

ORDINANCE NO. 2022-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SANTA CRUZ AMENDING CHAPTERS 24.04 – ADMINISTRATION; 24.08 – LAND USE PERMITS AND FINDINGS; 24.10 – LAND USE DISTRICTS; AND 24.12 – COMMUNITY DESIGN OF THE SANTA CRUZ MUNICIPAL CODE AND LOCAL COASTAL PROGRAM TO ESTABLISH OBJECTIVE DEVELOPMENT STANDARDS FOR MULTI-FAMILY HOUSING, ADD NEW MIXED-USE ZONING DISTRICTS, IMPLEMENT DEVELOPMENT REVIEW PROCESS CHANGES, AND MAKE ADDITIONAL MODIFICATIONS TO MUNICIPAL CODE TITLE 24 – ZONING ORDINANCE TO CLARIFY AND UPDATE VARIOUS CODE SECTIONS, REMOVE OBSOLETE SECTIONS AND REFERENCES, STREAMLINE APPLICATION PROCESSES, AND BRING THE ZONING ORDINANCE INTO CONFORMITY WITH STATE LAW

Section 1. Section 24.04.030 – Types of Permits and Other Actions Authorized by this Title of Chapter 24.04 – Administration of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.04.030 TYPES OF PERMITS AND OTHER ACTIONS AUTHORIZED BY THIS TITLE.**

The following permits and actions are established in order to carry out the purposes and requirements of this title:

1. Appeals;
2. Coastal permit;
- ~~3. Conditional driveway permit;~~
- ~~3~~4. Conditional fence permit;
- ~~4~~5. Conservation regulations modifications (in the Coastal Zone only);
- ~~5~~6. Design permit;
- ~~6~~7. Demolition/conversion permit:
  - a. Demolition authorization permit for residential structures,
  - b. Historic demolition permit;
- ~~7~~8. Extension of permits;
- ~~8~~9. Historic building survey: building designation and deletion;
- ~~9~~10. Historic alteration permit;
- ~~9a~~10a. Administrative historic alteration permit;
- ~~10~~11. Historic landmark designation;
- ~~11~~12. Mobile homes: certificate of compatibility;
- ~~12~~13. Mobile home park conversion;
- ~~13~~14. Planned development permit;
- ~~14.~~ Project modifications, pursuant to Section 24.04.160(4)(b);
15. Relocation permit;
16. Revocation of permits;
17. Signs:

- a. Design permit (for signs),
  - b. Building permit (for signs),
  - c. Sign permit – public art exception;
18. Slope Development Permit (outside the Coastal Zone)
19. Use permit:
- a. Administrative use permit, for uses requiring an administrative use permit; ~~plus the following:~~
  - (1) ~~Any earth-disturbing activity on known archaeological sites,~~
  - b. Special use permit, for uses requiring a special use permit;
20. Variance;
21. Watercourse development permit;
22. Watercourse variance;
23. Zoning Ordinance and General Plan text/map amendments;
24. ~~Project modifications, pursuant to Section 24.04.160(4)(b).~~

Section 2. Section 24.04.050 – Permit Application, Submittal and Processing of Chapter 24.04 - Administration of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.04.050 PERMIT APPLICATION, SUBMITTAL AND PROCESSING.**

Application for any permit shall be made by the property owner, or his/her authorized agent, to the zoning administrator on forms prescribed for the purpose. Alternatively, where a property developer has entered into an owner participation agreement or a disposition and development agreement with ~~the redevelopment agency~~ of the city of Santa Cruz for development of property for which the developer has yet to secure site control, the city redevelopment agency may make the permit application if the subject agreement provides for the city's redevelopment agency's acquisition of the property on the developer's behalf. The application shall include information as may be necessary for adequate review of the application. A list of such information is set forth on the application form.

Section 3. Section 24.04.090 – Public Hearing Requirement of Chapter 24.04 - Administration of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.04.090 PUBLIC HEARING REQUIREMENT.**

A public hearing shall be required for the following:

- 1. Appeals;
- 2. Coastal permit except for an accessory dwelling unit;
- 3. Conditional fence permit when required by Section 24.08.620;
- 4. Design permit:
  - a. When accompanying another permit requiring a public hearing or upon a zoning administrator determination that a public hearing is required;
  - b. For new two-story structures and/or second-story additions associated with a single-family residential use on substandard residential lots, excluding any Accessory Dwelling

Unit or Junior Accessory Dwelling Unit as defined in Chapter 24.16 Part 2 in the R-S and any R-1 Districts;

c. For large homes in R-1 Districts per Section 24.8.450;

d. Wireless telecommunications facilities per Part 15 of Chapter 24.12; or

e. New structures or improvements to existing structures in the West Cliff Drive Overlay District that require a coastal permit.

f. Mixed-Use or Residential Development that varies from one or more of the objective design standards of Chapter 24.12.185 of the Municipal Code

5. Density Bonus Applications

6. Demolitions: residential, except for a single-family residence, and historical buildings;

76. Historic building survey: building designation, deletion;

87. Historic landmark alteration permit;

98. Historic landmark designation;

109. Mobile home park conversion;

1110. Slope Development Permit (on or within 20 feet of a 50% or greater slope) outside the Coastal Zone;

1211. Planned development permit;

~~12. Relocation of structures;~~

1312. Revocation of permits;

1413. Use permits:

a. Administrative use permit, except:

i. when the proposed use is temporary, as defined in this title;

ii. for variations to parking design requirements and number of spaces; ~~and~~

iii. half baths in accessory structures; and

iv. for low risk alcohol outlets;

b. Special use permit (including historic district/historic landmark use permit);

1514. Variance;

1615. Watercourse variance;

1716. Project modifications, pursuant to Section 24.04.160(4)(c);

1817. Zoning Ordinance and General Plan text and map amendments.

Section 4. Section 24.04.130 – Decision-Making Body With Final Authority on Application Approval of Chapter 24.04 - Administration of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.04.130 DECISION-MAKING BODY WITH FINAL AUTHORITY ON APPLICATION APPROVAL.**

The following table indicates the decision-making body who can approve, deny or conditionally approve an application, whether or not a public hearing is required, and the bodies to which appeals can be made:

1. The planning commission and city council may refer certain aspects of any application to the zoning administrator for final action.

2. The zoning administrator may refer any of the matters on which he/she is authorized to act to the planning commission or historic preservation commission.

3. Recommendations for approval on General Plan matters and zoning ordinance text and map amendments shall require a majority vote of the planning commission; all other actions shall require a majority of the hearing body present at the meeting.

| Permits/Actions*****   | Public Hearing Requirement and Decision-Making Body Which Can Approve an Application |                |        |                          |
|--|--|----------------|--------|--------------------------|
|  | No Public Hearing  | Public Hearing |        | Appeal Bodies (in order) |
|  | Action   | Recommendation | Action |                          |
| Coastal Permit   | ZA (ADU*)  |                | ZA*    | CPC/CC/CCC*              |
| Administrative Use Permit: <del>Large family daycare homes, temporary</del> <u>Temporary</u> uses, <u>variations to parking design requirements and number of spaces, low risk alcohol outlets</u> , and half baths in accessory buildings | ZA   |                |        | CPC/CC                   |
| Other uses as listed by individual zoning districts as requiring an Administrative Use Permit  |  |                | ZA     | CPC/CC                   |
| Conditional Driveway Permit  | -  | -              | ZA     | CPC/CC                   |
| Conditional Fence Permit   | ZA   |                | ZA     | CPC/CC                   |
| Slope Regulations Modifications (Variance) in the Coastal Zone   |  |                | CPC    | CC                       |
| Slope Development Permit (on or within 20 feet of a 50% or greater slope) outside the Coastal Zone   |  |                | ZA     | CPC/CCC                  |
| Slope Regulations Modifications (Design Permit) in the Coastal Zone  | ZA   |                |        | CPC/CC                   |
| Slope Development Permit (on or within 20 feet of a slope greater than or equal to 30% and less than 50%) outside the Coastal Zone   | ZA   |                |        | CPC/CC                   |
| Design Permit  | ZA   |                |        | CPC/CC                   |

| Permits/Actions****   | Public Hearing Requirement and Decision-Making Body Which Can Approve an Application |                |        |                          |
|---|--|----------------|--------|--------------------------|
|   | No Public Hearing  | Public Hearing |        | Appeal Bodies (in order) |
|   | Action   | Recommendation | Action |                          |
| 1. Substandard lots: New two-story structures and second-story additions <u>with a single-family residential use</u> , excluding ADUs     |  |                | ZA     | CPC/CC                   |
| 2. Large homes per Section 24.08.450  |  |                | ZA     | CPC/CC                   |
| 3. Wireless telecommunications facilities   | ZA   |                | ZA     | CPC/CC                   |
| 4. New structures or improvements to existing structures in the WCD Overlay which are exempt or excluded from coastal permit requirements | ZA   |                |        | CPC/CC                   |
| 5. New structures or improvements to existing structures in the WCD Overlay which require a coastal permit                                |  |                | ZA     | CPC/CC                   |
| 6. <u>Residential development in R-L, R-M, or R-H zone districts conforming to all standards of Section 24.12.185</u>                     | <u>ZA</u>  |                |        | <u>CPC/CC</u>            |
| 7. <u>Mixed-Use or Residential Development not within the R-L, R-M or R-H zone districts with no more than 50 dwelling units and</u>      | <u>ZA</u>  |                |        | <u>CPC/CC</u>            |

| Permits/Actions****  | Public Hearing Requirement and Decision-Making Body Which Can Approve an Application |                |            |                          |
|--|--|----------------|------------|--------------------------|
|  | No Public Hearing  | Public Hearing |            | Appeal Bodies (in order) |
|  | Action   | Recommendation | Action     |                          |
| <u>conforming to all standards of Section 24.12.185</u>  |  |                |            |                          |
| 8. <u>Mixed-Use or Residential Developments not within the R-L, R-M or R-H zone districts with 51 dwelling units or more and conforming to all standards of Section 24.12.185</u>  |  |                | <u>ZA</u>  | <u>CPC/CC</u>            |
| 9. <u>Mixed-Use or Residential Development not within the RL, RM or RH zone districts with no more than 50 dwelling units and varying from at least one and no more than five standards of Chapter 24.12.185 of the Municipal Code</u> |  |                | <u>ZA</u>  | <u>CPC/CC</u>            |
| 10. <u>Mixed-Use or Residential Development varying from six or more standards of Chapter 24.12.185 of the Municipal Code</u>  |  |                | <u>CPC</u> | <u>CC</u>                |
| Demolition Permit  |  |                |            |                          |
| 1. Single-family residential   | ZA   |                |            | CPC/CC                   |
| 2. Multifamily residential   |  |                | CPC        | CC                       |
| 3. Historic demolition permit  |  |                | HPC        | CC                       |

| Permits/Actions*****                          | Public Hearing Requirement and Decision-Making Body Which Can Approve an Application |                |           |                                  |
|---|--|----------------|-----------|----------------------------------|
|   | No Public Hearing  | Public Hearing |           | Appeal Bodies (in order)         |
|   | Action   | Recommendation | Action    |                                  |
| 4. Nonresidential                             | ZA**   |                | ZA**      | CPC/CC                           |
| General Plan Text and Map Amendments          |  | C              | CC/CCC*** |                                  |
| Historic Alteration Permit                    |  |                | HPC       | CC                               |
| Administrative Historic Alteration Permit     | ZA   |                |           | HPC/CC                           |
| Historic Building Survey:                     |  |                |           |                                  |
| Building designation, deletion                |  | HPC            | CC        |                                  |
| Historic District Designation                 |  | HPC/CPC        | CC        |                                  |
| Historic Landmark Designation                 |  | HPC            | CC        |                                  |
| Mobile Homes (Certificate of Compatibility)   | ZA   |                |           | CPC/CC                           |
| Mobile Home Park Conversion                   |  |                | CPC       | CC                               |
| Outdoor Extension Areas per Section 24.12.192 | ZA   |                |           | CPC/CC                           |
| Planned Development Permit                    |  | CPC            | CC        |                                  |
| Project (Major) Modification                  | Hearing by ZA or body approving application  |                |           | Appeal to next highest body(ies) |
| Project (Minor) Modification                  | ZA   |                |           | CPC/CC                           |
| Relocation of Structures Permit               | ZA   |                |           | CPC/CC                           |
| Revocation Permit                             | Hearing by ZA or body approving application  |                |           | Appeal to next highest body(ies) |
| Sign Permit                                   | ZA   |                |           | CPC/CC                           |
| Special Use Permit                            |  |                | CPC       | CC                               |
| Variance                                      |  |                | ZA        | CPC/CC                           |

| Permits/Actions*****   | Public Hearing Requirement and Decision-Making Body Which Can Approve an Application |                |           |                          |
|--|--|----------------|-----------|--------------------------|
|  | No Public Hearing  | Public Hearing |           | Appeal Bodies (in order) |
|  | Action   | Recommendation | Action    |                          |
| Watercourse Variance   |  |                | CPC       | CC                       |
| Watercourse Development Permit   | ZA   |                |           | CPC/CC                   |
| Zoning Ordinance Text and Map Amendments   |  |                |           |                          |
| Amendments recommended by CPC  |  | CPC            | CC/CCC*** |                          |
| Amendments not recommended by CPC  |  | CPC            |           | CC/CCC***                |
| <b>CCC = California Coastal Commission    CC = City Council    CPC = City Planning Commission</b><br><b>HPC = Historic Preservation Commission    ZA = Zoning Administrator</b>  |  |                |           |                          |
| * For projects seaward of the mean high tide line, and in the case of appealable actions, the California Coastal Commission shall be the decision-making body which can finally approve an application. In the coastal zone, all proposed accessory dwelling units shall require a coastal permit (unless they are exempt or excluded from coastal permit requirements) and shall be processed in the manner described in Chapter 24.04 and Section 24.08.200 et seq. (including in terms of public noticing and process for appeal to the Coastal Commission) except that no public hearing shall be required. In addition to all other applicable LCP requirements, standards for ADUs in the coastal zone are specified in Section 24.12.140(10). |  |                |           |                          |
| ** Such permits shall be issued administratively, without a public hearing, unless a cultural resources evaluation, prepared by a qualified consultant as determined by the zoning administrator, determines that the building or structure is eligible for listing on the city Historic Building Survey.  |  |                |           |                          |
| *** California Coastal Commission in case of CLUP policy, CLIP elements.   |  |                |           |                          |
| **** At a regularly scheduled meeting, a majority of the council may take an action to direct any project or amendment to be called from a lower hearing body prior to a final action or during an appeal period in accordance with Section 24.04.175(2).  |  |                |           |                          |

Section 5. Section 24.04.160 – Life of Permit of Chapter 24.04 - Administration of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.04.160 LIFE OF PERMIT.**

1. Expiration.
  - a. Each approved permit shall expire and become null and void thirty-six months from the date on which it is approved, unless exercised; a lesser time period may be specified. A relocation permit shall be exercised within six months.
  - b. An approved permit applies to the subject property and runs with the land. Once exercised, an approved permit remains effective unless terminated or modified and remains effective even if the subject property is rezoned.



- c. An approved permit is transferable to any future owner of the subject property.
  - d. Any use permit which has been exercised shall expire and become void where the use has ceased for a period of six consecutive months, whether or not it is the intent to abandon said use.
  - e. All active permits as of March 10, 2009, and those approved up to and including March 10, 2010, shall have the life of the permit automatically extended an addition one year from the length of time currently allowed under subsection (1)(a). This extension authorization shall expire on March 11, 2011, unless otherwise extended by the city council.
2. Extension of Permits. Any permit issued in conjunction with a project that has had its tentative subdivision map or parcel map extended pursuant to the provisions of the California Subdivision Map Act, Government Code Sections 66410 et seq. or the city's Subdivision Ordinance, S.C.M.C. Title 23, shall have its associated land use permits automatically extended for a period coextensive to any extension of the tentative subdivision map or parcel map attributable to the application of Subdivision Map Act or Subdivision Ordinance provisions.
3. Revocation of Permits. In any case where the conditions to the granting of a permit have not been or are not complied with, the decision-making body with final authority over said permit shall give notice thereof to the permittee, which notice shall specify a reasonable period of time within which to perform said conditions and correct said violation. If the permittee fails to comply with said conditions, or correct said violation, within the time allowed, notice shall be given to the permittee of intention to revoke such permit at a hearing to be held not less than ten calendar days after the date of such notice. Following such hearing and, if good cause exists therefor, the decision-making body with final authority over said permit may revoke such permit.
4. Modifications.
- a. Minor Modifications. The zoning administrator may modify conditions imposed on any permit at the request of the permit holder where evidence has been submitted that the requested modifications:
    - (1) Will not significantly alter the approved permits; and
    - (2) Are made on the basis of changed circumstances since the original approval; and
    - (3) Would not contradict or go against any direction in the record that was instrumental in the approval of the original permit; and
    - (4) In the case of a housing development application, that the requested modification applies to a variation from a design standard that was previously reviewed at a public hearing as an alternative design, or does not involve a variation from the design standards of Section 24.12.185.
  - b. Minor Modification Criteria. The zoning administrator may approve any requested minor modifications on any permit which involves minor increases in floor area that do not exceed fifteen percent of the approved project or involve use intensifications permitted by the zone that do not increase parking above fifteen percent of the approved parking for the project without a public hearing as long as the proposed modification is consistent with all sections of the Zoning Ordinance. Only one such modification or project will be allowed within any five-year period without review by the planning commission or at a publicly noticed zoning administrator hearing if the original approval was administrative or was decided at a public hearing before the zoning administrator. ~~Additional~~ Minor modifications not related to such increases in floor area or use intensifications may be approved without a public hearing and are not subject to the five year limitation.

c. Major Modifications. The zoning administrator shall refer to the decision-making body with final authority for review and action any requested modifications which involve significant increases in size or nature of an approved project beyond those limits set in subsection (4)(b). A public hearing will be required unless the permit proposed for modification was approved administratively, in which case the modification may also be decided administratively. In the case of a housing development project, any variation from a requirement of Section 24.12.185 that was not previously reviewed at a public hearing, shall trigger the need for a public hearing at the level indicated by 24.04.130.

Section 6. Section 24.08.030 – Procedure – Administrative Use Permit of Chapter 24.08 – Land Use Permits and Findings of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.08.030 PROCEDURE – ADMINISTRATIVE USE PERMIT.**

1. The zoning administrator is hereby authorized to issue use permits for all uses designated in the district regulations of this title as being subject to the issuance of an administrative use permit.
2. A public hearing shall be held, except in the following cases:
  - a. Where the proposed use is temporary, as defined herein;
  - ~~b. Where the proposed use pertains to a large family daycare home as defined in Section 24.22.355;~~
  - ~~b.~~ Where the proposed use permit is for a variation to design standards for parking or for a reduction to the required number of parking spaces; ~~or~~
  - ~~c.~~ Where the proposed use is for the construction of a half bathroom in an accessory building, subject to the requirements in Section 24.12.140.; or
  - d. Where the proposed use is for a low risk alcohol outlet subject to the requirements of Part 12: Alcoholic Beverage Sales of Chapter 24.12.

Section 7. Part 5: Design Permit of Chapter 24.08 – Land Use Permits and Findings of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**Part 5: DESIGN PERMIT**

**24.08.400 PURPOSE.**

The purpose of the design permit is to promote the public health, safety and general welfare through the review of architectural and site development proposals and through application of recognized principles of design, planning and aesthetics and qualities typifying the Santa Cruz community. This section of the zoning ordinance is also part of the Local Coastal Implementation Plan.

**24.08.410 GENERAL PROVISIONS.**

A design permit shall be required for the following types of projects:

1. Multiple dwellings and dwelling groups containing ~~three~~two or more dwelling units;
2. New structures intended for commercial use;

3. New structures intended for industrial use;
  4. Commercial or industrial uses of land not involving a building;
  5. Accessory structures and uses except those accessory uses or structures customarily associated with and accessory to a single-family dwelling unless a design permit is otherwise required in this title;
  6. Any structure on, or use of, a substandard residential lot when that structure or use is associated with a single-family residential use, except for structures which provide access to the first floor for the physically challenged and accessory structures that are less than one hundred twenty square feet and less than fifteen feet in building height. Such accessory structures shall be included in the calculation of maximum lot coverage pursuant to Section 24.08.440;
  7. Any exterior remodeling and/or site alteration of either fifty thousand dollars or twenty-five percent additional floor area to any existing commercial or industrial building or structure, except within the Central Business District (CBD) zone and for properties within the Mission Street Urban Design Plan area, within which a design permit shall be required for any exterior alteration or remodeling for which the construction costs of such work exceed ten thousand dollars; the design of such exterior improvements shall be consistent with the applicable design requirements contained in the Downtown Plan or Mission Street Urban Design Plan;
  8. Any project where the applicant is a public agency over which the city may exercise land use controls;
  9. Public projects in the Coastal Zone, including but not limited to buildings, roads, bridges, wharf structures, shoreline riprap, and port district projects;
  10. Any project which requires a design permit as a result of a specific city action or as a result of a condition of a prior project approval;
  11. Parking lots with capacity for five or more spaces;
  12. Any project which requires a planned development permit;
  13. Single-family homes over four thousand square feet in R-1-10, three thousand five hundred square feet in R-1-7, and three thousand square feet in R-1-5 zoning districts;
  14. Any structures in the West Cliff Drive Overlay District.
- Electric vehicle charging stations are exempt from the requirement for a design permit.

#### **24.08.420 PROCEDURE.**

1. Applications for design permits shall be acted upon by the zoning administrator without a public hearing unless the design permit is accompanied by an application which must be heard by a higher body (planning commission or city council) or meets the requirements for review at a public hearing by either the Zoning Administrator or the City Planning Commission as delineated below. When acting on a fully compliant application for a housing development, the Zoning Administrator shall make the findings required by 24.08.425, and consistent with the procedures of 24.04.130.

2. Any applications for design permits of the types listed below ~~above~~ shall be acted upon by the zoning administrator at a public hearing ~~pertains to:~~

- a) New two-story structures and/or second-story additions associated with a single-family residential use on substandard residential lots in R-1 districts;
- b) Large homes per Section 24.08.450;
- c) Wireless telecommunications facilities per Part 15 of Chapter 24.12; or
- d) New structures or improvements to existing structures in the West Cliff Drive Overlay District that require a coastal permit.

- e) Mixed-use or multifamily residential development that varies from one to five of the objective design standards of Section 24.12.185 of the Municipal Code, pursuant to the findings required by 24.08.426.
- f) Mixed-use or multifamily residential development not within the R-L, R-M or R-H zone district that fully conforms to Section 24.12.185 of the Municipal Code and includes 51 or more dwelling units, exclusive of accessory dwelling units, pursuant to the findings required by 24.08.425.

3. Any applications for design permits for mixed-use or multifamily residential development that vary from six or more of the objective design standards of Section 24.12.185 of the Municipal Code shall be acted upon by the City Planning Commission at a public hearing, pursuant to the findings required by 24.08.426.

#### **24.08.425 FINDINGS REQUIRED – FULLY-COMPLIANT MIXED USE OR MULTIFAMILY DEVELOPMENT.**

Applications for design permits for projects that include two or more multifamily housing units, and which meet all relevant standards set by the Santa Cruz Municipal Code shall be reviewed as defined in Section 24.08.420. The decision-making body shall conduct review in relation to the below established criteria for design review. Applications for design permits shall be approved if development proposals with multifamily housing units conform with the following criteria.

1. The site plan and building design are consistent with design and development policies, limited to those policies that constitute objective standards therein when required by state law, of the General Plan, any element of the General Plan, and any area plan, specific plan, or other city policy for physical development. If located in the Coastal Zone, the site plan and building design are also consistent with policies of the Local Coastal Program.

2. The site plan and building design are in full conformance with the design standards of Section 24.12.185.

#### **24.08.426 FINDINGS REQUIRED – ALTERNATIVE DESIGN MIXED USE OR MULTIFAMILY DEVELOPMENT.**

Applications for design permits for projects including two or more multifamily residential units and which propose to vary from one or more of the design standards of Section 24.12.185 shall be reviewed as defined in Section 24.08.420. The decision-making body shall conduct review in relation to the below established criteria for design review. Applications for design permits shall be approved if development proposals with multifamily housing units conform with the following criteria, and the decision-making body shall approve the design permit based upon the following findings. These findings shall apply only to alternative designs for compliance with Section 24.12.185 and are not applicable to applications seeking to vary from any other standard, requirement, or policy of the Municipal Code.

1. With the exception of the standards of Section 24.12.185 for which the project is seeking alternative design, the site plan and building design are consistent with design and development

policies, limited to those policies that constitute objective standards therein when required by state law, of the General Plan, any element of the General Plan, and any area plan, specific plan, or other city policy for physical development. If located in the Coastal Zone, the site plan and building design are also consistent with policies of the Local Coastal Program.

2. For each standard of Section 24.12.185 for which the project proposes an alternative design, the proposed alternative meets the intent of the stated goal identified for the relevant standard in Section 24.12.185.

#### **24.08.430 FINDINGS REQUIRED – GENERAL.**

All applications for design permits that cannot be reviewed under Sections 24.08.425 or 24.08.426 shall be reviewed in relation to below established criteria for design review.

Applications for design review, other than those processed pursuant to Sections 24.08.425 and 24.08.426, shall be approved if proposed buildings, structures, streets, landscaping, parking, open space, natural areas and other components of the site plan conform with the following criteria, as applicable:

1. The site plan and building design are consistent with design and development policies of the General Plan, any element of the General Plan, and any area plan, specific plan, or other city policy for physical development. If located in the Coastal Zone, the site plan and building design are also consistent with policies of the Local Coastal Program.
2. For nonresidential projects, the project's location, size, height, operations, and other significant features and characteristics are compatible with and do not adversely affect or further degrade adjacent properties, the surrounding neighborhood, or the public health, safety, and welfare. For residential projects, the project complies with the objective standards and requirements of the zoning district in which it is located, as well as any objective standards of any area plan or other regulatory document that applies to the area in which the project is located.
3. For nonresidential projects, the project provides for an arrangement of uses, buildings, structures, open spaces, and other improvements that are compatible with the scale and character of the adjacent properties and surrounding neighborhood.
4. The exterior design and appearance of buildings and structures and the design of the site plan shall be compatible with design and appearance of other existing buildings and structures in neighborhoods which have established architectural character worthy of preservation.
5. Design of the site plan respects design principles in terms of maintaining a balance of scale, form and proportion, using design components which are harmonious, and materials and colors which blend with elements of the site plan and surrounding areas. Location of structures takes into account maintenance of public views; rooftop mechanical equipment is incorporated into roof design or screened from public rights-of-way to the extent possible. Utility installations such as trash enclosures, storage units, traffic-control devices, transformer vaults and electrical meters are accessible and screened.
6. Where a site plan abuts, or is in close proximity to, uses other than that proposed, the plan shall take into account its effect on other land uses. Where a nonresidential use abuts or is in close proximity to a residential use, the effect of the site plan should maintain the residential quality of adjacent or nearby areas.
7. To the extent feasible, the orientation and location of buildings, structures, open spaces and other features of the site plan maintain natural resources including significant trees and shrubs,

minimize impacts to solar access of adjacent properties, and minimize alteration of natural land forms; building profiles, location, and orientation must relate to natural land forms.

