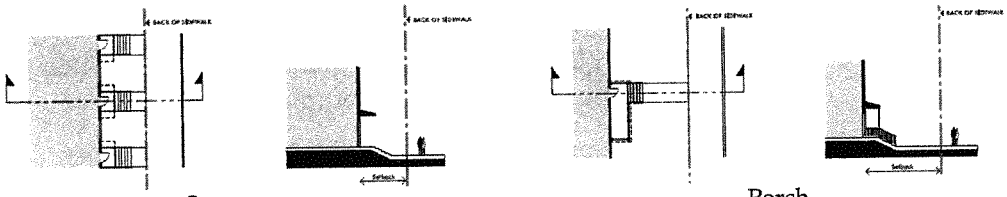
1. The design model for the DT Support Zoning District is to allow flexible design appropriate to a downtown location and provide for a wide variety of office, entertainment, residential, lodging, and commercial uses.

2. With the exception of the pedestrian-oriented commercial frontages (e.g. display windows and frequent entrances), all standards of the DTC District apply to the DTS District.

**C. Transit Oriented Development (TOD) Zoning District Design Standards**

1. The design model for the TOD Zoning District is buildings with front entrances facing a street and with parking to the rear. The goal is to create a walkable neighborhood to encourage walking between buildings, to the downtown, to public transit, and to the passenger rail station. In general, the buildings will have the appearance of row housing or grand single family houses (but with multiple living or working spaces). The space in the residential appearing buildings may be used for live-work, office, lodging, or limited commercial and small scale public use as well as residential use. Large-scale public uses may use an alternate design, which is appropriate to public purposes but also complements the residential design model.

2. Front access to individual units shall be by a stoop or porch. Access to public buildings shall create a distinctive entrance feature that welcomes the public into the building. Entrances shall not be flat against the building front without a substantial architectural feature to distinguish the entrance.



Stoop Porch

3. Streets should be designed in a grid pattern with short blocks to provide safe walking and bike circulation. Street frontages should have comfortable sidewalks, trees in planter strips or tree grates, and pedestrian-scale street lights.

4. Buildings should be located close together and should have architectural variety (windows, materials, projections) on the ground floor to create visual interest to pedestrians.

5. Parking should be to the rear of buildings and not between the public right-of-way and the functional front or side of the building. Private roads that function as through streets are considered as public right-of-way for this purpose.

6. Access driveways should be shared between buildings or facilities to limit the number of curb cuts that would cross public sidewalks and cause conflicts with pedestrians.

7. Shared parking between residential and non-residential use is encouraged.

8. Chain link fencing is not allowed in the TOD Zoning District, except for temporary purposes when needed to protect areas for public safety and to restrict access to construction projects. The fencing must be removed when the public safety issue is resolved or the construction is completed.

**D. Office/Multi-Family (O-R) Zoning District Design Standards**

1. The O-R District provides a transition between the older residential areas surrounding the downtown and the pedestrian-oriented downtown businesses.

2. The design model for the O-R District is to conserve the existing residential style buildings including design, size, scale, and neighborhood continuity created by existing (pre-2009) single family housing, while allowing both single family and downtown serving office uses to occupy the structures.

3. A PUD Permit may be granted with flexible land use, parking, setback, and mixed use standards in order to maintain neighborhood design and character (see PUD Permit standards).

4. Preservation of existing residential structural types is preferred to demolition and construction of new buildings. If new construction is proposed, design shall be based entirely on conserving the residential neighborhood design character of the area, including form, color, height, materials, window designs, type of front door access, and yard characteristics of surrounding older houses and buildings. The area between the building and the street shall not be used for parking in new construction.

5. Chain link fencing is not allowed in the O-R District, except for temporary purposes when needed to protect areas for public safety and to restrict access to construction projects. The fencing must be removed when the public safety issue is resolved or the construction is completed.

6. Historic design provisions shall apply in the O-R District.

**Section 18.10.070 Industrial Design Standards**

1. Where off-street parking areas are situated such that they are visible from any street, a wall, berm, or combination wall/berm three (3) feet in height shall be erected between the required landscape area and the parking area to adequately screen said parking areas.

2. Required front and street side building setback areas shall be landscaped. Said landscaping shall consist predominantly of plant materials except for necessary walks and drives. Where off street parking is located within such building setback areas, a minimum landscaping area of 10 feet in depth shall be provided

between the property line and said off street parking area, with an additional minimum landscape area of 10 feet in depth between parking areas and buildings.

3. Except as otherwise permitted, a street side building setback area shall be used only for landscaping, pedestrian walkways, driveways, or off-street parking.

4. Except as otherwise permitted, required rear and interior side building setback areas shall be used only for landscaping, pedestrian walkways, driveways, off-street parking or loading, recreational activities or facilities, and similar accessory activities.

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## Chapter 18.11
## PARKING AND LOADING REQUIREMENTS


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# Chapter 18.11
# PARKING AND LOADING REQUIREMENTS

## Section 18.11.010 Purpose and Intent

The purpose of this chapter is to ensure the adequate provision of parking facilities proportionate to the needs created by the various land uses within the City of Cloverdale.

## Section 18.11.020 Applicability

### A. General Requirements

Off-street parking facilities shall be provided prior to occupancy of any structure hereafter built, enlarged, or altered in use. Such parking shall be permanently available and marked and maintained for parking purposes.

1. Building or other permits will be issued only after receipt of site plans clearly showing the design, location, number and dimensions for parking facilities and appurtenant features, according to the provisions of this chapter and construction standards of the City.
2. At the time of major alteration or enlargement of a structure or use there shall be provided off-street parking spaces in accord with this chapter.
3. A Minor Exception to parking requirements may be granted by the Planning Director for change in use or expansions of commercial development or for additions to single-family residences in certain circumstances. See Section 18.03.

## Section 18.11.030 Location

All off-street parking facilities shall be located so as to be accessible and usable for the associated use or activity. Upon approval of a Plot Plan Review, off-site parking areas may be allowed within 400' from the use for which the parking is required, if the parking and maintenance of parking is guaranteed in perpetuity, by recorded agreement with the City as a party.

## Section 18.11.040 Requirements for Developments with Several Uses

When several uses occupy a single structure or parcel, the total required parking shall be the sum of the requirements for each individual use. Off-street parking facilities for one use shall not be considered as providing the required parking for any other use, except as specifically provided in this chapter. In a shopping center, a common parking lot may be established for the entire center, as long as the center has deed restrictions to assure that all uses can use the common parking facilities.

## Section 18.11.050 Off-Street Parking Requirements by Land Use

The off-street parking requirements shown in Table 18.11.050-A shall apply to all buildings erected and new or expanded uses. Where the total requirements result in a fractional number, a fraction of 0.5 or greater shall be rounded to the higher whole number.

For any use not specifically set forth in this Section, the Planning Director or the Planning Commission shall determine the amount of required parking based upon similar uses,

or evidence of actual demand based on traffic engineering or planning data. The applicant shall provide the necessary data and background information.

**Table 18.11.050-A**

**Off-Street Vehicle Parking Requirements by Land Use**

| **Residential Uses** | |
|---|---|
| Single Family Dwelling (on a conventional lot, with a 20 foot minimum front yard setback, and fronting on a public or private street with on-street parking) | Two spaces per unit, one of which must be covered. Both spaces must be outside required setbacks and must have a minimum driveway length of 20 feet between the property line and the parking space. |
| Cluster Ownership Housing (Single family dwelling in a small lot PUD, Townhouses, Condominiums, and attached housing.) | One covered space per unit; plus 1.5 unrestricted shared parking spaces per unit; plus 0.5 parking space per unit, which may be restricted to specific units or may be unrestricted. |
| Second Residential Dwelling Units | One space per unit. Space may be in tandem and may be located in a driveway behind a required parking space. |
| Apartments and Multi-Family Dwellings (Generally designed for rental occupancy) | Studio unit: 1 covered space per unit and 0.5 unrestricted shared parking space per unit.<br>One bedroom unit: 1 covered space per unit and 1 unrestricted shared parking space per unit.<br>2+ bedroom units: 1 covered space per unit and 2 unrestricted shared spaces per unit. |
| Senior Housing | 1 covered space per unit, and<br>0.5 shared unrestricted parking space per studio and one bedroom unit and one shared unrestricted parking space per 2+ bedroom unit. |
| Single Room Occupancy (SRO) Living Unit | .5 space per unit plus one bicycle space per unit which can be locked |
| Residential Care Facilities | 1 uncovered space per 3 beds and 1 space per employee on the largest work shift |
| Mobilehome Parks | 1.75 spaces per unit, which may be in tandem, one (1) of which must be covered. |
| Large Family Day Care Facilities | 1 uncovered space per staff person other than the homeowner in addition to the required parking for the residential building |

| | |
|---|---|
| **Public and Semi-Public Uses** | |
| Public Buildings - Administrative | 1 parking space/ 250 sq. ft. of gross floor area. |
| Public and Semi-public Buildings - Assembly (including auditoriums, theaters, lodges, clubs, churches, mortuaries) | 1 parking space/5 fixed seats, or 1 parking space/50 sq. ft. of floor area designed for public assembly |
| Hospitals | 1 space/2 beds and 1 space/doctor or employee on the largest shift |
| Convalescent Hospitals | 1 space/3 beds and 1 space/doctor or employee on the largest shift |
| Public Utility Buildings (without on-site offices) | 1 parking space/2 employees on the largest work shift. |
| **Schools** | |
| Grade Schools, Elementary, Junior High Schools | 1 parking space/classroom and 1 space per 250 square feet of office for faculty and employees |
| High Schools, Colleges | 1 parking space/classroom, 1 space per 250 square feet of office for faculty members and employees, and 5 parking spaces/classroom for students |
| Vocational, Business, Trade Schools | 1 parking space/3 students of the maximum classroom capacity and 1 space each employee |
| Child Day Care Facilities | 1 parking space/employee or teacher and 1 space/5 children |
| **Commercial Uses** | |
| General Retail, Office and Commercial | 1 parking space/250 sq. ft. of gross floor area |
| DTC and DTS Zoning District Commercial (retail and office only) | 1 parking space/300 sq. ft. of gross floor area or 1 space per 450 square feet if the building provides shared parking (see Section 18.11.080) |
| DTC, DTS, and TOD Zoning Districts, mixed use provisions for mixed residential and non-residential use. | With use permit approval, parking for the residential portion of a mixed use project may be reduced to one space per unit, provided that the square footage for each floor of residential use shall not exceed twice the square footage of first floor commercial use, and the commercial portion of the building provides all required parking. |

| Commercial Uses (cont.) | |
|---|---|
| Hotels and Motels | 1 parking space/unit, and 2 parking spaces for the manager's office. |
| Restaurants and Bars | 1 parking space/100 sq. ft. of public area (any area accessible by the public). |
| Drive-In Restaurants/Drive-Through Facilities | 1 parking space/75 sq. ft. of public area (any area accessible by the public). |
| Any portion of a site with outdoor sales, display, and rental areas, including nurseries, auto, recreational vehicle, boat sales | 1 parking space/2,000 sq. ft. open area for the first 10,000 sq. ft., then 1 space/5,000 sq. ft. over 10,000 sq. ft. Any enclosed building on the site shall meet the requirement for the most similar use to that in the enclosed building. |
| Automobile Service Stations | 3 parking spaces/working bay, plus 1 parking space/employee on the largest shift. |
| Vehicle Repair Facilities | 1 parking space/450 sq. ft. of floor area. |
| Bowling Alleys and Billiard Halls | 5 parking spaces per lane and 2 spaces per billiard table. |
| **Industrial and Warehouse Uses** | |
| Warehouse combined with retail store, service or repair shop or wholesale sales | 1 parking space/800 sq. ft. of gross floor area, or 1 parking space/employee and 1 space/company vehicle, whichever is larger. |
| Manufacturing and Warehouse | 2 parking spaces/3 employees on the largest shift, but not less than 1 space/2,000 sq. ft. of area used for allowed uses. |
| Self-storage Warehouse (or other storage containment yards) | 1 parking space/20 storage units with a minimum of 5 spaces for customer parking, 2 parking spaces for any manager or caretaker, plus adequate driveway width to permit one vehicle (8' x 20') to park in front of each unit without obstructing access. |

**Table 18.11.050-B**

**Bicycle Parking Requirements by Land Use**

| | Requirement |
|---|---|
| Commercial And Office Uses | Bicycle parking facilities are to be provided for commercial projects with buildings greater than 5,000 square feet in size. Such parking shall be located in a highly visible location and shall include provisions for locking of bicycles. (except in the DTC and DTS districts). |
| Industrial and Warehouse Uses | Bicycle parking facilities are to be provided for commercial and industrial projects with buildings greater than 5,000 square feet in size. Such parking shall be located in a highly visible location and shall include provisions for locking of bicycles. |

**Section 18.11.060 Recreational Vehicle Parking**

Improperly parked recreational vehicles in residential neighborhoods are regulated because they can:

- Mar the front yard appearance of residential neighborhoods
- Obstruct public sidewalks.
- Reduce adjacent property values and prevent neighbors from having full enjoyment of their property.

Recreational vehicles may be parked at residential properties but are subject to the following:

1. Screening is required for all recreational vehicles that are stored or parked in the open or on a vacant lot. They may be parked in a completely enclosed garages or structure as an alternative to the screening requirement and size limitation.

**Section 18.11.070 Truck Parking**

Parking or storing of trucks having an unladen weight in excess of six thousand pounds is prohibited on residential property for more than one hour any time of day, except for the purpose of loading or unloading the cargo of such vehicles.

**Section 18.11.080 Downtown Parking Area**

The downtown has many properties developed prior to the City parking requirements, and the downtown is unique in encouraging pedestrians to park once and visit many destinations without re-parking. Parking requirements and exclusions are intended to support pedestrian-oriented uses and pedestrian-oriented design. The following provisions apply only to uses located within the DTC and DTS Zoning Districts.

A. For a change of use that requires increased parking pursuant to Table 18.11.050-A., if the building is not expanded, additional parking may be waived by Conditional Use Permit if the use is activity generating, such as retail, restaurant, theater, or similar uses. Also see chapter 18.03 Minor Exceptions.

B. When a downtown building is destroyed or demolished, a Conditional Use Permit may be granted to allow parking credit for the demolished building square footage if the replacement building is pedestrian-oriented design. This exception does not expire.

C. Upon Conditional Use Permit approval, new construction may pay in-lieu parking fees as provided below. A Conditional Use Permit shall not be approved if cumulative approval of in lieu spaces exceeds the number of "new" shared parking spaces created for all development since May, 2005. A "new" space shall be a newly created parking space on public streets or in a public parking lot plus .25 times the number of spaces created in private shared lots as described in paragraph D below.

D. A property owner may offer permanent and unrestricted public use of a parking lot, guaranteed by easement granted in perpetuity to the City and giving the City the right to manage the parking lot at the City's option. The following provisions shall apply.

1. The parking lot shall meet the minimum requirements for number of spaces of the use that the lot serves, pursuant to Table 18.11.050-A (parking requirements by land use) and provisions A through C above.

2. The City may place parking restrictions, such as timed parking or metered parking, as needed to assure that the parking meets downtown parking needs.

3. As an incentive for providing unrestricted parking, the City may offer one or more of the following considerations: City improvement and maintenance of the parking lot, compensation from in-lieu parking fees, or provision of a portion of parking meter revenues, for a time and amount to be determined by the City, if meters are installed.

   a. The City may allow the parking lot owner to reserve up to 50% of the spaces for the time period most likely to be used by the property which the parking serves (e.g. parking for an office could be restricted from 8 a.m. to 5 p.m., with the parking being available to the public at other times).

4. In-lieu parking program. Upon approval of a Conditional Use Permit, the City may, but is not required, to allow a property owner to satisfy parking requirements by the payment of in-lieu parking fees. The in-lieu fee option may be requested by the property owner and cannot be required by the City.

   a. Parking in-lieu fees shall be established by resolution of the City Council. The fee shall be the cost of land and construction costs of building an average parking space. The fee resolution shall be updated if passed more than 12 months prior to a Conditional Use Permit request to pay lieu fees.

   b. The City shall develop and maintain a map showing the base number of unrestricted spaces available as of May 2005. The number of spaces that can be granted to satisfy parking requirements with in-lieu fees shall not

exceed the number of new unrestricted parking spaces that have been provided in the downtown or on streets adjoining the downtown after May 2005.

c. The total fee paid shall be the number of required spaces in Table 18.11.050-A. which are not provided on the applicant's site times the parking fee as established in paragraph 4.a. above.

5. Upon City Council approval, and subject to applicable law, fees may be waived for nonprofit uses such as events, museum, library, or similar pedestrian attracting uses for the downtown.

## Section 18.11.090 Design and Paving Standards for Off-Street Parking Facilities

### A. Dimensions of Parking Spaces

1. Automobile Parking Spaces

The standard uncovered stall size is nine (9) feet by eighteen (18) feet. Stalls shall be designed in accordance with City specifications (see Figure 18.11.090-B). Compact parking stalls may be allowed in commercial/industrial applications up to a maximum of 20% of the required parking. The stall size for compact spaces is eight (8) by sixteen (16) feet. Any space abutting a fence, wall, or landscape area, shall be a minimum of 10 feet wide. Covered parking spaces shall be a minimum of ten (10) feet by twenty (20) feet.