8. The site plan ensures that the scale, bulk, and setbacks of new development preserves important public views along the ocean and of designated scenic coastal areas. Where appropriate and feasible, the project shall restore and enhance visual quality of visually degraded areas.

9. The site plan shall reasonably protect against external and internal noise, vibration and other factors which may tend to make the environment less desirable. The site plan should respect the need for privacy of adjacent residents.

10. Building and structures shall be designed and oriented to make use of natural elements such as solar radiation, wind, and landscaping for heating, cooling, ventilation, and lighting.

#### **24.08.440 STANDARDS FOR SUBSTANDARD RESIDENTIAL LOT DEVELOPMENT.**

Whenever a project associated with a single-family residential use is proposed for a substandard residential lot, as defined in Section 24.22.520, applications for design review shall be approved if the findings set forth in Section 24.08.430 can be made and proposed buildings, structures, landscaping and other components of the site plan conform to the following additional criteria:

1. The maximum allowable lot coverage for structures shall be forty-five percent. Lot coverage shall include the footprints of the first floor, garage and other accessory buildings (attached and detached), decks and porches (greater than thirty inches in height and not cantilevered), and any second-story cantilevered projection (enclosed or open) beyond two and one-half feet. Decks under thirty inches in height or fully cantilevered with no vertical support posts do not count toward lot coverage for this purpose. Second-story enclosed cantilevered areas that project less than thirty inches from the building wall do not count toward lot coverage. For such areas that project more than thirty inches from the building wall, only the floor area that projects more than thirty inches shall be counted toward lot coverage.

2. The floor area for second stories shall not exceed fifty percent of the first floor area, except in cases where the first floor constitutes thirty percent or less of the net lot area.

3. New structures shall be consistent with the scale of structures on adjacent lots and generally be compatible with existing surrounding structures.

4. New structures shall be sited in ways which avoid causing substantial change in the pattern of existing building projections along streets. Continuous long, parallel abutting walls on narrow side yards shall be avoided.

5. Spacing of buildings and overall siting of structures shall maximize the potential for solar access to each lot.

6. Landscaping shall be required at least for front yard areas and shall be used to screen parking from street.

7. Structures shall incorporate methods to lessen the impact of garages on a street facade.

Section 8. Part 3: R-S Residential Suburban District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

#### **24.10.200 PURPOSE.**

To provide a residential living area within the city which allows low residential densities and provides a transition to rural areas which adjoin portions of the city. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan.

#### **24.10.210 PRINCIPAL PERMITTED USES.**

1. Single-family dwelling.
2. Community care facilities including daycare (except family daycare homes) and foster home (six or fewer persons).
3. Crop and tree farming and grazing lands.
4. Small and large family daycare homes in residential units~~single-family dwellings or duplexes~~.
5. Community garden.
6. Accessory uses are principally permitted when they are a subordinate use to the principal use of the lot.
  - a. Home occupations subject to home occupation regulations as provided in Section 24.10.160.
  - b. Room and board for not more than two paying guests per dwelling unit, when located within principal building.
  - c. Residential accessory uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory buildings, and Section 24.10.230.
  - d. Living quarters for persons regularly employed on the premises, when located within principal building.
7. Accessory dwelling units subject to the provisions of Chapter 24.16, Part 2.
8. Supportive and transitional housing in single-family dwellings.

#### **24.10.230 USE PERMIT REQUIREMENT.**

1. The following uses are subject to approval of an administrative use permit and may also require a design permit per section 24.08.410:
  - a. Family animal farm.
  - b. Temporary structures and uses.
  - c. Young farmer projects on sites of twenty thousand square feet or more on which a child may be permitted to raise one kid, lamb, or calf for a one-year period.
  - d. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.
  - e. ~~Large family daycare homes (no design permit required unless otherwise required as a result of a structural modification to the residence).~~e. Wireless telecommunications facilities, subject to the regulations in Chapter 24.12, Part 15.

#### **24.10.240 USE DETERMINATIONS.**

Any other use or service establishment determined by the zoning ~~board~~administrator to be of the same general character as the foregoing principal permitted uses, and which will not impair the present or potential use of adjacent properties, shall be permitted. If the zoning ~~board~~administrator determines that the proposed use is more in character with the conditional uses for this zone, then a use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an

administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

**24.10.250 DISTRICT REGULATIONS.**

1. General.

| Provision  | Classification or Type of Use |         |         |        |
|--|-------------------------------|---------|---------|--------|
|  | RS-10A                        | RS-5A   | RS-2A   | RS-1A  |
| a. Height of Buildings (Maximum)   |                               |         |         |        |
| • Principal: (stories and feet)  | 2 & 30                        | 2 & 30  | 2 & 30  | 2 & 30 |
| • Accessory: (stories and feet)  | 1 & 20                        | 1 & 20  | 1 & 20  | 1 & 20 |
| b. Lot area (acre)   | 10 acres                      | 5 acres | 2 acres | 1 acre |
| c. Lot width (feet)  | 250                           | 200     | 150     | 100    |
| d. Front yard (feet)   | 40*                           | 40*     | 40*     | 40*    |
| e. Rear yard (feet)  | 30                            | 30      | 30      | 30     |
| f. Side yards (feet)   | 25                            | 20*     | 20*     | 15*    |
| * For any attached or detached garage or carport with doors or entrances fronting on a front or exterior side property line, the setback shall be a minimum of twenty feet from said property line or the setback required for the district, whichever is greater. |                               |         |         |        |

2. Dwellings per Lot. Unless otherwise provided, there shall be only one dwelling per lot.
3. Design Guidelines. Development guidelines adopted by the city shall be used as applicable to provide site design standards to augment the general district regulations in the development of property in this district.
4. The minimum distance between buildings on the same lot shall be ten feet between main buildings; six feet between main buildings and accessory buildings, including accessory dwelling units; and six feet between accessory buildings.

Section 9. Part 4: R-1 Single-Family Residence District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.10.300 PURPOSE.**

To stabilize and protect the residential characteristics of the district, and to promote and encourage a suitable environment for family life and single persons; and intended for single-family detached dwellings and the services appurtenant thereto. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan. Please also see Part 42, Sections 24.10.4200 et al. for properties within the West Cliff Drive Overlay District. Please also see Section 24.08.440 for substandard lots and Section 24.08.450 for large home developments.



#### **24.10.310 PRINCIPAL PERMITTED USES.**

1. Single-family dwelling.
2. Community care facilities including daycare (except family daycare homes) and foster homes (six or fewer persons).
3. Small and large family daycare homes in residential units~~single-family dwellings or duplexes~~.
4. Community garden.
5. Accessory uses are principally permitted when they are a subordinate use to the principal use of the lot.
  - a. Home occupations subject to home occupation regulations as provided in Section 24.10.160.
  - b. Room and board for not more than two paying guests per dwelling unit, when located within principal building.
  - c. Residential accessory uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory buildings, and Section 24.10.330.
6. Accessory dwelling units subject to the provisions of Chapter 24.16, Part 2.
7. Supportive and transitional housing in single-family dwellings.

#### **24.10.330 USE PERMIT REQUIREMENT.**

1. The following uses are subject to approval of an administrative use permit and may also require a design permit per section 24.08.410:
  - a. Family animal farm.
  - b. Temporary structures and uses.
  - c. Young farmer projects on sites of twenty thousand square feet or more on which a child may be permitted to raise one kid, lamb, or calf for a one-year period.
  - d. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.
  - ~~e. Large family daycare homes (no design permit required unless otherwise required as a result of a structural modification to the residence).~~
  - e. Wireless telecommunications facilities, subject to the regulations in Chapter 24.12, Part 15.
2. The following uses are subject to approval of ~~an administrative~~ a special use permit and may also require a design permit per section 24.08.410:
  - a. Bed-and-breakfast inns, subject to requirements contained in Chapter 24.12, Part 9.
  - b. Community care facilities including nursing homes, retirement homes, daycare (except family daycare homes) and foster homes (seven or more persons).
  - c. Health facilities for inpatient and outpatient psychiatric care and treatment.
  - d. Off-street parking facilities accessory to a contiguous commercial property not to exceed one hundred feet from the boundary of the site they are intended to serve.
  - e. Plant nurseries and greenhouses.
  - f. Noncommercial recreation areas, buildings and facilities such as parks, country clubs, golf courses, and riding, swimming and tennis clubs.
  - g. Educational, religious, cultural, or public utility or public service uses and buildings; but not including corporation yards, storage or repair yards, and warehouses.

- h. Two-family dwellings (duplexes) on corner lots having an area of seven thousand five hundred square feet or more, and subject to the following limitations:
- (1) Such duplexes shall maintain at least two thousand square feet of usable open space, one thousand square feet of which shall be directly accessible to each unit within the duplex;
  - (2) Setbacks from the street shall be the same as for a single-family dwelling, i.e., the setback from one street shall be considered a front yard setback and the setback from the other street shall be considered an exterior side yard setback; however, garages or carports shall have a minimum setback of twenty feet from the property line to the vehicle entrance of the structure.
- i. Riding stables on parcels at least five acres in size for the boarding of horses to serve the neighborhood.

**24.10.340 USE DETERMINATION.**

Any other use or service establishment determined by the zoning board administrator to be of the same general character as the foregoing principal permitted uses, and which will not impair the present or potential use of adjacent properties, shall be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then a use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

**24.10.350 DISTRICT REGULATIONS.**

1. General.

| Provision                               | Classification or Type of Use<br>Single-Family Residential |            |            |
|---|--|------------|------------|
|   | R-1-10   | R-1-7      | R-1-5      |
| a. Height of Buildings (Maximum)        |  |            |            |
| • Principal: (stories and feet)         | 2 1/2 & 30   | 2 1/2 & 30 | 2 1/2 & 30 |
| • Accessory: (stories and feet)         | 1 & 15   | 1 & 15     | 1 & 15     |
| • Single-story structure                | 1 & 19   | N/A        | N/A        |
| b. Minimum lot area (net) (square feet) | 10,000   | 7,000      | 5,000      |
| c. Minimum lot width (feet)             | 70   | 70         | 50         |
| d. Front yard (feet)                    | 25*  | 20*        | 20*        |
| e. Rear yard (feet)                     | 30   | 25         | 20         |
| f. One side yard (feet)                 | 10   | 7*         | 5*         |

| Provision  | Classification or Type of Use              |       |       |
|--|--|-------|-------|
|  | Single-Family Residential<br>R-1-10        | R-1-7 | R-1-5 |
| g. Both side yards – total   |  |       |       |
| • Interior lot (feet)  | 20   | 14    | 10    |
| • Exterior lot (feet)  | 22   | 16    | 13    |
| h. Exterior side yard or end (feet)  | 12*  | 9*    | 8*    |
| i. Maximum building area without design permit   | 4,000 (See Section 24.08.450 for findings) | 3,500 | 3,000 |
| * For any attached or detached garage or carport with doors or entrances fronting on a front or exterior side property line, the setback shall be a minimum of twenty feet from said property line or the setback required for the district, whichever is greater. |  |       |       |

2. Dwellings per Lot. Unless otherwise provided, there shall be only one dwelling per lot.
3. The minimum distance between buildings on the same lot shall be ten feet between main buildings; six feet between main buildings and accessory buildings including accessory dwelling units; and six feet between accessory buildings.
4. Other Requirements. Other regulations which may be applicable to site design in this zone are set forth in General Site Design Standards, Chapter 24.12, Part 2, and Chapter 24.16, Part 2, Accessory Dwelling Units.

**24.10.351 SUBSTANDARD R-1 LOT DEVELOPMENT REQUIREMENTS AND REGULATIONS.**

1. Two or more vacant, contiguous lots in the R-1, Single-Family Residential District which are each less than fifty feet in width, and which are under common ownership, shall not constitute or be deemed a lawful site for building purposes, unless they are combined to be made conforming with respect to width, or an administrative use permit is obtained for a single-family dwelling for each lot, or unless they are combined and developed as described in subsection (1)(c) below.
  - a. Where such lots are combined to meet the lot width requirement of an R-1 District (fifty feet in the R-1-5 District, seventy feet in the R-1-7 and R-1-10 Districts), the resultant lot may be used as a building site as provided by this title.
  - b. Lots as described above may be used as a building site for single-family dwellings upon approval of an administrative use permit for each lot.
  - c. Combined lots may be used as a building site for a duplex, triplex, or a series of duplexes and/or triplexes. The total number of units shall not exceed the original number of lots combined. Findings for approval of a use permit and design permit shall be required.
    - (1) Where any existing lot prior to combination is less than thirty-five feet wide, a special use permit shall be required.
    - (2) Where any existing lot prior to combination is between thirty-five feet and fifty feet wide, an administrative use permit shall be required.
2. The maximum height of structures on lots of thirty-five feet or less in width shall be twenty-two feet.

Section 10. Part 9: R-L Multiple Residence – Low Density of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

### **Part 5: R-L MULTIPLE RESIDENCE – LOW-DENSITY DISTRICT**

#### **24.10.400 PURPOSE.**

To promote the development of multifamily townhouses, condominiums and apartments at a low to medium density of 10.1 to twenty-seven units per acre, depending on unit mix; to stabilize and protect the residential characteristics of the district and to promote and encourage a suitable environment for the lives of families and single persons. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan.

#### **24.10.410 PRINCIPAL PERMITTED USES.**

The following uses are permitted outright if a design permit is obtained for new structures and environmental review is conducted in accordance with city and state guidelines. Design permits are not required for accessory structures and additions that are less than one hundred twenty square feet and less than fifteen feet in building height. (Numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

1. Multiple dwellings, townhouse dwelling groups, and condominium projects in one or more structure(s). (830, 840)
2. Community care facilities including daycare (except family daycare homes), retirement homes and foster homes (six or fewer).
3. ~~Small family daycare homes.~~ Small and large family daycare homes in residential units.
4. ~~Large family daycare homes in single family dwellings or duplexes.~~
45. Two-family dwellings, subject to the density requirements in the General Plan.
56. Community garden.
67. Single-family dwellings, subject to the density requirements in the General Plan.
78. Accessory uses are principally permitted when they are a subordinate use to the principal use of the lot.
  - a. Home occupations subject to home occupation regulations as provided in Section 24.10.160.
  - b. Park and recreational facilities.
  - c. Room and board for not more than two paying guests per dwelling unit, when located within principal building.
  - d. Residential accessory uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory buildings, and Section 24.10.430.
89. Accessory dwelling units subject to the provisions of Chapter 24.16, Part 2, except accessory dwelling units are not subject to approval of a design permit.
940. Supportive and transitional housing.

#### **24.10.430 USE PERMIT REQUIREMENT.**

1. The following uses are subject to approval of an administrative use permit and may also require a design permit per section 24.08.410:

- a. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.
  - b. Temporary structures and uses.
  - c. Wireless telecommunications facilities, subject to the regulations in Chapter 24.12, Part 15.
2. The following uses are subject to approval of a special use permit and may also a design permit per section 24.08.410:
- a. Bed-and-breakfast inns, subject to requirements in Chapter 24.12, Part 9.
  - b. Community care facilities including daycare (except family daycare homes), retirement home, foster home, and nursing home (seven or more persons).
  - c. Accessory dwelling units subject to the provisions of Chapter 24.16, Part 2, except that accessory dwelling units are not subject to approval of a design permit unless located on a substandard lot as defined in Section 24.22.520.
  - d. Dormitories, fraternity/sorority residence halls, boardinghouses.
  - e. Health facilities for inpatient and outpatient psychiatric care and treatment.
  - f. Off-street parking facilities accessory to a contiguous commercial property not to exceed one hundred feet from the boundary of the site it is intended to serve.
  - g. Noncommercial recreation areas, buildings, and facilities such as parks, country clubs, golf courses, and riding, swimming and tennis clubs.
  - h. Educational, religious, cultural, public utility or public service buildings and uses; but not including corporation yards, storage or repair yards, and warehouses.
  - i. Social halls, lodges, fraternal organizations, and clubs, except those operated for a profit.

**24.10.440 USE DETERMINATION.**

Any other use or service establishment determined by the zoning board ~~board~~ administrator to be of the same general character as the foregoing principal permitted uses, and which will not impair the present or potential use of adjacent properties, shall be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then a use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

**24.10.450 DISTRICT REGULATIONS.**

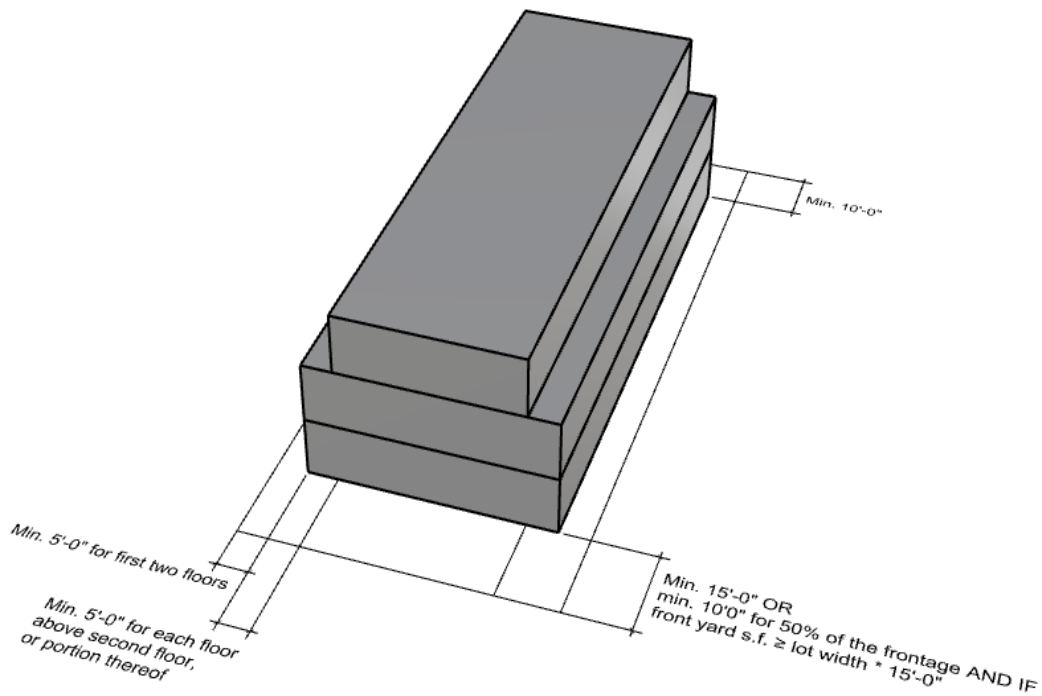
- 1. General.

| Provision |                             | Dwelling Unit Type     |                 |
|-----------|-----------------------------|------------------------|-----------------|
|           |                             | Single-Family Detached | 2 or More Units |
| a.        | Maximum height of buildings |                        |                 |
|           | • Principal (feet)          | 30                     | 30              |

|    |  |          |   |
|----|--|----------|---|
|    | • Accessory (stories and feet)                         | 1 and 15 | 1 and 15                                    |
| b. | Minimum lot area (net) (square feet)                   | 5,000    | 5,500                                       |
| c. | Minimum lot area per dwelling unit (net) (square feet) |          | 2,200 (1,600 sq. ft. for 1-bedroom/studios) |
| d. | Minimum lot width (feet)                               | 50       | 50  |
| e. | Usable open space per dwelling unit (square feet)      | –        | 400   |

2. Setback Requirements.

- a. The minimum front yard setback shall be fifteen feet except that the front yard may be reduced to not less than ten feet for a portion not to exceed fifty percent of the building frontage, and providing that a total of fifteen square feet of front yard is provided for each lineal foot of total lot frontage.
- b. The minimum rear yard setback shall be ten feet.
- c. The minimum side yard setback shall be five feet, and or one-five additional feet foot of setback for each story ~~three feet of height~~ above the second story, ~~or portion thereof~~, of a structure, whichever is greater.



- (1) There shall be no side yard required for townhouses on interior lots, except there shall be a minimum side yard setback at the interior end of a townhouse

group of five feet, or one foot of setback for each three feet of height, or portion thereof, of a structure, whichever is greater.

(2) The minimum exterior side yard setback shall be eight feet, and five additional feet of setback~~or one foot of setback for each three feet of height for each additional story above the second story, or portion thereof, of structure, whichever is greater.~~

- d. For any attached or detached garage or carport fronting on a front or exterior side property line, the setback shall be twenty feet from said property line.
  - e. Minimum Distance Between Buildings on the Same Lot. Between main buildings, including accessory dwelling units, six feet or one foot of setback for each two feet of height of the tallest building, or portions thereof, whichever is greater; between main buildings and accessory buildings, six feet; between accessory buildings, six feet.
  - f. An existing accessory building built prior to July 1, 2014, with a valid building permit or which is a legal nonconforming structure, that has less than the required side or rear yard setback(s) may be converted into a dwelling unit to create a second unit or duplex on a property if all the requirements of the California Building Standards Code are met as well as the other development standards of the zoning district. The floor area for said second unit shall not exceed ten percent of the net lot area up to a maximum of eight hundred square feet. If additional units are allowed on the property, all such units shall meet development standards of the zoning district.
3. Other Requirements. Other regulations which may be applicable to site design in this zone are set forth in General Site Design Standards, Chapter 24.12, Part 2, and Chapter 24.16, Part 2, Accessory Dwelling Units.
  4. All new development adjacent to a “CON – Neighborhood Conservation District” overlay zone shall comply with Section 24.10.4060 standards for new construction on sites abutting overlay district boundaries, to ensure compatibility with the established district.

Section 11. Part 6: R-M Multiple Residence – Medium Density District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

#### **Part 6: R-M MULTIPLE RESIDENCE – MEDIUM-DENSITY DISTRICT**

##### **24.10.500 PURPOSE.**

To promote the development of multifamily townhouses, condominiums and apartments at a medium residential density of 20.1 to forty units per acre depending on unit mix; to stabilize and protect the residential characteristics of the district; and to promote a suitable environment for the lives of families and single persons. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan.

##### **24.10.510 PRINCIPAL PERMITTED USES.**

The following uses are permitted outright if a design permit is obtained for new structures and environmental review is conducted in accordance with city and state guidelines. Design permits are not required for accessory structures and additions that are less than one hundred twenty square feet and less than fifteen feet in building height. (Numerical references at the end of these

categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.)

1. Multiple dwellings, townhouse dwelling groups, and condominium projects in one or more structures. (830, 840)
2. Community care facilities including daycare (except family daycare homes), foster home, and retirement home (six or fewer persons).
3. Community garden.
4. ~~Small family daycare homes.~~ Small and large family daycare homes in residential units.
5. ~~Large family daycare homes in single-family home or duplex.~~
56. Accessory uses are principally permitted when they are a subordinate use to the principal use of the lot.
  - a. Park and recreational facilities.
  - b. Home occupations subject to home occupation regulations as provided in Section 24.10.160.
  - c. Room and board for not more than two paying guests per dwelling unit, when located within principal building.
  - d. Residential accessory uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory buildings, and Section 24.10.530.
67. Supportive and transitional housing.
78. Accessory dwelling units on parcels with an approved residential use, subject to the provisions of Chapter 24.16, Part 2, except accessory dwelling units are not subject to approval of a design permit.

#### **24.10.530 USE PERMIT REQUIREMENT.**

1. The following uses are subject to approval of an administrative use permit and may also require a design permit per section 24.08.410:
  - a. Expansion of an existing single-family dwelling if the lot area is six thousand square feet or less.
  - b. Two family dwelling if the lot area exceeds five thousand five hundred square feet.
  - c. Temporary structures and uses.
  - d. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.
  - e. Single-family dwellings on substandard lots.
  - f. Wireless telecommunications facilities, subject to the regulations in Chapter 24.12, Part 15.
2. The following uses are subject to approval of a special use permit and may also require a design permit per section 24.08.410:
  - a. Bed-and-breakfast inns, subject to requirements contained in Part 9, Chapter 24.12.
  - b. Community care facilities (seven or more persons) including daycare (other than family daycare homes), foster home, nursing home, retirement home.
  - c. Dormitories, fraternity/sorority residence halls, boardinghouses.
  - d. Health facilities for inpatient and outpatient psychiatric care and treatment.
  - e. Off-street parking facilities accessory to a contiguous commercial property not to exceed one hundred feet from the boundary of the site they are intended to serve.



- f. Noncommercial recreation areas and facilities such as parks, country clubs, golf courses, and riding, swimming and tennis clubs.
- g. Educational, religious, cultural, public utility or public service buildings or uses; and not including corporation yards, storage or repair yards, and warehouses.
- h. Social halls, lodges, fraternal organizations, and clubs, except those operated for a profit.

**24.10.540 USE DETERMINATION.**

Any other use or service establishment determined by the zoning board administrator to be of the same general character as the foregoing principal permitted uses, and which will not impair the present or potential use of adjacent properties, shall be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then a use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

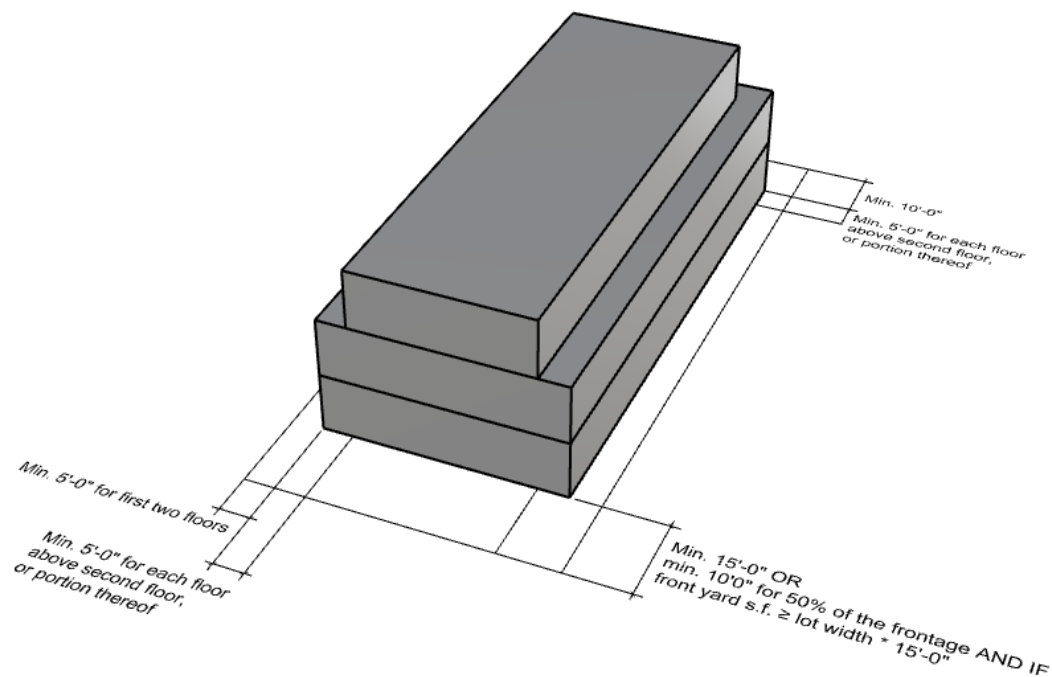
**24.10.550 DISTRICT REGULATIONS.**

- 1. General.

| Provision  | Dwelling Type |   |
|--|---------------|---|
|  | Duplex        | 3 or More Units                             |
| Maximum Height of Buildings  |               |   |
| Principal (feet)   | 30            | 35  |
| Accessory (stories and feet)   | 1 and 15      | 1 and 15                                    |
| Minimum lot area (net) (square feet)   | 4,400         | 5,500                                       |
| Minimum lot area (net) per dwelling unit (square feet)   | 2,200         | 1,450 (1,100 sq. ft. for 1-bedroom/studios) |
| Minimum lot width (feet)   | 50            | 65  |
| Usable open space per dwelling unit (square feet)  | –             | 400   |
|  |               | 200 (1-bedroom/studios)*                    |
| <p>* Open space shall be attached or aggregated in a manner that provides usable open space for all units exclusive of setbacks and other small landscape areas less than 10 feet in width.<br/> ** Existing lots of 5,500 square feet or greater with a minimum lot width of 50 feet may have 3 or more units if all other RM development standards can be met.</p> |               |   |

- 2. Setback Requirements.

- a. The minimum front yard setback shall be fifteen feet ~~or one foot of setback for each three feet of height, or portion thereof, of a structure, whichever is greater~~, except that the front yard may be reduced to not less than six feet for a portion not to exceed fifty percent of the building frontage, providing that a total of ten square feet of front yard is provided for each lineal foot of total lot frontage. Such reduction of front yard depth shall not be permitted on a corner lot, within twelve feet of any side street lot line.
- b. The minimum rear setback shall be ten feet, ~~and~~ or five additional feet ~~one foot of setback for each story three feet of height above the second story, or portion thereof, of structure, whichever is greater.~~
- c. The minimum side yard setback shall be five feet, ~~and~~ or five additional feet of setback ~~one foot of setback for each story above the second story three feet of height, or portion thereof, of a structure, whichever is greater.~~



- d. There shall be no side yard required for townhouses, or interior lots, except there shall be a minimum side yard setback at the interior end of a townhouse group of five feet, or one foot of setback for each three feet of height, or portion thereof, of a structure, whichever is greater.
- e. The minimum exterior side yard setback shall be eight feet, ~~and~~ five additional feet of setback ~~or one foot of setback for each three feet of height~~ for each additional story above the second story, ~~or portion thereof, of structure, whichever is greater.~~
- f. Minimum Distance Between Buildings on the Same Lot. Between main buildings, six feet or one foot of setback for each two feet of height of the tallest building, or portions thereof, whichever is greater; between main buildings and accessory buildings, six feet; between accessory buildings, six feet.

- g. For any attached or detached garage or carport fronting on a front or exterior side property line, the setback shall be twenty feet from said property line.
  - h. An existing accessory building built prior to July 1, 2014, with a valid building permit or which is a legal nonconforming structure, that has less than the required side or rear yard setback(s) may be converted into a dwelling unit to create a second unit or duplex on a property if all the requirements of the California Building Standards Code are met as well as the other development standards of the zoning district. The floor area for said second unit shall not exceed ten percent of the net lot area up to a maximum of eight hundred square feet. If additional units are allowed on the property, all such units shall meet development standards of the zoning district.
3. Other Requirements. Other regulations which may be applicable to site design in this zone are set forth in General Site Design Standards, Part 2, Chapter 24.12.
  4. All new development adjacent to a “CON – Neighborhood Conservation District” overlay zone shall comply with Section 24.10.4060 standards for new construction on sites abutting overlay district boundaries, to ensure compatibility with the established district.

Section 12. Part 6A: R-H Multiple Residence – High-Density District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**Part 6A: R-H MULTIPLE RESIDENCE – HIGH-DENSITY DISTRICT**

**24.10.560 PURPOSE.**

To promote the development of multifamily apartments, townhouses and condominiums at a high residential density of 30.1 to fifty-five units per acre in order to increase the supply of affordable and rental housing, and provide new market rate infill housing opportunities. This district provides a suitable environment for higher density households. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan.

**24.10.565 PRINCIPAL PERMITTED USES.**

The following uses are permitted subject to a design permit for new structures in compliance with the Beach and South of Laurel Design Guidelines and other requirements of the Municipal Code. (Numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses.) Design permits are not required for accessory structures and additions that are less than one hundred twenty square feet and less than fifteen feet in building height. Environmental review must be conducted in accordance with city and state guidelines:

1. Multiple dwellings, townhouse dwelling groups, and condominium projects in one or more structures; (830, 840)
2. Small community care residential facilities including daycare (except family daycare homes), foster homes, and retirement homes, with six or fewer persons; (800A)
3. ~~Small family daycare homes; (510a)~~ Small and large family daycare homes in residential units.
4. ~~Large family daycare homes in single family dwellings or duplexes; (510a)~~

45. Supportive and transitional housing.

56. Accessory dwelling units on parcels with an approved residential use, subject to the provisions of Chapter 24.16, Part 2, except accessory dwelling units are not subject to approval of a design permit.

#### **24.10.570 ACCESSORY USES.**

Accessory uses are principally permitted subject to a design permit when they are a subordinate use to the principal use of the lot. Design permits are not required for accessory structures and additions that are less than one hundred twenty square feet and less than fifteen feet in building height.

1. Garages and parking areas, private;
2. Home occupations subject to home occupancy regulations as provided in Section 24.10.160;
3. Residential accessory uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Sections 24.10.575 and 24.12.140.

#### **24.10.575 USE PERMIT REQUIREMENT.**

1. The following uses are subject to approval of an Administrative Use Permit and may also require a Design Permit per section 24.08.410 in compliance with the Beach and South of Laurel Design Guidelines and other requirements of the Municipal Code (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

- a. Expansion of any existing single-family dwelling; (800)
- b. Two-family dwelling if the lot area allows only two. New single-family development is not permitted; (810)
- c. Temporary structures and uses;
- d. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140;
- e. ~~Large family daycare homes (no design permit required unless otherwise required as a result of a structural modification to the residence).~~  
e. Wireless telecommunications facilities, subject to the regulations in Chapter 24.12, Part 15.

2. The following uses are subject to approval of a Special Use Permit and a Design Permit in compliance with the Beach and South of Laurel Design Guidelines and other requirements of the Municipal Code (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

- a. Bed-and-breakfast inns subject to requirements contained in Chapter 24.12, Part 9; (300c)
- b. Community care facilities including daycare (except family daycare homes), foster homes, nursing and retirement homes for seven or more persons; (850e)
- c. Health facilities for in-patient and out-patient psychiatric care and treatment; (410b)
- d. Off-street parking facilities accessory and incidental to a contiguous commercial property with said parking not to exceed one hundred feet from the boundary of the site it is intended to serve; (930)

- e. Public and private noncommercial recreation areas, buildings, and facilities such as parks; (710)
- f. Public and quasi-public buildings and uses including recreational, educational, religious, cultural, public utility or public service uses; but not including corporation yards, storage or repair yards, and warehouses; (500, 510, 530, 540)
- g. Social halls, lodges, fraternal organizations, and clubs, except those operated for a profit (570).

**24.10.580 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing principal permitted uses, and which will not impair the present or potential use of adjacent properties, shall be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then a use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

**24.10.585 DISTRICT REGULATIONS.**

- 1. General.

| Provision |  | Dwelling Unit Type |                 |
|-----------|--|--------------------|-----------------|
|           |  | Duplex             | 3 or More Units |
| a.        | Maximum height of buildings                        |                    |                 |
|           | • Principal (feet)                                 | 30                 | 48              |
|           | • Accessory (stories and feet)                     | 1 and 15           | 1 and 15        |
| b.        | Minimum lot area (net) (sq. ft.)                   | 4,000              | 5,000           |
| c.        | Minimum lot area per dwelling unit (net) (sq. ft.) | 2,000              | 790             |
| d.        | Minimum lot width (feet)                           | 50                 | 50              |
| e.        | Usable open space per dwelling unit (sq. ft.)      | –                  | 250             |
| f.        | Lot coverage                                       | 45%                | 70%             |

- 2. Setback Requirements.

- a. The minimum front yard setback shall be fifteen feet or one foot of setback for each three feet of height, or portion thereof, of a structure, whichever is greater, except that the front yard may be reduced to not less than six feet for a portion not to exceed fifty percent of the building frontage, providing that a total of ten square feet of front yard is provided for each lineal foot of total lot frontage. Such reduction of front yard depth shall not be permitted on a corner lot, within twelve feet of any side street lot line. Setback

requirements may not be reduced for those portions of buildings that are three stories or taller.

b. The minimum rear setback shall be ten feet, or one foot of setback for each three feet of height, or portion thereof, of structure, whichever is greater.

c. The minimum side yard setback shall be five feet, or one foot of setback for each three feet of height, or portion thereof, of structure, whichever is greater.

d. Where a parcel abuts a public right-of-way on opposite sides of the parcel, the front yard setback requirements shall apply to the major street and the rear yard setbacks shall apply to the secondary street; however, in the case of the rear yard setback, the setback shall not be less than the average of the two adjacent lots.

e. The minimum exterior side yard setback shall be eight feet, or one foot of setback for each three feet of height, or portion thereof, of a structure, whichever is greater.

f. Minimum Distance Between Buildings on the Same Lot. Between main buildings, six feet or one foot of setback for each two feet of height of the tallest building, or portions thereof, whichever is greater; between main buildings and accessory buildings, six feet; between accessory buildings, six feet.

g. For any attached or detached garage or carport fronting on a front or exterior side property line, the setback shall be twenty feet from said property line.

h. To preserve the view to Beach Hill down Front Street, the height of the first twenty-five feet of depth along Front Street shall be limited to twenty-four feet.

### 3. Design.

a. The site and building design shall conform to the General Site Design Standards, Part 2, Chapter 24.12, and the ~~Beach and South of Laurel Design Guidelines~~ of any applicable area plan, and Section 24.12.185 Objective Design Standards for Multifamily Housing.

~~b. The building facades that abut streets, public rights of way, or public open space, such as a river levee, shall have an articulated facade that creates a designed, three-dimensional rhythm to the building face. Architectural elements such as roof overhangs, roof slopes, building step backs and projections, bay windows, covered porches, entryways, decks and balconies, dormers, and single story elements may be used to create the required three-dimensional architectural interest in the facade. In addition to the above, the front side and rear building facades that are visible from streets, public rights of way or public open space shall be composed of at least two separate building planes. A separate building plane is distinguished by an average horizontal difference of four feet measured perpendicular to the plane closest to the street or property line. These building planes shall occupy at least twenty percent of the total building elevation area but not exceed sixty percent of that area.~~

~~c. Maintain views to Beach Hill by creating view corridors through new structures. Portions of the building(s) shall not occupy more than sixty percent of the top ten feet of the height limit, as viewed from the center of the Soquel Bridge. The minimum forty percent open view to Beach Hill shall be reasonably distributed over the length of the building.~~

~~d. All open space, except balconies, shall be fully landscaped. To soften the massing of high density buildings, the building landscape shall include tree massing and/or landscape elements attached to the building such as trellises, arbors, espalier structures, etc.~~

~~e. All parking shall be fully screened from the roadways, pedestrian ways, and open space by building elements, walls, and landscaping.~~

4. All new development adjacent to a “CON – Neighborhood Conservation District” overlay zone shall comply with Section 24.10.4060 standards for new construction on sites abutting overlay district boundaries, to ensure compatibility with the established district.

**24.10.590 FINDINGS REQUIRED.**

In addition to required Use and Design Permit findings, any development permit must also meet all the following findings, to the extent permitted by state law:

1. The amenity level of the development, the quality of the architecture, and the landscaping provided substantially enhance the site;
2. The bulk, massing, height, and rooflines of the proposed development are found to be consistent with the Design Criteria and add to the architectural quality of the neighborhood; and
3. The siting, landscaping, access, and design of the proposed development demonstrate a sensitive relationship to the San Lorenzo River and maximize the natural attributes of this riverside location.

Section 13. Part 7A: R-T(A) Subdistrict A – Medium-Density Residential of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**Part 7A: R-T(A) SUBDISTRICT A – MEDIUM-DENSITY RESIDENTIAL**

**24.10.602 PURPOSE.**

The purpose of Subdistrict A is to establish standards for medium-density residential uses which promote and protect the residential characteristics of the subdistrict and provide a suitable environment for its residents. To preserve the architectural and historic character of this subdistrict, all new development will be reviewed to ensure high-quality design compatible with surrounding residential uses, in compliance with the Beach Hill Design Guidelines of the Beach and South of Laurel Comprehensive Area Plan.

**24.10.603 PRINCIPAL PERMITTED USES.**

1. The following uses ~~are~~ may be subject to approval of a design permit per section 24.08.410 and other requirements of the Municipal Code (numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

- a. Duplexes; (810)
  - b. ~~Small family daycare facility in single family home or duplex; (510a)~~ Small and large family daycare homes in residential units.
  - c. Accessory Uses. Other uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory buildings.
  - d. Supportive and transitional housing in single-family home or duplex.
  - e. Multiple dwellings, townhouse dwelling groups, and condominiums; (830)
2. Accessory dwelling units subject to the provisions of Chapter 24.16, Part 2, except accessory dwelling units are not subject to approval of a design permit.

#### **24.10.604 USE PERMIT REQUIREMENT.**

1. The following uses are subject to approval of an administrative use permit and may also require a design permit per section 24.08.410 and are also subject to all other requirements of the Municipal Code (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

- a. Single-family dwellings; (810)
- b. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140;
- ~~c. Multiple dwellings, townhouse dwelling groups, and condominiums (three to nine units); (830)~~
- ~~d. Large family daycare homes (no design permit required unless otherwise required as a result of a structural modification to the residence);~~
- ~~ce.~~ Supportive and transitional housing in multifamily dwellings (three to nine units).
- d. [Wireless telecommunications facilities, subject to the regulations in Chapter 24.12, Part 15.](#)

2. The following uses are subject to approval of a special use permit and a design permit and other requirements of the Municipal Code (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

- a. Bed-and-breakfast inns, subject to the requirements contained in Chapter 24.12, Part 9; (300c)
- b. Large community care facilities; (850e)
- c. Group care homes; (850e)
- ~~d. Multiple dwellings, townhouse dwelling groups, and condominiums, ten units or more; (840)~~
- ~~de.~~ Public and private commercial parking;
- ~~ef.~~ Public and private noncommercial recreation areas, buildings and facilities such as parks; (710)
- ~~fg.~~ Public and quasi-public buildings and uses including recreational, educational, religious, cultural or public utility or service nature; but not including corporation yards, storage or repair yards, and warehouses; (500, 510, 530, 540, 570)
- ~~gh.~~ Retirement homes or centers; (850b)
- ~~hi.~~ Supportive and transitional housing.

#### **24.10.606 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then aA use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.



**24.10.608 DISTRICT REGULATIONS.**

1. General.

| Provision |  | Dwelling Unit Type |        |                 |            |
|-----------|--|--------------------|--------|-----------------|------------|
|           |  | 1-Family Detached  | Duplex | 3 or More Units | Other Uses |
| a.        | Maximum height of buildings                            |                    |        |                 |            |
|           | • Principal buildings (feet)                           | 30                 | 30     | 36              | 36         |
|           | • Accessory buildings (feet)                           | 15                 | 15     | 15              | 15         |
| b.        | Minimum lot area (net) (square feet)                   | 5,000              | 5,000  | 8,000           | 8,000      |
| c.        | Minimum lot area (net) per dwelling unit (square feet) | 5,000              | 2,500  | 1,450           | –          |
| d.        | Minimum lot width (feet)                               | 50                 | 50     | 65              | 65         |
| e.        | Usable open space per dwelling unit (square feet)      | –                  | –      | 400             | –          |

2. Setback Requirements.

a. The minimum front yard setback shall be fifteen feet or one foot of setback for each three feet of height, or portion thereof, of a structure, whichever is greater, except that the front yard may be reduced to not less than six feet for a portion not to exceed fifty percent of the building frontage, providing that a total of ten square feet of front yard is provided for each lineal foot of total lot frontage. Such reduction of front yard depth shall not be permitted on a corner lot, within twelve feet of any side street lot line.

b. The minimum rear setback shall be ten feet, or one foot of setback for each three feet of height, or portion thereof, of structure, whichever is greater.

c. The minimum side yard setback shall be five feet for the first story and one foot of setback for each three feet of height, or portion thereof, of structure, whichever is greater for the second story and above.

d. There shall be no side yard required for townhouses or interior lots except there shall be a minimum side yard setback at the interior end of a townhouse group of five feet or one foot of setback for each three feet of height, or portion thereof, of a structure, whichever is greater.

e. The minimum exterior side yard setback shall be eight feet, or one foot of setback for each three feet of height, or portion thereof, of a structure, whichever is greater.

f. Minimum Distance Between Buildings on the Same Lot. Between main buildings, including accessory dwelling units, six feet or one foot of setback for each two feet of height of the tallest building, or portion thereof, whichever is greater; between main buildings and one-story accessory buildings, six feet; between accessory buildings, six feet.

g. For any attached garage or carport fronting on a front or exterior side property line, the setback shall be twenty feet from said property line.

3. Other Requirements. Other regulations which may be applicable to site design in this zone are set forth in General Site Design Standards, Chapter 24.12, Part 2, Chapter 24.16, Part 2,

Accessory Dwelling Units, and the Design Guidelines of the Beach and South of Laurel Comprehensive Area Plan.

4. All new development adjacent to a “CON – Neighborhood Conservation District” overlay zone shall comply with Section 24.10.4060 standards for new construction on sites abutting overlay district boundaries, to ensure compatibility with the established district.

Section 14. Part 7B: R-T(B) Subdistrict B – Motel Residential-of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

### **Part 7B: R-T(B) SUBDISTRICT B – MOTEL RESIDENTIAL**

#### **24.10.610 PURPOSE.**

The purpose of Subdistrict B is to establish and control uses to ensure a compatible mixture of uses addressing the needs of residents and tourists. Dominant uses contemplated are motel and medium-density residential uses. To encourage development which is attractive to both permanent residents and tourists, emphasis will be placed on compatibility of design, landscaping, and a comprehensive review of site planning in compliance with the Design Guidelines of the Beach and South of Laurel Comprehensive Area Plan.

#### **24.10.611 PRINCIPAL PERMITTED USES.**

1. Accessory dwelling units subject to the provisions of Chapter 24.16, Part 2.
2. ~~Small family daycare homes.~~ Small and large family daycare homes in residential units (no design permit required unless otherwise required under Section 24.08.410).
3. Multiple dwellings, townhouse dwelling groups, and condominiums (830).
4. Single-family and duplex dwellings (800, 810).
5. Wireless telecommunication facilities, subject to the regulations in Chapter 24.12, Part 15 requiring no public hearing.

#### **24.10.612 USE PERMIT REQUIREMENTS.**

1. The following uses are subject to approval of an administrative use permit and a design permit and other requirements of the Municipal Code (numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

- a. ~~Multiple dwellings, townhouse dwelling groups, and condominiums, nine units or fewer (830).~~
- b. ~~Single-family and duplex dwellings (800, 810).~~
- ea. Storage and equipment structures.
- db. Temporary structures and uses.
- e. ~~The providing of board and room for not more than two paying guests per dwelling unit, when located within principal building.~~
- fc. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.

- gd. Wireless telecommunication facilities, subject to the regulations in Chapter 24.12, Part 15 requiring a public hearing.
  - ~~h. Large family daycare homes (no design permit required unless otherwise required as a result of a structural modification to the residence).~~
  - ie. Supportive and transitional housing, nine or fewer units.
2. The following uses are subject to approval of a special use permit and a design permit and other requirements of the Municipal Code (numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):
- a. Coffee shops subject to the live entertainment regulations in Chapter 24.12, Part 2 (280g).
  - b. Large community care facilities (850e).
  - c. Motel, hotel and bed-and-breakfast inn uses subject to annual business license review (300).
  - ~~d. Multiple dwellings, townhouse dwelling groups, and condominiums, ten units or more (840).~~
  - ed. Public and private commercial parking (940, 950).
  - fe. Public and private noncommercial recreation areas, buildings and facilities such as parks (710).
  - gf. Public and quasi-public buildings and uses of an administrative, recreational, religious, cultural or public utility or service nature; but not including corporation yards, storage or repair yards, and warehouses (500, 510, 530, 540, 570).
  - hg. Retirement homes or centers (850b).
  - ih. Supportive and transitional housing, ten or more units.

**24.10.614 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then a use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

**24.10.616 DISTRICT REGULATIONS.**

- 1. General.

| Provision                      | Dwelling Unit Type Medium Density Residential |        |                 |            |
|--------------------------------|---|--------|-----------------|------------|
|                                | 1-Family Detached                             | Duplex | 3 or More Units | Other Uses |
| a. Maximum height of buildings |   |        |                 |            |
| • Principal buildings (feet)   | 30  | 30     | 36              | 36         |

| Provision   | Dwelling Unit Type Medium Density Residential |        |                 |            |
|---|---|--------|-----------------|------------|
|   | 1-Family Detached                             | Duplex | 3 or More Units | Other Uses |
| • Accessory buildings (feet)                              | 15  | 15     | 15              | 15         |
| b. Minimum lot area (net) (square feet)                   | 5,000   | 5,000  | 8,000           | 8,000      |
| c. Minimum lot area (net) per dwelling unit (square feet) | 5,000   | 2,500  | 1,450           | –          |
| d. Minimum lot width (feet)                               | 50  | 50     | 65              | 65         |
| e. Usable open space per dwelling unit (square feet)      | –   | –      | 400             | –          |

2. Setback Requirements.

a. The minimum front yard setback shall be fifteen feet or one foot of setback for each three feet of height, or portion thereof, of a structure, whichever is greater; except that the front yard may be reduced to not less than six feet for a portion not to exceed fifty percent of the building frontage, providing that a total of ten square feet of front yard is provided for each lineal foot of total lot frontage. Such reduction of front yard depth shall not be permitted on a corner lot, within twelve feet of any side street lot line.

b. The minimum rear setback shall be ten feet, or one foot of setback for each three feet of height, or portion thereof, of a structure, whichever is greater.

c. The minimum side yard setback shall be five feet for the first story and one foot of setback for each three feet of height, or portion thereof, of structure for the second story and above.

d. There shall be no side yard required for townhouses on interior lots except there shall be a minimum side yard setback at the interior end of a townhouse group of five feet or one foot of setback for each three feet of height, or portion thereof, of a structure, whichever is greater.

e. The minimum exterior side yard setback shall be eight feet, or one foot of setback for each three feet of height, or portion thereof, of a structure, whichever is greater.

f. Minimum Distance Between Buildings on the Same Lot. Between main buildings, including accessory dwelling units, six feet or one foot of setback for each two feet of height of the tallest building, or portion thereof, whichever is greater; between main buildings and one-story accessory buildings, six feet; between accessory buildings, six feet.

g. For any attached or detached garage or carport fronting on a front or exterior side property line, the setback shall be twenty feet from said property line.

3. Other Requirements. Other regulations which may be applicable to site design in this zone are set forth in General Site Design Standards, Chapter 24.12, Part 2, and the Design Guidelines of the Beach and South of Laurel Comprehensive Area Plan.

4. All new development adjacent to a “CON – Neighborhood Conservation District” overlay zone shall comply with Section 24.10.4060 standards for new construction on sites abutting overlay district boundaries, to ensure compatibility with the established district.

Section 15. Part 7C: R-T(C) Subdistrict C – Beach Commercial of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

### Part 7C: R-T(C) SUBDISTRICT C – BEACH COMMERCIAL

#### 24.10.618 PURPOSE.

The purpose of the R-T(C) Subdistrict is to establish standards for development of residential uses mixed with neighborhood commercial, motel, and regional tourist commercial use. These standards are designed both to improve existing uses and encourage new developments in a manner that maintains a harmonious balance between residential and regional commercial uses. New development including residential units or uses within the zone, are encouraged to incorporate Uses for Active Frontage along the site frontage. It is the intent of this zoning that preservation of La Bahia be conducted in accordance with the measures described in the certified final Environmental Impact Report for the Beach and South of Laurel Comprehensive Area Plan.