2. Motorcycle Parking Spaces

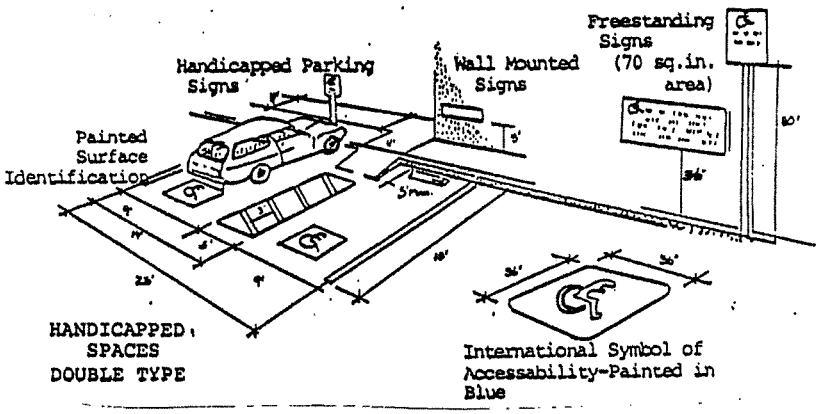
Each motorcycle space shall have a minimum usable area of 56 square feet.

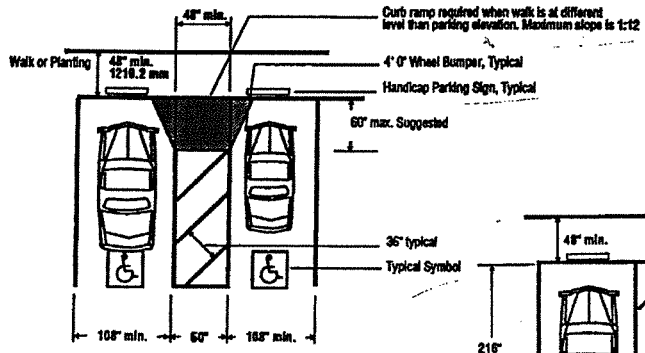
3. Handicapped Parking Spaces

The number and size of handicapped spaces is specified in Title 24, Section 2-07102 of the State Disabled Access Regulations.

## Figure 18.11.090-A

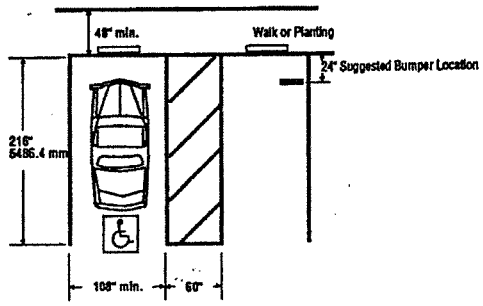
## Dimensions of Handicapped Parking Spaces




Handicap Spaces, Double Type

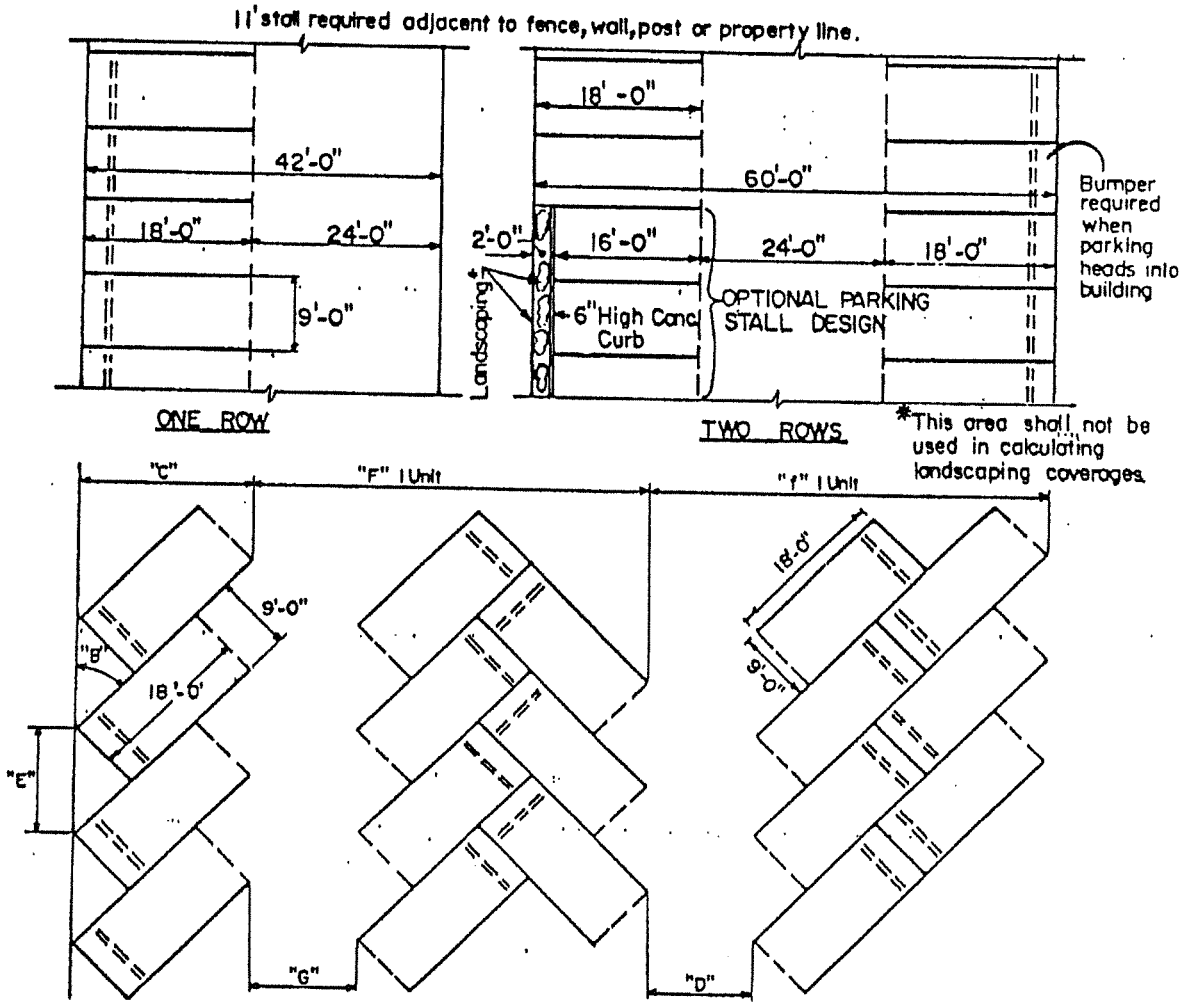
Note: Tow away sign required at all entrances.




Handicap Spaces, Single Type

This diagram illustrates the specific requirements of these regulations and is intended only as and aid for building and construction

## Figure 18.11.090-B
## Specifications for Off-Street Parking




NOTE: Strict adherence to these standards will not be construed to take precedcence over the intent of existing City ordinances.

C.O. *** Where uses require the provision of four or more parking spasces, such spaces shall be connected to aisles, drives or apron, etc., which shall be designed in such a manner as to permit and encourage automobiles to exit the site and enter onto public thoroughfares driving in a forward direction. Parking spaces shall not be permitted in any required building setback area, and all parking spaces and appurtenant aisles, drives, aprons, etc., shall be dust-proof, all weather surface and striped.

STALL & AISLE DIMENSIONS

| B | C | D | E | F / f | G |
|---|---|---|---|---|---|
| 90° | 18' | 24' | 9' | 60'-0" / 60'-0" | 24' |
| 60° | 20'-1" | 18'-4" | 10'-4" | 59'-8" / 59'-8" | 24' |
| 45° | 19'-1" | 12'-8" | 12'-8" | 55'-11" / 44'-7" | 24' |

B - Stall angle
C - Stall length
D - Aisle width ( row)
E - Stall length
F - Parking lot dimension
G - Aisle width (2 rows)

**B. Dimensions of Parking Bays and Aisles**

1. Vehicular

The minimum dimensions of parking bays and maneuvering aisles shall be as set forth in Figure 18.11.090-B.

2. Bicycle

A minimum aisle width of five (5) feet shall be provided between rows of bicycle spaces.

**C. Standard Improvements**

1. Directional Arrows and Signs

Within parking facilities containing 21 or more spaces, all aisles, approach lanes, and maneuvering areas shall be clearly marked with directional arrows to simplify vehicular movement. In addition to directional arrows, the Planning Director may require installation of signs to ensure safe and efficient vehicular movement.

2. Drainage

All parking facilities shall be graded and drained to dispose of surface water, subject to the approval of the City Engineer. Oil separation devices may be required if feasible. Surfacing, curbing and drainage improvements shall be sufficient to prevent the free flow of water onto adjacent properties or public streets or alleys, and to avoid standing pools of water within the parking facility.

3. Lighting

See Section 18.09 Outdoor Lighting.

4. Shopping Cart Storage

Parking facilities serving uses that provide shopping carts, such as, but not necessarily limited to supermarkets and drug stores, shall provide shopping cart storage areas. The dimensions and locations of such storage areas shall be determined by the approval body for the proposed use.

5. Striping and Identification

a. All automobile parking spaces shall be clearly outlined with painted lines on the surface of the parking facility.

b. All handicapped parking spaces shall be striped and marked according to applicable state standards.

c. Motorcycle spaces shall be marked so as to be clearly identified for motorcycle uses.

6. Surfacing

a. All permanent automobile, motorcycle and handicapped parking spaces, driveways, maneuvering areas and bicycle parking shall be paved and permanently maintained with asphalt or concrete to City requirements.

b. Temporary parking facilities shall be provided with surfaces which prevent dust.

**Section 18.11.100 Access for Off-Street Parking Facilities**

The location and design of all entrances and exits onto public rights-of-way shall be subject to the approval of the City Engineer so as to ensure minimum interference with the traffic flow and adequate site clearance.

1. For residential parking, a garage or carport shall have an unobstructed paved access with a twelve foot (12') minimum width for single-family development, and a sixteen foot (16') minimum width for any development exceeding three (3) units. Driveways shall not exceed 24 feet in width.

2. Parking areas for thirty (30) or more vehicles shall be provided with separate driveways for entrance and exit, and shall provide designated walkways for pedestrian access.

**Section 18.11.110 Clearance for Off-Street Parking Facilities**

All driveways shall be maintained with a vertical clearance of not less than twelve feet (12'). No encroachment into this vertical clearance shall be permitted.

**Section 18.11.120 Screening for Off-Street Parking Facilities**

Off-street parking areas located adjacent to any residential district shall be enclosed and/or effectively screened from view. Off-street parking facilities for multi-family residential development shall be screened so as not to be directly visible from the street.

**Section 18.11.130 Landscaping for Off-Street Parking Facilities**

Off-street parking areas containing five (5) or more parking spaces shall be subject to the following landscaping requirements. Prior to the issuance of a building permit, a landscape plan shall be submitted and approved by the Planning Director. The plan shall show the location, size, variety of plantings, water supply and similar designations.

1. A minimum of ten percent (10%) of the gross lot area shall be provided in landscaping in the interior of the parking area. The planting areas shall be a minimum size of twenty (20) square feet and distributed throughout the parking area. See Figure 18.11.120-C.

2. In addition to interior landscaping, the front setback shall be landscaped to provide a continuous landscaped strip, except for required access to the site.

3. All landscaped areas required for parking facilities shall comply with the following standards:

   a) Planting areas shall be served by an adequate, water-conserving irrigation system.

   b) All planted areas shall be continuously maintained in a healthy, growing condition, shall receive regular pruning, fertilizing, mowing, and trimming, and shall be kept free of weeds and debris by the owner or person in possession of such areas. Any damaged, dead, or decaying plant material shall be replaced within thirty (30) days from the date of damage.

c) Planted areas shall be protected with concrete curbs (minimum 6") or other acceptable barriers approved by the Planning Director.

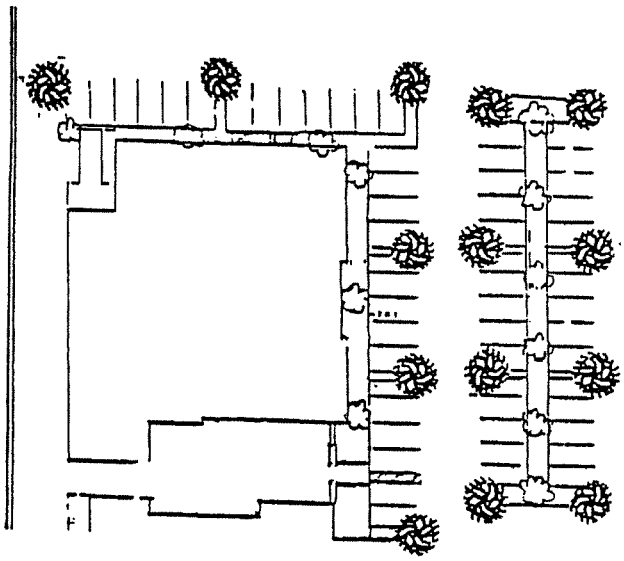
d) Trees and shrubs shall be provided at a ratio of one (1) tree for every five (5) parking spaces (see Figure 18.11.120-C). Ground cover and/or turf alone are not acceptable. Where screening is desirable, a combination of trees, shrubs, and berming (to a 3 ft. minimum) shall be used.

e) All trash dumpsters, transformer pads or other accessory structures placed in a parking lot shall be screened and designed to match the architectural style with such elements as masonry, stucco and shingles. The use of trellises in screening and landscaping is encouraged.

4. Parking lot landscaping shall be installed prior to final occupancy of the use for which the parking lot is required. Under certain circumstances, bonding will be allowed, subject to approval of the Planning Director.

**Figure 18.11.120-C**

**Landscaping Requirements for Parking Lots**



## Section 18.11.140 Maintenance of Off-Street Parking Facilities

1. Required parking spaces shall be kept available to residents, customers, patrons, or employees only, and shall not be used for storage of objects, materials, or fleet vehicles.

2. No storage of dismantled or disabled vehicles is permitted in driveways or open parking areas, unless specifically permitted as a part of site approval.

3. All parking areas shall be kept clean and free of dust, mud, or trash; pavement shall be maintained in a continuous state of good repair.

## Section 18.11.150 Off-Street Loading Areas

### A. General Requirements

All industrially and commercially zoned developments shall be designed with truck approach and backup areas so as to prevent truck maneuvering within public rights-of-way.

### B. Approach and Backup Areas

1. All industrial and commercial developments designed with dock-high approaches and/or truck wells shall be provided with at least one (1) backup area to the dock or well in accordance with the following schedule. The driveway aisle between parking stalls may be used for the approach, provided that a 48-foot wheel track turning radius is maintained.

| Berth or Aisle Width (feet) | Dock Approach (feet) |
|---|---|
| 10 | 120 |
| 12 | 117 |
| 14 | 113 |

2. The dock approach may not be encumbered by parking stalls or physical obstructions and shall be measured perpendicular to the dock or door.

3. The minimum dock or door overhead clearance (excluding pipes, lights, etc.) is twelve feet (12').

### C. Loading Areas

All industrial and commercial sites over 14,000 square feet and shopping centers shall provide at least one (1) identified loading area (12' by 10'). Access to the loading area must be designed to provide a 48-foot long semi-trailer truck maneuvering area. Loading areas shall be reviewed for impacts on adjoining residential areas. The Planning Commission may allow alternate loading arrangements depending upon the use, providing that:

1. The project proponent can demonstrate that adequate provisions for loading facilities appropriate for the site and type of building proposed can be made;

2. The proposed loading facilities will not adversely impact adjacent properties or traffic circulation on public streets and alleys.

## Chapter 18.12
## SIGN REGULATIONS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# Chapter 18.12

# SIGN REGULATIONS

## Section 18.12.010 Purpose

The purpose of this chapter is to establish regulations for the design, construction, location, and maintenance of signs that balance the needs of residents, businesses, visitors, and institutions for adequate identification, communication, and advertising with the objectives of protecting public health, safety, and general welfare and promoting a well-maintained and visually attractive community, consistent with State and federal law.

## Section 18.12.020 Applicability

The provisions of this chapter apply to all signs constructed or physically altered on or after the effective date of this chapter in all Zoning Districts, except as provided below. See also Chapter 18.02 Nonconforming Signs.

No sign shall be erected, re-erected, constructed, enlarged, relocated or altered (including change of copy or face change), except as provided by this Section, unless an Administrative Sign Permit or Planned Sign Program has been issued.

1. Administrative Sign Permit

   An Administrative Sign Permit is required for:

   a. Downtown Sign Program signs;

   b. Signs on properties with two or less separate permitted uses and a total aggregate sign area of 100 square feet or less;

   c. Monument signs less than 8 feet high; and

   d. Individual tenant signs within a site or building that has an approved Planned Sign Program.