#### 24.10.619 PRINCIPAL PERMITTED USES.

1. The following uses are allowed, subject to a Design Permit for new construction per section 24.08.410 and other requirements of the Municipal Code (numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

#### USES FOR ACTIVE FRONTAGE:

- a. Food and beverage stores (except liquor stores) (240);
- ~~fb.~~ Eating and drinking establishments without alcohol sales and subject to the live entertainment regulations in Chapter 24.12, Part 2 (280);

#### RESIDENTIAL USES:

- ~~(k)c.~~ Flexible density unit (FDU) housing (fifteen units or fewer) as part of a mixed-use project;
- ~~(e)d.~~ Mixed residential and commercial developments when multiple family units are located either in the same lot or above a first floor of commercial uses, subject to the R-T(A) District regulations (830);
- ~~(r)e.~~ Multiple dwellings, townhouse dwelling groups and condominiums (three to nine units) when ground-floor units are designed as Live-Work units consistent with Section 24.12.185.14 and subject to the R-T(A) District regulations (830);
- ef. One or two multiple-family units when located above the first floor of permitted commercial uses with no additional parking required (820);
- ~~eg.~~ Small family daycare facility in single-family home or duplex; Small and large family daycare homes in residential units (no design permit required unless otherwise required under Section 24.08.410);
- ~~(v)h.~~ Single-room occupancy (SRO) housing, fifteen units or fewer (860);
- ~~(p)i.~~ Single-family residences if lot size does not allow multifamily development, with no live-work or active frontage requirement (800);

- g.i. Supportive and transitional housing in one or two units when located above the first floor of permitted commercial uses with no additional parking required.

**COMMERCIAL USES:**

- ~~b~~k. Motel, hotel, and bed-and-breakfast inn uses subject to annual business license review (300);
  - ~~d~~l. Off-site parking fewer than five spaces (930);
  - ~~(b)~~m. Wireless telecommunications facilities, subject to the regulations in Chapter 24.12, Part 15 requiring no public hearing.
2. Accessory Uses. Other uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory buildings, and Section 24.10.620.

**24.10.620 USE PERMIT REQUIREMENT.**

~~(1)~~l. The following uses require an administrative use permit and may also require a design permit per section 24.08.410 and are subject to other applicable requirements of the municipal code (numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

**USES FOR ACTIVE FRONTAGE:**

- ~~(a)~~b) Acting/art/music/dance studios/schools (610);
- ~~(b)~~e) Apparel and accessory stores (250);
- ~~(c)~~e) Community organizations, associations, clubs and meeting halls (570);
- ~~(d)~~f) Convenience stores, subject to alcohol regulations in Chapter 24.12, Part 12 (240B);
- ~~(e)~~i) Eating and drinking establishments (except bars and fast-food restaurants) subject to live entertainment and alcohol regulations of Chapter 24.12 (280);
- ~~(f)~~j) Educational facilities (public/private) (510);
- ~~(g)~~l) General merchandise stores (drug and department stores) (230);
- ~~(h)~~m) Government and public agencies (530);
- ~~(i)~~n) Home furnishings (270);
- ~~(j)~~p) Liquor stores, subject to alcohol regulations in Chapter 24.12, Part 12 (240B);
- ~~(k)~~s) Museum and art galleries (600);
- ~~(l)~~t) Professional offices associated with a visitor-serving use (400);
- ~~(m)~~u) Repairs, alterations, maintenance services to household items (except boat repair) (340);
- ~~(n)~~w) Specialty retail supply stores (290);
- ~~(o)~~z) Video rental (360B);

**RESIDENTIAL USES:**

- ~~(p)~~x) Supportive and transitional housing (three to nine units) subject to the R-T(A) District regulations;

**COMMERCIAL USES:**

- ~~(q)~~a) Accessory buildings containing plumbing fixtures subject to provisions of Section 24.12.140;
- ~~(r)~~d) Churches (500);

- (~~sg~~) Developed parks (710);
- (~~th~~) Undeveloped parks and open space (700);
- ~~(k) Flexible density unit (FDU) housing (fifteen units or fewer) as part of a mixed-use project;~~
- ~~(o) Large family daycare homes (no design permit required unless otherwise required as a result of a structural modification to the residence);~~
- ~~(q) Mixed residential and commercial developments when multiple family units are located above first floor of commercial uses, subject to the R-T(A) District regulations (830);~~
- ~~(r) Multiple dwellings, townhouse dwelling groups and condominiums (three to nine units) subject to the R-T(A) District regulations (830);~~
- ~~(v) Single room occupancy (SRO) housing, fifteen units or fewer (860);~~
- (~~uy~~) Temporary structures and uses;
- (~~vaa~~) Sports and recreation facilities, without alcohol sales (720);
- (~~wbb~~) Wireless telecommunications facilities, subject to the regulations in Chapter 24.12, Part 15 requiring a public hearing.

(2)2. The following uses require a special use permit and design permit and are subject to other applicable requirements of the municipal code (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

#### USES FOR ACTIVE FRONTAGE:

- (a) Bars/taverns subject to alcohol regulations in Chapter 24.12, Part 12 (280C);
- (~~be~~) Fast-food restaurants subject to alcohol regulations in Chapter 24.12, Part 12 (280H);
- (~~cf~~) Financial, insurance, real estate offices (420);
- (~~dii~~) Fish/seafood wholesale sales (200F);
- (~~ei~~) Medical/health offices (410);
- (~~ft~~) Nightclubs/music halls, subject to live entertainment and alcohol regulations in Chapter 24.12, Part 12 (630);
- (~~gn~~) Personal services (except contractors' yards and mortuaries) (310);
- (~~ht~~) Theaters (620);

#### RESIDENTIAL USES:

- ~~(e) Duplexes (810);~~
- ~~(u) Triplexes (820);~~
- (is) Supportive and transitional housing, ~~ten or more units~~, subject to the R-T(A) District regulations;

#### COMMERCIAL USES:

- (~~jb~~) Communication and information (550);
- ~~(d) Educational facilities (public/private) (510);~~
- ~~(g) Flexible density unit (FDU) housing (sixteen units or more) as part of a mixed-use project;~~
- (~~kh~~) Marine facilities and related uses (560E);

- (~~l~~i) Related research facilities (400L);
- (~~m~~ii) Related storage and warehousing (330);
- ~~(j) Mixed residential and commercial developments with noncommercial uses on the ground floor, subject to the R-T(A) District regulations (830);~~
- ~~(k) Multiple dwellings, townhouse dwelling groups and condominiums (ten units or more) subject to the R-T(A) District regulations (840);~~
- (~~n~~m) Off-site public/private parking facilities, five or more spaces (930);
- (o) Professional offices (400), except as associated with a visitor-serving use;
- ~~(p) Single family residences if lot size does not allow multifamily development (800);~~
- ~~(q) Single room occupancy (SRO) housing, sixteen units or more (860);~~
- (~~p~~r) Sports and recreation facilities subject to alcohol regulations in Chapter 24.12, Part 12 (720);
- (~~q~~v) Utilities and resources (540).

**24.10.622 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then aA use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

**24.10.624 DISTRICT REGULATIONS.**

1. General.

| Provision |  | Dwelling Unit Type |        |                 |            |
|-----------|--|--------------------|--------|-----------------|------------|
|           |  | 1-Family Detached  | Duplex | 3 or More Units | Other Uses |
| a.        | Maximum height of buildings                            |                    |        |                 |            |
|           | • Principal buildings (feet)                           | 30                 | 30     | 36              | 36         |
|           | • Accessory buildings (feet)                           | 15                 | 15     | 15              | 15         |
| b.        | Minimum lot area (net) (square feet)                   | 5,000              | 5,000  | 8,000           | 5,000      |
| c.        | Minimum lot area (net) per dwelling unit (square feet) | 5,000              | 2,500  | 1,450           | –          |
| d.        | Minimum lot width (feet)                               | 50                 | 50     | 65              | 65         |
| e.        | Usable open space per dwelling unit (square feet)      | –                  | –      | 400             | –          |

2. Other Requirements.



- a. When located across a street from Subdistrict A, parking and loading facilities shall be at least ten feet distant from said property line, and buildings and structures at least fifteen feet from said property line.
- b. The minimum distance between buildings shall be six feet or one foot of setback for each two feet of height of, or portions thereof, a structure, whichever is greater.
- c. For any attached garage or carport fronting on a front or exterior side property line, the setback shall be twenty feet from said property line, to the entrance of the garage.
- d. Other regulations which may be applicable to site design in this zone are set forth in General Site Design Standards, Part 2, Chapter 24.12.
- e. Height:
  - e.1. Maximum Building Height: Uninhabitable mechanical penthouses shall be limited to ten percent of the roof area and will be permitted an additional ten-foot height allowance; provided, that they are set back from the face of the building by a minimum of twenty feet so as not to be visible by pedestrians.
    - Architectural elements such as bell towers, spires, turrets, cupolas, chimneys, dormers, flag poles, etc., are limited to fifteen percent of the roof area and may extend ten feet above the height limitation, subject to design permit review.
  - e.2. Minimum Building Height: Not less than two stories, of which the first floor retail, restaurant and entertainment uses must have a minimum floor-to-floor height of fifteen feet.
- f. Design: All development must be in compliance with adopted design guidelines. Regulations which may be applicable to site design in this zone are set forth in General Site Design Standards, Part 2, Chapter 24.12 and the Design Guidelines of the Beach and South of Laurel Comprehensive Area Plan.
  - f.1. The design of all new structures shall be based upon “Spanish Colonial Revival” architecture as well as Mission Revival and Mediterranean architecture as described in the design guidelines. “Fantasy Victorian” is encouraged for recreational and entertainment development.
  - f.2. Buildings shall be designed with stucco walls, courtyards, arches, towers, balconies, wood doors and windows, or appropriate materials that emulate the scale, proportions and look of wood, decorative iron and tile details or other features typical of Spanish Colonial Revival style.
  - f.3. Building forms shall suggest thick masonry reminiscent of Spanish Colonial Revival architecture and incorporate features such as recessed doors and windows.
  - f.4. Building walls shall be stucco and colored white, off-white or very light value, warm-toned hues. Multiple color combinations may be used, provided they are subtle and consist of a limited number of colors. Variations in shade or tone can be used to articulate architectural features.
  - f.5. Roofs shall be hipped terra cotta tile roofs or flat roofs completely surrounded by a parapet. This parapet shall incorporate curvilinear decorative shapes and moldings.
  - f.6. Flat roofed buildings shall incorporate porches, window overhangs, trellises, wall and opening articulation or other features to avoid a bare-box appearance.
- g. Siting:

- g.1. Development shall be designed to create plazas and pedestrian spaces featuring amenities such as shade, benches, outdoor dining, fountains, gardens and performance spaces.
- g.2. All store fronts, theater entries, and hotel lobbies shall be located along streets, plazas, courtyards, or sidewalks in order to create visual interest to the pedestrian.
- g.3. Building facades shall be articulated with wall offsets, recesses, openings, ornamentation, and appropriate colors and materials to add texture and detail to the streetscape.
- h. Accessibility:
- h.1. All retail uses must be directly accessible from a sidewalk, plaza, courtyard or other public open spaces.
- h.2. Access must be aesthetically integrated within the development.
- i. Setbacks: Development on this site should be designed to encourage and support activities that unify both sides of Beach Street. For that reason, development shall be required to build to the property line adjacent to Beach Street. Significant planter boxes and other narrowscape concepts should be used to soften this edge but provide active pedestrian access.
- j. Parking:
- j.1. Surface or structured parking may be constructed if the parking is visually screened and/or separated from the street by commercial development of at least fifty feet in depth.
- j.2. Parking structure exteriors shall maintain the same high-quality architectural design and construction standards as all other commercial buildings.
- The large scale and mass of parking structures shall be alleviated through wall offsets, pilasters, arched openings and other distinctive design elements.
  - Decorative elements such as cornices, balustrades, finish materials, colors and lighting shall be used to add interest and integrate the structures within the design character of the area.
- j.3. Parking shall not be the dominant visual element of the site. Existing and/or expanded surface parking which is visible from the street or other areas exposed to public view must be screened and softened by landscaping, low screen wall or a combination of these elements.
- j.4. Surface lots must be planted with trees to reduce heat and glare, that include at least fifteen percent of the surface area to provide visual relief from broad expanses of paving. Shade trees shall be planted around the perimeter and within the lot.
- j.5. Off-site parking may be permitted within this subdistrict if:
- The city establishes a parking district for the area, the district develops a suitable parking facility, and the development pays an in-lieu parking fee; or
  - The development identifies and develops a suitable permanent parking facility;
- or
- The development secures and provides evidence of a long-term lease from a suitable permanent parking facility.
- k. Landscaping:
- k.1. Interior courtyards and passages are encouraged and shall be planted with colorful perennial and annual plant species. A combination of trees, shrubs and groundcovers shall be used to frame, soften and embellish the quality of the

development, to screen undesirable views and to define development boundaries. Landscaping shall be maintained in an attractive condition.

k.2. Permanent containers for flowering plants, such as window boxes and planters, are encouraged for use in limited space areas, at entries and in courtyards and plazas, and along the frontages of Beach Street and Riverside Avenue.

1. Transit: All development proposals within the RTC shall:
  - discourage employee automotive use by instituting one or more of the following: carpooling requirements, transit subsidies, employee shuttle service, and/or
  - provide a contribution and/or cost-sharing for shuttle and/or parking such as on the depot site.

3. New development including residential units or uses, with the exception of projects consisting of 100% SRO units, shall incorporate either  
a. Uses for Active Frontage along a minimum of 50% of the length of the site frontage; or  
b. Live-work units as defined in 24.12.185.14 along 100% of the site frontage.

43. All new development adjacent to a “CON – Neighborhood Conservation District” overlay zone shall comply with Section 24.10.4060 standards for new construction on sites abutting overlay district boundaries, to ensure compatibility with the established district.

#### **24.10.624.1 FINDINGS REQUIRED.**

In addition to required Use and Design Permit findings, any development permit must also meet the following findings. The proposed project:

1. Can be coordinated with existing and proposed development of the surrounding areas, and, if appropriate, particularly addressing the issue of transition to the adjacent RTA and RTB neighborhoods; and
2. Shall provide the amenity level of the development, the quality of architecture, and the landscaping to meet the requirements listed above.
3. Shall be found to contribute to the overall economic health, vitality and general mix of uses in the beach area by providing diverse retail and merchandising for the area.

Section 16. Section 24.10.625.4 – Use Determination of Part 7C.1: R-T(C)/PER: Subdistrict C – Beach Commercial/Performance Overlay Zone of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

#### **24.10.625.4 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then aA use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

Section 17. Part 7D: R-T(D) Subdistrict D – Beach Residential of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

### **Part 7D: R-T(D) SUBDISTRICT D – BEACH RESIDENTIAL**

#### **24.10.626 PURPOSE.**

The purpose of Subdistrict D is to conserve, protect and enhance the beach residential character of the subdistrict and provide a suitable environment for residents. To preserve the small scale and enhance the historic beach cottage character of this subdistrict, and to ensure that new residential land uses are compatible, permanent and of a high quality, all new development will be reviewed in compliance with the Beach Flats Design Guidelines of the Beach and South of Laurel Comprehensive Area Plan and the Conservation Neighborhood Overlay requirements.

#### **24.10.627 PRINCIPAL PERMITTED USES.**

1. The following uses are permitted, subject to a design permit per section 24.08.410, Conservation Overlay District (Section 24.10.4000) and other requirements of the Municipal Code (numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):
  - a. Multiple dwellings, townhouse dwelling groups, and condominiums, three units or more. (830, 840)
  - ba. Single-family and duplexes (800, 810);
  - cb. Storage and equipment structures, if ancillary to principal residential use;
  - de. ~~Small family daycare homes in single-family homes or duplexes (510a);~~ Small and large family daycare homes in residential units.
  - ed. Accessory Uses. Other uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory buildings;
  - fe. Accessory dwelling units subject to the provisions of Chapter 24.16, Part 2, except accessory dwelling units are not subject to approval of a design permit;
  - gf. Supportive and transitional housing in single-family home or duplex.

#### **24.10.628 USE PERMIT REQUIREMENT.**

1. The following uses are subject to approval of an administrative use permit and may also require a design permit per section 24.08.410, as well as ~~and~~ other requirements of the Municipal Code (numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):
  - a. Small community care residential facilities.
  - b. Temporary structures and uses.
  - c. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.
  - ~~d. Large family daycare homes (no design permit required unless otherwise required as a result of a structural modification to the residence).~~

d. Wireless telecommunications facilities, subject to the regulations in Chapter 24.12, Part 15.

2. The following uses are subject to approval of a special use permit and a design permit and other requirements of the Municipal Code (numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

- a. Bed-and-breakfast inns, subject to the requirements contained in Chapter 24.12, Part 9. (300c)
- b. Community care facilities. (850e)
- ~~c. Multiple dwellings, townhouse dwelling groups, and condominiums, three units or more. (830, 840)~~
- ~~c.~~ Public and private noncommercial recreation areas, buildings and facilities such as parks. (710)
- ~~d.~~ Public and quasi-public buildings and uses including administrative, recreational, educational, religious, cultural, public utility or public service uses; but not including yards, storage or repair yards, and warehouses. (500, 510, 530, 540, 570)
- ~~e.~~ Retirement homes or centers. (850b)
- ~~f.~~ Supportive and transitional housing, three units or more.

**24.10.630 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then a use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

**24.10.632 DISTRICT REGULATIONS.**

1. General.

| Provision |  | Dwelling Unit Type |          |          |                 |            |
|-----------|--|--------------------|----------|----------|-----------------|------------|
|           |  | 1-Family Detached  | Duplex   | Triplex  | 4 or More Units | Other Uses |
| a.        | Height of buildings                                    |                    |          |          |                 |            |
|           | • Principal (feet)                                     | 22                 | 22       | 22       | 30              | 30         |
|           | • Accessory (stories and feet)                         | 1 and 15           | 1 and 15 | 1 and 15 | 1 and 15        | 1 and 15   |
| b.        | Minimum lot area (net) (square feet)                   | 3,000              | 3,600    | 7,200    | 8,000           | 8,000      |
| c.        | Minimum lot area (net) per dwelling unit (square feet) | –                  | 1,800    | 1,600    | 1,600           | –          |

| Provision  |   | Dwelling Unit Type |              |            |                 |            |
|--|---|--------------------|--------------|------------|-----------------|------------|
|  |   | 1-Family Detached  | Duplex       | Triplex    | 4 or More Units | Other Uses |
| d.   | Minimum lot width (feet)                          | 40                 | 40           | 80         | 80              | 80         |
| e.   | Usable open space per dwelling unit (square feet) | –                  | 400          | 400        | 400             | –          |
|  |   | Dwelling Units     |              |            |                 |            |
|  |   | First Story        | Second Story | Other Uses |                 |            |
| f.   | Front yard (feet)                                 | 5*                 | 10*          | 10*        |                 |            |
| g.   | Rear yard (feet)                                  | 10                 | 15           | 15         |                 |            |
| h.   | Side yard each side (feet)                        | 4                  | 4            | 4          |                 |            |
|  | or: one side (feet)                               | 0                  | 0            | 0          |                 |            |
|  | Total both sides (feet)                           | 10                 | 10           | 10         |                 |            |
| i.   | Exterior side yard (feet)                         | 5*                 | 5*           | 5*         |                 |            |
| * For any attached or detached garage or carport fronting on a front or exterior side property line, the setback shall be twenty feet from said property line. |   |                    |              |            |                 |            |

2. Minimum Distance Between Buildings on the Same Lot. Between main buildings, including accessory dwelling units, six feet or one foot of setback for each two feet of height of the tallest building, or portions thereof, whichever is greater; between main buildings and one-story accessory buildings, six feet; between accessory buildings, six feet.

3. Other Requirements/Standards:
- a. Design: All development is subject to a design permit and must be in compliance with adopted Design Guidelines. Other regulations which may be applicable to site design in this zone are set forth in General Site Design Standards, Part 2, Chapter 24.12 and the Design Guidelines of the Beach and South of Laurel Comprehensive Area Plan.
    - a.1. New buildings shall employ California Bungalow or Victorian architectural style as a basis for design.
    - a.2. Buildings shall be similar in scale and form to existing structures and shall incorporate vernacular characteristics, such as pitched gabled roofs, proportionally large overhangs, exposed roof beams and rafter tails, vertically oriented multi-paned windows and front porches.
    - a.3. Buildings shall be wood frame construction with horizontal wood siding.
    - a.4. Roof forms shall be typical of the Beach Flats with appropriate steeper pitches for Victorians and lesser pitches for California Bungalow style.
    - a.5. Roof materials shall be composition or wood shingle.
  - b. Parking: All parking shall be located within the rear or at the rear of main structures, if possible. Private multi-residential parking lots shall be screened from the public right-of-way, and meet the requirements of Section 24.12.240, in addition to the following requirements:
    - b.1. All garages and entrances to parking areas shall be set back at least five feet from the adjacent front building setback.

- b.2. On lots of forty feet or less in width of street frontage, parking access is limited to a maximum of twelve feet of width. On lots of forty feet to sixty-five feet in width, parking access is limited to a maximum of sixteen feet of width; and on lots with greater than sixty-five feet in street frontage, parking access is limited to a maximum of twenty feet.
- b.3. Driveways shall be minimized in order to maximize land use efficiency and the provision of landscaping and open space.
- b.4. City parking standard requirements may be reduced in the following manner: one parking space for a one bedroom unit; for two or more bedrooms, the parking requirement may be reduced fifty percent if the following provisions are met:
  - at least fifty percent of new units are two bedrooms or more;
  - for units which meet the city’s definition of “affordable”; and
  - if development is deemed compatible with surrounding neighborhood.
- c. Siting: All development shall be sited to create a harmonious streetedge, and to blend into rather than dominate the street.
  - c.1. Entries to individual units and groupings of units shall be located on the ground floor facing the street. These entries shall incorporate architectural and landscaping elements such as porches and arbors that visually reinforce the presence of entries.
  - c.2. Architectural elements, such as towers, balconies, stairs, decorative elements, etc., may be allowed to project up to fifty percent of the front yard setback requirement.
- d. Height: Multiple story developments shall minimize scale through upper story setbacks, individual building elements, and other similar design techniques.
  - d.1. The height of buildings shall be minimized at the street, in the following manner:
    - One-story elements of buildings (including porches) must be set back five feet,
    - Second-story elements of buildings must be set back ten feet.
- e. Landscaping, in compliance with the Design Standards, is required. Landscaping shall be maintained in an attractive condition.
  - e.1. Landscaping shall be designed to enhance the architectural style. All front, rear and side yards shall be fully landscaped except for areas devoted to driveways, patios, walkways or porches.
  - e.2. Permanent containers for flowering plants are encouraged for use in limited space areas at entries and in courtyards and plazas.
  - e.3. Vines and climbing plants integrated with building design and used on walls and trellises are encouraged.
  - e.4. Opaque garden walls are not permitted within the front yard setback to maintain the landscape continuity along the street. Fences limited to three feet in height are permitted as long as the fence is at least sixty percent open.
- 4. All new development adjacent to a “CON – Neighborhood Conservation District” overlay zone shall comply with Section 24.10.4060, standards for new construction on sites abutting overlay district boundaries, to ensure compatibility with the established district.

**24.10.633 CERTIFICATE OF OCCUPANCY REQUIRED.**

In order to ensure safe and sanitary housing and rehabilitation of structures within the RT(D) District, a valid Certificate of Occupancy shall be required for each transfer of the property

within the district. Certificates will not be issued for properties with a recorded Notice of Violation. Certificates will be issued when units comply with applicable codes.

Section 18. Part 7E: R-T€ Subdistrict E – Beach Medium/High Density of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**Part 7E: R-T(E) SUBDISTRICT E – BEACH MEDIUM/HIGH DENSITY RESIDENTIAL**

**24.10.635 PURPOSE.**

The purpose of Subdistrict E is to encourage quality medium and/or high density multifamily residential uses in a manner which promotes excellence in building design, provides for family-oriented development, ensures compatibility with the adjacent conservation overlay zone, and limits the need for parking by encouraging use of alternative means of transportation, including the multi-modal center proposed for the depot site. All new development will be reviewed in compliance with the Beach Flats Design Guidelines of the Beach and South of Laurel Comprehensive Area Plan.

**24.10.636 PRINCIPAL PERMITTED USES.**

1. The following uses are permitted and may also require subject to a design permit per section 24.08.410 as well as ~~and~~ other requirements of the Municipal Code:
  - a. Duplex dwellings.
  - b. Multiple dwellings, townhouse dwelling groups and condominiums, six units or fewer.
  - ~~bc. Small family daycare.~~ Small and large family daycare homes in residential units.
  - ed. Accessory Uses. Other uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory buildings.

**24.10.637 USE PERMIT REQUIREMENT.**

1. The following uses are subject to approval of an administrative use permit, and may also require a design permit per section 24.08.410, ~~and~~ as well as other requirements of the Municipal Code:
  - a. Educational and cultural institutions.
  - b. Community care facilities.
  - ~~e. Multiple dwellings, townhouse dwelling groups and condominiums, six units or fewer.~~
  - dc. Single-family dwellings on substandard lots.
  - d. Wireless telecommunications facilities, subject to the regulations in Chapter 24.12, Part 15.
2. The following uses are subject to approval of a special use permit, and may also require a design permit as well as ~~and~~ other requirements of the Municipal Code:
  - ~~a. Multiple dwellings, townhouse dwelling groups and condominiums, seven units or more, subject to the approval of the city council upon recommendation of the zoning board.~~
  - ~~b. Large family daycare facilities.~~
  - ea. Recreational buildings and community centers.



- d**b.** Public and private noncommercial recreation areas, buildings and facilities such as parks, playgrounds and basketball courts.
- e**c.** Public and private commercial parking, subject to landscaping and design standards. Non-conforming parking lots must be brought into compliance within five years of adoption of this Part 7E.

**24.10.638 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then aA use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

**24.10.640 DISTRICT REGULATIONS.**

These regulations apply to all development within the RTE subdistrict.

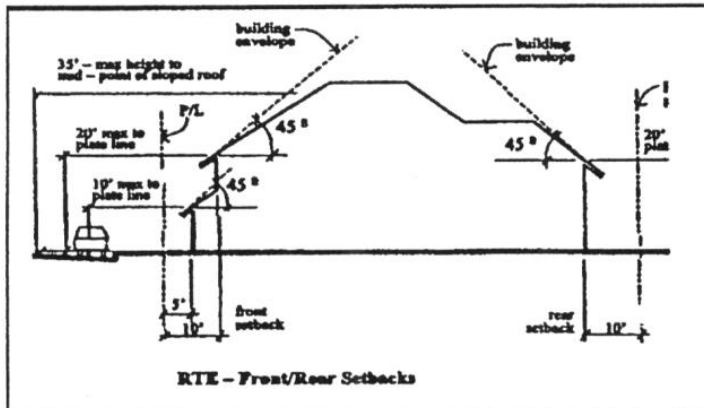
1. General.

| Provision  |  | Dwelling Unit Type |                     |                    | Other Uses |
|--|--|--------------------|---------------------|--------------------|------------|
|  |  | Duplex             | 3+                  | 7+                 |            |
| a.   | Height of buildings                                    |                    |                     |                    |            |
|  | Maximum (feet)   | 22                 | 22                  | 36                 | 36         |
| b.   | Minimum lot area (net) (square feet)                   | 3,400              | 6,800               | 10,200             | 10,200     |
| c.   | Minimum lot area (net) (square feet) per dwelling unit | 1,700              | 1,450               | 1,200              | –          |
| d.   | Minimum lot width (feet)                               | 40                 | 65                  | 80                 | 80         |
| e.   | Open space/dwelling unit (square feet)                 | 400                | 400                 | 400                | –          |
| <b>Setbacks</b>  |  | <b>First Story</b> | <b>Second Story</b> | <b>Third Story</b> |            |
| f.   | Front yard (feet)                                      | 5                  | 10                  | 10*                |            |
| g.   | Rear yard (feet)                                       | 10                 | 10                  | 10*                |            |
| h.   | Side yard, each side (feet)                            | 3                  | 5                   | 5                  |            |
|  | Total both sides (feet)                                | 6                  | 10                  | 10                 |            |
| * Front and rear yards are subject to building envelope. See <i>Setbacks and Height</i> , subsection (2)(a) of this section. |  |                    |                     |                    |            |

2. Other Requirements/Standards:
  - a. Setbacks and Height: Multiple-story developments shall minimize scale through upper story setbacks, articulated building elements, and other similar design techniques.

a.1. The height of buildings shall be minimized at the street, in the following manner:

- One-story elements of buildings (including porches) must be set back five feet from the property line.
- Second-story elements of buildings must be set back ten feet from the property line.
- For three stories, the height of the building must be contained within the building envelope as shown in the following:



a.2. Multi-story buildings or portions of buildings constructed within thirty feet of the Conservation Overlay District shall step-down toward the conservation neighborhood to transition to the adjacent smaller scale conservation area, and shall be no taller than two stories or twenty-three feet at the mid-point of the roof.

b. Design: All development must be in compliance with adopted Design Guidelines. Regulations which may be applicable to site design in this zone are set forth in General Site Design Standards, Part 2, Chapter 24.12 and the Design Guidelines of the Beach and South of Laurel Comprehensive Area Plan.

- b.1. The design of all new structures employ California Bungalow, Craftsman, or Spanish Resort Style as described in the Design Guidelines.
- b.2. Spanish Resort Style buildings shall be designed with stucco walls, courtyards, arches, towers, balconies, wood doors and windows, or appropriate materials that emulate the scale, proportions and look of wood, decorative iron and tile details. Building forms shall suggest thick masonry and incorporate features such as recessed doors and windows. Roofs shall be hipped terra cotta tile roofs or flat roofs completely surrounded by a parapet. This parapet shall incorporate curvilinear decorative shapes and molding.
- b.3. Flat-roofed buildings shall incorporate porches, window overhangs, trellises, wall and opening articulation or other features to avoid a bare-box appearance.
- b.4. California Bungalow and Craftsman-styled buildings shall incorporate appropriately sloped roofs, stucco and/or wood walls, overhangs, porches, trellises, and balconies. Doors and windows shall be of wood (or other durable material that emulates the scale, proportion and appearance of wood).

- c. Parking: All parking shall be located within the rear or at the rear of main structures. Private residential parking lots shall be screened from the public right-of-way, and shall meet the requirements of Section 24.12.240, in addition to the following requirements.
- c.1. All garages and entrances to parking areas shall be set back at least five feet from the adjacent front building setback, and twenty feet from the front property line.
  - c.2. On lots of forty feet or less in width of street frontage, parking access is limited to a maximum of twelve feet of width. On lots of forty to sixty-five feet in width, parking access is limited to a maximum of sixteen feet of width; and on lots with greater than sixty-five feet in street frontage, parking access is limited to twenty feet.
  - c.3. Driveways shall be minimized to maximize land use efficiency and the provision of open space and landscaping.
  - c.4. Off-site parking may be permitted within this subdistrict if:
    - the city establishes a parking district for the area; the district develops a suitable parking facility; and the development pays an in-lieu parking fee, or the development identifies and develops a suitable permanent parking facility,
    - off-site parking must be within five hundred feet of the development and secured by ownership or a long-term lease, including a deed restriction limiting the property's use for the required parking.
  - c.5. City parking standard requirements may be reduced in the following manner: one parking space for a one bedroom unit; for two or more bedrooms, the parking requirement may be reduced fifty percent if one of the following provisions is met:
    - at least fifty percent of new units are two bedrooms or more, or
    - for units which meet the city's definition of "affordable."
  - c.6. Where there is joint recreational and seasonal commercial parking use of a site, turf may be substituted for paved surfaces.
- d. Open Space: Each development shall provide four hundred square feet of usable open space per unit. This requirement may be met through the provision of balconies and/or decks, patios over eight feet in depth, and landscaped front and rear yards over ten feet in depth. The provision of open space may be reduced to two hundred fifty square feet per dwelling unit, if the development meets one of the following criteria:
- projects providing at least fifty percent of the development as two bedroom units;
  - projects providing community facilities such as a community center and/or a child-care facility.
- e. Siting: All development shall be sited to create a harmonious streetedge, and to blend into rather than dominate the street.
- e.1. Entries to individual units and groupings of units shall be located on the ground floor facing the street. These entries shall incorporate architectural and landscaping elements such as porches and arbors that visually reinforce the presence of entries.
  - e.2. Architectural elements, such as towers, balconies, stairs, decorative elements, etc., may project up to fifty percent of the front yard setback requirement.
  - e.3. Courtyard-style developments, providing common usable open space, may provide a single, common entryway facing the street.
- f. Landscaping: Landscaping shall be in compliance with the Design Standards.
- f.1. Landscaping shall be designed to enhance the architectural style. All front, rear and side yards shall be fully landscaped except for areas devoted to driveways, patios, walkways or porches. All landscaping areas shall be provided with automatic

irrigation systems to facilitate the maintenance of the landscape. Landscaping shall be maintained in an attractive condition.

f.2. Permanent containers for flowering plants, or similar narrow-scape landscaping concepts, are encouraged for use in limited space areas, at entries and in courtyards and plazas at entries and in courtyards and plazas.

f.3. Vines and climbing plants integrated with building design and used on walls and trellises are encouraged.

3. All new development adjacent to a “CON – Neighborhood Conservation District” overlay zone shall comply with Section 24.10.4060 standards for new construction on sites abutting overlay district boundaries, to ensure compatibility with the established district.

#### **24.10.641 FINDINGS REQUIRED.**

Prior to approval of any design permit for development within this district, the following additional findings must be made. The application:

1. Can be coordinated with existing and proposed development of the surrounding areas, and, if appropriate, particularly addressing the issue of transition to an adjacent Neighborhood Conservation Overlay District; and
2. Shall meet the requirements listed above for the high amenity level of the development, the quality of architecture, and the landscaping.

Section 19. Part 8: C-C Community Commercial District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

### **Part 8: C-C COMMUNITY COMMERCIAL DISTRICT**

#### **24.10.700 PURPOSE.**

To provide locations throughout the community for a variety of commercial and service uses for residents of the city and the region which promote the policies of the General Plan; to encourage a harmonious mixture of a wide variety of commercial and residential activities including limited industrial uses, if they are compatible and nuisance free. New development including residential units or residential uses within the zone are encouraged to incorporate Uses for Active Frontage along the site frontage. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan. Also refer to Part 43, Sections 24.10.4300 et seq. for properties within the Mission Street Urban Design Overlay District.

#### **24.10.710 PRINCIPAL PERMITTED USES.**

1.—The following uses are allowed outright, subject to other requirements of the municipal code including the approval of a Design Permit for new structures when required by Section 24.08.410 (numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Subcategories of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

#### **USES FOR ACTIVE FRONTAGE:**

- a. Acting/art/music/dance schools and studios (610);

- b. Apparel and accessory stores (250);
- c. Auto supply stores (260C);
- d. Eating and drinking establishments (except bars, fast-food) subject to live entertainment and alcohol regulations of Chapter 24.12 (280);
- e. Financial, insurance, real estate offices (420);
- f. Financial services (320);
- g. Food and beverage stores (except liquor and convenience stores) (240);
- h. General retail merchandise (drug and department stores) (230);
- i. Home furnishing stores (270);
- j. Medical/health offices (except veterinarians and ambulance services) (410);
- ~~l~~ k. Museums and art galleries (600);
- ~~o~~ l. Professional/personal service (except contractors' yards and mortuaries) (310);
- ~~p~~ m. Repairs, alterations and maintenance services for household items (except boat repair) (340);
- ~~r~~ n. Small preschool/childcare (twelve or fewer) (510A);
- ~~t~~ o. Specialty retail supply stores (290); except thrift stores (290m);
- ~~u~~ p. Theaters (620);
- ~~v~~ q. Video rental (650).

**RESIDENTIAL USES:**

- ~~l~~ r. Flexible Density Unit (FDU) Housing
- ~~s~~ Mixed residential and commercial/office developments involving permitted or administrative uses allowed commercial uses, on the ground floor and from three to nine multiple dwellings or condominiums either above the first floor or on the same lot;
- ~~t~~ Multiple dwellings or condominiums, three to nine units when ground-floor units are designed as Live-Work units consistent with Section 24.12.185. 14 and subject to the minimum (net) land area per dwelling unit of the R-M District (830);
- ~~k~~ u. One- or two-multiple-family units when located above the first floor with no additional parking required (830);
- ~~v~~ Single-room occupancy (SRO) housing, fifteen units or fewer (860);
- ~~q~~ w. Small community care residential facilities;
- ~~s~~ x. Small family daycare facility in single-family home or duplex; Small and large family daycare homes in residential units;

**COMMERCIAL USES:**

- ~~m~~ y. Off-site public/private parking facilities, five or fewer spaces (930);
- ~~n~~ z. Professional offices (400).
- ~~aa~~ Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12 requiring no public hearing.

**24.10.720 ACCESSORY USES.**

Other uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory Buildings, and Section 24.10.730.

#### **24.10.730 USE PERMIT REQUIREMENT.**

4- The following uses require an administrative use permit and are subject to other applicable requirements of the municipal code including the approval of a Design Permit for new structures when required by Section 24.08.410 (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

#### **USES FOR ACTIVE FRONTAGE:**

- ~~da.~~ Bakery, handicrafts or similar light manufacturing and assembly uses associated with retail sales if floor area is less than seven thousand square feet and retail sale or service area occupies at least thirty percent of the floor area;
- ~~eb.~~ Brewpubs and microbreweries, subject to alcohol regulations in Part 12 of Chapter 24.12;
- ~~ch.~~ Cannabis retail, subject to the commercial cannabis regulations, Part 14 of Chapter 24.12;
- ~~d.~~ Community organizations, associations, clubs and meeting halls (570);
- ~~e.m.~~ Educational facilities (public/private) (510);
- ~~fp.~~ Government and public agencies (530);
- ~~gx.~~ Tasting rooms, subject to alcohol regulations in Part 12 of Chapter 24.12;
- ~~hz.~~ Thrift stores (290m);
- ~~i.ee.~~ Veterinarians (410A);
- ~~o.~~ Foster family homes;
- ~~t.~~ Multiple dwellings or condominiums, three to nine units subject to the minimum (net) land area per dwelling unit of the R-M District (830);
- ~~d.~~ Single room occupancy (SRO) housing, fifteen units or fewer (860);
- ~~a.~~ Flexible Density Unit (FDU) Housing

#### **COMMERCIAL USES:**

- ~~aj.~~ Accessory buildings containing plumbing fixtures subject to provisions of Section 24.12.140;
- ~~bk.~~ Ambulance services (410B);
- ~~el.~~ Auto services and repair subject to performance standards in Section 24.12.900 (350);
- ~~mf.~~ Boat repairs (340D);
- ~~ng.~~ Building materials/garden supplies (220);
- ~~oi.~~ Churches (500);
- ~~pj.~~ Communication and information services (550);
- ~~qt.~~ Developed parks (710);
- ~~rn.~~ Fast-food restaurants or drive-in eating facilities subject to performance standards in Section 24.12.290, and subject to live entertainment and alcohol regulations of Chapter 24.12 (280H);
- ~~sq.~~ Lodging (300);

- ~~r.~~—Mixed residential and commercial/office developments involving permitted or administrative uses on the ground floor and from three to nine multiple dwellings or condominiums above the first floor;
- ~~ts.~~ Motor vehicle dealers and supplies (260);
- u. Off-site public/private parking facilities, five or more spaces (930);
- v. Recycling collection facilities;
- ~~wy.~~ Temporary structures and uses;
- ~~xaa.~~ Undeveloped parks and open space (700);
- ~~ybb.~~ Utilities and resources (540);
- ~~zdd.~~ Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12 requiring a public hearing.

The following uses require a special use permit and are subject to other applicable requirements of the municipal code including the approval of a design permit for new structures when required by Section 24.08.410. All industrial classifications from 100 to 155 shall be limited to operations that occupy less than five thousand square feet of floor area and shall comply with all performance standards listed in Part 2 of the Environmental Resource Management provisions (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

#### USES FOR ACTIVE FRONTAGE:

- a. Bar and cocktail lounges subject to live entertainment and alcohol regulations of Chapter 24.12 (280C);
- ~~bf.~~ Convenience stores, subject to alcohol regulations in Part 12 of Chapter 24.12 (240B);
- ~~ct.~~ Nightclubs/music halls subject to live entertainment and alcohol regulations of Chapter 24.12 (630);
- ~~dee.~~ Smoking lounges as defined in Section 24.22.748.2 and subject to siting criteria and performance standards in Chapter 5.54.

#### RESIDENTIAL USES:

- ~~d.~~—Large family daycare;
- ~~ee.~~ Community care facilities;

#### COMMERCIAL USES:

- ~~fb.~~ Carpenter, electrical, plumbing, heating, and furniture upholstery shops;
- ~~ge.~~ Contractor/building (310E);
- ~~hg.~~ Fabricated metal products (manufacturing) (150);
- ~~ih.~~ Fabricated wire products (manufacturing) (155A);
- ~~ji.~~ Food and beverage preparation (manufacturing) (100);
- ~~kj.~~ Furniture and fixtures (manufacturing) (120);
- ~~lk.~~ Hospitals (520);
- ~~ml.~~ Laboratory research experimentation, testing, software development;
- ~~nm.~~ Liquor stores, subject to alcohol regulations in Part 12 of Chapter 24.12;
- ~~on.~~ Local/interurban passenger transit (bus, cab) (560B);

- ~~p~~e. Millwork, textile products, knit goods, woven fabrics, clothing (manufacturing) (105);
- ~~p~~. ~~Mixed residential and commercial/office developments, with ten or more multiple dwellings or condominiums, either above commercial uses or units on the same lot (840);~~
- ~~q~~. ~~Multiple dwellings and condominiums, ten or more units subject to the minimum land area (net) per dwelling unit of the R-M District (840);~~
- ~~q~~f. Mortuaries (310I);
- ~~r~~s. Motion picture production (manufacturing) (155E);
- ~~s~~u. Rental services (360);
- ~~v~~. ~~Single room occupancy (SRO) housing sixteen units or more (860);~~
- ~~t~~w. Solar equipment (manufacturing) (155C);
- ~~u~~x. Sports recreation facilities, subject to alcohol regulations in Part 12 of Chapter 24.12 (720);
- ~~v~~y. Stone, clay, glass products (manufacturing) (140);
- ~~w~~z. Storage and warehouse when connected with permitted use (330);
- ~~x~~aa. Wholesale trade (nondurable goods) (200):
  - (a) Bakery,
  - (b) Confectionery,
  - (c) Dairy,
  - (d) Health foods;
- ~~y~~bb. Wholesale trade (durable goods) (210):
  - (a) Paper products and related (210E),
  - (b) Special equipment (machine supply) (210F);

**24.10.740 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then aA use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

**24.10.750 DISTRICT REGULATIONS.**

1. General.

| Provisions   | Requirement       |
|--|-------------------|
| a. Height of buildings – Maximum   |                   |
| • Commercial- <u>Only</u> (stories and feet)   | 3 & 40            |
| • <del>Commercial or mixed use or residential</del> <u>Residential-Only</u> (stories and feet) | <u>3 &amp; 40</u> |



|  |  |
|--|--|
| • <u>Additional height for Mixed Use with ground floor retail (stories and feet)</u>   | <u>0 &amp; 5</u>                             |
| • <u>Additional height for volumetric modular, factory-built housing (stories and feet)</u>  | <u>0 &amp; 2 + (1 per residential story)</u> |
| • Accessory  | 1 & 20                                       |
| b. Lot Area – Minimum (net) (sq. ft.)  | <u>5,000</u>                                 |
| • <del>Commercial or residential</del>   | 5,000  |
| • <del>Mixed Use</del>   | 8,000  |
| c. Setbacks  |  |
| • Front-yard   | 0 **   |
| • Rear-yard  | 0 *  |
| • Interior   | 0 *  |
| • Exterior   | 0 *,**                                       |
| d. Open space per unit (residential only)  |  |
| • Private (sq. ft.)  | <u>40</u> 100                                |
| • Common (sq. ft.) and easily accessible to residential units  | <u>80</u> 150                                |
| e. Distance between buildings on same lot  | 10   |
| <p>* Except where yard abuts an R-District, then not less than the minimum yard required for the adjacent yard in the said R-District, <u>subject also to the requirements of Section 24.12.185.10 as applicable.</u></p> <p>** Except where special street setback requirements for designated streets apply, then the setback shall not be less than the minimum setback listed in Section <u>24.12.115</u> for affected street.</p> |  |

2. ~~Additional Setback Requirement. In any C-C District directly across a street or thoroughfare, not including a freeway, from any R-District, parking and loading facilities shall be at least ten feet distant from the property line and buildings and structures at least twenty feet from the street; said setback space shall be permanently landscaped.~~

32. Other Requirements.

- a. All uses shall be conducted wholly within a completely enclosed building, except for service stations and parking facilities, or other outdoor uses when appropriately screened and as approved by the zoning administrator, or within an outdoor extension area approved pursuant to Section 24.12.192.
- b. Other regulations which may be applicable to site design and this zone are set forth in General Site Design Standards, Part 2, Chapter 24.12.

3. New development including residential units or uses, with the exception of projects consisting of 100% SRO units, shall incorporate either
- a. Uses for Active Frontage as listed in the allowed uses for the zone along a minimum of 50% of the length of the site frontage; or
  - b. Where exclusively residential development is proposed, all ground floor units at the primary site frontage, as defined in Section 24.12.185 shall be developed as live-work units as defined in 24.12.185.14.

Section 20. Part 9: MU-M Mixed-Use Medium Density District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby added as follows:

**Part 9: MU-M MIXED-USE MEDIUM DENSITY DISTRICT**

\* Editor’s Note: Former Part 9, previously codified herein was repealed in its entirety by Ord. 94-33 § 34.

**24.10.800 PURPOSE.**

To promote the development of a harmonious mixture of a wide variety of commercial activities including limited industrial uses, if they are compatible and nuisance free, in conjunction with condominiums and apartments; to stabilize and protect the commercial characteristics of the district; and to promote a walkable, dynamic, and efficient environment for residents, businesses, and workers. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan. Also refer to Section 24.12.185 for design standards.

**24.10.801 PRINCIPAL PERMITTED USES.**

This district allows a mix of residential and commercial uses within each proposed development, or exclusively commercial development. Each new development within the zone shall incorporate active commercial uses along the site frontage per requirements of Chapter 24.12.

The following uses are permitted outright if a design permit is obtained for new structures and environmental review is conducted in accordance with city and state guidelines. Design permits are not required for accessory structures and additions that are less than one hundred twenty square feet and less than fifteen feet in building height. (Numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

**USES FOR ACTIVE FRONTAGE:**

1. Acting/art/music/dance schools and studios (610);
2. Apparel and accessory stores (250);
3. Eating and drinking establishments (except bars, fast-food) subject to live entertainment and alcohol regulations of Chapter 24.12 (280);

4. Financial, insurance, real estate offices (420);
5. Financial services (320);
6. Food and beverage stores (except liquor and convenience stores) (240);
7. General retail merchandise (drug and department stores) (230);
8. Home furnishing stores (270)
9. Medical/health offices (except veterinarians and ambulance services) (410);
10. Museums and art galleries (600);
11. Professional/personal service (except contractors' yards and mortuaries) (310);
12. Repairs, alterations and maintenance services for household items (except boat repair) (340);
13. Small preschool/childcare (twelve or fewer) (510A);
14. Specialty retail supply stores (290); except thrift stores (290m);
15. Theaters (620);

RESIDENTIAL USES:

16. Multiple dwellings, townhouse dwelling groups, and condominium projects in one or more structures. (830, 840)
17. Single-Room Occupancy (SRO) Housing (860)
18. Flexible Density Units (FDU) Housing
19. Community care facilities including daycare (except family daycare homes), foster home, and retirement home (six or fewer persons).
20. Small and large family daycare homes in residential units.
21. Accessory uses are principally permitted when they are a subordinate use to the principal use of the lot.
  - a. Park and recreational facilities.
  - b. Home occupations subject to home occupation regulations as provided in Section 24.10.160.
  - c. Residential accessory uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory buildings.
22. Supportive and transitional housing.
23. Accessory dwelling units on parcels with an approved residential use, subject to the provisions of Chapter 24.16, Part 2, however accessory dwelling units shall not be subject to approval of a design permit.

COMMERCIAL USES:

24. Professional offices (400);
25. Communication and information services (550);
26. Community organizations, associations, clubs and meeting halls (570);
27. Educational facilities (public/private) (510);
28. Government and public agencies (530);
29. Houses of worship/religious facilities (500)
30. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12 requiring no public hearing.

**24.10.802 USE PERMIT REQUIREMENT.**

1. The following uses are subject to approval of an administrative use permit and may also require a design permit per Section 24.08.410:

USES FOR ACTIVE FRONTAGE:

- a. Bakery, handicrafts or similar light manufacturing and assembly uses associated with retail sales if floor area is less than seven thousand square feet and retail sale or service area occupies at least thirty percent of the floor area;
- b. Brewpubs and microbreweries, subject to alcohol regulations in Part 12 of Chapter 24.12;
- c. Cannabis retail, subject to the commercial cannabis regulations, Part 14 of Chapter 24.12;
- d. Tasting rooms, subject to alcohol regulations in Part 12 of Chapter 24.12;
- e. Thrift stores (290m);
- f. Veterinarians (410A);

RESIDENTIAL USES:

- g. Two family dwelling if the lot area allows for only two units. New Single-Family development is not permitted.
- h. Temporary structures and uses.
- i. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.

COMMERCIAL USES:

- j. Developed parks (710);
- k. Fast-food restaurants or drive-in eating facilities subject to performance standards in Section 24.12.290, and subject to live entertainment and alcohol regulations of Chapter 24.12 (280H);
- l. Lodging (300);
- m. Off-site public/private parking facilities, five or more spaces (930);
- n. Recycling collection facilities;
- o. Temporary commercial structures and uses;
- p. Utilities and resources (540);
- q. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12 requiring a public hearing.

2. The following uses are subject to approval of a special use permit and may also require a design permit per section 24.08.410:

USES FOR ACTIVE FRONTAGE:

- a. Bar and cocktail lounges subject to live entertainment and alcohol regulations of Chapter 24.12 (280C);
- b. Convenience stores, subject to alcohol regulations in Part 12 of Chapter 24.12 (240B);
- c. Liquor stores, subject to alcohol regulations in Part 12 of Chapter 24.12;
- d. Nightclubs/music halls subject to live entertainment and alcohol regulations of Chapter 24.12 (630);
- e. Smoking lounges as defined in Section 24.22.748.2 and subject to siting criteria and performance standards in Chapter 5.54.

#### RESIDENTIAL USES:

- f. Community care facilities (seven or more persons) including daycare (except family daycare homes), nursing home, retirement home.
- g. Dormitories, fraternity/sorority residence halls,
- h. Health facilities for inpatient and outpatient psychiatric care and treatment.
- i. Social halls, lodges, fraternal organizations, and clubs, except those operated for a profit.