   The Planning Director is authorized to approve, conditionally approve, or deny an Administrative Sign Permit, subject to the appeal provisions in Section 18.03.040. A public hearing is not required for approval of an Administrative Sign Permit. The Planning Director may, at his or her discretion, refer an Administrative Sign Permit to the Planning Commission.

2. Planned Sign Program

   A Planned Sign Program is required for any sign request that does not qualify for an Administrative Sign Permit. A Planned Sign Program is a master sign plan for all intended signs for a site or building. The Planning Commission is authorized to approve, conditionally approve, or deny a Planned Sign Program subject to the appeal provisions in Section 18.03.040. A public hearing pursuant to the provisions of Section 18.03.050 shall be required for approval of a Planned Signed Program.

**Table 18.12.020-A**

**Signs Permitted in Various Zoning Districts**

**Legend**

| | |
|---|---|
| P | Permitted |
| ASP | Administrative Sign Permit Required |
| PSP | Planned Sign Program Required |
| ASP/PSP | Administrative or Planned Sign Program Required depending on the project |
| NP | Not Permitted |

| | Types of Signs | Residential Zones | Commercial Zones | Industrial Zones | Public Institutional Zone |
|---|---|---|---|---|---|
| 1 | Nameplate | P | P | P | P |
| 2 | Identification Sign | ASP | ASP | ASP | ASP |
| 3 | Bulletin Board (for public/quasi public uses) | ASP | ASP | ASP | ASP |
| 4 | Wall Sign (for public/quasi public uses) | ASP | ASP | ASP | ASP |
| 5 | Individual Business Signs | NP | ASP/PSP | ASP/PSP | ASP/PSP |
| 6 | Directory Signs | ASP | ASP | ASP | ASP |
| 7 | Awning/Canopy Signs | NP | ASP/PSP | ASP/PSP | ASP/PSP |
| 8 | Monument Signs (including public/quasi public uses) | NP | ASP/PSP | ASP/PSP | ASP/PSP |
| 9 | Shopping Center Signs | NP | PSP | NP | NP |
| 10 | Marquee Signs | NP | PSP | PSP | NP |
| 11 | Downtown Sign Program | NP | PSP* | NP | NP |
| 12 | Flags | P | P | P | P |
| 13 | Information Signs | P | P | P | P |
| 14 | Memorial Signs | P | P | P | P |
| 15 | Official Government Notices | P | P | P | P |
| 16 | Traffic, Directional, Informational, Warning Signs | P | P | P | P |
| 17 | Residential Subdivision Entry Signs | PSP | PSP | NP | NP |
| 18 | Subdivision or Tract Sign | ASP | ASP | ASP | ASP |
| 19 | Temporary Signs | P | P | P | P |
| 20 | Off-site signs | NP | PSP | PSP | PSP |

* Only permitted in the DTC and DTS Zoning Districts.

**Section 18.12.030 Development Standards for Signs**

1. **Nameplates.** One non-illuminated nameplate is allowed per residential unit or business. Nameplates shall be affixed to the wall and shall not exceed one square foot in area.

2. **Identification Signs.** One non-illuminated identification sign is allowed for each street frontage for multiple-family dwelling complexes, public and quasi-public uses, and bed

and breakfast inns. Maximum area shall be 6 square feet. Maximum height shall be 4 feet.

3. **Bulletin Boards for Public/Quasi-Public Uses.** One non-illuminated bulletin board is allowed per site for a public or quasi-public use. The bulletin board shall not exceed 20 square feet in area or 5 feet above existing grade. Changeable messages shall be manually installed and may not be electronic and shall not exceed 75% of the sign face.

4. **Wall Signs for Public/Quasi-Public Uses.** One non-illuminated wall sign per building face fronting on a public street is allowed for public or quasi-public uses. Maximum size shall be 10 square feet.

   a. **Height.** Wall signs shall not be mounted or placed higher than the second story and shall not extend higher than the eaves or parapet of the building wall upon which they are attached.

   b. **Projection.** Wall signs shall not extend more than 12 inches beyond the face of the wall to which they are attached.

5. **Individual Business Signs.** Individual business signs are allowed for each business fronting on a public street or sidewalk.

   a. The maximum aggregate sign area allowed for each business shall be one square foot of signage for each lineal foot of a business frontage with a public entrance that faces a public street or sidewalk.

   b. The following signs are allowed for each business frontage as defined above; however, the aggregate sign area shall not exceed the permitted sign area. No portion of the allowable sign area for a business frontage may be transferred to another portion of the building or business.

      i One Wall Sign

         1. **Height.** Wall signs shall not be mounted or placed higher than the second story and shall not extend higher than the eaves or parapet of the building wall upon which they are attached.

         2. **Coverage.** Wall sign copy shall not occupy more than 75 percent of the length of the wall to which the sign is attached.

         3. **Projection.** Wall signs shall not extend more than 12 inches beyond the face of the wall to which they are attached.

         4. **Maximum sign area** allowed for any individual sign shall be 70 square feet.

      ii. Window Signs

         1. **Location.** Permanent window signs painted or otherwise adhered directly onto a window shall not be mounted or placed on windows higher than the second story. Only businesses located on the second floor may have second floor window signs.

         2. **Maximum sign area** allowed for any individual sign shall be 4 square feet.

iii. Awning/Canopy Signs (See 7 below)

iv. Projecting Signs (under-canopy signs)

1. **Illumination.** The sign shall not be illuminated.
2. **Sign Clearance.** Minimum of 7 feet.
3. **Area.** Maximum 6 square feet.
4. **Distance between signs.** Minimum 25 lineal feet.
5. **Projections.** Signs projecting into the public right-of-way are subject to an encroachment permit. Encroachment permits for signs projecting into the public right of way must be annually renewed.

6. **Directory Signs.** Directory signs may be placed on walls without a public entrance if those walls face a public street, walkway, public parking area, or parking area under the same ownership as the building where the sign is to be located.

7. **Awning/Canopy Signs.** Awning/canopy signs may be attached to or painted on the vertical edges of awnings, canopies, arcades, or similar features or structures, provided that the maximum height of sign text shall be no greater than 25 feet.

8. **Monument Signs.** Monument Signs are allowed for sites with two or more businesses with an integrated site and design plan.

   a. Signs are allowed on street frontages that have a primary entrance to the site.

   b. Maximum aggregate square footage of the sign face is 70 square feet.

   c. Maximum height of monument signs shall be 8 feet.

   d. The sign shall be located in a planter area at least twice the square footage of the sign face.

9. **Shopping Center Signs.** Shopping Center Signs are allowed for retail shopping centers with more than 40,000 square feet in site area and with an integrated site and design plan.

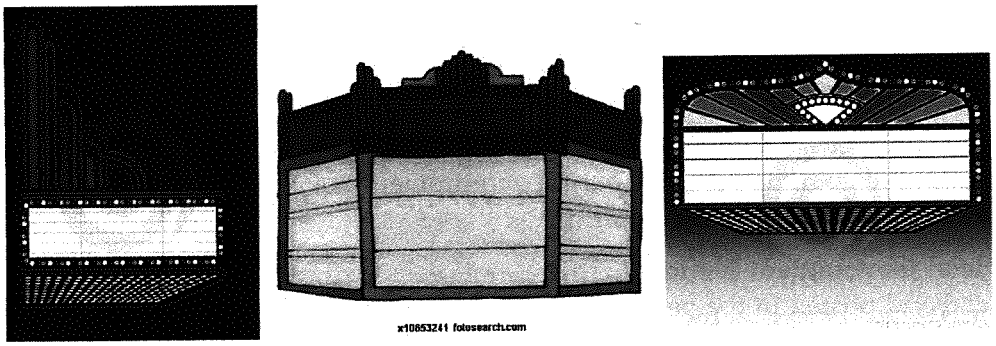
   a. Signs are allowed on street frontages that have a primary entrance to the center.

   b. Maximum aggregate area of shopping center signs shall be 200 square feet.

   c. Maximum height of Shopping Center Signs shall be 15 feet.

   d. The sign base is to be located within a planter box or planting area, the design and location of which is to be approved by the Planning Commission.

10. **Marquee Signs.** Marquee Signs are limited to theaters, performing arts facilities, conference venues, performance venues, or similar uses. The marquee sign may include manually changeable text to announce performances or events. A marquee sign may be a wall sign, or may extend on a structure from the building wall, and may have a portion of the sign above the eave or roof parapet. Examples:




Standards for a marquee sign are:

a. No portion of a marquee sign with manually changeable text shall be higher than the eave line or parapet wall of a building. Up to 25% of the sign area without manually changeable text may extend above the eave line or parapet wall of a building.

b. Projections. A marquee sign may extend from the building to which it is attached subject to approval from the City Engineer. All signs that project into the public right-of-way shall be designed and located so as to cause no harm to street trees. Signs projecting into the public right-of-way are subject to an encroachment permit and shall be renewed annually.

c. Changeable Copy. Manually changeable copy may occupy up to 75 percent of the area of a marquee sign.

11. **Downtown Sign Program.** In addition to the individual business signs allowed, the following signs are allowed in the DTC and DTS Zoning Districts and are not counted towards the maximum allowable sign square footage.

a. On-site or off-site signs erected by the City that direct customers to businesses, locations, or attractions in the downtown area.

b. "A" frame signs (in the DTC Zoning District only) provided the sign faces are designed as sign art and are made of wood. "A" frame signs are only permitted for uses that have conventional signage identifying the business or use. An encroachment permit must be obtained for "A" frame signs in the public right of way. The encroachment permit shall show the location of the signs or displays and shall be renewed annually.

12. **Flags.** Flags may be erected and located in accordance with the following standards.

a. Flagpoles shall not be located within any required yard setback.

b. Flagpole heights shall be limited to 30 feet.

c. Maximum aggregate flag area is 24 square feet in Residential Zoning Districts; 35 square feet in all other Zoning Districts.

d. Illumination of flags shall be top-mounted light fixtures in conformance with Section 18.09.050 Outdoor Lighting.

13. **On-Site Commercial Information Signs.** Information signs include wall or window signs that provide information to patrons of an enterprise such as credit cards accepted,

menus, redemption stamps or directories and signing on instant teller and similar automated outdoor dispensing machines. Information signs may not exceed an aggregate of four square feet in sign area.

14. **Memorial Signs.** Memorial signs or tablets, names of buildings or date of building erection are exempt from the permit requirements of this chapter when cut into any structural building element or surface.

15. **Official Government Notices.** Official notices issued by a court, public body or public official and posted in the performance of a public duty; notices posted by a utility in the performance of a public duty; or other signs required or authorized by law are permitted in all Zoning Districts without a permit.

16. **Traffic, Directional, Informational, and Warning Signs.** On-site traffic, directional, informational or warning signs erected by a public utility, common carrier, or public agency and not exceeding one square foot in area erected for the convenience of the public, such as signs identifying restrooms, public telephones, walkways and similar features or facilities; historical markers erected by a governmental body; or signs indicating danger and aids to service or safety may be erected without a sign permit.

17. **Residential Subdivision Entry Signs.** For identifiable residential subdivision entry signs, the maximum sign area permitted is 20 square feet. Signs shall be mounted on a fence, wall or other similar entry feature, and require a planned sign permit.

18. **Subdivision or tract sale sign.** One on-site sign per street frontage identifying the name of the subdivision or tract for sale, not exceeding 30 square feet in area is allowed and requires an administrative permit.

19. **Temporary Signs.** Any unlighted temporary sign, banner, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wallboard or other light materials, with or without frames for any event of limited duration including, but not limited to, entertainment, sporting events, construction, elections, real estate sales and rentals and sales of goods, may be erected and located in accordance with the following standards.

    a. In residential areas, temporary signs may not exceed 6 square feet, no portion of which may be higher than 7 feet above existing grade. In non-residential areas, temporary signs may not exceed 24 square feet, no portion of which may be higher than 10 feet above existing grade.

    b. Temporary signs shall be removed within 30 days after they are placed, erected or installed. The Planning Director may, for good reason, grant an extension of up to 45 days based on the sign owner's written application. In no case shall a temporary sign remain in place for more than 75 days or beyond the duration of the event for which it is erected, whichever is longer. Signs shall be on private property.

    c. Real estate signs shall be located on site and shall follow all provisions for temporary signs, except that signs may remain in place as long as the property is listed for sale.

20. **Off-site signs.** In addition to the individual business signs allowed, the following signs are allowed and are not counted towards the maximum allowable sign square footage.

a. On-site or off-site signs erected by the City that direct customers to businesses, locations, or attractions.

**Section 18.12.040 Prohibited Signs**

The following signs shall not be permitted, erected or maintained within the City of Cloverdale.

1. **Animated, Flashing, or Moving Signs.** Any animated sign or sign with lights or mechanical features that flash, move, rotate, scintillate, blink, flicker, reflect, vary in intensity, vary in color, or use intermittent electrical pulsations.
2. **Signs with changeable copy.** Any sign with automatic changeable copy in which copy can be changed or altered by electric, electro-mechanical, electronic, or any other mechanical or electronic means, and any sign with animation, rolling or running letters or message, flashing lights or displays as part of the display. However, bulletin board and marquee signs with manually changeable letters may be allowed as otherwise provided in this chapter.
3. **Balloons** or any other air inflatable advertisement.
4. **Signs with Noise, Odor, or Smoke Emissions.** Signs that produce noise audible from the public right of way or neighboring private property and signs that emit odor or visible smoke, vapor or particles.
5. **Fence Signs.** Signs attached or painted on fences or freestanding walls that are not part of a building.
6. **Obstruction of Ingress and Egress or Ventilation.** Signs shall not obstruct any door, window, or fire escape. No sign shall be attached to a standpipe, gutter drain, handicap access or fire escape. Signs shall not interfere with any opening required for ventilation.
7. **Off-Site Signs.** To the extent allowed by law, with the exception of off-site signs legally in existence at the time of adoption of this chapter or as permitted in Section 18.12.020, off-site signs are prohibited. Legally established off-site signs are subject to the nonconforming sign provisions of chapter 18.02. The prohibition against off-site signs shall not apply to messages lawfully placed on public property in accordance with this chapter.
8. **Pennants.**
9. **Pole Signs.**
10. **Portable Signs.** Portable signs are prohibited, except "A" frame or board signs and moveable signs on sidewalks as allowed in the Downtown Commercial Zoning District subject to downtown sign requirements.
11. **Roof Signs.** Signs shall not be erected or painted upon, over or above the roof of a building or structure, or affixed to the wall of a building so that it projects above the eave line of a roof, except as allowed in this chapter.
12. **Searchlights.**
13. **Signs Creating Traffic Hazards.** Signs that simulate in color, size or design any traffic control sign, signal or device, or that make use of words, symbols or characters in a manner that interferes with, misleads or confuses pedestrian or vehicular traffic are

prohibited. No sign, light or advertising structure shall be located in such a manner as to constitute a hazard to pedestrian or vehicular traffic, or in such a manner as to obstruct free and clear vision, at any location where, by reason of the position, shape, color or movement may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device.

14. **Signs on Public Property.** No person shall paint, mark, or write on, or post or otherwise affix any handbill or sign to or upon any sidewalk, crosswalk, curb, curbstone, street lamp post, hydrant, tree, shrub, tree stake or guard, post, railroad crossing, electric light or power or telephone or telegraph pole, or wire appurtenance thereof, or upon any fixture of the fire alarm or police communications system, or upon any lighting system, public bridge, public building or wall, drinking fountain, street sign, or traffic sign or any other public improvement or place. The prohibition against signs on public property shall not apply to signs or handbills posted by a public officer or public employee in the performance of a public duty; legal notices and messages that are authorized by law and placed on public improvements or places in accordance with this chapter and applicable law by authorized public officials.

15. **Signs on Private Landscaping.** No person shall paint, mark, or write on, or post or otherwise affix any handbill or sign within, to, or upon any tree, shrub, or tree stake or guard.

16. **Vehicle Display Signs.** Signs placed or displayed on vehicles parked in a conspicuous location used for on-site or off-site advertising, except for vehicles used in the normal conduct of business or parked on the business site or on a job site, or for sale signs for personal vehicles parked on the vehicle owner's property.

## Section 18.12.050 Design Principles

### A. Architectural Compatibility

A sign (including its supporting structure, if any) should be designed as an integral design element of a building's architecture and be architecturally compatible, including color and scale, with any building to which the sign is to be attached and with surrounding structures. A sign that covers a window or that spills over "natural" boundaries or architectural features and disrupts parts of upper floors of buildings is detrimental to visual order and is not permitted.

### B. Consistency with Area Character

The size, materials, colors, graphic style, illumination, and other features of the sign shall be in keeping with the visual character of the street or area in which it is proposed.

### C. Visibility

A sign should be conspicuous and readily distinguishable from its surroundings.

## Section 18.12.060 General Standards

This Section establishes general physical standards and requirements for signs. In addition to these general standards, all signs shall conform to all applicable specifications and standards of the California Electrical Code and any other element of the California Building Standards Code as in effect in the City.

**A. Materials**

Signs shall be made of sturdy, durable materials. Paper, cardboard and other materials subject to rapid deterioration shall be limited to temporary signs displayed for no more than 75 days.