#### COMMERCIAL USES:

- j. Contractor/building (310E);
- k. Fabricated metal products (manufacturing) (150);
- l. Fabricated wire products (manufacturing) (155A);
- m. Food and beverage preparation (manufacturing) (100);
- n. Furniture and fixtures (manufacturing) (120);
- o. Hospitals (520);
- p. Laboratory research experimentation, testing, software development;
- q. Millwork, textile products, knit goods, woven fabrics, clothing (manufacturing) (105);
- r. Mortuaries (310I);
- s. Motion picture production (manufacturing) (155E);
- t. Rental services (360);
- u. Solar equipment (manufacturing) (155C);
- v. Sports recreation facilities, subject to alcohol regulations in Part 12 of Chapter 24.12 (720);
- w. Stone, clay, glass products (manufacturing) (140);
- x. Storage and warehouse when connected with permitted use (330);
- y. Wholesale trade (nondurable goods) (200):
  - i. Bakery,
  - ii. Confectionery,
  - iii. Dairy,
  - iv. Health foods;
- z. Wholesale trade (durable goods) (210):
  - i. Paper products and related (210E),
  - ii. Special equipment (machine supply) (210F);

#### **24.10.803 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing principal permitted uses, and which will not impair the present or potential use of adjacent properties, shall be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then a use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

#### **24.10.804 DISTRICT REGULATIONS.**

- 1. General.

| <u>Provisions</u>  | <u>Requirement</u>   |
|--|--|
| <u>a. Height of buildings – Maximum</u>  |  |
| • <u>Commercial-only (stories and feet)</u>  | <u>3 &amp; 40</u>  |
| • <u>Mixed use (stories and feet)</u>  | <u>4 &amp; 45</u>  |
| • <u>Additional height for volumetric modular, factory-built housing (stories and feet)</u>  | <u>0 &amp; 2 + (1 per residential story)</u>                   |
| • <u>Accessory</u>   | <u>1 &amp; 20</u>  |
| <u>b. Lot Area for creating new parcels – Minimum (net) (sq. ft.)</u>  | <u>4500</u>  |
| <u>c. Floor Area Ratio, minimum to maximum</u>   | <u>0.75 to 1.75</u>  |
| <u>d. Required lot area per dwelling unit</u>  | <u>1,452 (no requirement for 1-bedroom/studios/ SROs/FDUs)</u> |
| <u>e. Setbacks</u>   |  |
| • <u>Front-yard</u>  | <u>0**</u>   |
| • <u>Rear-yard</u>   | <u>15*</u>   |
| • <u>Interior Side</u>   | <u>0*</u>  |
| • <u>Exterior Side</u>   | <u>8*, **</u>  |
| <u>f. Open space per unit (residential)</u>  |  |
| • <u>Private (sq. ft.)</u>   | <u>40</u>  |
| • <u>Common (sq. ft.) and accessible to residential units</u>  | <u>80</u>  |
| <u>g. Distance between buildings on same lot</u>   | <u>10</u>  |
| <p>* <u>Where a Mixed-Use District abuts a residential district, the setbacks for the first three stories shall be as listed, or as required for the adjacent residential district, whichever is greater. When mixed-use development is proposed, above three stories or 35 feet (whichever is less), a neighborhood transition plane at 45 degrees shall apply per 24.12.185</u></p> <p>** <u>Except where special street setback requirements for designated streets apply, then the setback shall not be less than the minimum setback listed in Section 24.12.115 for affected street.</u></p> |  |

2. Commercial uses are required with any new development proposal, and Uses for Active frontage must be incorporated. Development with a mix of residential and commercial development is encouraged, and residential-only development is not permitted.

3. Where mixed-use is proposed, residential and commercial uses may be mixed either horizontally on the same parcel, or vertically within the same structure. In all cases, Uses for Active Frontage shall occupy the site frontage to the dimensions required by Section 24.12.185.
4. Residential units shall not be located on a street frontage, but may be located on the ground floor of mixed-use buildings, or on the ground floor of residential buildings on sites where a commercial or mixed use building occupies the street frontage.
5. Other Requirements. Other regulations which may be applicable to site and building design in this zone are set forth in Title 24.12.
6. All new development adjacent to a “CON – Neighborhood Conservation District” overlay zone shall comply with Section 24.10.4060 standards for new construction on sites abutting overlay district boundaries, to ensure compatibility with the established district.

#### **24.10.805 PARKING.**

Off-street parking requirements must be fulfilled in accordance with the provisions of Chapter 24.12 Part 3, Off-Street Parking and Loading Facilities. Guest parking spaces required for residential units may also be counted toward required commercial parking.

Section 21. Part 9B: MU-OM Mixed-Use Ocean Street Medium Density District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby added as follows:

#### **Part 9B: MU-OM MIXED-USE OCEAN STREET MEDIUM DENSITY DISTRICT**

#### **24.10.820 PURPOSE.**

To encourage high-quality neighborhood-and visitor-serving commercial development along Ocean Street and adjacent thoroughfares, particularly hotels and motels, while accommodating other multi-story commercial development in both exclusively commercial and medium-density mixed-use developments to promote a vibrant and pedestrian oriented environment for residents, workers and visitors consistent with the Ocean Street Area Plan. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan. Also refer to Section 24.12.185 and the Ocean Street Area Plan for design standards.

#### **24.10.821 PRINCIPAL PERMITTED USES.**

This district allows a mix of residential and commercial uses within each proposed development, or exclusively commercial development. Each new development within the zone shall incorporate active commercial uses along the site frontage per requirements of Chapter 24.12. The following uses are permitted outright if a design permit is obtained for new structures and environmental review is conducted in accordance with city and state guidelines. Design permits are not required for accessory structures and additions that are less than one hundred twenty square feet and less than fifteen feet in building height. (Numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

#### **USES FOR ACTIVE FRONTAGE:**

1. Acting/art/music/dance schools and studios (610);
2. Apparel and accessory stores (250);
3. Eating and drinking establishments (except bars, fast-food) subject to live entertainment and alcohol regulations of Chapter 24.12 (280);
4. Financial, insurance, real estate offices (420);
5. Financial services (320);
6. Food and beverage stores (except liquor and convenience stores) (240);
7. General retail merchandise (drug and department stores) (230);
8. Home furnishing stores (270)
9. Medical/health offices (except veterinarians and ambulance services) (410);
10. Museums and art galleries (600);
11. Professional/personal service (except contractors' yards and mortuaries) (310);
12. Repairs, alterations and maintenance services for household items (except boat repair) (340);
13. Small preschool/childcare (twelve or fewer) (510A);
14. Specialty retail supply stores (290); except thrift stores (290m);
15. Theaters (620);

#### RESIDENTIAL USES:

16. Community care facilities including daycare (except family daycare homes), foster home, and retirement home (six or fewer persons).
17. Flexible Density Units (FDU) Housing
18. Multiple dwellings, townhouse dwelling groups, and condominium projects in one or more structures. (830, 840)
19. Single-Room Occupancy (SRO) Housing (860)
20. Small and large family daycare homes in residential units.
21. Accessory uses are principally permitted when they are a subordinate use to the principal use of the lot.
  - a. Home occupations subject to home occupation regulations as provided in Section 24.10.160.
  - b. Residential accessory uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory buildings.
22. Supportive and transitional housing.
23. Accessory dwelling units on parcels with an approved residential use, subject to the provisions of Chapter 24.16, Part 2, however accessory dwelling units shall not be subject to approval of a design permit.

#### COMMERCIAL USES:

24. Communication and information services (550);
25. Community organizations, associations, clubs and meeting halls (570);
26. Educational facilities (public/private) (510);
27. Government and public agencies (530);
28. Houses of worship/religious facilities (500)
29. Lodging (300);
30. Off-site public/private parking facilities, five or more spaces, when combined with another allowed use (930);



31. Professional offices (400);
32. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12 requiring no public hearing.

#### **24.10.822 USE PERMIT REQUIREMENT.**

1. The following uses are subject to approval of an administrative use permit and may also require a design permit per Section 24.08.410:

##### USES FOR ACTIVE FRONTAGE:

- a. Bakery, handicrafts or similar light manufacturing and assembly uses and wholesale trade associated with retail sales if floor area is less than seven thousand square feet and retail sale or service area occupies at least thirty percent of the floor area, where retail sale or service occupies the building frontage;
- b. Brewpubs and microbreweries, subject to alcohol regulations in Part 12 of Chapter 24.12;
- c. Cannabis retail, subject to the commercial cannabis regulations, Part 14 of Chapter 24.12;
- d. Tasting rooms, subject to alcohol regulations in Part 12 of Chapter 24.12;
- e. Thrift stores (290m);
- f. Veterinarians (410A);

##### RESIDENTIAL USES:

- g. Temporary structures and uses.
- h. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.

##### COMMERCIAL USES:

- i. Fast-food restaurants or drive-in eating facilities subject to performance standards in Section 24.12.290, and subject to live entertainment and alcohol regulations of Chapter 24.12 (280H);
- j. Off-site public/private parking facilities, five or more spaces (930)
- k. Recycling collection facilities;
- l. Temporary commercial structures and uses;
- m. Utilities and resources (540);
- n. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12 requiring a public hearing.

2. The following uses are subject to approval of a special use permit and may also require a design permit per section 24.08.410:

##### USES FOR ACTIVE FRONTAGE:

- a. Bar and cocktail lounges subject to live entertainment and alcohol regulations of Chapter 24.12 (280C);
- b. Convenience stores, subject to alcohol regulations in Part 12 of Chapter 24.12 (240B);
- c. Liquor stores, subject to alcohol regulations in Part 12 of Chapter 24.12;
- d. Nightclubs/music halls subject to live entertainment and alcohol regulations of Chapter 24.12 (630);

- e. Smoking lounges as defined in Section 24.22.748.2 and subject to siting criteria and performance standards in Chapter 5.54.

#### RESIDENTIAL USES:

- f. Community care facilities (seven or more persons) including daycare (except family daycare homes), nursing home, retirement home.
- g. Dormitories, fraternity/sorority residence halls, boardinghouses.
- h. Health facilities for inpatient and outpatient psychiatric care and treatment.
- i. Social halls, lodges, fraternal organizations, and clubs, except those operated for a profit.

#### COMMERCIAL USES:

- j. Contractor/building (310E);
- k. Fabricated metal products (manufacturing) (150);
- l. Fabricated wire products (manufacturing) (155A);
- m. Food and beverage preparation (manufacturing) (100);
- n. Furniture and fixtures (manufacturing) (120);
- o. Hospitals (520);
- p. Laboratory research experimentation, testing, software development;
- q. Millwork, textile products, knit goods, woven fabrics, clothing (manufacturing) (105);
- r. Mortuaries (310I);
- s. Motion picture production (manufacturing) (155E);
- t. Rental services (360);
- u. Solar equipment (manufacturing) (155C);
- v. Sports recreation facilities, subject to alcohol regulations in Part 12 of Chapter 24.12 (720);
- w. Stone, clay, glass products (manufacturing) (140);
- x. Storage and warehouse when connected with permitted use (330);
- y. Wholesale trade (nondurable goods) (200):
  - i. Bakery,
  - ii. Confectionery,
  - iii. Dairy,
  - iv. Health foods;
- z. Wholesale trade (durable goods) (210):
  - i. Paper products and related (210E),
  - ii. Special equipment (machine supply) (210F);

#### **24.10.823 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing principal permitted uses, and which will not impair the present or potential use of adjacent properties, shall be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then a use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

**24.10.824 DISTRICT REGULATIONS.**

**1. General.**

| <b><u>Provisions</u></b>  | <b><u>Requirement</u></b>                                      |
|---|--|
| <b><u>a. Height of buildings – Maximum</u></b>  |  |
| • <u>Commercial-only (stories and feet)</u>   | <u>3 &amp; 45</u>  |
| • <u>Mixed use (stories and feet)</u>   | <u>3 &amp; 40</u>  |
| • <u>Additional height for volumetric modular, factory-built housing (stories and feet)</u> | <u>0 &amp; 2 + (1 per residential story)</u>                   |
| • <u>Accessory</u>  | <u>1 &amp; 20</u>  |
| <b><u>b. Height of buildings – Minimum</u></b>  |  |
| • <u>Commercial or Mixed Use</u>  | <u>1 &amp; 16</u>  |
| • <u>Accessory</u>  | <u>No Minimum</u>  |
| <b><u>c. Floor Area Ratio, minimum to maximum</u></b>                                       | <u>0.75 to 1.75</u>  |
| <b><u>d. Lot Area for creating new parcels – Minimum (net) (sq. ft.)</u></b>                | <u>4000</u>  |
| <b><u>e. Required lot area per dwelling unit</u></b>  | <u>1,452 (no requirement for 1-bedroom/studios/ SROs/FDUs)</u> |
| <b><u>f. Setbacks</u></b>   |  |
| • <u>Front-yard</u>   | <u>0**</u>   |
| • <u>Rear-yard</u>  | <u>1*</u>  |
| • <u>Interior</u>   | <u>0*</u>  |
| • <u>Exterior</u>   | <u>8*, **</u>  |
| <b><u>g. Open space per unit (residential)</u></b>  |  |
| • <u>Private (sq. ft.)</u>  | <u>40</u>  |
| • <u>Common (sq. ft.) and easily accessible to residential units</u>                        | <u>80</u>  |
| <b><u>h. Distance between buildings on same lot</u></b>                                     | <u>10</u>  |

\* Where a Mixed-Use District abuts a residential district, the setbacks for the first three stories shall be as listed, or as required for the adjacent residential district, whichever is greater. When mixed-use development is proposed, above three stories or 35 feet (whichever is less), a neighborhood transition plane at 45 degrees shall apply per 24.12.185

\*\* Except where special street setback requirements for designated streets apply, then the setback shall not be less than the minimum setback listed in Section 24.12.115 for affected street.

2. Commercial uses are required with any new development proposal, and Uses for Active frontage must be incorporated on any Ocean Street frontage. Development with a mix of residential and commercial development is encouraged, and residential-only development is not permitted.

3. Where mixed-use is proposed, residential and commercial uses may be mixed either horizontally on the same parcel, or vertically within the same structure. In all cases, Uses for Active Frontage shall occupy any Ocean Street frontage to the dimensions required by Section 24.12.185.

4. Residential units shall not be located on any Ocean Street frontage, but may be located on the ground floor of mixed-use buildings, or on the ground floor of residential buildings on sites where a commercial or mixed use building occupies the Ocean street frontage. Residential units can occupy up to 50% of the frontage on thoroughfares other than Ocean Street.

5. Other Requirements. Other regulations which may be applicable to site and building design in this zone are set forth in Title 24.12.

6. All new development adjacent to a “CON – Neighborhood Conservation District” overlay zone shall comply with Section 24.10.4060 standards for new construction on sites abutting overlay district boundaries, to ensure compatibility with the established district.

#### **24.10.825 PARKING.**

Off-street parking requirements must be fulfilled in accordance with the provisions of Chapter 24.12 Part 3, Off-Street Parking and Loading Facilities. Guest parking spaces required for the residential units may also be counted toward required commercial parking.

Section 22. Part 9C: MU-OH Mixed-Use Ocean Street High Density District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby added as follows:

#### **Part 9C: MU-OH MIXED-USE OCEAN STREET HIGH DENSITY DISTRICT**

#### **24.10.830 PURPOSE.**

To encourage high-quality neighborhood- and visitor-serving commercial development along Ocean Street and adjacent thoroughfares, particularly hotels and motels, while accommodating other multi-story commercial development in both exclusively commercial and medium-density mixed-use developments within larger buildings oriented toward Ocean Street and Broadway, and using building height and massing to create a sense of place, while promoting a vibrant and pedestrian oriented environment for residents, workers and visitors consistent with the Ocean Street Area Plan. This section of the Zoning Ordinance is also part of the Local Coastal

Implementation Plan. Also refer to Section 24.12.185 and the Ocean Street Area Plan for design standards.

#### **24.10.831 PRINCIPAL PERMITTED USES.**

This district allows a mix of residential and commercial uses within each proposed development, or exclusively commercial development. Each new development within the zone shall incorporate active commercial uses along the site frontage per requirements of Chapter 24.12. The following uses are permitted outright if a design permit is obtained for new structures and environmental review is conducted in accordance with city and state guidelines. Design permits are not required for accessory structures and additions that are less than one hundred twenty square feet and less than fifteen feet in building height. (Numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

#### USES FOR ACTIVE FRONTAGE:

1. Acting/art/music/dance schools and studios (610);
2. Apparel and accessory stores (250);
3. Eating and drinking establishments (except bars, fast-food) subject to live entertainment and alcohol regulations of Chapter 24.12 (280);
4. Financial, insurance, real estate offices (420);
5. Financial services (320);
6. Food and beverage stores (except liquor and convenience stores) (240);
7. General retail merchandise (drug and department stores) (230);
8. Home furnishing stores (270)
9. Medical/health offices (except veterinarians and ambulance services) (410);
10. Museums and art galleries (600);
11. Professional/personal service (except contractors' yards and mortuaries) (310);
12. Repairs, alterations and maintenance services for household items (except boat repair) (340);
13. Small preschool/childcare (twelve or fewer) (510A);
14. Specialty retail supply stores (290); except thrift stores (290m);
15. Theaters (620);

#### RESIDENTIAL USES:

16. Community care facilities including daycare (except family daycare homes), foster home, and retirement home (six or fewer persons).
17. Flexible Density Units (FDU) Housing
18. Multiple dwellings, townhouse dwelling groups, and condominium projects in one or more structures. (830, 840)
19. Single-Room Occupancy (SRO) Housing (860)
20. Small and large family daycare homes in residential units.
21. Accessory uses are principally permitted when they are a subordinate use to the principal use of the lot.
  - a. Home occupations subject to home occupation regulations as provided in Section 24.10.160.

- b. Residential accessory uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory buildings.
- 22. Supportive and transitional housing.
- 23. Accessory dwelling units on parcels with an approved residential use, subject to the provisions of Chapter 24.16, Part 2, however accessory dwelling units shall not be subject to approval of a design permit.

COMMERCIAL USES:

- 24. Communication and information services (550);
- 25. Community organizations, associations, clubs and meeting halls (570);
- 26. Educational facilities (public/private) (510);
- 27. Government and public agencies (530);
- 28. Houses of worship/religious facilities (500)
- 29. Lodging (300);
- 30. Off-site public/private parking facilities, five or more spaces, when combined with another allowed use (930);
- 31. Professional offices (400);
- 32. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12 requiring no public hearing.

**24.10.832 USE PERMIT REQUIREMENT.**

- 1. The following uses are subject to approval of an administrative use permit and may also require a design permit per Section 24.08.410:

USES FOR ACTIVE FRONTAGE:

- a. Bakery, handicrafts or similar light manufacturing and assembly uses and wholesale trade associated with retail sales if floor area is less than seven thousand square feet and retail sale or service area occupies at least thirty percent of the floor area, where retail sale or service occupies the building frontage;
- b. Brewpubs and microbreweries, subject to alcohol regulations in Part 12 of Chapter 24.12;
- c. Cannabis retail, subject to the commercial cannabis regulations, Part 14 of Chapter 24.12;
- d. Tasting rooms, subject to alcohol regulations in Part 12 of Chapter 24.12;
- e. Thrift stores (290m);
- f. Veterinarians (410A);

RESIDENTIAL USES:

- g. Temporary structures and uses.
- h. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.

COMMERCIAL USES:

- i. Fast-food restaurants or drive-in eating facilities subject to performance standards in Section 24.12.290, and subject to live entertainment and alcohol regulations of Chapter 24.12 (280H);
- j. Off-site public/private parking facilities, five or more spaces (930)
- k. Recycling collection facilities;

- l. Temporary commercial structures and uses;
- m. Utilities and resources (540);
- n. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12 requiring a public hearing.

2. The following uses are subject to approval of a special use permit and may also require a design permit per section 24.08.410:

#### USES FOR ACTIVE FRONTAGE

- a. Bar and cocktail lounges subject to live entertainment and alcohol regulations of Chapter 24.12 (280C);
- b. Convenience stores, subject to alcohol regulations in Part 12 of Chapter 24.12 (240B);
- c. Liquor stores, subject to alcohol regulations in Part 12 of Chapter 24.12;
- d. Nightclubs/music halls subject to live entertainment and alcohol regulations of Chapter 24.12 (630);
- e. Smoking lounges as defined in Section 24.22.748.2 and subject to siting criteria and performance standards in Chapter 5.54.

#### RESIDENTIAL USES:

- f. Community care facilities (seven or more persons) including daycare (except family daycare homes), nursing home, retirement home.
- g. Dormitories, fraternity/sorority residence halls, boardinghouses.
- h. Health facilities for inpatient and outpatient psychiatric care and treatment.
- i. Social halls, lodges, fraternal organizations, and clubs, except those operated for a profit.

#### COMMERCIAL USES

- j. Contractor/building (310E);
- k. Fabricated metal products (manufacturing) (150);
- l. Fabricated wire products (manufacturing) (155A);
- m. Food and beverage preparation (manufacturing) (100);
- n. Furniture and fixtures (manufacturing) (120);
- o. Hospitals (520);
- p. Laboratory research experimentation, testing, software development;
- q. Millwork, textile products, knit goods, woven fabrics, clothing (manufacturing) (105);
- r. Mortuaries (310I);
- s. Motion picture production (manufacturing) (155E);
- t. Rental services (360);
- u. Solar equipment (manufacturing) (155C);
- v. Sports recreation facilities, subject to alcohol regulations in Part 12 of Chapter 24.12 (720);
- w. Stone, clay, glass products (manufacturing) (140);
- x. Storage and warehouse when connected with permitted use (330);
- y. Wholesale trade (nondurable goods) (200):
  - i. Bakery,
  - ii. Confectionery,
  - iii. Dairy,

- iv. Health foods;
- z. Wholesale trade (durable goods) (210):
  - i. Paper products and related (210E),
  - ii. Special equipment (machine supply) (210F);

**24.10.833 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing principal permitted uses, and which will not impair the present or potential use of adjacent properties, shall be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then a use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

**24.10.834 DISTRICT REGULATIONS.**

**1. General.**

| <u>Provisions</u>   | <u>Requirement</u>   |
|---|--|
| <u>a. Height of buildings – Maximum</u>   |  |
| • <u>Commercial-only (stories and feet)</u>   | <u>4 &amp; 55</u>  |
| • <u>Mixed use (stories and feet)</u>   | <u>4 &amp; 50</u>  |
| • <u>Additional height for volumetric modular, factory-built housing (stories and feet)</u> | <u>0 &amp; 2 + (1 per residential story)</u>                   |
| • <u>Accessory</u>  | <u>1 &amp; 20</u>  |
| <u>b. Height of buildings – Minimum</u>   |  |
| • <u>Commercial or Mixed Use</u>  | <u>1 &amp; 16</u>  |
| • <u>Accessory</u>  | <u>No Minimum</u>  |
| <u>c. Floor Area Ratio, minimum to maximum</u>  | <u>0.75 to 1.75</u>  |
| <u>d. Lot Area for creating new parcels – Minimum (net) (sq. ft.)</u>                       | <u>4000</u>  |
| <u>e. Required lot area per dwelling unit</u>   | <u>1,452 (no requirement for 1-bedroom/studios/ SROs/FDUs)</u> |
| <u>f. Setbacks</u>  |  |
| • <u>Front-yard</u>   | <u>0**</u>   |



|  |               |
|--|---------------|
| <u>• Rear-yard</u>   | <u>10*</u>    |
| <u>• Interior</u>  | <u>0*</u>     |
| <u>• Exterior</u>  | <u>8*, **</u> |
| <u>g. Open space per unit (residential)</u>  |               |
| <u>• Private (sq. ft.)</u>   | <u>40</u>     |
| <u>• Common (sq. ft.) and easily accessible to residential units</u>   | <u>80</u>     |
| <u>h. Distance between buildings on same lot</u>   | <u>10</u>     |
| <p>* <u>Where a Mixed-Use District abuts a residential district, the setbacks for the first three stories shall be as listed, or as required for the adjacent residential district, whichever is greater. When mixed-use development is proposed, above three stories or 35 feet (whichever is less), a neighborhood transition plane at 45 degrees shall apply per 24.12.185</u></p> <p>** <u>Except where special street setback requirements for designated streets apply, then the setback shall not be less than the minimum setback listed in Section 24.12.115 for affected street.</u></p> |               |

2. Commercial uses are required with any new development proposal, and Uses for Active frontage must be incorporated on any Ocean Street frontage. Development with a mix of residential and commercial development is encouraged, and residential-only development is not permitted.

3. Where mixed-use is proposed, residential and commercial uses may be mixed either horizontally on the same parcel, or vertically within the same structure. In all cases, Uses for Active Frontage shall occupy any Ocean Street frontage to the dimensions required by Section 24.12.185.

4. Residential units shall not be located on any Ocean Street frontage, but may be located on the ground floor of mixed-use buildings, or on the ground floor of residential buildings on sites where a commercial or mixed use building occupies the street frontage. Residential units can occupy up to 50% of the frontage on thoroughfares other than Ocean Street.

5. Other Requirements. Other regulations which may be applicable to site and building design in this zone are set forth in Title 24.12.

6. All new development adjacent to a “CON – Neighborhood Conservation District” overlay zone shall comply with Section 24.10.4060 standards for new construction on sites abutting overlay district boundaries, to ensure compatibility with the established district.

**24.10.835 PARKING.**

Off-street parking requirements must be fulfilled in accordance with the provisions of Chapter 24.12 Part 3, Off-Street Parking and Loading Facilities. Guest parking spaces required for the residential units may also be counted toward required commercial parking.

Section 23. Part 11: C-N Neighborhood Commercial District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

### Part 11: C-N NEIGHBORHOOD COMMERCIAL DISTRICT

#### 24.10.1000 PURPOSE.

To provide commercial and service uses near residential areas for the convenience of local residents. Uses aimed at nearby customers may not require typical development standards such as vehicular parking. New development including residential units or uses within the zone shall incorporate Uses for Active Frontage along the site frontage. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan.

#### 24.10.1010 PRINCIPAL PERMITTED USES.

1. The following uses are allowed outright, subject to other applicable requirements of the municipal code including the requirement for a design permit for new structures when required by Section 24.08.410 (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

#### USES FOR ACTIVE FRONTAGE:

- a. Eating and drinking establishments (except bars and fast-food), subject to live entertainment and alcohol regulations of Chapter 24.12 (280);
- b. Financial, insurance, real estate offices (420);
- ~~c~~d. Food, beverage stores (except liquor and convenience stores) (240);
- ~~d~~e. Hardware stores (indoor sales only) (220A);
- ~~e~~f. Medical/health offices (except veterinarians and twenty-four-hour clinics) (410);
- ~~f~~j. Professional/personal service (except contractors yards and mortuaries) (310);

#### RESIDENTIAL USES:

- g. One or two multiple-family units when located above the first floor commercial use with no additional parking required (830);
- ~~h~~k. ~~Small family daycare facility in a single-family home or duplex.~~ Small and large family daycare homes in residential units.
- ~~i~~l. Multiple dwellings and condominiums, ten or more units when located either in the same lot or above first floor commercial development, subject to the minimum land area (net) per dwelling unit of the R-L District (840);  
~~Multiple dwellings and condominiums, three to nine units when located above first floor commercial uses, subject to the minimum land area per dwelling unit of the R-L District (830);~~

#### COMMERCIAL USES:

- ~~j~~e. Financial services (320);
- ~~k~~h. Off-site public/private parking facilities five or fewer spaces (930);
- ~~i~~. Professional offices (400);

m. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12 requiring no public hearing.

#### **24.10.1020 ACCESSORY USES.**

Other uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory buildings, and Section 24.10.1030.