**B. Clearance from Utilities**

Signs and their supporting structures shall maintain clearance from and not interfere with electrical conductors, communications equipment or lines, surface and underground facilities, conduits for water, sewage, gas, electricity communications equipment or lines or other utilities. Signs shall not be placed in public utility easements unless express written permission from the affected public utility and/or property owner, as required, is obtained. Signs shall maintain clearance from energized electric power lines as prescribed by the California Public Utilities Code, the regulations of the California Public Utilities Commission, and the orders of the California Division of Industrial Safety, as now in force and as hereafter amended.

**C. Pedestrian Clearance**

All signs above a pedestrian way, either on private or public property, shall provide a minimum of 7 feet of clearance between the pedestrian way and any portion of the sign.

**D. Signs Extending Within or Over Public Rights of Way**

No sign shall be located in or extend over or into a public right of way unless an encroachment permit has been issued by the City Engineer in accordance with all applicable permit requirements, including the sign owner obtaining insurance satisfactory to the City and protection acceptable to the City against claims or other liability related to the sign. All signs that project into the public right-of-way shall be designed and located so as to cause no harm to street trees. Any sign located in a public right of way must provide 8 feet of horizontal clear space for pedestrians on Cloverdale Boulevard and 5 feet clear space on other streets.

**E. Intersection and Driveway Visibility**

No sign shall obstruct the visibility necessary for safe ingress into or egress from a public right-of-way. Notwithstanding other provisions of this Section, signs and related structures must comply with the restrictions set forth in Section 18.09.030, "Fences, Walls and Hedges," on obstructing the "traffic safety visibility area."

**F. Illumination**

Where illumination is permitted by this chapter, illuminated channel letters, neon signs, and external illumination are allowed. Internally illuminated signs and unshielded or bare bulbs are prohibited. Lighting fixtures used to illuminate an outdoor sign shall be mounted on the top of the sign structure and focused downward. Light sources shall be steady, stationary, shielded, and directed so as to avoid undue glare for pedestrians, motorists and glare or reflection onto adjacent property. See also Section 18.09.050.

**Section 18.12.070 Sign Maintenance**

Each sign displayed within the City, including signs otherwise exempt from this chapter, shall be maintained to comply with the following standards:

1. Graffiti on a sign shall be removed pursuant to Chapter 8.38 of this Code.

2. The display upon any sign shall be maintained in good condition, without rips, tears, fading, peeling, or similar damage.

3. All parts, portions, units and materials composing a sign, together with the frame, background, surface, support or enclosure therefore shall be maintained in a safe condition, painted, and adequately protected from weathering with all braces, bolts and structural parts and supporting frames and fastenings reasonably free from deterioration, rot, rust, and loosening so that they do not create a hazard to persons or property or constitute a nuisance.

4. Any sign or sign structure that is sagging, leaning, fallen, decayed, broken, deteriorated, or otherwise in a dilapidated condition shall be promptly repaired, to the satisfaction of the City, or removed, and such signs that are not repaired or removed as required shall constitute a public nuisance and be subject to abatement in accordance with this Code and/or other applicable law

5. Abandoned signs shall be removed within 90 days of cessation of the use. Any sign not removed within the required period shall constitute a public nuisance and shall be removed pursuant to the procedures set forth in Division 3, Chapter 2.6 of the California Business and Professions Code (Section 5499.1, *et seq.*), as that Section may be amended from time to time.

## Section 18.12.080 Enforcement, Liability and Penalty

Violations of this chapter shall be enforced pursuant to Chapter 18.02, "Administration and Enforcement."

### A. Liability for Damages

Notwithstanding the foregoing, the provisions of this chapter shall not be construed as relieving or limiting in any way the responsibility or liability of any person erecting or owning any sign for personal injury or property damage resulting from the placing of such signs, or resulting from the negligence or willful acts of such persons, their agents, employees or workers in the construction, maintenance, repair or removal of any sign. Nor shall this chapter be construed as imposing upon the City, or its officials, officers, employees, agents, or volunteers any responsibility or liability by reason of the approval of any signs, materials or devices under the provisions of this chapter.

### B. Removal

In addition to the enforcement provisions set forth in Chapter 18.02, if the sign owner or the property owner fails to remove or alter a sign as required to comply with the standards set forth in this chapter after notice of a violation has been served on the sign owner and/or property owner, the Code Enforcement Officer or other designated City official may cause such sign to be removed, or altered to comply with the provisions of this chapter, at the expense of the sign owner or owner of the property upon which it is located. Notwithstanding the foregoing, the Building Department, Code Enforcement Officer, or Police Department may have any sign that is an immediate threat to persons or property or that is located on public property in violation of Section 18.12.060 ("General Standards") removed without prior notice. Once such a sign is removed the Code Enforcement Officer or other designated City official shall immediately attempt to notify the owner of the sign, if ascertainable. If the sign is not retrieved

within 15 days after removal, it shall be deemed abandoned and may be disposed of by the City.

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## Chapter 18.13

## INCLUSIONARY HOUSING AND DENSITY BONUSES


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# Chapter 18.13

## INCLUSIONARY HOUSING AND DENSITY BONUSES

### Section 18.13.010 Purpose

The purpose of this chapter is to implement the housing element and other related policies and programs of the general plan, California Government Code Section 65915 and following, and other applicable law.

### Section 18.13.020 Definitions

The following definitions apply to the provisions of this chapter in addition to the definitions in Chapter 18.11:

"Affordable unit" means a dwelling which is affordable to very low, lower, or moderate income households as defined by the U.S. Department of Housing and Urban Development (HUD) Sonoma County Median Income by Household Size report, using a presumed household size of one person in a studio unit; two persons in a one-bedroom unit; three persons in a two-bedroom unit; and one additional person for each additional bedroom thereafter. Adjustments to household size in relation to the number of bedrooms in an affordable unit to account for minor children may be made at the discretion of the city. Affordable units must satisfy the following affordable rent, affordable ownership payment, and maximum affordable sales price requirements, as applicable:

"Affordable rent" means the monthly rent, including tenant-paid utilities and insurance, not to exceed thirty percent of the gross monthly income for a qualified household.

"Affordable ownership payment" means monthly house payments, after a ten percent down payment but excluding taxes and homeowners' association dues, if any, not to exceed thirty percent of the gross monthly income for a qualified household at the time the unit is purchased.

"Maximum affordable sales price" means the present value of a thirty-year loan at eight percent interest or prevailing mortgage interest rate, whichever is higher, in which monthly payments do not exceed thirty percent of one hundred twenty percent of the median income for moderate income households; thirty percent of eighty percent of the median income for low income households; and thirty percent of fifty percent of the median income for very low income households. The present value will not be adjusted for down payment, taxes, fees, etc.

"Density bonus unit" means an ownership or rental dwelling unit, as required and defined by this chapter, for occupancy by a very low or lower income household or qualifying residents as defined in California Health and Safety Code Sections 50079.5 and 50105 and California Civil Code Section 51.3 or successor statutes.

"Housing development" means any project or group of projects that results in construction of dwelling units intended for permanent occupancy, including, but not limited to, subdivision of property for residential purposes, single-family dwellings, apartments, townhomes, condominiums, mixed use development, second units, and any change in undeveloped or developed property which results in construction of dwelling units.

"Inclusionary unit" means an ownership or rental dwelling unit, as required and defined by this chapter, that is affordable to very low, low, median, or moderate income households as defined in California Health and Safety Code Sections 50079.5, 50105 and 50093 and California Civil Code Section 51.3 or successor statutes.

"In-lieu fee" means a fee paid to the city for deposit in the affordable housing fund in lieu of actual provision of inclusionary units.

"Life of the project" means the period for which the rental project or dwelling unit is used for housing in substantially the same manner as originally approved, without an end date except for the removal from residential use or demolition for replacement use.

"Lower income" or "lower income household" means persons and households whose gross annual income is between fifty-one percent and eighty percent inclusive of the Sonoma County median income, adjusted for family size, as defined by the Federal Department of Housing and Urban Development (HUD) pursuant to Section 8 of the United States Housing Act of 1937 or its successor in accordance with California Health and Safety Code Section 50079.5 or successor statutes.

"Median income" means the median income adjusted for family size, applicable to Sonoma County as published annually pursuant to Title 25 of the California Code of Regulations, Section 6932 (or successor statutes) by the United States Department of Housing and Urban Development or its successor in accordance with California Health and Safety Code Sections 50079.5, 50105 and 50093 or successor statutes.

"Moderate income" or "moderate income household" means a person or household whose gross annual income is between eighty percent and one hundred twenty percent inclusive of the Sonoma County median income, adjusted for family size, as defined by the Federal Department of Housing and Urban Development (HUD) pursuant to Section 8 of the United States Housing Act of 1937 or its successor in accordance with California Health and Safety Code Sections 50079.5, 50105 and 50093 or successor statutes.

"Qualified household" means a household meeting the income or other restrictions established in this chapter.

For inclusionary units, "qualified household" means very low, lower, or moderate income households.

For density bonus units, "qualified household" means a very low or lower income household or a household with qualifying residents as defined in California Government Code Section 69515 and California Health and Safety Code Sections 50079.5, 50105 and 50093 and California Civil Code Section 51.3 or successor statutes.

"Qualified household list" means a city-maintained list of qualified households eligible to own or rent inclusionary units or density bonus units under the provisions of this chapter. The qualified household list shall be nonexclusive, except for confirmation of eligibility, and shall remain open at all times for additional qualified households.

"Qualifying residents" or "senior citizens" means persons sixty-five years or older, or fifty-five years of age or older in a senior citizen housing development in accordance with California Civil Code Section 51.3 or successor statutes.

"Residential care facility" or "assisted living development" means a housing development for the long-term care of elderly or disabled people that provides meals/food service, transportation, twenty-four-hour supervision or monitoring for health or disabilities, and community activities; and/or permanent on-site staff for nursing, care, and medical emergencies.

"Very low income" or "very low income household" means persons and households whose gross annual income is fifty percent or less of the Sonoma County median income, adjusted for family size, as defined by the Federal Department of Housing and Urban Development (HUD) pursuant to Section 8 of the United States Housing Act of 1937 or its successor in accordance with California Health and Safety Code Section 5105 or successor statutes.

## Section 18.13.030 Applicability

This chapter applies to (1) all housing development in the city with tentative map approval or any other planning permit approval issued after November 13, 2002, or (2) all building permits issued after the effective date of the ordinance codified in this chapter, and binds the agents, successors and assigns of all applicants and developers of such housing development. No entitlements or planning permits may be issued after the effective date of the ordinance codified in this chapter for any housing development that does not meet the requirements of this chapter.

## Section 18.13.040 Eligibility to Rent or Purchase an Inclusionary or Density Bonus Unit

A. Only qualified households on the qualified household list will be eligible to rent or purchase an inclusionary or density bonus unit. The developer or property owner may only permit qualifying households to occupy or purchase inclusionary or density bonus units. Income or qualifications shall be reconfirmed prior to purchase or rental of units.

B. In accordance with California Government Code Section 65915 and following and other applicable law, the city may impose upon and collect from developers and owners of affordable and density bonus units a fee that does not exceed the reasonable estimated cost of qualified household list maintenance to recover the cost to the city of verifying household qualifications.

C. The planning commission shall, by resolution, adopt a list of income limits, maximum affordable housing costs, and utility allowances for rental units, and the Regional Housing Needs Assignment (RHNA) based on definitions from the Federal Department of Housing and Urban Development (HUD), the Sonoma County community development commission and the Association of Bay Area Governments. The resolution shall also establish in-lieu fees and maximum ownership in-lieu fees to implement this chapter. This list and fees shall be updated as needed and shall be used in the implementation of this chapter.

**Section 18.13.050 Inclusionary Housing Unit Requirements**

A. Fifteen percent of dwelling units in housing development comprising five or more new dwelling units must be affordable units.

1. In rental projects, affordable units must be rented to lower income households or below at affordable rents. In ownership projects, affordable units must be sold to moderate income households or below at affordable ownership payments and at a price not to exceed the maximum affordable sales price. Housing sold or rented to very low or lower income households also meet this standard.

2. Where city incentives or density bonuses are offered and/or requested, the city shall require that the inclusionary and density bonus housing units conform to the distribution of very low, lower, and moderate income housing in the AMBAG Regional Housing Needs Assignment (RHNA) to the maximum feasible extent based on the value of city incentives.

3. Where units are added to existing residential or nonresidential properties and the existing units are not demolished or removed from residential use, the inclusionary provisions shall apply to the net new units only. Where any project with rental units or any mobile home park is subdivided for ownership or for continued rental use, the inclusionary provisions shall apply to all units.

B. If, in the application of the requirements of this section, a decimal fraction unit requirement results, the following requirements shall apply:

1. For ownership inclusionary units, an in-lieu fee must be paid equal to the applicable decimal fraction times the established in-lieu fee for one inclusionary unit (e.g., a fraction of 0.25 units would pay 0.25 times the inclusionary fee for the

unit), or at the developer's discretion an additional inclusionary unit may be provided instead of paying the fee.

2. For rental inclusionary units, an added inclusionary unit shall be provided if the decimal fraction is 0.5 or above, and no added inclusionary unit shall be required if the decimal fraction is less than 0.5.

C. Inclusionary units must be constructed at the site of the housing development subject to inclusionary housing requirements, except that in-lieu fees may be paid or land for alternative affordable housing sites may be offered for dedication to meet the inclusionary requirement under the following circumstances:

1. Ownership projects with fifteen or less units and developments that have submitted a planning permit application prior to the effective date of the ordinance codified in this chapter may pay fees or offer alternative sites for dedication.

2. Ownership projects in hillside developments or developments with a density less than two units per acre may pay fees or offer alternative sites for dedication if the planning commission makes the finding that the alternative design provisions under subsection (E)(5) of this section are not feasible alternatives for provision of on-site inclusionary housing.

3. Land offered for dedication pursuant to this section must have a zoning designation that permits construction of affordable housing, must be determined by the city to be suitable for construction of affordable housing, and must have an appraised value that equals or exceeds the applicable in-lieu fees.

D. Where in-lieu fees apply, fees must be paid prior to issuance of a certificate of occupancy for the unit or project. For ownership units, in-lieu fees must be paid for each affordable unit otherwise required pursuant to this section at the rate of fifteen percent of the difference between the maximum affordable sales price as defined in this chapter and the lesser of the actual sales price of the unit or the median sales price of houses in Sonoma County, adjusted for household size.

E. The following development standards shall apply to projects subject to inclusionary housing requirements:

1. Inclusionary units must be constructed at the same time as the other units in a development project. The rate of completion of affordable and market rate units must be the same as the ratio of affordable and market rate units in the entire project.

2. Inclusionary units must be distributed throughout the development and may not be concentrated in one portion of the development.

3. The appearance of the inclusionary units must be substantially the same as the market rate units or buildings in exterior materials and finish. The developer may reduce either the size and/or provide less expensive interior amenities for the inclusionary units as long as there are not significant differences visible from the exterior of the units and the size, fixtures and design of the units are reasonably consistent with the market rate units in the project.

4. Inclusionary units provided must have a number of bedrooms proportional to the number of bedrooms in the market rate units in the project.

5. Notwithstanding subsections (E)(1) through (4) of this section, the inclusionary units in single-family ownership projects (a) with less than fifteen units, (b) in hillside areas generally over four hundred feet in elevation, or (c) in developments with less than two units per acre may provide inclusionary housing in small lot subdivision configuration, two attached ownership housing units on the land generally equal to a single-family lot, or with second units that meet all of the requirements for renter inclusionary housing units. Additionally, in hillside areas or developments with less than two units per acre, inclusionary units may be in ownership cluster housing such as townhouses or condominiums.

## Section 18.13.060 Density Bonus Provisions

A. The city will grant density bonuses in accordance with California Government Code Section 69515 and following and any successor statutes. On the effective date of the ordinance codified in this chapter, California Government Code Section 65915 and following required a density bonus of at least twenty-five percent when a developer of housing agrees or proposes to construct at least twenty percent of the total units of a housing development for lower income households, ten percent of the total units of a housing development for very low income households, or fifty percent of the total dwelling units of a housing development for qualifying residents.

B. The city may grant a density bonus of forty percent in the R-2, R-3, R-CT, S-C and C-R zoning districts when a developer of housing agrees or proposes to construct fifty percent of the total units of a housing development to be affordable by very low and lower income households upon approval of a conditional use permit pursuant to this code.

C. Density bonus units may be used to satisfy the fifteen percent inclusionary housing requirement only if the density bonus units meet the affordability and design standards

for inclusionary units in accordance with this chapter. The planning commission may allow alternative designs or types of units for density bonus units that are not also inclusionary units.

For the purposes of this section, a concession or incentive means any of the following:

1. Reduction or elimination of the covered parking requirement;

2. Grant of a fifteen percent increase in permitted lot coverage;

3. Ten percent reduction in the number of required parking spaces;

4. Ten percent reduction in the required rear yard setback; and

5. Other regulatory incentives or concessions proposed by the developer or the city that result in identifiable cost reductions to assist in providing affordable units.

Nothing in this chapter prohibits the city from providing or requires the city to provide direct financial incentives for the affordable housing development, including, but not limited to, providing publicly owned land or waiver of in-lieu fees or dedication requirements.

**Section 18.13.070 Continued Affordability**

A. The city will administer a program to assure the continued affordability and eligibility of inclusionary and density bonus units.

1. Inclusionary units will remain subject to the affordable unit requirements contained in this chapter for the life of the project.

2. Density bonus units will remain subject to the density bonus unit requirements contained in this chapter for the life of the project.

3. Units that are both inclusionary and density bonus units will remain subject to the affordable unit and density bonus unit requirements contained in this chapter for the life of the project.

B. A deed restriction must be recorded for each inclusionary and/or density bonus unit prior to issuance of certificate of occupancy and include the city as a party to the deed restriction. The deed restriction must set forth the applicable restrictions in this chapter.

C. All buyers of "for sale" inclusionary or density bonus units must enter into a resale agreement with the city prior to the close of escrow for such unit, using a standard form resale agreement provided by the community development department. The resale agreement will require the inclusionary unit to be sold to a qualified household from the qualified household list at a price not to exceed the affordable sales price for the life of

the project. The resale agreement will further provide that if there are no qualified households or the property cannot be sold within six months of offering the unit for sale, the owner may offer to sell the unit to the city at the maximum affordable sales price or, upon receiving written approval of the city, sell the unit as a market rate unit and pay the city for deposit in the affordable housing fund the difference between the sales price of the unit and the maximum affordable sales price pursuant to this chapter.

D. The owners of inclusionary or density bonus rental units must enter into a rental agreement with the city prior to issuance of building permits for such units using a standard form rental agreement provided by the community development department. The rental agreement will specify the percentage of each type of unit in the project that will be provided as inclusionary units. The deed restriction for affordable rental units must specify that the affordability requirements of this chapter will be in effect for the life of the project but not less than thirty years.

E. Owners of rental inclusionary or density bonus units must submit an annual report to the community development department no later than March 1st identifying monthly rental rates, units occupied by qualified households, income and qualifying status for each resident and any other related data deemed necessary by the city for the previous calendar year. If the income of any household in an inclusionary or density bonus unit set aside for very low or lower income has increased to exceed one hundred twenty percent of qualified household income, the next available comparable unit in the project must be made available to a qualifying household.

F. Owners of any ownership inclusionary or density bonus unit must submit an annual certification that they continue to occupy the unit as their primary residence. However, owners of ownership inclusionary or density bonus units may rent their units for a period or periods that total no more than six months in any twelve-month period to a qualified moderate income household. At the end of the six-month period, the owner must move back into the unit or the unit must be sold to a qualified household, pursuant to this chapter.

G. Transfer Fees. For each inclusionary or density bonus unit provided under this chapter, the city may impose upon and collect a transfer fee at time of sale. Such fees shall be established by resolution of the city council in accordance with California Government Code Section 65915 and following and other applicable law and may not exceed the reasonable estimated cost incurred by the city in monitoring affordability.

H. With prior city approval, alternative resale or long-term affordability mechanisms with city approval may be used when the requirements of the California Housing Finance Agency (CHFA) or other state or federal housing programs prohibit, in whole or in part, the affordability controls established in subsection A of this section. Such alternative

resale or long-term affordability mechanisms may include, but are not limited to, silent second mortgages and deferred payment loans. In response to distressed housing markets, the city council may adopt a resolution allowing minor revisions to sales prices or rental rates for a period not to exceed one year. Such resolutions shall not last more than one year unless renewed by the city council.

I. Conversion of an inclusionary rental unit to a "for sale" unit, if otherwise permitted, will not void any applicable inclusionary housing agreements or requirements. Resale of said units will be subject to the requirements of subsection C of this section.

## Section 18.13.080 Affordable Housing Fund

A. The city of Cloverdale affordable housing fund is hereby established. All in-lieu fees paid pursuant to this chapter must be placed in the affordable housing fund.

B. Monies deposited in the affordable housing fund will be used solely to increase, improve, or maintain the supply of housing affordable to very low, lower, and moderate income households or to support the city council adopted essential employee programs for qualified very low, lower, and moderate income households. For the purposes of this subsection, increasing, improving, or maintaining the supply of housing affordable to very low, lower, and moderate income households includes, but is not limited to, acquisition of property, property administration and design, construction of affordable housing or site improvements, and any other costs associated with the construction or financing of affordable housing. Also included is reimbursement to the city for such costs if the city advanced funds from other sources and reimbursement to developers or property owners who are entitled to reimbursement pursuant to this chapter and/or other applicable law.

C. Monies in the affordable housing fund will be used in accordance with the priorities identified in this chapter and the housing element of the general plan. Where feasible, inclusionary housing fees should be used to provide the same number of affordable units as would be required in the project providing those fees. Other fees and monies in the affordable housing fund should be focused on provision of housing for very low and lower income households, reducing homelessness, housing rehabilitation, and assisting other organizations in provision of housing and meeting housing needs.

## Section 18.13.090 Appeals, Adjustments, Waivers, Enforcement and Exemptions

A. The requirements of this chapter are minimum and maximum requirements; however, nothing in this chapter limits the right of any person to voluntarily undertake obligations in excess of those imposed by this chapter, and the city may adjust or waive the requirements of this chapter upon determining, pursuant to an appeal in accordance with this section based on particular circumstances as documented by the appellant, that:

1. The proposed housing development involves extraordinary circumstances that do not apply to other housing development in the city, applying the requirements of this chapter to the proposed housing development would result in an undue hardship, and alternative inclusionary housing requirements will appropriately implement the intent of this chapter; or

2. The proposed development has provided inclusionary housing equivalent to the requirements of this chapter; or

3. There is not a reasonable relationship between the impact of a particular, proposed housing development and the requirements of this chapter and/or applying the requirements of this chapter to a particular, proposed housing development would result in a taking under the California and/or United States Constitutions, and alternative inclusionary housing requirements will appropriately implement the intent of this chapter.

B. The requirements of this chapter and their application to particular housing developments are subject to appeal in accordance with this section. All appeals concerning the requirements of this chapter are subject to the appeals process established in Section 18.03.210 and following of this code. If a proposed housing development that is the subject of an appeal is not subject to discretionary approval of the planning commission, the initial appeal must be filed as an appeal of a planning director decision. Appellants pursuant to this section bear the burden of presenting substantial evidence to support findings that the proposed housing development qualifies under this section for adjustment or waiver of the inclusionary housing requirements that otherwise would apply pursuant to this chapter. Failure to file a timely appeal in accordance with Section 18.03.210 and following of this code waives the right to appeal the application of the requirements of this chapter to a particular housing development or developments.

C. The appellate body, upon legal advice provided by the city attorney, will render its judgment concerning the appeal in accordance with Section 18.03.210 and following of this code and other applicable law. If the appellate body finds that the proposed housing development qualifies for an adjustment or waiver of inclusionary housing requirements pursuant to this section, the appellate body will adjust or waive the inclusionary housing requirements that otherwise would apply to the extent necessary to avoid an undue hardship or an unconstitutional taking. If the appellate body finds that the proposed housing development does not qualify for an adjustment or waiver of inclusionary housing requirements pursuant to this section, the proposed housing development will be subject to the requirements of this chapter.

D. In addition to all other available legal remedies that the city may in its discretion pursue concerning violations of the requirements of this chapter, including, but not limited to, violations of annual reporting requirements, the city may:

1. Pursue any and all of the penalties enumerated in Section 18.02.090 concerning such violations.

2. Recover from any person that rents or sells an inclusionary unit at rental or sale prices that exceed the affordability requirements prescribed in this chapter all proceeds of such rents or sales that exceed the amounts permitted pursuant to this chapter. Such recovered proceeds will be deposited in the housing trust fund.

3. Institute appropriate legal proceedings necessary to ensure compliance with this chapter, including, but not limited to, actions to revoke, deny or suspend any permit, certificate of occupancy, discretionary approval or other entitlement, actions to recover civil fines, restitution to prevent unjust enrichment and/or recover enforcement costs, including staff costs and attorneys' fees, eviction or foreclosure, and any other appropriate action for injunctive relief or damages.

E. Residential care facilities and similar assisted living developments, as defined in Section 18.12.020 of this chapter, are exempt from the inclusionary housing unit requirements.

**Section 18.13.100 Annual Review**

The provisions of this chapter shall be reviewed annually in conjunction with the general plan and housing element annual review.

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## Chapter 18.14
## ZONING CODE DEFINITIONS


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# Chapter 18.14
# ZONING CODE DEFINITIONS

## Section 18.14.010 Purpose and Intent

The purpose of this chapter is to ensure precision in interpretation of this Title. The meaning and construction of words and phrases defined in this chapter applies throughout this Title, except where the context of such words or phrases clearly indicates a different meaning or construction.

## Section 18.14.020 General Interpretation

1. The word "shall" is mandatory and not discretionary. The word "may" is permissive and discretionary.
2. In the case of any difference of meaning or implication between the text of any provision and any caption or illustration, the text shall control.
3. References in the masculine and feminine genders are interchangeable.
4. Unless the context clearly indicates to the contrary, words in the present and the future tense are interchangeable, and words in the singular and plural are interchangeable.
5. Unless the context clearly indicates to the contrary, the following conjunctions shall be interpreted as follows:
   a. "And" indicates that all connected items or provisions shall apply;
   b. "Or" indicates that the connected items or provisions may apply singly or in any combination; and
   b. "Either:" ... "or" indicates that the connected items or provisions shall apply singly but not in combination.
6. The word "used" shall include arranged, designed, constructed, altered, converted, rented, leased, occupied, or intended to be utilized.
7. All references to "day" or "days" in this Title shall refer to calendar days, unless the context expressly states otherwise. If the last day of a specified period falls on a Saturday, Sunday, holiday or other day on which the City is closed for business, the time period shall be extended to the close of the next day on which the City is open for business.

## Section 18.14.030 Definitions

"A" Frame - A sign designed to be double-sided, collapsible and stand freely upon the surface on which it is placed while serving as a directional or advertising sign for an adjacent business.

Accessory Structure - A structure that is physically detached from, secondary and incidental to, and associated with the primary structure. For the purposes of this Title, accessory structures and uses include guest quarters, detached garages, carports, greenhouses, artist's studios and workshops, hot tubs, Jacuzzis, spas and swimming pools, decks, together with any enclosures and any other open air enclosures, including gazebos and covered patios. An accessory structure that shares a common wall with a main building shall be considered a part of the main

building. Accessory Use - A use of a building or site, or a portion of a building or site, which is incidental to the principal use conducted on or occupying a site.

Active Recreational Uses - Facilities occurring on level or gently sloping land to a maximum slope of 10 percent in a planned unit development or multiple family project that are designed to provide individual or group activities of an active nature including, but not limited to, sports fields, court games, swimming pools, children's play areas, picnic areas, golf courses, and recreational community gardening. Active recreational uses do not include natural open space, nature study areas, open space or buffer areas, slopes greater than 10 percent, riding and hiking trails, scenic overlooks, water courses, drainage areas or water bodies.

Activity Generating Uses - Uses that typically generate high pedestrian traffic, including, but not limited to, retail; restaurants; theaters; post offices; City offices with customer services, etc.

Addition - Any construction that increases the size of a building or facility in terms of site coverage, height, length, width, or gross floor area.

Administrative Offices - See Offices - Administrative

Adult Entertainment Establishments - Establishments based substantially or primarily on materials, services or performances that depict, describe, or relate to "specified sexual activities" or "specified anatomical areas" as defined elsewhere in this article. These include:

*Adult bookstores.* An establishment which has a substantial portion of its stock in trade and offers for sale for any form of consideration, any one or more of the following:

a. Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, slides or other visual representations which are characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

b. Instruments, devices or paraphernalia that are designed for use in connection with "specified sexual activities." This definition does not include such items customarily sold by a general purpose pharmacy, drug store, convenience store or grocery store.

*Adult motion picture theater.* An establishment where, for any form of consideration, films, motion pictures, video cassettes, slides or similar photographic reproductions are shown to an audience, and, in which a substantial portion of the total presentation time is devoted to the showing of material which is characterized by an emphasis on the depiction or description of "specified sexual activities" or "specified anatomical areas."

*Adult theater.* A theater, concert hall, auditorium or other similar establishment, which, for any form of consideration, regularly features live performances which are characterized by the exposure of "specified anatomical areas" or by an emphasis upon the depiction of "specified sexual activities."

*Other adult entertainment establishments.* Any other business or establishment which offers its patrons services or entertainment characterized by an emphasis on matters depicting, displaying, describing or relating to "specified sexual activities" or "specified anatomical areas."

Agriculture - The use of land for agricultural purposes, including farming, dairying, pasturage, horticulture, floriculture, viticulture, apiaries, and animal farms, but not including stockyards or the commercial feeding of garbage or offal to swine or other animals.

Air Transportation Facilities - Establishments engaged in transportation by air, including airports and flying fields, as well as terminal services.

Alley - A public or private way which affords only secondary access to abutting property.

Alter - A change in the internal arrangement of rooms or the supporting members of a structure, such as bearing walls; columns; beams; or girders that will prolong the life of the structure. In case of a sign, "alter" means any change in the weight, depth, height, area, thickness, location, materials or type of display of an existing sign including a change of all or a portion of the copy, message or sign legend or face, except on signs designed to advertise changing messages. However, normal or periodic maintenance, upkeep, or repair of a shall not be considered an alteration.

Amendment - A revision, change, addition, or deletion in the text of this Title, or a change in a zone classification or Zoning District of one or more properties upon the Zoning Map. An amendment shall include the placement of a zoning designation or a pre-zoning designation on property not previously classified by a City zoning designation.

Animal, Domestic - A small animal of the type generally accepted as household pets, including dogs; cats; birds and the like, but not including bees; roosters; hens; ducks; geese; pea fowl; goats; sheep; swine and the like, or other animals determined by the Planning Commission to be inappropriate as a household pet, either generally or in a particular situation or setting.

Animal, Farm - Cattle, horses, sheep, rabbits, poultry, and the like.

Animal Care Facilities - Commercial facilities including boarding, grooming and day care. This category does not include experimental or testing laboratories.

Animated Sign - A sign that uses movement or change of lighting to depict action or create a special effect or scene.

Antenna - Any system of wires, poles, rods, towers, whips, reflecting discs, or similar devices used for transmission or reception of signals. Also see "Satellite Dish Antenna"

Antiques - An item which is at least 75 years old and is collected or desirable due to rarity, condition, utility, or some other unique feature. Motor vehicles, power tools and other items subject to vigorous use may be considered antiques if older than 50 years, and some electronics of more recent vintage may also be considered antiques.

Apartment - A building containing more than two dwelling units, designed and used for occupancy by persons or families living independently of each other and which have not been subdivided for independent sale of individual units.

Architectural Features - Any portion of the outer surface of a structure, including, but not limited to: the type, color and texture of the building material; the type and style of all windows, doors, lights, signs, walls, fences, awnings and canopies; screens; sculptures; decoration; roof shape and materials; and other fixtures appurtenant to a structure.

Area (Building) - The sum in square feet of the areas of the horizontal projections of all buildings on a lot excluding open pergolas, steps, chimneys, eaves, buttresses, cornices, unenclosed and unroofed terraces, patios, unenclosed private balconies not used for access, and

minor ornamental features projecting from the walls of the building, which features are not directly supported by the ground.

Area, Gross - The entire area within the boundaries of a project site or lot measured to the centerline of adjoining street rights-of-way.

Area, Net - All land within a given area, including lots, private interior streets, and other open space which directly serves the residents of the net area, but exclusive of all exterior and interior local public streets, environmentally sensitive lands (over 20% in slope, in required stream or creek setbacks, lands with federal or state listed endangered species and woodlands) and other easements which primarily serve the community at large.

Area of Sign - See "Sign Area. "

Assisted Living Facility - See Residential Care Facility.

Auto Repair - Major and Minor

*Major Repair/Body Work* - Facilities providing towing, collision repair, other body work, and painting services; tire recapping.

*Minor Maintenance/Repair* - Minor facilities providing limited repair and maintenance services. Examples include attended and self-service car washes; detailing services; muffler and radiator shops; quick-lube services; tire and battery sales and installation (not including tire recapping).

Automobile Service Station/Gasoline Service Station - A retail place of business engaged in supplying goods and services essential to the normal operation of automobiles, such as: dispensing of automotive fuel and motor oil; vehicle washing and lubricating services; sale and servicing of tires, batteries, replacement items and other automotive accessories; and minor automotive repair. This definition does not include body or fender work, painting or major automotive repairs and similar activities. Gasoline service stations may also provide a towing service limited to no more than two trucks and equipment rental, subject to use permit conditions of approval by the reviewing agency.

Automobile Wrecking - The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale or dumping of dismantled or wrecked vehicles or their parts.

Awning Sign - A sign that is painted, printed, stamped, sewed, or otherwise attached to the exterior surface of an awning or canopy.

Balloon - An inflatable, airtight bag or vessel that can be used singly or strung together in multiple numbers to attract attention to a business location.

Basement - A portion of a building partly or wholly underground and having more than one-half of its height below the average level of the adjoining ground.