#### **24.10.1030 USE PERMIT REQUIREMENT.**

1. The following uses require an administrative use permit and are subject to other applicable requirements of the municipal code including the requirement for a design permit for new structures when required by Section 24.08.410 (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

#### **USES FOR ACTIVE FRONTAGE:**

- ab. Acting/art/music/dance studios and schools (610);
- be. Apparel and accessory stores (250);
- ci. General retail merchandise (drug and department stores) (230);
- dj. Government and public agencies (530);
- en. Preschools/childcare (twelve or fewer) (510A);
- fk. Home furnishings (270);
- gp. Repair, alteration, maintenance services for household items (except boat repairs) (340);
- hf. Specialty retail supply stores (290);
- it. Veterinarians (410A);

#### **RESIDENTIAL USES:**

- jq. Small community care residential facilities;

#### **COMMERCIAL USES:**

- ka. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140;
- ld. Auto supply stores (260C);
- me. Churches (500);
- nf. Community organizations, associations, clubs and meeting halls (570);
- og. Educational facilities (public/private) (510);
- h. ~~Family daycare homes and foster family homes;~~
- pm. Parks and open spaces (700);
- qo. Recycling collection facilities;
- rs. Temporary structures and uses;
- su. Video rental (650);
- tv. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12 requiring a public hearing.

2. The following uses require a special use permit and are subject to other applicable requirements of the municipal code including the requirement for a design permit for new structures (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

USES FOR ACTIVE FRONTAGE:

- ab. Bars, subject to live entertainment and alcohol regulations of Chapter 24.12 (280C);
- be. Brewpubs, subject to live entertainment and alcohol regulations of Chapter 24.12;
- cf. Convenience stores, subject to alcohol regulations in Part 12 of Chapter 24.12 (240B);
- di. Liquor stores, subject to alcohol regulations in Part 12 of Chapter 24.12;

RESIDENTIAL USES:

- ed. Community care facilities;
- fe. Community care residential facilities;

COMMERCIAL USES:

- ga. Auto services and repair, subject to performance standards in Section 24.12.900 (350);
- hg. Fast-food restaurants or drive-in eating facilities, subject to performance standards in Section 24.14.290 and subject to live entertainment and alcohol regulations of Chapter 24.12 (280H);
- ~~h. Large family daycare facilities;~~
- ~~j. Two or more stand-alone multiple-family units subject to the minimum land area (net) per dwelling unit of the R-L District (830);~~
- ~~k. Multiple dwellings and condominiums, ten or more units when located either in the same lot or above first floor commercial development, subject to the minimum land area (net) per dwelling unit of the R-L District (840);~~
- il. Off-site public/private parking facilities, five or more spaces (930);
- jm. Sports and recreation facilities, subject to alcohol regulations in Part 12 of Chapter 24.12 (720);
- kn. Storage and warehouses with permitted retail (330).

**24.10.1040 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then aA use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

**24.10.1050 DISTRICT REGULATIONS.**

- 1. General.

| <b>Provisions</b>  | <b>Requirement</b>       |
|--|--------------------------|
| a. Height of buildings – Maximum   |                          |
| • Commercial and mixed use (stories and feet)  | 2 & 30                   |
| • Accessory (stories and feet)   | 1 & 15                   |
| b. Minimum Lot Area (net) (sq. ft.)  |                          |
| • Commercial or residential  | 5,000                    |
| • Mixed use  | 8,000                    |
| c. Setbacks  |                          |
| • Front (feet)   | 10 <sup>*,**</sup>       |
| • Rear (feet)  | 0 <sup>*</sup>           |
| • Side   |                          |
| • Interior   | 0 <sup>*</sup>           |
| • Exterior   | 10                       |
| d. Open space per unit (Residential only)  |                          |
| • Private (sq. ft.)  | <del>100</del> <u>40</u> |
| • Common (sq. ft.) and easily accessible to residential units  | <del>150</del> <u>80</u> |
| e. Distance between buildings on same lot (feet)   | 10                       |
| <p>* Except where abutting an R-District, then not less than the minimum yard required for the adjacent yard in the said R-District.</p> <p>** Except where special street setback requirements for designated streets apply, then the setback shall be added to the minimum setback listed in Section 24.12.115 for affected streets.</p> |                          |

2. Additional Setback Requirement. In any C-N District directly across a street or thoroughfare, not including a freeway, from any R- District, parking and loading facilities shall be at least ten feet distant from the property line and buildings and structures at least twenty feet from the street; said setback space shall be permanently landscaped.

3. Other Requirements.
  - a. All uses shall be conducted wholly within a completely enclosed building, except for parking facilities, or other outdoor uses when appropriately screened and as approved by the zoning administrator, or within an outdoor extension area approved pursuant to Section 24.12.192.
  - b. Other regulations which may be applicable to site design in this zone are set forth in General Site Design Standards, Part 2, Chapter 24.12.

Section 24. Part 12: C-B Beach Commercial District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

### **Part 12: C-B BEACH COMMERCIAL DISTRICT**

#### **24.10.1100 PURPOSE.**

To provide for commercial uses which are primarily coastal-dependent in nature and which serve tourists and visitors to the Santa Cruz coastal recreational areas. Also, to provide commodities and services to residents of such areas. The C-B District shall be applied only in areas designated in the General Plan and the Local Coastal Program. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan.

#### **24.10.1110 PRINCIPAL PERMITTED USES.**

1. The following uses are allowed outright, subject to other applicable requirements of the municipal code (numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

#### **USES FOR ACTIVE FRONTAGE:**

- a. Acting/art/music/dance schools and studios (610);
- b. Apparel and accessory stores (250);
- c. Eating and drinking establishments (except fast-food restaurants), subject to live entertainment and alcohol regulations of Chapter 24.12 (280);
- e. Food and beverage stores (except convenience/liquor stores) (240);
- f. General merchandise (drug and department stores) (230);
- g. Handicraft shops and workshops;
- h. Museums and art galleries (600);
- i. Personal/professional services (except contractors’ yards and mortuaries) (310);
- j. Specialty retail supply stores (290); except thrift stores (290m);

#### **RESIDENTIAL USES:**

- k. One or two multiple-family units when located above the first floor with no additional parking required (830);
- l. ~~Small family daycare facilities, in single-family home or duplex;~~ Small and large family daycare homes in residential units.

m. Mixed residential and commercial development involving permitted or administrative uses on the ground floor and ~~from three to nine~~ multiple dwellings or condominiums either on the same lot or above the first floor, subject to the minimum land area (net) per dwelling unit of the R-M District (830);

**COMMERCIAL USES:**

- nd. Financial, insurance, real estate offices above first floor (420);
- oh. Lodging (300);
- pi. Marine facilities (560E);
- qj. Mechanical contrivances for amusement purposes, such as Ferris wheels, and roller coasters, south and east of Beach Street only;
- rm. Off-site public/private parking facilities, five or fewer spaces (930);
- se. Professional offices above first floor (400);
- tf. Sports and recreation facilities, subject to alcohol regulations in Part 12 of Chapter 24.12 (720);
- us. Theaters (620);
- vt. Video rental (650).
- w. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12 requiring no public hearing.

**24.10.1120 ACCESSORY USES.**

Other uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory buildings, and Section 24.10.1130.

**24.10.1130 USE PERMIT REQUIREMENT.**

1. The following uses require an administrative use permit and are subject to other applicable requirements of the municipal code (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

**USES FOR ACTIVE FRONTAGE:**

- ae. Convenience store, subject to alcohol regulations in Part 12 of Chapter 24.12 (240B);
- be. Educational facilities (public/private) (510);
- cg. Fish/seafood/wholesale (200F);
- di. Home furnishings (270B);
- ep. Thrift stores (290m);
- fq. Professional offices associated with a visitor-serving use;

**COMMERCIAL USES:**

- ga. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140;
- hb. Community organizations, associations, clubs and meeting halls (570);
- id. Churches (500);
- jf. Financial services (320);
- kh. Government and public agencies (530);

- ~~l~~j. Liquor stores, subject to alcohol regulations in Part 12 of Chapter 24.12;
- ~~k~~. ~~Mixed residential and commercial development involving permitted or administrative uses on the ground floor and from three to nine multiple dwellings or condominiums above the first floor, subject to the minimum land area (net) per dwelling unit of the R-M District (830);~~
- ~~l~~. ~~Multiple dwellings and condominiums, three to nine units, subject to the minimum land area (net) per dwelling unit of the R-M District (830);~~
- m. Parks and open spaces (700);
- n. Repairs, alterations, maintenance services for household items (340);
- o. Temporary structures and uses;
- ~~p~~f. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12 requiring a public hearing.

2. The following uses require a special use permit and are subject to other applicable requirements of the municipal code (numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

**USES FOR ACTIVE FRONTAGE:**

- a. Bars/taverns, subject to live entertainment and alcohol regulations of Chapter 24.12;
- ~~e~~b. Fast-food restaurants or drive-in eating facilities subject to performance standards in Section 24.12.290 and subject to live entertainment and alcohol regulations of Chapter 24.12 (280H);
- ~~g~~e. Nightclubs/music halls, subject to live entertainment and alcohol regulations of Chapter 24.12 (630);

**RESIDENTIAL USES:**

- d. Group quarters (850);

**COMMERCIAL USES:**

- ~~b~~. ~~Large family daycare facilities;~~
- ~~e~~. ~~Mixed residential and commercial developments with ten or more multiple dwellings or condominiums, either above the first floor or on the same parcel, subject to the minimum land area (net) per dwelling unit of the R-M District (840);~~
- ~~f~~. ~~Multiple dwellings and condominiums, ten or more units subject to the minimum land area (net) per dwelling unit of the R-M District (840);~~
- ~~h~~e. Off-site public/private parking facilities, five or more spaces (930);
- ~~i~~f. Refreshment stands and vehicles, when located on private property, in locations clearly incidental and adjacent to beach, park, campgrounds, or other major recreational and tourist facilities or activities.

**24.10.1140 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then aA use permit shall be



required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

**24.10.1150 DISTRICT REGULATIONS.**

1. General.

| Provisions  |   | Requirement       |
|---|---|-------------------|
| a.  | Height of Building – Maximum                                      |                   |
|   | • Commercial and Mixed Use (stories and feet)                     | 3 & 40            |
|   | • Accessory   | 1 & 20            |
| b.  | Lot area minimum (net) (square feet)                              |                   |
|   | • Commercial or residential                                       | 5,000             |
|   | • Mixed Use   | 8,000             |
| c.  | Setbacks  |                   |
|   | • Front yard  | 0**               |
|   | • Rear yard   | 0*                |
|   | Side yard   |                   |
|   | • Interior  | 0 <sup>1</sup>    |
|   | • Exterior  | 0*, **            |
| d.  | Open Space Per Unit (Residential Only)                            |                   |
|   | • Private (square feet)   | <del>100</del> 40 |
|   | • Common (square feet) and easily accessible to residential units | <del>150</del> 80 |
| e.  | Distance between buildings on same lot                            | 10                |
| <p>* Except where abutting an R-District, then not less than the minimum yard required for the adjacent yard in the said R-District.</p> <p>** Except where special street setback requirements for designated streets apply, then the setback shall not be less than the minimum setback listed in Section 24.12.115 for affected streets.</p> |   |                   |

~~2. Additional Setback Requirement. In any C-B District directly across a street or thoroughfare, but not including a freeway, from an R-District, parking and loading facilities shall be at least ten feet distant from the property line, and buildings and structures at least twenty feet from the street; said setback space shall be permanently landscaped.~~

23. Other Requirements.

- a. All uses shall be conducted wholly within a completely enclosed building, except for parking facilities, or other outdoor uses when appropriately screened and as approved by the zoning administrator.

34. The following regulations are applicable to site design in the CB Zone north of Beach Street as set forth in General Site Design Standards, Part 2, Chapter 24.12, and the following:

a. Height:

a.1. Maximum Building Height: Maximum building height shall be thirty-six feet. Uninhabitable mechanical penthouses shall be limited to ten percent of the roof area and will be permitted an additional ten-foot height allowance; provided, that they are set back from the face of the building by a minimum of twenty feet so as not to be visible by pedestrians.

- Architectural elements such as bell towers, spires, turrets, cupolas, chimneys, dormers, flag poles, etc., are limited to fifteen percent of the roof area and may extend ten feet above the height limitation, subject to Design Permit review.

a.2. Minimum Building Height: Not less than two stories, of which the first floor retail, restaurant and entertainment uses must have a minimum floor-to-floor height of fifteen feet.

b. Design: All development must be in compliance with adopted Design Guidelines.

Regulations which may be applicable to site design in this zone are set forth in General Site Design Standards, Part 2, Chapter 24.12 and the Design Guidelines of the Beach and South of Laurel Comprehensive Area Plan.

b.1. The design of all new structures be based upon Spanish Colonial Revival architecture as well as Mission Revival and Mediterranean architecture as described in the Design Guidelines. Fantasy Victorian is encouraged for recreational and entertainment development.

b.2. Buildings shall be designed with stucco walls, courtyards, arches, towers, balconies, wood doors and windows, or appropriate materials that emulate the scale, proportions and look of wood, decorative iron and tile details or other features typical of Spanish Colonial Revival style.

b.3. Building forms shall suggest thick masonry reminiscent of Spanish Colonial Revival architecture and incorporate features such as recessed doors and windows.

b.4. Building walls shall be stucco and colored white, off-white or very light value, warm-toned hues. Multiple color combinations may be used, provided they are subtle and consist of a limited number of colors. Variations in shade or tone can be used to articulate architectural features.

b.5. Roofs shall be hipped terra cotta tile roofs or flat roofs completely surrounded by a parapet. This parapet shall incorporate curvilinear decorative shapes and moldings.

b.6. Flat-roofed buildings shall incorporate porches, window overhangs, trellises, wall and opening articulation or other features to avoid a bare-box appearance.

c. Siting:

- c.1. Development shall be designed to create plazas and pedestrian spaces featuring amenities such as shade, benches, outdoor dining, fountains, gardens and performance spaces.
  - c.2. All store fronts, theater entries, and hotel lobbies shall be located along streets, plazas, courtyards, or sidewalks in order to create visual interest to the pedestrian.
  - c.3. Building facades shall be articulated with wall offsets, recesses, openings, ornamentation, and appropriate colors and materials to add texture and detail to the streetscape.
- d. Accessibility:
  - d.1. All retail uses must be directly accessible from a sidewalk, plaza, courtyard or other public open spaces.
  - d.2. Access must be aesthetically integrated within the development.
- e. Setbacks: Development on this site should be designed to encourage and support activities which unify both sides of Beach Street. For that reason, development shall be required to build to the property line adjacent to Beach Street. Significant planter boxes and other narrowscape concepts should be used to soften this edge but provide active pedestrian access.
- f. Parking:
  - f.1. Surface or structured parking may be constructed if the parking is visually screened and/or separated from the street by commercial development of at least fifty feet in depth.
  - f.2. Parking structure exteriors shall maintain the same high-quality architectural design and construction standards as all other commercial buildings.
    - The large scale and mass of parking structures shall be alleviated through wall offsets, pilasters, arched openings and other distinctive design elements.
    - Decorative elements such as cornices, balustrades, finish materials, colors and lighting shall be used to add interest and integrate the structures within the design character of the area.
  - f.3. Parking shall not be the dominant visual element of the site. Existing and/or expanded surface parking which is visible from the street or other areas exposed to public view must be screened and softened by landscaping, low screen wall or a combination of these elements.
  - f.4. Surface lots must be planted with trees to reduce heat and glare, that include at least fifteen percent of the surface area to provide visual relief from broad expanses of paving. Shade trees shall be planted around the perimeter and within the lot.
  - f.5. Off-site parking may be permitted within this subdistrict if:
    - the city establishes a parking district for the area, the district develops a suitable parking facility, and the development pays an in-lieu parking fee; or
    - the development identifies and develops a suitable permanent parking facility; or
    - the development secures and provides evidence of a long-term lease from a suitable permanent parking facility.
- g. Landscaping:
  - g.1. Interior courtyards and passages are encouraged and shall be planted with colorful perennial and annual plant species. A combination of trees, shrubs and groundcovers shall be used to frame, soften and embellish the quality of the

development, to screen undesirable views and to define development boundaries. All landscaping shall be maintained in an attractive condition.

g.2. Permanent containers for flowering plants, such as window boxes and planters, are encouraged for use in limited space areas, at entries and in courtyards and plazas, and along the frontages of Beach Street and Riverside Avenue.

h. Transit: All development proposals within the RTC shall:

- discourage employee automotive use by instituting one or more of the following: carpooling requirements, transit subsidies, employee shuttle service, and/or
- provide a contribution and/or cost-sharing for shuttle and/or parking such as on the depot site.

**4. New development including residential units or uses within the zone shall incorporate Uses for Active Frontage along the site frontage.**

5. All new development adjacent to a “CON – Neighborhood Conservation District” overlay zone shall comply with Section 24.10.4060 standards for new construction on sites abutting overlay district boundaries, to ensure compatibility with the established district.

**24.10.1160 FINDINGS REQUIRED.**

In addition to required use and design permit findings, any development permit must also meet the following findings. The proposed project:

1. Can be coordinated with existing and proposed development of the surrounding areas, and, if appropriate, particularly addressing the issue of transition to the adjacent RTC and RTE neighborhoods; and
2. Shall provide the amenity level of the development, the quality of architecture, and the landscaping to meet the requirements listed above.
3. Shall be found to contribute to the overall economic health, vitality and general mix of uses in the beach area by providing diverse retail and merchandising for the area.

Section 25. Part 13: P-A Professional and Administrative Office District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**Part 13: P-A PROFESSIONAL AND ADMINISTRATIVE OFFICE DISTRICT\***

\* Editor's Note: Former Part 13, C-H Heavy Commercial District, previously codified herein and containing portions of Ords. 87-22 and 88-26 was repealed in its entirety by Ord. 93-21 § 8, 5-25-93.

**24.10.1200 PURPOSE.**

To provide a district for business and professional offices. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan. New development including residential units or uses within the zone shall incorporate Uses for Active Frontage along the site frontage. Also refer to Part 43, Sections 24.10.4300 et seq. for properties within the Mission Street Urban Design Overlay District.

**24.10.1210 PRINCIPAL PERMITTED USES.**

1. The following uses are allowed outright if a design permit is obtained for new structures (numerical references at the end of these categories reflect the general use classifications listed in

the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

**USES FOR ACTIVE FRONTAGE:**

- a. Financial, insurance, real estate offices (420);
- b. Financial services (320);
- ~~cd.~~ Professional offices (400);
- ~~de.~~ Professional/personal services (except contractors yards and mortuaries) (310);
- ~~ef.~~ Medical/health offices (except veterinarians, medical marijuana provider association dispensaries, as defined in Section 24.22.539, ambulance services and emergency medical clinics open earlier than 7:00 a.m. and later than 9:00 p.m.) (410);
- ~~fg.~~ Museums and art galleries (600);

**RESIDENTIAL USES:**

- ~~gf.~~ Duplexes together with an allowed commercial use (820);
- ~~h.~~ Multiple dwellings and condominiums, together with an allowed commercial use and two to nine units, subject to minimum land area requirements of R-M District (830);
- ~~ih.~~ One to two units above ground floor office use with no additional parking required (810).
- ~~ji.~~ Small family daycare facility in a single-family home or duplex. **Small and large family daycare homes in residential units.**

**COMMERCIAL USES:**

- ~~ke.~~ Off-site parking fewer than five spaces (930);
- ~~l.~~ **Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12 requiring no public hearing.**

**24.10.1220 ACCESSORY USES.**

Other uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory buildings, and Section 24.10.1230.

**24.10.1230 USE PERMIT REQUIREMENT.**

1. The following uses are subject to approval of an administrative use permit and **may also require** a design permit **per section 24.08.410** (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

**USES FOR ACTIVE FRONTAGE:**

- ~~ab.~~ Acting/art/music/dance studios and schools (610);
- ~~be.~~ Churches (500);
- ~~cd.~~ Communication and information services (550);
- ~~de.~~ Community organizations, associations, clubs and meeting halls (570);
- ~~eg.~~ Educational facilities (public/private) (510);
- ~~fi.~~ Government and public agencies (530);
- ~~gn.~~ Veterinarians (410A);

**RESIDENTIAL USES:**

- ~~f.~~ Duplexes (820);
- ~~jh.~~ Mobilehomes if lot area cannot accommodate multifamily (870);
- ~~mi.~~ Single-family residences if lot area cannot accommodate multifamily (810);

**COMMERCIAL USES:**

- ~~aj.~~ Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140;
- ~~hk.~~ Large family daycare homes and ~~fo~~Foster family homes;
- ~~k.~~ Multiple dwellings and condominiums, two to nine units, subject to minimum land area requirements of R-M District (830);
- l. Off-site public/private parking facilities, five or more spaces (930);
- ~~om.~~ Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12 requiring a public hearing.

2. The following uses are subject to approval of a special use permit and may also require a design permit per section 24.08.410 (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

**COMMERCIAL USES:**

- a. Community care facilities;
- b. Community care residential facilities;
- c. Hospitals (520);
- d. Mortuaries (310I);
- ~~e.~~ Multiple dwellings and condominiums, ten or more units, subject to minimum land area requirements of the R-M District (830);
- ~~fe.~~ Emergency medical clinics open earlier than 7:00 a.m. and later than 9:00 p.m. (410B).

**24.10.1240 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then aA use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

**24.10.1250 DISTRICT REGULATIONS.**

- 1. General.

| Provisions  | Requirement |
|---|-------------|
| a. Height of buildings – Maximum  |             |
| • Principal (stories and feet)  | 2 & 25      |
| • Accessory (stories and feet)  | 1 & 15      |
| b. Minimum lot area (net) (sq. ft.)   | 5,000       |
| c. Front yard (feet)  | 10*         |
| d. Rear yard (feet)   | 5**         |
| e. Side yard  |             |
| • Interior (feet)   | 0**         |
| • Exterior (feet)   | 10*         |
| f. Distance between buildings on same lot (feet)  | 10          |
| <p>* Except that the front yard and the exterior side yard may be reduced to not less than six (6) feet, for a portion not to exceed fifty (50%) percent of the building frontage, and providing that a total of ten (10) square feet of front yard is provided for each lineal foot of total lot frontage.</p> <p>** Except where abutting an R- District, then not less than the minimum yard required for the adjacent yard in the R-District.</p> |             |

2. Additional Setback Requirement. In any P-A District, directly across a street or thoroughfare, not including a freeway, from any R- District, parking and loading facilities shall be distant at least ten feet from the property line and buildings and structures at least twenty feet from the street; said setback space shall be permanently landscaped.

3. Other Requirements. Other regulations which may be applicable to site design in this zone are set forth in General Site Design Standards, Part 2, Chapter 24.12.

Section 26. Section 24.10.1320 – Use Determination of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.10.1320 USE DETERMINATION.**

Any other uses or service establishments ~~that are~~ determined by the zoning administrator to be of the same general nature-character as the foregoing uses, **and which;** ~~those that~~ will not impair the present or potential use of adjacent properties and are consistent with the policies of the Port

District Master Plan and the Local Coastal Land Use Plan, may be permitted ~~allowed by special use permit~~. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then a use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

Section 27. Part 16: General Industrial District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

#### **24.10.1500 PURPOSE.**

To encourage sound industrial development by providing and protecting an environment for such development, subject to regulations necessary to ensure the purity of the land, air, and waters in Santa Cruz County, and the protection of nearby residential, commercial, and industrial uses of the land from hazards, noise, and other disturbances. This section of the zoning ordinance is also part of the Local Coastal Implementation Plan.

#### **24.10.1505 PRINCIPAL PERMITTED USES.**

1. The following uses are allowed outright, subject to other requirements of the municipal code (numerical references at the ends of these categories reflect the general use classifications listed in the city's land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

- a. Acting/art/music/dance schools and studios (610);
- b. Building materials/garden supply stores (220) with less than forty thousand square feet including indoor floor area and outdoor storage, display, or sales area. For building materials/garden supply stores of which fifty percent or more of the square footage will occupy an existing building, this threshold will be seventy-five thousand square feet including indoor floor area and outdoor storage, display, or sales areas so long as vacant, available space in existing buildings in the IG Zone exceeds four hundred thousand square feet. When the vacant, available square footage is less than four hundred thousand square feet, the forty-thousand-square-foot threshold will apply;
- c. Financial, insurance, real estate offices (420);
- d. Food and beverage preparation (100);
- e. Furniture and fixtures (120);
- f. Laboratories and related facilities for research, experimentation, testing, film processing, software development, including cannabis testing;
- g. Medical/health offices/laboratories (410);
- h. Millwork textile products (105);
- i. Printing and publishing or lithographic shops and plants;
- j. Professional offices (400);
- k. Professional/personal service (except mortuaries) (310);
- l. Rental service (360);
- m. Repair, alterations, maintenance (except boat repairs) (340);
- n. Small and large family daycare homes in residential units ~~facility in a single-family home or duplex~~;



- o. Start-up fabrication assembly or packaging from light metals, prepared materials, or prefabricated parts, including electrical devices if operated in an area no greater than three thousand square feet, and no hazardous materials are used during the operation;
- p. Storage warehousing (330);
- q. Wholesale trade durable goods (210);
- r. Wholesale trade nondurable goods (200).

**24.10.1510 USE PERMIT REQUIREMENT.**

1. The following uses require an administrative use permit and are subject to other applicable requirements of the municipal code (numerical references at the ends of these categories reflect the general use classifications listed in the city’s land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

- a. Agriculture (000);
- b. Auto services and repairs, including trucks, heavy equipment and auto towing, subject to performance standards in Section 24.12.900 (350);
- c. Boat repairs (340D);
- d. Cannabis cultivation, subject to the commercial cannabis regulations, Part 14 of Chapter 24.12;
- e. Cannabis distribution and warehousing, subject to the commercial cannabis regulation, Part 14 of Chapter 24.12;
- f. Cannabis manufacturing, subject to the commercial cannabis regulations, Part 14 of Chapter 24.12;
- g. Cannabis retail, subject to the commercial cannabis regulations, Part 14 of Chapter 24.12;
- h. Churches (500);
- i. Communication and information services (550);
- j. Community organizations, associations, clubs and meeting halls (570);
- k. Eating and drinking establishments, subject to live entertainment and alcohol regulations of Chapter 24.12 (280);
- l. Educational facilities (public/private) (510);
- m. Fabricated metal products (150);
- n. Food and beverage stores (except liquor and convenience stores) (240);
- o. Forestry services (010);
- p. Government and public agencies (530);
- q. Leather tanning (110);
- r. Off-site public/private parking facilities, five or more spaces (930);
- s. Other manufacturing and processing industries (except bulk petroleum, scrap and waste materials) (155);
- t. Parks (700);
- u. Stone, clay, glass products (140);
- v. Temporary structures;
- w. Transportation facilities (560);
- x. Utilities and resources (540);
- y. Wireless telecommunications facilities, subject to the regulations in Part 15 of Chapter 24.12.