Bed and Breakfast Inn - Residential structures with up to five bedrooms rented for overnight lodging, where breakfast may be provided subject to applicable health department regulations. No restaurant is permitted. Does not include long-term room rental, which is separately defined (see "Boarding or Rooming House"). A bed and breakfast inn with more than five guest rooms is considered a hotel or motel. (See "Hotel" and "Motel.")

Billboard - An off-site sign advertising products or services not produced, sold, or stored on the property upon which the sign is located.

Boarding or Rooming House - A dwelling or part of a dwelling where lodging for a period of more than 30 days is furnished for compensation to three or more persons living independently from each other. Meals may also be included.

Building - Any structure having a roof supported by columns or walls, designed or used for the housing or enclosure of persons, animals, or property of any kind.

Building Envelope - The area of a lot or parcel of real property within which structures must be contained, except fencing and driveways.

Building Frontage - That side of a building which contains the main entrance for pedestrian ingress and egress. If more than one main entrance exists, the one that more nearly faces or is oriented to the street of highest classification as portrayed in the current Circulation Element of the General Plan shall be considered the building frontage. If all streets are the same classification, the side of the building with the smallest lineal dimension containing a main entrance shall be considered the building frontage.

Building Height - The vertical distance from the lowest finish grade ground level to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the highest point of the highest gable of a pitch or hip roof, but exclusive of vents, air conditioners, chimneys or other such incidental appurtenances.

Building-Mounted Sign - Any sign mounted or erected on or against any building or façade, including all wall signs, awning and canopy signs and projecting signs.

Building Setback Line - A line designating the distance which building must be set back from an existing or proposed property line, an existing or proposed sidewalk, public utility easement line, or an adopted street plan line, whichever distance is greater.

Building, Main - The building in which is conducted the principal use of the lot or parcel on which it is situated.

Building Site - A legally created parcel or contiguous parcels of land in single or joint ownership, which provides the area and the open spaces required by this Title, exclusive of all vehicular and pedestrian rights-of-way and all other easements that prohibit the surface use of the property by the owner thereof, and which abuts a public or private street or alley or easement determined by the Public Works Director to be adequate for purpose of access. See, also, "Area (Net)", above.

Bulletin Board - A bulletin board is a sign which allows permanent or changeable messages.

Canopy Sign – See "Awning Sign."

Caretaker Residence - A mobile home, modular unit or structure which is used as a residence by a security guard or caretaker and located on or adjacent to the premises occupied by a primary use and which is reasonably necessary to provide adequate security for the primary use.

Carport - An accessible and usable covered parking space of not less than 10 by 20 feet (inside dimensions), and open on one (1) or more sides.

Cemeteries - Land used for the burial of human remains and dedicated for cemetery purposes.

Changeable Copy Sign - A sign whose informational content can be changed or altered either automatically or manually.

Channel Letters - Three-dimensional individual letters or figures, with an open back or front, illuminated or non-illuminated, that are affixed to a building or to a freestanding sign structure.

City - The City of Cloverdale.

Club - A nonprofit association of persons (whether or not incorporated) for a common purpose, but not including groups organized solely or primarily to render a service as a business.

Clubs, Lodges, and Meeting Halls - Meeting, recreational, or social facilities of a private or non-profit organization primarily for use by members or guests.

Cluster development - A form of development for single-family and multiple-family residential subdivisions that permits a reduction in lot area, provided there is no increase in the number of lots permitted under a conventional subdivision and the resultant land area is devoted to open space.

Combining district - A district whose regulations supplement or supersede one or more of the regulations of the primary Zoning Districts.

Commercial Recreation Facilities -

> *Indoor* - Establishments providing indoor amusement and entertainment services for a fee or admission charge, including bowling alleys, ice skating and roller skating rinks, dance halls, and pool and billiard rooms as primary uses. This use does not include adult oriented businesses, which are separately defined.
>
> *Outdoor* - Facilities for various outdoor recreational activities, where a fee is charged for use. Examples include amusement and theme parks, miniature golf courses, go-cart tracks, water slides, country clubs, tennis and swim clubs, golf courses and driving ranges including limited commercial uses which are commonly associated with and directly related to the primary use.

Commercial Sign - A sign whose message concerns goods or service offered for consideration

Commission - The City of Cloverdale Planning Commission.

Community Centers - One or more buildings used for recreational, social, educational, or cultural activities, open to the public or a designated part of the public.

Condominium - An estate of real property consisting of an undivided interest in common areas, together with a separate right of ownership in space as defined in Section 1350 of the Civil Code.

Condominium Conversion - The conversion and subdivision of a single-ownership parcel of existing improved real property into a form of ownership for residential, commercial, or industrial purposes involving the right of exclusive occupancy or separate ownership of individual units, including but not limited to condominiums, community apartments, stock cooperatives, or planned unit developments.

Conservation Districts - Geographical areas, with a defined boundary, where more than half of the structures are Conservation Structures or Historic Structures.

Conservation Structures - Structures shown on the Sanborn Fire Insurance Maps dated 1939. For purposes of Historic Design Review, the term "structure" also includes the property upon which the structure is located.

Contiguous Parcels - Adjacent parcels of land even if separated by roads, streets, utility easements or railroad rights-of-way.

Convalescent Home - A facility licensed as a health facility by the State Department of Public Health, the State Department of Social Welfare, or the county, and subject to Health and Safety Code Sections 1250, et seq., which provides bed and ambulatory care for patients with postoperative convalescent, chronically ill or dietary problems, and persons aged or infirm and unable to care for themselves. This does not include treatment of alcohol or other drug addiction, mental or contagious diseases or afflictions.

Convenience Food Store - A small scale food store usually less than 15,000 square feet in size, generally located in small neighborhood convenience centers. Such stores may have on-site service of food or drink for immediate consumption and sell general food items as well as non-prescription medicines, cosmetics and limited beer and wine items. Convenience Food Stores may have extended hours of operation.

City Council - The City Council of the City of Cloverdale.

County - The County of Sonoma.

Courtyard - An open area partially or fully enclosed by buildings or other walls, adjacent to or within a house or other building.

Covered Parking - A Garage or Carport having a permanent roof, and designed for the parking of motor vehicles.

Day Care Facilities - Facilities that provide care, protection and supervision of children or adults for periods of less than 24 hours per day, while the parents or authorized representatives are away. These facilities include the following, subject to the appropriate licensing.

*Adult Day Care* - A day care facility providing nonmedical care and supervision for adult clients and regulated pursuant to the Community Care Facilities Act, Health & Safety Code Section 1500 et seq.

*Child Day Care Center* – A commercial or nonprofit child day care facility that provides nonmedical care to children under 18 years of age in need of personal services, supervision or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24 hour basis. Child Day Care Centers include infant centers, preschools, sick-child centers, extended day care facilities and school-age child care centers. These may be operated in conjunction with a school, church facility, employer or as an independent land use.

*Large Family Day Care* - A family home that provides family child care for up to 14 children, and meets requirements of the California Health and Safety Code regulating such day care homes.

*Small Family Day Care* - A family home that provides family child care for up to eight children, and meets requirements of the California Health and Safety Code regulating such day care homes.

Density - The number of dwelling units on a lot in relation to the lot size expressed in units per net acre. When density calculations result in a fractional number, resulting density shall be the next lower whole number, and shall not be rounded up. Residential Care Facilities are not subject to density limitations.

Design Review -

*Conceptual* - The review by the Planning Commission or planning staff for the purpose of providing the applicant with the authority's tentative reaction to the general design concept of a proposed project. Such review shall not include a formal decision on the application by the decision making authority.

*Minor* - Minor changes to the exterior of existing buildings that require a building permit, including awnings, or a change of use in a building and site not involving substantial site changes (the latter determination will be made at the time of business license application.)

*Major* – 1) Commercial, industrial, office and residential projects (two or more residential units per site) which involve the development of vacant land with site and building improvements or substantial changes or additions to a previously developed site; 2) Applications involving a change of use that requires substantial changes to the site and proposals for exterior building modifications; 3) Projects subject to development approval by the Planning Commission, such as subdivisions, use permits and projects requiring the approval of variances; 4) Projects subject to the California Environmental Quality Act.

Directional Sign - An on-site sign designed to direct or guide pedestrian or vehicular traffic by providing directional information, (e.g., handicapped parking, one-way, exit, and entrance) and that does not include advertising or other descriptive words or phrases.

Director or Planning Director - The Director of the Planning Department of the City of Cloverdale, or other designee of the City Manager authorized to perform functions of the Planning Director. "Director or Planning Director" shall include his or her designated representatives.

Directory Sign - An on-site sign identifying the names and/or uses of various businesses or activities within a building or multi-tenant development and used solely for the purpose of direction and identification to guide pedestrians to individual businesses.

Distance between Buildings - The shortest horizontal distance between the vertical walls of two (2) structures, including main dwellings and accessory structures.

District (Zoning) - The portion of the City within which the use of land and structures and the location, height and bulk of structures are governed by this Title. See Section 18.01.060.

Dormitory - A building intended or used principally for sleeping accommodations, and related to an educational institution.

Double-Faced Sign - A sign designed to be viewed from two directions.

Drive Through Facility - A facility, including a restaurant, which, by its design, allows people to drive through a designated motor vehicle lane or area to receive goods and/or services while remaining in their motor vehicle.

Drive-In Restaurant - A restaurant which sells food products or beverages and which: 1) delivers such food products or beverages to customers outside of the building in which they are prepared by means of a service window, counter, or similar method or device, or 2) delivers such food products or beverages to customers for consumption either on the premises or in the

immediate vicinity. A Drive-In Restaurant will not include a designated drive-through motor vehicle lane.

Driveway - A permanently surfaced area providing direct access for vehicles between a street and a permitted off-street parking or loading area.

Duplex - Two dwelling units attached along a common structural wall.

Dwelling, Multi-Family Attached - A building designed and used as a rental residence for two or more families or households living independently of each other. It includes apartments, duplexes and multi-plexes that have not been subdivided for purposes of independent sales of individual units. It does not include a primary dwelling unit and an attached second dwelling unit.

Dwelling, Single-Family Attached - A duplex, multi-plex or condominium complex with individual units offered for sale.

Dwelling, Single-Family Detached - A dwelling unit that is not attached to any other dwellings by any means and houses one family or household. This includes manufactured homes with a permanent foundation.

Dwelling Unit - One or more habitable rooms which are occupied, or which are intended or designed to be occupied as a residence by one family or household, with facilities for living, sleeping, cooking and dining.

Easement - A right, privilege or interest held by one or more parties in the land of another, created by grant, easement or adverse use for a specific purpose or purposes.

Eave - The projecting lower edges of a roof overhanging the wall of a building.

Educational Institutions - Public and other non-profit institutions conducting regular academic instruction at kindergarten, elementary, secondary, or collegiate levels, and including graduate schools, universities, non-profit research institutions and religious institutions. Such institutions must either 1) offer general academic instruction equivalent to the standards prescribed by the State Board of Education, or 2) confer degrees as a college or university of undergraduate or graduate standing, or 3) conduct research, or 4) give religious instruction. The definition does not include commercial or trade schools.

Elevation - A vertical distance above or below a fixed reference level, or a flat scale drawing of the front, rear or side of a building or structure.

Emergency Shelter - A lodging facility sponsored and/or administered by a governmental or non-profit social services organization for the purpose of providing temporary housing for homeless families or individuals, battered women or children, or for similar social service or charitable purposes.

Equipment Rental Yard or Contractor Yard - A use providing for maintenance, servicing, or storage of motor vehicles, equipment or supplies; or for the dispatching of service vehicles; or distribution of supplies or construction materials required in connection with a business activity, public utility service, transportation service or similar activity. The term "contractor yard" shall include a construction materials yard, vehicular service center; or similar use.

Family - An individual or two or more persons, not including domestic employees, living as a single housekeeping unit or household and sharing common living, sleeping, cooking and eating facilities.

Farm - Any premises on which a primary use is the breeding, raising, or maintaining of animals or raising of crops for sale or where the primary income from the premises is derived from such uses.

Fixture – a complete lighting unit including the lamp and parts designed to distribute the light, position and protect the lamp, and connect the lamp to a power source. Also referred to as a luminaire.

Flag - A noncommercial sign attached to a pole or a structure that has characters, letters, illustrations, or ornamentations applied to cloth, paper, fabric, or other lightweight material, with only such material for a backing.

Flag Lot - See "Lot – Flag."

Flashing - Sudden or intermittent bursts of light or message on a sign.

Floor Area, Gross - The sum of the gross horizontal area of the several floors of a building and its accessory buildings on the same site excluding those areas which are deemed unusable for occupant, customer or employee use such as basement and attic areas used only for storage; and exterior balconies and patios, if not enclosed.

Floor Area, Net - The total building floor area excluding garages, stairwells, hallways, lobbies, elevators and other common spaces.

Floor Area Ratio (FAR) - The mathematical number derived by dividing the gross floor area of all buildings on a site or lot by the total area of a site. Lot area used to calculate floor area ratio shall be "net" after deleting "environmentally sensitive lands," defined as lands over 20% slope, lands in required stream or creek setbacks, woodlands, or lands with federal or state listed endangered species. A composite FAR will consist of the total floor area of all detached dwelling units in the project divided by the sum of (a) total net lot area of all those units as defined in the previous paragraph plus (b) public parks, usable open space, and/or trails open to the general public without cost but excluding environmentally sensitive lands.

Footcandle – A unit of measurement for the total amount of light cast on a surface (illuminance). One foot candle is equivalent to the illuminance produced by a source of one candle at a distance of one foot.

Frontage - See "Building Frontage."

Full Cut-off Fixture – A lighting fixture designed such that no light, either directly from the bulb or indirectly from the fixture, is emitted at or above a horizontal plane running through the lowest point on the fixture.

Freestanding Sign - A sign that is permanently supported upon the ground by poles or braces and is not attached to any building or other structure, e.g. monument signs.

Garage - A permanently roofed structure with three enclosed sides and a garage door which is used for automobile shelter and storage. An inside dimension of 10′ x 20′ is required for each vehicle.

Garage, Private - A building or a portion thereof, in which motor vehicles used by the tenants of the buildings on the premises are stored or kept.

Garage, Public - A structure, or portion thereof, other than a private garage, used for the parking and storage of motor vehicles.

General Office Use - See "Offices – General."

General Plan - The City of Cloverdale General Plan, as amended.

General Retail - Retail sale of goods that are purchased infrequently or require delivery. Examples would be furniture and large appliance stores. General Retail does not include lumber or building material sales and dealers, which are classified as Manufacturing/Processing-Heavy.

Glare – Direct and unshielded light striking the eye to result in visual discomfort and reduced visual performance.

Government Services - Facilities used by a government agency to provide a public service, including offices and post offices.

Grade, Existing - The surface of the ground or pavement at a stated location as it exists prior to disturbance in preparation for a project regulated by this Title.

Gravel Mining - Gravel mining operations within or adjoining the Russian River, with subsequent review and approval from the County of Sonoma, pursuant to their Aggregate Resource Management (ARM) Plan.

Guest Quarters - Detached living quarters of permanent construction, without kitchen or cooking facilities, clearly subordinate and incidental to the main building on the same lot, and intended for use by occasional guests of the occupants of the main building and not offered for rent.

Hillside Site - Any properties with slopes greater than 20% on all or part of the site.

Historic Structures - Structures listed on or eligible for listing on national and state historic registries. The common registries are the National Register of Historic Places and the California Register of Historic Resources. If the City develops a designation process, structures designated in that process will also be considered "Historic Resources." For purposes of Historic Design Review, the term '"structure" also includes the property upon which the structure is located.

Home Occupations - An occupation conducted entirely within the dwelling unit by the occupants thereof, which occupation is clearly incidental and secondary to the use of the dwelling for residential purposes and does not change the residential character of the dwelling.

Hotel or Motel - A facility with guest rooms or suites, with or without kitchen facilities, rented to the general public for transient lodging. Hotels typically include a variety of services in addition to lodging, for example, restaurants, meeting facilities, personal services, etc. Also includes accessory guest facilities such as swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, etc. (See also Bed and Breakfast Inn)

Household Services - Repair and service of household goods, generally defined as pedestrian-oriented retail, including small appliance repair, shoe repair, dry cleaning and laundry pickup and drop off locations without on-site processing equipment.

Identification Sign - A permanent sign used to identify a building or group of buildings, residential area, shopping district, industrial district, or any area that fulfills the definition of an identifiable area.

Illuminated Sign - A sign with an artificial source of light incorporated internally or externally for the purpose of illuminating the sign.

Illumination -

*Direct* - Illumination by means of light that travels directly from its source to the object to be lighted.

*Indirect* - Illumination by means only of light cast upon an opaque surface from a concealed source.

Kennel, Commercial - Any lot, building, structure, enclosure or premises whereupon five or more dogs over the age of four months are kept, whether or not in special buildings or runways, other than those dogs used in herding of farm animals incidental to agricultural purposes on the premises. Kennel operations include "doggy day care" and grooming services.

Kitchen - A room or area within a room used for cooking and/or preparation of foods.

Lamp – The generic term for an artificial light source installed in the socket portion of the fixture, to be distinguished from the whole assembly. Commonly referred to as a bulb.

Landscaping - An area devoted to or developed and maintained predominately with plant materials, including lawn, ground cover, trees, shrubs, and other plant materials; and also including accessory decorative outdoor landscape elements such as pools, fountains, paved or decorated surfaces (excluding driveways, parking, loading or storage areas) and sculptural elements.

Light Pollution – Any artificial light which causes a detrimental effect on the environment, astronomical research, enjoyment of the night sky or causes undesirable glare or light trespass.

Light Trespass – Light falling where it is not wanted or needed, generally light from one property that shines onto another property or the public right-of-way.

Loading Space - An off-street space or berth on the same lot with a building or contiguous to a group of buildings, for the temporary parking of commercial vehicles while loading or unloading merchandise or materials.

Logo - A graphic symbol of a business establishment, company, institution, organization, or any other legal private or public entity.

Lot (See figure below) - A recorded lot or parcel of real property lawfully created in accordance with Subdivision Map Act and City ordinance requirements, including this Title. Types of lots include the following:

*Corner Lot* - A lot located at the intersection of two or more streets, which intersect at an interior angle of not more than 135 degrees.

*Flag Lot* - A lot having only its access strip fronting on a private or public street.

*Interior Lot* - A lot abutting only one street.

*Key Lot* - A lot with a side property line that abuts the rear property line of any one or more adjoining lots.

*Reverse Corner Lot* - A corner lot the side line of which is substantially a continuation of the front property line of the first lot to its rear.

*Double Frontage Lot* - An interior lot with frontage on two generally parallel streets.

Lot Area -

*Gross lot area* - The total area included within the lot lines of a lot, exclusive of adjacent dedicated street rights of way.

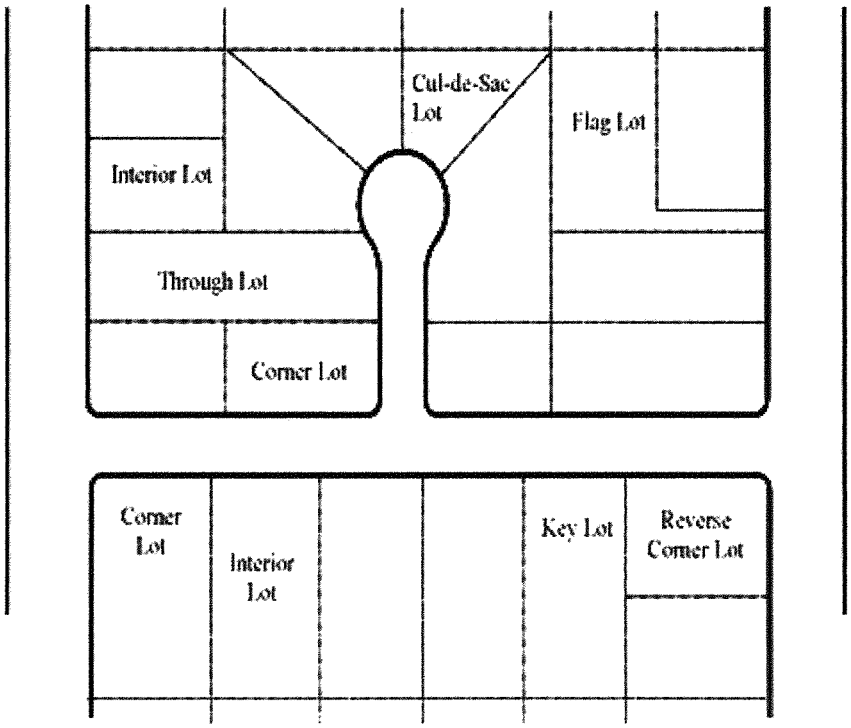
*Net lot area* - The gross area of the lot, exclusive of 1) easements for streets or driveways that are not for the exclusive use of the lot on which the easement is located; 2) the access strip required to serve a flag lot.

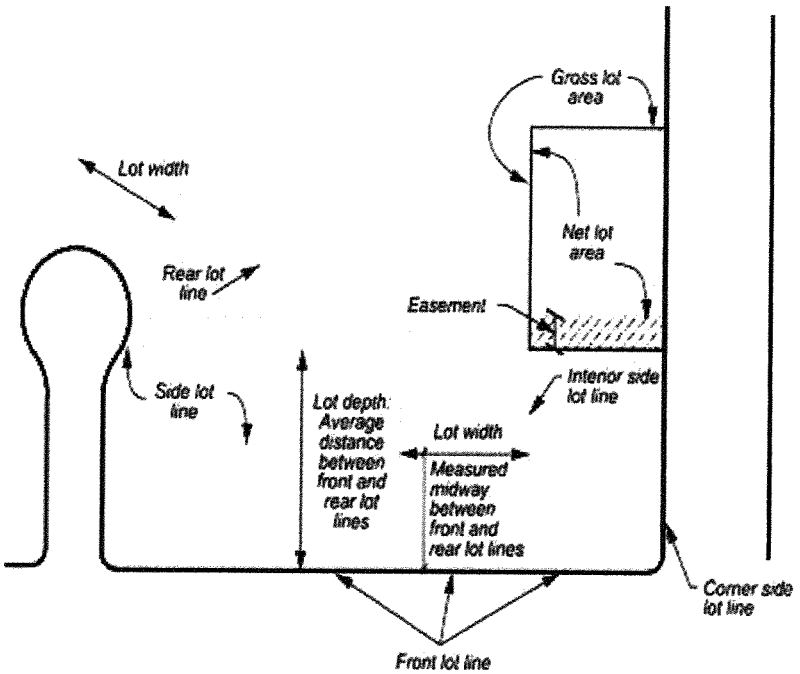
Lot Coverage - The total area of a building site covered by main and accessory buildings and structures, including garages, carports, and covered patios divided by the net acres of the building site. Open recreational facilities, such as swimming pools and spas, courts, decks and similar facilities (under 30 inches in height above finished grade) shall not be included in the calculation of building coverage. Projecting eaves shall also be excluded from building coverage calculations.

Lot Depth - The average linear (or mean horizontal) distance between the front and rear lot line lines or between the front lot line and the intersection of the two side lot lines if there is no rear lot line.

Lot Frontage - That portion of a lot or parcel of land that borders a public street. Lot frontage shall be measured along the common lot line separating said lot or parcel of land from the public street. If the lot borders more than one public street, the lot frontage shall be determined in the same manner as Building Frontage is determined. [Also see "Yard (Front)" and "Yard (Corner Front)"]

Lot Width - The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and the rear lot lines. Width measurements for cul-de-sac or otherwise odd shaped lots shall be determined on the basis of the average horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.






Lumen – The unit used to quantify the amount of light energy produced by a lamp. For example, a 40-watt incandescent lamp produces approximately 400 lumens, while a 35- watt high pressure sodium lamp produces about 2,300 lumens.

Maintenance/Service Facilities - Facilities providing maintenance and repair services for publicly owned vehicles and equipment, and materials storage areas. This classification includes corporation yards, equipment service centers, and similar facilities.

Manufactured Home - A complete single-family home that is either wholly or in substantial part manufactured after June 15, 1976 at an offsite location in accordance with the National Manufactured Housing Construction and Safety Standards established by the U.S. Department of Housing and Urban Development. A manufactured home mounted on a permanent foundation consistent with the Cloverdale Municipal Code Chapter 15.24 and connected to all utilities required for a dwelling unit built on site is considered a dwelling unit conditionally permitted on single-family lots in the City, subject to the requirements of said chapter. A manufactured home is also commonly referred to as a modular home. "Manufactured Home" does not include a mobilehome as defined in Health & Safety Code §18008, a recreational vehicle as defined in Health and Safety Code §18010.5, or a commercial coach as defined in Health and Safety Code §18012.5. For purposes of this Title and Chapter 15.24 of this Code, "Manufactured Home" does not include "Mobilehome Trailer" as defined herein.

Manufacturing/Processing, Light - A facility accommodating manufacturing processes and establishments engaged in the assembly, fabrication or repair of already processed raw materials into products, where the operational characteristics of the manufacturing processes and the materials used are unlikely to cause significant impacts on surrounding land uses or the community. Examples of light manufacturing uses include the following and similar uses:

> Manufacturing, compounding, assembly, or treatment of articles or merchandise from previously-prepared materials such as: canvas, paper, cellophane, cloth,

cork, felt, fiber, fur, glass, leather, paper, precious or semi-precious stones, or metals, plaster, plastics, shells, textiles, tobacco, wood, and yarns.

Manufacturing, repair, or assembly of electronics and appliances, food and beverages (except wineries, distilleries, brewery), electronic instruments, photo and film processing, heating and ventilating ducts, light metal fabrication, printing and publishing, bookbinding, pottery with no more than one kiln, plumbing parts and supplies, furniture and reupholstering, signs, and other small scale manufacturing. Laboratories and testing facilities, such as chemical, dental, electrical, optical, medical laboratories.

Manufacturing/Processing, Medium - A facility accommodating manufacturing processes that involve and/or produce building materials, fabricated metal products, machinery, and/or transportation equipment, where the intensity and/or scale of operations is greater than those classified under "Manufacturing - Light," but where impacts on surrounding land uses or the community can typically be mitigated to acceptable levels. Examples of medium intensity manufacturing uses include the following:

Carpentry and cabinet shops, machine shops, large scale pottery manufacturing and kilns, wineries, distilleries, and breweries.

Manufacturing/Processing, Heavy - Cement products manufacturing, millwork, planing mills, sawmills, wood products, packing houses, petroleum distribution plants where all tanks are completely underground, tire retreading or recapping, lumber and building materials sales yards and dealers.

Marquee - A roof like structure of a permanent nature, which projects from the wall of a building and overhangs the public way.

Marquee Sign - A sign advertising an event, performance, service, seminar, conference, or show, and displayed on a permanent structure or canopy made of rigid materials supported by and extending from the façade of a building.

Medical Service

*Major* - Hospitals and similar facilities engaged primarily in providing diagnostic services, and extensive medical treatment, including surgical and other hospital services. These establishments have an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care. May include on-site accessory uses such as clinics and laboratories, retail uses and emergency heliports.

*Minor* - A facility other than a hospital where medical, dental, mental health, surgical, and/or other personal health care services are provided on an outpatient basis. Includes medical offices (for example offices for chiropractors, dentists, medical doctors, optometrists, prescription opticians, psychologists, etc.), outpatient facilities which may include surgery, urgent care facilities, dental laboratories, and medical laboratories. Counseling services by other than medical doctors or psychologists are included under "Offices - Professional."

Mini-Storage Warehouse - See "Self-Storage Warehouse"

Mobilehome Trailer - A structure that was constructed prior to June 15, 1976, is transportable in one or more Sections, is 8 body feet or more in width, or 40 body feet or more in length, in the traveling mode, or, when erected onsite, is 320 or more square feet, is built on a permanent

chassis and designed to be used as a single-family dwelling with or without a foundation system when connected to the required utilities, and includes the plumbing, heating, airconditioning, and electrical systems contained therein. "Mobilehome" includes any structure that meets all the requirements of this paragraph and complies with the state standards for mobile homes in effect at the time of construction. "Mobilehome" does not include a commercial modular, as defined in Health and Safety Code Section 18001.8, factory-built housing, as defined in Section 19971, a manufactured home, as defined in Section 18007, a multifamily manufactured home, as defined in Section 18008.7, or a recreational vehicle, as defined in Section 18010.

Mobilehome Park - Any area or tract of land where one or more spaces are rented or leased or held out for rent or lease to accommodate mobilehomes, manufactured homes or travel trailers used for human habitation for 30 days or longer.

Monument Sign - A low-profile, freestanding sign erected upon or supported solely by a planter, pedestal base, or similar ground structure that is designed to incorporate the architectural theme and building material of the building on the premises. Museum - Non-profit institutions displaying or preserving objects of interest in one or more of the arts or sciences.

Natural Waterway - Any natural stream of water flowing in a definite course or channel and possessing a bed and bank. It is not necessary that the flow of the water be continuous throughout the year. Natural waterways do not include artificially created channels for storm waters, such as street gutters or drainage facilities installed in connection with the development of a property.

Net Acres - Net acres are "net" after deleting "environmentally sensitive lands," defined as lands over 20% slope, lands in required stream or creek setbacks, woodlands, or lands with federal or state listed endangered species.

Nonconforming Lot - A lot which when lawfully created or established, complied with the size, and dimensional regulations of the district where located, but that does not conform to the current size or dimensional regulations of the district where located, or that does not conform to the current requirements of the Subdivision Map Act and/or the City's Subdivision Ordinance governing lot standards. The lot shall be shown on a duly approved and recorded tract or parcel map or have been issued or be eligible for a certificate of compliance or conditional certificate of compliance.

Nonconforming Structure - A structure or building which was lawfully erected, but which does not conform with current standards of lot coverage, setbacks, height of structures, or distances between structures prescribed in the regulations for the district in which the structure is located, by reason of adoption of this Title (or a prior Zoning Ordinance of the City) or amendment thereto, or by reason of annexation of territory to the City.

Nonconforming Use - A use of a structure or land which was lawfully established and maintained, but which does not conform with the use regulations or required standards for the district in which it is located, by reason of adoption of this Title (or a prior Zoning Ordinance of the City) or amendment thereto, or by reason of annexation of territory to the City.

Occupancy - The purpose for which a building is used or intended to be used.

Off-Site Sign - Any sign that is not appurtenant to the use of the property, a product sold, or the sale or lease of the property on which it is displayed or contains a message chosen by a person other than the person in control the property or structure where the sign is located, erected, or maintained.

Off-Street Parking Facilities - The site or portion of a site devoted to the off-street parking of motor vehicles, including parking spaces, aisles, access drives and landscaped areas.

Offices, Administrative - Offices which are used primarily by employees and typically have limited walk-in customer or third-party use. Examples include accounting and tax offices, appraisers, legal services, engineers and similar uses.

Offices, General Use - Offices which typically have frequent walk-in customers. Examples include pharmacies, sole practice physicians, travel agencies, real estate offices, photographic studios and similar uses.

On Site Commercial Information Signs - Information signs include wall or window signs that provide information to patrons of an enterprise such as credit cards accepted, menus, redemption stamps or directories and signs incorporated into displays, machinery or equipment by a manufacturer, distributor or vendor and identifying or advertising only the product or service dispensed by the machine or equipment, such as signs customarily fixed to automated teller machines (ATMs), gasoline pumps, and vending machines.

On-Site Sign - A sign whose message and design relates to a business, event, occupant, goods, profession or service being located, conducted, sold or offered on the same property.

Open Space - An area suitable for passive recreational use or which provides visual relief to developed areas. Typical trapezoidal type flood control channel rights-of-way, areas devoted to parking, vehicular traffic or private use are not considered open space.

Open Space, Usable - Outdoor or unenclosed areas on the ground, or on a roof, balcony, deck, porch, or terrace designed and accessible for outdoor living, recreation, pedestrian access, or landscaping, but excluding parking facilities, driveways utility or service areas.

Outdoor Lighting Fixture – Any temporary or permanent lighting fixture that is installed, located, or used in such a manner to provide illumination of objects or activities outside. Outdoor lighting fixtures include all fixtures mounted to the exterior of a structure, poles, bollards, or other freestanding structure, or placed so as to provide direct illumination on any exterior area or activity.

Overhang - The part of a roof or wall that extends beyond the façade of a lower wall; or, the portion of a vehicle extending beyond the wheel stops or curb.

Parking Space, Off-Street - A permanently surfaced area for vehicle parking either within a structure or in the open and connected to a public street, alley or other public way by a permanently surfaced driveway or access drive.

Pedestrian-Oriented Design - Buildings with design qualities and elements that contribute to an active, inviting and pleasant environment that makes walking between destinations enjoyable, thereby encouraging pedestrian use. Typical characteristics are building faces flush with back of sidewalk, multiple shop fronts, large display windows that provide an interesting change of view to people walking at pedestrian speeds, frequent entrances with doors oriented to public sidewalks or pedestrian ways, recessed entryways, and signs for pedestrian information on the

first floor. A building with parking between a building and the sidewalk or parking which requires a curb cut across a pedestrian sidewalk is not a pedestrian-oriented design.

Pedestrian-Oriented Retail - A business selling goods typically used in the home, which are purchased on a daily to monthly basis, and are carried from the business by the purchaser. Examples of such uses include banks and financial institutions, grocery markets and food stores, gift shops, clothing stores, candy stores, bakeries, small appliance stores, party supply stores, book shops, stationary stores, computer sales stores, camera shops, toy stores, bicycle shops, jewelry stores, flower shops, cosmetic stores, office supply stores, photocopy shops, mail centers, etc. Retail business uses that have infrequent visits or sales or large items typically not carried out by the purchaser are not pedestrian-oriented uses. See also General Retail.

Pennant - A commercial sign, with or without characters, letters, illustrations, or ornamentations applied to cloth, paper, fabric, or other lightweight material, with only such material for a backing, attached to a pole or structure or hung by cord, and used to draw attention to a site.

Permanent Supportive Housing - Permanent rental housing affordable to people with disabilities where each tenant has his/her own room or apartment, holds a lease or rental agreement in his/her own name and is responsible for paying his/her own rent, and participation in services or any particular type of service is not required as a condition of tenancy.

Permitted Use or Uses - The only uses permitted within a Zoning District are those that are listed as principal permitted uses, accessory uses, and conditional uses for that district. Principal permitted uses are allowed without a use permit. Accessory uses are allowed without a use permit, but must be incidental and customarily appurtenant to a principal permitted use existing on the same parcel and as provided in the regulations for each district. Conditional uses may be commenced only after a Conditional Use Permit has been obtained for such uses and the use must be carried on in compliance with all terms and conditions of the Conditional Use Permit.

Personal Services - A business providing personal services such as barber and beauty shops, nail salons, and spas.

Plan Line - An officially adopted line designating the limits of a future street right-of-way, and from which building setback lines shall be measured.

Planned Sign Program - A coordinated set of signs required for properties with more than two separate permitted uses and a total aggregate sign area of more than 100 square feet.

Pole Sign - A sign supported wholly by a pole or poles placed in, or upon, the ground and that are not part of a building.

Porch - A structure attached to a building to shelter an entrance or to serve as a semi-enclosed space; usually roofed and generally open-sided.

Portable Sign - Any sign not permanently attached to the ground or other permanent structure or a sign designed to be transported including, but not limited to, signs designed to be transported by means of wheels; signs made as A-frames or sandwich board signs; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business identified on the sign.

Processing Facility - See "Recycling Facilities."

Projecting Sign - A sign suspended beneath a marquee, covered walkway, or canopy perpendicular to the sidewalk and visible to pedestrians.

Public/Quasi-Public Use - In all Zoning Districts: churches, clubs, lodges, fraternities, and sororities, public schools, private schools, vocational schools, school dormitories, fire and police stations, public utilities, public buildings. Additional public and quasi-public uses allowed in some commercial and industrial Zoning Districts are commercial parking lots for shared use, mortuaries and cemeteries, public libraries and museums, and post offices.

Public Safety Facilities - Facilities for public safety or emergency services, including police and fire protection.

Recreational Facilities, Public - Publicly owned and operated parks, playgrounds, playing fields, gymnasiums, and other facilities for active and passive recreation.

Recreational Vehicle - A vehicle designed for human habitation or use for recreational, emergency or other occupancy and not used as a commercial vehicle, including, but not limited to, the following:

a. Camper Trailer. A folding or collapsible vehicle without its own motive power, designed as temporary living quarters for travel, camping, recreation, or vacation use.
b. Motorized Home. A vehicular unit on a self-propelled motor vehicle chassis, primarily designed as temporary living quarters for travel, camping, recreation, or vacation use.
c. Boats. A vessel for travel on water.
d. Off-the-road-vehicle. A vehicle intended primarily for recreational use off of roads where state vehicle licenses are required, such as a dune buggy, go-cart or snowmobile.
e. Racing car or cycle. A vehicle intended to be used in racing competition, such as a race car, stock car, or racing cycle.
f. Travel Trailer. A vehicle without its own motive power, designed to be used as a temporary dwelling for travel, camping, recreational or vacation use.
g. Truck Camper. A structure designed primarily to be mounted on a pick-up or truck chassis and designed to be used as a temporary dwelling for travel, camping, recreational or vacation use. When mounted on a truck, such a structure and the truck shall together be considered one vehicle.

Recycling Facilities - This land use type includes a variety of facilities involved with the collection, sorting and processing of recyclable materials. Types of recycling facilities include:

*Collection Facility.* A center where the public may donate, redeem or sell recyclable materials, which may include the following, where allowed by the applicable Zoning District:

a. Reverse vending machines(s) Reverse vending equipment automates beverage container recycling by accepting containers directly from the consumer, accounting for each container processed, and refunding the deposit to the consumer.

b. Small collection facilities which occupy an area of 350 square feet or less and may include:
   1) A mobile unit;
   2) Bulk reverse vending machines or a grouping of reverse vending machines occupying more than 50 square feet; and
   3) Kiosk-type units which may include permanent structures.

c. Large collection facilities which occupy an area of more than 350 square feet and/or include permanent structures.

*Mobile Recycling Unit.* An automobile truck, trailer, or van used for the collection of recyclable materials, carrying bins, boxes, or other containers.

*Processing Facility.* A structure or enclosed space used for the collection and processing of recyclable materials for shipment, or to an end-user's specifications, by such means as baling, briquetting, cleaning, compacting, crushing, flattening, grinding, mechanical sorting, remanufacturing and shredding, Processing activities include the following types:

a. Light processing facilities that occupy an area of under 45,000 square feet of collection, processing and storage area, and that average two outbound truck shipments each day. Light processing facilities are limited to baling, briquetting, compacting, crushing, grinding, shredding and sorting of source separated recyclable materials sufficient to qualify as a certified processing facility. A light processing facility shall not shred, compact, or bale ferrous metals other than food and beverage containers.

b. A heavy processing facility is any processing facility other than a light processing facility.

*Transfer Facility.* A facility where rubbish is sorted for recycling or relocation to a landfill site.

Religious Facilities - Facilities for religious worship and incidental religious education.

Research and Development - A use engaged in study, testing, design, analysis and experimental development of products, processes, or services, including incidental manufacturing of products or provision of services to others.

Residential Care Facility - Any family home, group care facility, or similar facility for 24 hour non-medical care of persons in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for other protection of the individual, as defined in Health & Safety Code Section 1502(a)(1) and subject to licensing pursuant to Health & Safety Code Sections 1500 et seq.

Residential Care Facility for the Elderly - A facility as defined in Health & Safety Code section 1569.2, subdivision (k), subdvision (l), or successor statutes.

Restaurant - A use providing preparation and retail sale of food and beverages including cafes, coffee shops, sandwich shops, ice cream parlors, and similar uses, and including licensed "on-sale" provision of wine and beer for consumption on the premises when accessory to such food service.

Reverse Vending Machine - Reverse vending equipment automates beverage container recycling by accepting containers directly from the consumer, accounting for each container processed, and refunding the deposit to the consumer. See "Recycling Facilities."

Real Estate Sign - Any sign advertising the sale, rental or lease of a premises or part of a premises.

Roof Sign - Any sign of any nature, together with all its parts and supports, which is erected, constructed or maintained on or above the roof or parapet of any building.

Sandwich Board Signs - See "A" Frame Signs.

Satellite Dish Antenna - A round parabolic antenna intended to receive signals from orbiting satellites and other sources.

Schools - Buildings or parts thereof which are designed, constructed, or used for education or instruction in any branch of knowledge.

Second Residential Dwelling Unit - A detached or attached dwelling unit of no more than 800 square feet that provides complete, independent living facilities for one or two persons. It shall include permanent provisions for living, sleeping, eating, cooking and sanitation on the same parcel or parcels as the one upon which the primary unit is situated.

Second-Hand Store - A shop that sells previously owned or used goods at reduced prices.

Self-Storage Warehouse - A building consisting of individual, small, self-contained units that are leased or owned by the public for the storage of business and household goods or contractors' supplies and may include residential quarters for a manager or caretaker.

Senior Independent Living Uses - A housing development which is planned, designed and managed to include facilities and common space that allow for direct services and support services that maximize the residents' potential for independent living and which is occupied by persons above the age of 60 years. Direct services and support services which are provided or made available shall relate to the nutritional, social, recreational, housekeeping, and personal needs of the residents and be provided or made available upon request at a level necessary to assist the residents to function independently.

Service Station - See "Automobile Service Station"

Setback – See "Building Setback Line."

Shared Parking - A situation where the same parking spaces can be utilized by two (2) or more different uses due to the differing peak hours of operation of uses involved.

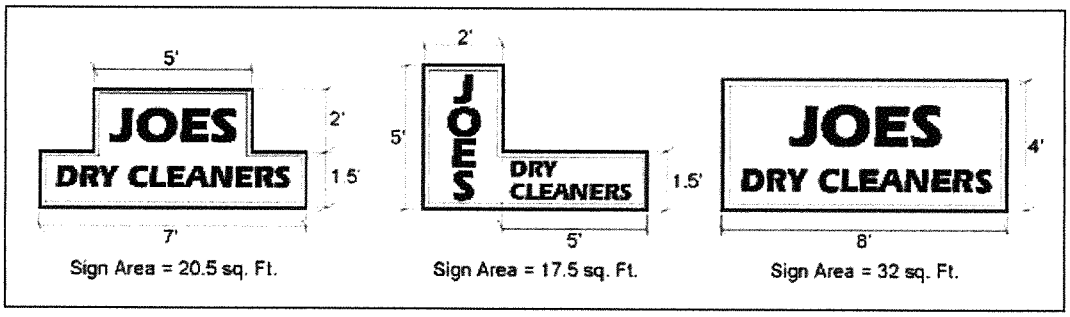
Shielding – A barrier around a fixture that helps conceal the lamp and control light distribution. A fixture that is fully shielded incorporates a solid barrier, emits no light rays above the horizontal plan and effectively obscures visibility of the lamp. A fixture that is partially shielded may allow some light to pass through a semi-translucent barrier, and/or may allow visibility of the lamp from certain perspectives.

Shopping Center or Business Park - Three or more stores or tenants with a minimum building area of 25,000 square feet, 300 feet of frontage onto a public right-of-way and common off-street parking.

Sidewalk Café - An area adjacent to and directly in front of a street-level eating or drinking establishment located within the sidewalk area of the public right-of-way and used exclusively for dining, drinking, and pedestrian circulation.

Sign - Any metal, wood, paper, cloth, plastic, paint, material, structure, or part thereof, device, or other thing whatsoever that is located in or upon, placed, erected, constructed, posted, painted, tacked, nailed, glued, stuck, carved, fastened, or affixed to any building or structure, on the outside or inside of a window or on any awning, canopy, marquee, or similar appendage, or on the ground or on any tree, wall, bush, rock, post, fence, or other thing whatsoever in such manner as to be visible out-of-doors and that displays or includes any numeral, letter, word, model, banner, air inflated balloon, emblem, insignia, symbol, logo, device, light, illuminated device, searchlight, trademark, or other representation used as, or in the nature of, an announcement, advertisement, attention arrester, direction, warning, or designation of any person, firm, group, organization, place, commodity, product, service, business, profession, enterprise, or industry. "Sign" shall include any portable sign.

Sign Area - The surface area of a sign shall be calculated by enclosing the extreme limits of all writing, logos, representations, emblems, or other displays within a single continuous perimeter composed of squares and rectangles, not including the supporting structure. Individual letters attached to a building shall be measured by the area enclosed by a continuous line outlining the perimeter of the words, emblems, and logos. For double-faced signs, only one side shall be counted as the total area. Where the faces are not equal in size, the larger sign face shall be used as the basis for calculating sign area. See example below.




Sign Copy - The portion of a sign that consists of the actual writing, pictorial representation, decoration, emblem, or flag, or any other device, figure, logo, or similar character, as distinguished from that portion of the sign that forms the background of any such writing or other said elements.

Sign Clearance - Sign clearance shall be measured as the smallest vertical distance between finished grade and the lowest point of the sign, including any framework or other embellishments.

Sign Face - That portion of a sign containing sign copy, which constitutes a single plane that is intended to be visible from a single vantage point.

Sign Height - The height of a sign is the vertical distance from the uppermost point used to measure sign area to the existing grade immediately below the sign or to the top of the nearest curb of the street on which the sign fronts, whichever measurement is the greatest.

Single-Room Occupancy (SRO) Living Unit - A commercial residential unit of a smaller size than normally found in multiple dwellings, usually one room, which is rented to a one or two

person household. SRO living units are provided for a weekly or monthly period of time, in exchange for an agreed payment of a fixed amount of money or other compensation.

Small Collection Facility - See "Recycling Facilities."

Small Wind Energy System - A wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity that does not exceed the allowable rated capacity under the Emerging Renewables Fund of the Renewables Investment Plan administered by the California Energy Commission and which will be used primarily to reduce on-site consumption of utility power.

Specified Anatomical Areas - This shall include the following:

(1) Less than completely and opaquely covered:

i. human genitals, pubic region;

ii. buttocks;

iii. female breasts below a point immediately above the top of the areola; and

(2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

Specified Sexual Activities - This shall include the following:

(1) Human male genitals in a state of sexual stimulation or arousal;

(2) Acts of human masturbation, sexual intercourse, oral copulation or sodomy, actual or simulated; and

(3) Fondling or other erotic touching, actual or simulated, of human genitals, pubic region, buttock or female breast.

Story - The portion of a building between the upper surface of any floor and the upper surface of the floor above. If there is no floor above, then the space between such floor and the ceiling next above it shall be considered a story. The basement or cellar shall not be considered a story unless the upper surface of the floor is more than 6 feet above the average level of the highest and lowest point of the ground surface immediately adjacent to the exterior walls of the building.

Street, Private - A way for providing vehicular access to lots or units over a common parcel, primarily by the owners or occupants of the common parcel and necessary service and emergency vehicles, but from which the public may be excluded and which are not maintained by the public agency.

Street, Public - A right-of-way which provides a means of public agency maintained vehicular access to abutting property. The term "street" shall include avenue, drive, circle, road, parkway, boulevard, highway, thoroughfare, or any other similar term, but not alley. The term shall include the total width of the dedicated right-of-way.

Structure - Anything constructed or erected that requires a location on the ground, including a building, swimming pool or gas/liquid storage tank that is principally above ground but not including access drives, walkways or a fence or wall used as a fence if the height does not exceed six (6) feet.

Tandem Parking - Parking space configuration where two or more parking spaces are lined up one behind the other.

Temporary Sign - A sign that is designed or intended to be temporarily mounted or displayed and that is not intended for permanent or long-term use.

Temporary Use - See "Use, Temporary."

Tenant - A person who rents, leases, or subleases real property from another through either a written or oral agreement.

Transitional Housing - Shelter provided for the homeless for an extended period, often as long as 18 months, and generally integrated with other social services and counseling programs to assist in the transition to self-sufficiency through the acquisition of a stable income and permanent housing.

Transportation Terminals - Facilities for loading, unloading, and transferring passengers, baggage, and incidental freight between modes of transportation. This classification includes bus terminals, railroad stations, and public transit stations.

Use - The purpose for which land or premises, or a building thereon, is designed, arranged, intended, occupied or maintained.

Use, Temporary - A use of land that is designed, operated and occupies a site for a limited period of time, typically less than 12 consecutive months.

Utilities, Major - Electrical substations, refuse collection and disposal facilities, water reservoirs, water wells, water tanks, detention basins, water and wastewater treatment plants, and similar facilities of public agencies and public utilities.

Vacation Rental - A residence that is rented in its entirety as a tourist accommodation. No operator is required to reside on the premises.

Variance - A procedure whereby the strict application of the provision of this Code relating to height, area, yard requirements and the like may be modified in a particular instance. The term "variance" shall not apply to a use modification.

Vehicle Display Sign - A sign mounted, attached, affixed or painted upon any surface of a motor vehicle, trailer or similar conveyance parked on public or private property for the purpose of advertising a business or a business location within the City or outside the City.

Vehicle for Sale Sign - A sign painted or affixed onto a vehicle for sale that is kept in vehicle display areas of new and used motor vehicle dealership lots or any other location where the sale of vehicles is permitted.

Veterinary Clinic or Hospital - An establishment for the care and treatment of the diseases and injuries of animals where animals may also be boarded during their convalescence.

Vision Triangle - A triangular area on corner lots within which certain height limitations on walls, fences, hedges, and the like are imposed under the provisions of this Code. Also called "Traffic Safety Visibility Area".

Wall Sign - Any sign attached to, painted on, or erected against, and in a plane parallel to, the exterior front, rear, or side wall of any building or other structure; wall signs include painted wall signs and individual letter signs.

Warehousing - The use of a building or buildings for the storage of goods of any type, when such building or buildings contain more than five hundred (500) square feet of storage space and no retail operation is conducted.

Watercourse - See "Natural Waterway."

Window Sign - A sign painted or installed on a glass window or door or located within 12 inches from inside the window in a manner that it can be viewed from the exterior of a structure

Woodland - Land covered with trees or woods; forest.

Yard or Court - An open space on the same site as a structure, unoccupied and unobstructed from the ground upward.

Yard, Front - A yard extending across the full width of a site between the side lot lines whose depth is measured from the front property line to a line parallel thereto at a distance equal to the required front yard setback. On private streets where the front property line is coterminous with the centerline of the street, the front yard setback shall be measured from the back of sidewalk. If there is no sidewalk, the front yard setback is measured from back of curb or pavement.

Yard, Corner Front - A dimension extending across the full width of the narrowest portion of a site, the depth of which is the distance between the front property line and a line parallel thereto to a depth required by the districts enumerated in this Title.

Yard, Rear - The required open space area extending along the full width of the lot between the rear lot line and the nearest line or point of the main building.

Yard, Side - The required open space area between the side or street side line of the lot and the nearest line of the building and extending from the front line of the lot to the rear yard.

Zero Lot Line - The location of a building on a lot in such a manner that one or more of the building's sides rest directly on a lot line.