2. The following uses require a special use permit and are subject to other applicable requirements of the municipal code. All industrial classifications from 125 to 145 shall comply with all performance standards listed in Part 2 of the Environmental Resource Management provisions (numerical references at the ends of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

- a. Building material/garden supply stores (220) with forty thousand square feet or more including indoor floor area and outdoor storage, display, or sales areas. For building materials/garden supply stores of which fifty percent or more of the square footage will occupy an existing building, this threshold will be seventy-five thousand square feet including indoor floor area and outdoor storage, display, or sales areas so long as vacant, available space in existing buildings in the IG Zone exceeds four hundred thousand square feet. When the vacant, available square footage is less than four hundred thousand square feet, the forty-thousand-square-foot threshold will apply;
- b. Chemicals and allied products, subject to performance standards (130);
- ~~e. Large family daycare;~~
- ~~cd.~~ Group quarters (850);
- ~~de.~~ Multiple dwellings or condominiums subject to R-M District regulations (830, 840);
- ~~ef.~~ Nightclubs/music halls, subject to live entertainment and alcohol regulations of Chapter 24.12 (630);
- ~~fg.~~ Paper and allied products subject to performance standards (125);
- ~~gh.~~ Parks and recreation facilities, subject to alcohol regulations in Part 12 of Chapter 24.12 (720);
- ~~hi.~~ Primary metals and material subject to performance standards (145);
- ~~ij.~~ Rubber, plastic, miscellaneous materials and products subject to performance standards (135);
- ~~jk.~~ Single-room occupancy (SRO) housing (860) under the following conditions:
  - (1) The site is located within one-quarter mile (one thousand three hundred twenty feet) of a grocery store.
  - (2) The lot size is less than six thousand square feet.
  - (3) The SRO is part of a mixed use project, sharing the site and/or building with a use that is allowed under Section 24.10.1505, Principal Permitted Uses, is in conformance with Section 24.10.1540(2), and complies with the following requirements:
    - (a) The SRO development and the mixed use business are under one ownership.
    - (b) The amount of building space occupied by the nonresidential use is either at a minimum equal to the SRO or residential use or the nonresidential use occupies the entire ground floor of the development.
  - (4) Ambient interior noise levels can be mitigated below forty-five decibels.
  - (5) Air quality on and around the site, including odors resulting from adjacent land uses, is not considered a potential health hazard and/or objectionable to residential use;
- ~~kl.~~ Smoking lounges as defined in Section 24.22.748.2 and subject to the siting criteria and performance standards in Chapter 5.54;
- ~~lm.~~ Emergency shelters subject to regulations in Part 17 of Chapter 24.12.

#### **24.10.1520 ACCESSORY USES.**

Uses and buildings customarily appurtenant or incidental to uses listed in Section 24.10.1510 subject to the provisions of Section 24.12.140, including service facilities such as bank ATMs, cafeterias, employee recreation centers, daycare and other similar installations; intended solely for use by the occupants of a principal permitted use or uses.

**24.10.1525 PROHIBITED USES.**

1. Any manufacturing use involving the primary production of products from new materials found to be incompatible with the neighborhood or the city as a whole based on noise, odor, air quality or other adverse environmental impact shall be prohibited.
2. No use which either produces or utilizes asbestos in any manufacturing process shall be permitted.
3. Refinery of petroleum products or other industrial activities in support of off-shore oil drilling shall not be permitted.

**24.10.1530 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then aA use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

**24.10.1540 DISTRICT REGULATIONS.**

1. General.

| Provisions                                       | Requirement |
|--|-------------|
| a. Height of buildings – Maximum                 |             |
| • Principal (feet)                               | 50          |
| • Accessory (feet)                               | 25          |
| b. Minimum lot area (net) (sq. ft.)              | 20,000      |
| c. Front yard (feet)                             | 20          |
| d. Rear yard (feet)                              | 10**        |
| e. Side yard                                     |             |
| • Interior (feet)                                | 0*          |
| • Exterior (feet)                                | 10          |
| f. Distance between buildings on same lot (feet) | 10          |

| Provisions  | Requirement |
|---|-------------|
| g. Lot coverage –<br>Maximum (percent)  | 80**        |
| <p>* Except where abutting the boundary of any other zoning district, then not less than the minimum yard required for the adjacent yard in said abutting zoning district.</p> <p>** Up to an additional five percent of surfaced area may be installed if that area serves as a usable outdoor employee amenity such as recreation or eating facilities, children’s play area or similar features.</p> |             |

2. Additional Setback Requirement. In any I-G District directly across a street or thoroughfare, not including a freeway, from any R- District, parking and loading facilities shall be at least ten feet distant from the property line, and buildings and structures at least twenty feet from the street; said setback space shall be permanently landscaped.

3. Other Requirements.

- a. All uses shall be conducted wholly within a completely enclosed building, except for service stations and parking facilities, or other outdoor uses when appropriately screened and as approved by the zoning administrator.
- b. Other regulations which may be applicable to site design in this zone are set forth in General Site Design Standards, Part 2, Chapter 24.12.

Section 28. Part 16B: IG/PER-2: General Industrial District/Performance District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby added under Part 16B of Chapter 24.10 as follows:

**24.10.1600 PURPOSE.**

The purpose of this General Industrial Performance District is to modify the normal general industrial land use classifications to provide for and encourage appropriate uses for economic development of the Westside industrial lands.

**24.10.1605 PRINCIPAL PERMITTED USES.**

1. The following uses are allowed outright, subject to other requirements of the municipal code (numerical references at the end of these categories reflect the general use classifications listed in the city’s land use codes. Further refinement of uses within these categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

- a. Acting/art/music/dance schools and studios (610);
- b. Adult school/work force training (510F);
- c. Building materials/garden supply stores (220) with less than forty thousand square feet including indoor floor area and outdoor storage, display, or sales area. For building materials/garden supply stores of which fifty percent or more of the square footage will occupy an existing building, this threshold will be seventy-five thousand square feet including indoor floor area and outdoor storage, display, or sales areas so long as vacant, available space in existing buildings in the IG Zone exceeds four hundred thousand square

feet. When the vacant, available square footage is less than four hundred thousand square feet, the forty-thousand-square-foot threshold will apply.

- d. Communication and information services (550);
- e. Financial, insurance, real estate offices (420);
- f. Fabricated metal products (150);
- g. Food and beverage preparation and production (100);
- h. Furniture and fixtures (120);
- i. Medical/health offices/laboratories, including cannabis testing (410);
- j. Millwork textile products (105);
- k. Other manufacturing and processing industries (except bulk petroleum, scrap and waste materials) (155);
- l. Primary metals and material subject to performance standards (145);
- m. Rubber, plastic, miscellaneous materials and products subject to performance standards (135);
- n. Printing and publishing or lithographic shops and plants;
- o. Professional offices (400);
- p. Professional/personal service (except mortuaries) (310);
- q. Rental service (360);
- r. Repair, alterations, maintenance (including boat repairs) (340);
- s. Small **and large** family daycare **homes in residential units**~~facility in a single-family home or duplex~~;
- t. Start-up fabrication assembly or packaging from light metals, prepared materials, or prefabricated parts, including electrical devices;
- u. Stone, clay, glass design and production (140);
- v. Storage warehousing (330);
- w. Technology related research and development facilities and products;
- x. Wholesale trade durable goods (210);
- y. Wholesale trade nondurable goods (200).

#### **24.10.1610 USE PERMIT REQUIREMENT.**

1. The following uses require an administrative use permit and are subject to other applicable requirements of the municipal code (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):

- a. Agriculture (000);
- b. Auto services and repairs, including trucks, heavy equipment and auto towing, subject to performance standards in Section 24.12.900 (350);
- c. Cannabis cultivation, subject to the commercial cannabis regulations, Part 14 of Chapter 24.12;
- d. Cannabis distribution and warehousing, subject to the commercial cannabis regulations, Part 14 of Chapter 24.12;
- e. Cannabis manufacturing, subject to the commercial cannabis regulations, Part 14 of Chapter 24.12;
- f. Cannabis retail, subject to the commercial cannabis regulations, Part 14 of Chapter 24.12;

- g. Eating and drinking establishments, subject to live entertainment and alcohol regulations of Chapter 24.12 (280);
  - h. Forestry services (010);
  - i. Leather tanning (110);
  - j. Off-site public/private parking facilities, five or more spaces (930);
  - k. Temporary structures;
  - l. Utilities and resources (540);
  - m. Wireless telecommunications facilities, subject to the regulations in Chapter 24.12, Part 15.
2. The following uses require a special use permit and are subject to other applicable requirements of the municipal code. All industrial classifications from 125 to 145 shall comply with all performance standards listed in Part 2 of the Environmental Resource Management provisions (numerical references at the end of these categories reflect the general use classifications listed in the city's land use codes. Subcategories of uses within these use categories can be found in the land use codes, but they are not intended to be an exhaustive list of potential uses):
- a. Building material/garden supply stores (220) with forty thousand square feet or more including indoor floor area and outdoor storage, display, or sales areas. For building materials/garden supply stores of which fifty percent or more of the square footage will occupy an existing building, this threshold will be seventy-five thousand square feet including indoor floor area and outdoor storage, display, or sales areas so long as vacant, available space in existing buildings in the IG Zone exceeds four hundred thousand square feet. When the vacant, available square footage is less than four hundred thousand square feet, the forty-thousand-square-foot threshold will apply;
  - b. Chemicals and allied products, subject to performance standards (130);
  - ~~e. Large family daycare homes;~~
  - ~~cd.~~ Food and beverage stores (except liquor and convenience stores) (240);
  - ~~de.~~ Government and public agencies (530);
  - ~~ef.~~ Group quarters (850);
  - ~~fg.~~ Multiple dwellings or condominiums subject to R-M District regulations (830, 840);
  - ~~gh.~~ Paper and allied products subject to performance standards (125);
  - ~~hi.~~ Parks and recreation facilities, subject to alcohol regulations in Chapter 24.12, Part 12 (720);
  - ~~ij.~~ Single-room occupancy (SRO) housing (860) under the following conditions:
    - (1) The site is located within one-quarter mile (one thousand three hundred twenty feet) of a grocery store.
    - (2) The lot size is less than six thousand square feet.
    - (3) The SRO is part of a mixed use project, sharing the site and/or building with a use that is allowed under Section 24.10.1505, Principal Permitted Uses, is in conformance with Section 24.10.1540(2), and complies with the following requirements:
      - (a) The SRO development and the mixed use business are under one ownership.
      - (b) The amount of building space occupied by the nonresidential use is either at a minimum equal to the SRO or residential use or the nonresidential use occupies the entire ground floor of the development.

- (4) Ambient interior noise levels can be mitigated below forty-five decibels.
- (5) Air quality on and around the site, including odors resulting from adjacent land uses, is not considered a potential health hazard and/or objectionable to residential use;
- jk.** Transportation facilities (560).

**24.10.1615 ACCESSORY USES.**

- 1. Uses and buildings customarily appurtenant or incidental to uses listed in Section 24.10.1510 subject to the provisions of Section 24.12.140, including service facilities such as bank ATMs, cafeterias, employee recreation centers, daycare and other similar installations; intended solely for use by the occupants of a principal permitted use or uses.
- 2. Incidental retail sales unrelated to cannabis are a permitted use if:
  - a. The incidental retail sales are directly related to and supportive of a permitted or conditionally permitted use operating on the site; and
  - b. The incidental retail sales area occupies no more than twenty percent of the gross building floor area used or one thousand square feet, whichever is less, and occupied by the permitted or conditionally permitted use; and
  - c. The incidental retail sales have hours of operation similar to or less than the related permitted or conditionally permitted use except that the hours should not exceed 8:00 a.m. to 10:00 p.m.

**24.10.1620 PROHIBITED USES.**

- 1. Any manufacturing use involving the primary production of products from new materials found to be incompatible with the neighborhood or the city as a whole based on noise, odor, air quality or other adverse environmental impact shall be prohibited.
- 2. No use which either produces or utilizes asbestos in any manufacturing process shall be permitted.
- 3. Refinery of petroleum products or other industrial activities in support of off-shore oil drilling shall not be permitted.

**24.10.1630 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then a use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

Section 29. Section 24.10.1780 – Use Determination of Part 18B: P-F Public Facilities District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.10.1780 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then aA use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

Section 30. Part 19: E-A: Exclusive Agriculture of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**Part 19: E-A EXCLUSIVE AGRICULTURAL DISTRICT**

**24.10.1800 PURPOSE.**

To preserve in agricultural use land presently best suited to that use, and intended for eventual development in other uses pending proper timing for the economical provision of utilities, major streets, and other facilities, so that orderly development will occur. This section of the Zoning Ordinance is also part of the Local Coastal Implementation Plan.

**24.10.1810 PRINCIPAL PERMITTED USES.**

1. Agriculture, as defined herein;
2. Animal farm;
3. Crop and tree farming;
4. Ranch and farm dwellings incidental to a principal agricultural use;
5. Stables, barns, silos, and windmills.

**24.10.1820 ACCESSORY USES.**

1. Customary incidental home occupations, as provided in Section 24.10.160 herein;
2. Guest houses and guest rooms;
3. Living quarters for persons regularly employed on the premises, but not including labor supply camps;
4. Offices incidental and necessary to the conduct of a permitted use;
5. Roadside stands, not exceeding four hundred square feet in floor area, for the sale of agricultural products grown on the premises;
6. The providing of board and room for not more than five paying guests;
7. Other uses and buildings customarily appurtenant to a permitted use, subject to the provisions of Section 24.12.140, Accessory buildings, and Section 24.10.1830.

**24.10.1830 USE PERMIT REQUIREMENT.**

1. The following uses are subject to approval of an administrative use permit and may also require a design permit per section 24.08.410:
  - a. Daycare (other than family daycare homes) ~~and foster homes for children;~~



- b. Eating and drinking establishments;
- c. Foster family homes;
- d. Guest ranches;
- e. Off-street parking facilities accessory and incidental to an adjacent commercial use;
- f. Temporary structures;
- g. Veterinary hospitals and clinics;
- h. Accessory buildings containing plumbing fixtures subject to the provisions of Section 24.12.140.

i. Wireless telecommunications facilities, subject to the regulations in Chapter 24.12, Part 15.

2. The following uses are subject to approval of a special use permit and a design permit:
  - a. Agricultural processing plant;
  - b. Group care homes;
  - c. Helipads;
  - d. Institutions for children or the aged;
  - e. Kennels and riding stables;
  - f. Off-street parking facilities serving commercial districts within three hundred feet of the site;
  - g. Outdoor theaters, golf driving ranges, and other similar open-air commercial recreation facilities;
  - h. Public and private noncommercial recreation areas, buildings and facilities such as parks, country clubs, golf courses, and riding, swimming and tennis clubs;
  - i. Public and quasi-public buildings and uses including administrative, recreational, educational, religious, cultural, public utility or public service uses; but not including corporation yards, storage or repair yards, and warehouses;
  - j. Quarters, accommodation, or areas for transient labor, such as labor cabins or labor supply camps.

**24.10.1840 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then aA use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

**24.10.1850 DISTRICT REGULATIONS.**

1. General.

| Provisions                          | Requirement |
|-------------------------------------|-------------|
| a. Height of buildings –<br>Maximum |             |
| • Principal (stories and feet)      | 3 & 50      |

| Provisions                                       | Requirement |
|--|-------------|
| • Accessory (stories and feet)                   | 2 & 25      |
| b. Minimum lot area (net) (acres)                | 20          |
| c. Lot width (feet)                              | 500         |
| d. Front yard (feet)                             | 50          |
| e. Rear yard (feet)                              | 50          |
| f. One side yard (feet)                          | 20          |
| g. Both side yards – total (feet)                | 50          |
| h. Distance between buildings on same lot (feet) | 20          |

2. Other Requirements. Other regulations which may be applicable to site design in this zone are set forth in General Site Design Standards, Part 2, Chapter 24.12.

Section 31. Section 24.10.1920 – Use Permit Requirement of Part 20: OF-R Ocean Front (Recreational) District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.10.1920 USE PERMIT REQUIREMENT.**

1. The following uses are subject to approval of an administrative use permit and may also require a design permit per section 24.08.410:
  - a. Beach, surfing and fishing equipment;
  - b. Fish market;
  - c. Identification signs, appurtenant to uses permitted on the premises;
  - d. Navigation aids and devices not involving the erection of a structure;
  - e. Walls or fences, not to exceed three and one-half feet in height.
  - f. Wireless telecommunications facilities, subject to the regulations in Chapter 24.12, Part 15.
2. The following uses are subject to approval of a special use permit:
  - a. Navigation aids and devices involving the erection of a structure;
  - b. Public restroom facilities;
  - c. Temporary structures.

Section 32. Section 24.10.1930 – Use Determination of Part 20: OF-R Ocean Front (Recreational) District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

#### **24.10.1930 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then aA use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

Section 33. Section 24.10.2030 – Use Permit Requirement of Part 21: F-P Floodplain District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

#### **24.10.2030 USE PERMIT REQUIREMENT.**

1. The following uses are subject to approval of an administrative use permit and may also require a design permit per section 24.08.410:
  - a. Ranch and farm dwellings incidental to a principal agricultural use.
  - b. Wireless telecommunications facilities, subject to the regulations in Chapter 24.12, Part 15.
2. The following uses are subject to approval of a special use permit and a design permit:
  - a. Recreational facilities, bridges, roads, utility transmission lines;
  - b. Riding stables for the keeping of horses on sites at least five acres in size.

Section 34. Section 24.10.2040 – Use Determination of Part 21: F-P Floodplain District of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

#### **24.10.2040 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing uses, and which will not impair the present or potential use of adjacent properties, may be permitted. If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then aA use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

Section 35. Section 24.10.2375 – Use Determination of Part 24(A): CBD Subdistrict E – Lower Pacific Avenue of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

#### **24.10.2375 USE DETERMINATION.**

Any other use or service establishment determined by the zoning administrator to be of the same general character as the foregoing established uses, and which will not impair the present or potential use of adjacent properties, may be permitted. ~~An administrative use permit will be required.~~ If the zoning administrator determines that the proposed use is more in character with the conditional uses for this zone, then a use permit shall be required and processed pursuant to Part 1, Chapter 24.08, Use Permits, of this title. The decision as to whether the use determination requires an administrative use permit or a special use permit shall be based on the use category that is most similar to the proposed use as determined by the zoning administrator.

Section 36. Section 24.10.2385 – Lower Pacific Avenue Design Guidelines of Part 24(A): CBD Subdistrict E – Lower Pacific Avenue of Chapter 24.10 – Land Use Districts of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

#### **24.10.2385 LOWER PACIFIC AVENUE DESIGN GUIDELINES.**

1. Store Front Treatment. The ground-level treatment of buildings and parking structures within the Lower Pacific Avenue subarea should generally comply with the guidelines for the Pacific Avenue retail subarea listed on pages 41-45 of the Downtown Recovery Plan, in terms of: storefront access, transparency, and variation; and the use of landscaping, awnings, and canopies. However, it is recognized that the Lower Pacific Avenue subarea has a more informal character than Pacific Avenues, and as such, more variation of ground-level treatment is envisioned and encouraged. The use of porches and terraced gardens as an intermediate space between the ground floor use and the sidewalk is permitted, as long as the finished floor elevation of the ground floor use is not more than 4 feet above or below the sidewalk level and accessibility requirements are met.

Section 37. Section 24.12.110 – Setback Requirements Modifications of Part 2: General Site Design Standards of Chapter 24.12 – Community Design of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

#### **24.12.110 SETBACK REQUIREMENTS MODIFICATIONS.**

1. Front Yards.
  - a. Where twenty-five percent or more of the lots fronting on any block in the same zone (exclusive of the frontage along the side of a corner lot) have been improved with buildings permitted in said zone and the depth of the front yards on such lots varies not more than ten feet, then the front yard depth required on any lot in said block shall be not less than the median depth of the front yards on the lots on which are located such existing buildings; or
  - b. In any district where the two adjacent lots on either side of a parcel, neither of which is a corner lot and each of which is in the same zone as the center lot, are already improved with uses permitted in the zone, and the average of the front yards of such adjoining lots is less than that required for the zone, then the required front yard depth for the center lot shall not be less than half the sum of the front yard setbacks of the two adjoining lots; or

c. Where Section 24.12.185.13 applies, required front yard depth shall not be less than twelve feet measured from back of curb.

2. Corner Lot Yards.

a. Where, on a corner lot, an exterior side yard abuts a front yard of an adjoining lot in an R- District, the corner lot exterior side yard shall have a width of not less than one-half of the required depth of such adjacent front yard.

b. Each corner lot should have one front yard, two side yards, and one rear yard of the depth required by this title. Normally the front yard shall be across the narrow dimension of the lot and the rear yard opposite this; in unusual cases, however, the location and the relationship of such yards to abutting streets and to each other may be determined by the zoning administrator.

c. In any zoning district in which a minimum front yard is established, no obstruction to view between three and one-half feet, and eight feet above grade shall be placed within the clear corner triangle as defined in this title.

3. Double-Frontage Yards. The width of required interior side yard or required rear yard may be reduced or waived when such interior side yard or rear yard abuts an alley or a street (e.g., double-frontage lot), freeway, stream, public utility right-of-way, coastline or other similar feature which precludes or inhibits construction on or development of the property.

4. Lots of Record – Required Yards. In any district for which a minimum lot area is established, a lot of record, as defined in this title, having less than the required area and/or width and/or depth may be used for a use permitted in the district, except as provided in Section 24.10.351.

a. In any district or for any use where side yards are required, the minimum side yard width shall be four feet or ten percent of the lot width, whichever is greater, for the first story only. Beyond the first story, the standard side yard setback established in the specific district regulations shall apply.

b. In any district or for any use where a rear yard is required, the depth of the rear yard of any such lot shall be ten feet or twenty percent of the depth of the lot, whichever is greater.

c. A single-family dwelling may be constructed on any lot of record, subject to Section 24.10.351. For residential districts other than single-family, the district requirements for minimum lot and land area per dwelling unit shall apply, except as modified by the density bonus provisions of this title.

Section 38. Section 24.12.120 – Projections Into Required Yard Areas, Setbacks, and Easements of Part 2: General Site Design Standards of Chapter 24.12 – Community Design of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.12.120 PROJECTIONS INTO REQUIRED YARD AREAS, SETBACKS AND EASEMENTS.**

1. Projections Into Required Yard Areas. The following are permitted projections into required yard areas. Projections shall not be permitted in yards that are less than the minimum established by district regulations except as provided for in subsection (2), or as allowed in certain areas under Section 24.12.185.13.

a. Architectural features such as cornices, canopies, eaves and sills shall be permitted to project into front, rear and side yards two and one-half feet;

- b. Steps serving the first floor, and bay windows, chimneys, decks, and porches serving the first floor and above may extend into front, rear and exterior side yards one-half of the required yard or six feet, whichever results in a greater setback. For interior side yards, maximum projection is one foot, eight inches unless the projection meets the requirements of subsection (1)(c). Bay window, deck, porch and step projections are permissible in interior side yards on the first floor only. In all cases, no projection or aggregate of projections listed in this subsection shall be more than one-third of the building wall along which it is located;
  - c. Unroofed decks, porches, patios and steps of pervious materials twenty inches or less above finished grade may extend into conforming interior side yards without restriction;
  - d. Guardrails on decks and porches and handrails on stairs projecting into required yards on the first floor shall be considered fences and shall be governed by Section 24.12.160, with the exception of guardrails and/or handrails required for access to the first floor for the physically challenged;
  - e. Rain retention systems attached to the main residence may extend into side and rear yards one-half the required yard or six feet, whichever results in the greater setback. For interior side yards, the minimum setback shall be three feet. Such encroachment shall be no higher than six feet from finished grade.
2. Any structure necessary to provide access to the first floor for the physically challenged.
  3. Projections into Special Street Setbacks. The following uses are permitted within the special street setbacks established in Section 24.12.115 herein.
    - a. Streetlights, traffic signs and signals and appurtenances necessary to the conduct or operation of a public utility, facility, or purpose;
    - b. Fences, walks, hedges, landscaping, outdoor merchandise display, platforms, landings, steps and signs, when constructed or installed so as to have a maximum height of two and one-half feet above curb grade, except as provided for in Section 24.12.120, subsection (3)(d);
    - c. Unenclosed porches, cornices, canopies, eaves, and similar architectural features and signs when constructed so that the clearance from curb grade to the lowest portion thereof, except supporting members, is at least eight feet; and further provided that no supporting member shall have a cross-section of greater than eight inches, nor be located closer than six feet to another supporting member within the setback area;
    - d. Any structure necessary to provide access to the first floor for the physically challenged.
  4. Projections into Easements. No structure or projection thereof may extend into a public utility easement.

Section 39. Section 24.12.125 – Landscaping Requirement of Part 2: General Site Design Standards of Chapter 24.12 – Community Design of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.12.125 LANDSCAPING REQUIREMENT.**

In all districts where yards are required, all portions of each front and exterior side yard, except where improved for pedestrian or vehicular access, or a porch or a patio, shall be landscaped and

permanently maintained. Additional landscaping requirements are contained in Section 24.12.185 Objective Design Standards for Multifamily Housing.

Section 40. Section 24.12.127 – Bird Safe Building Design Requirement of Part 2: General Site Design Standards of Chapter 24.12 – Community Design of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby added as follows:

**24.12.127 BIRD SAFE BUILDING DESIGN REQUIREMENT.**

In all districts where new construction or exterior changes to the façade of buildings or structures requiring a Planning Permit are located within 300 feet of any of the following: parcels with a General Plan Land Use Designation of CR, PR, NA, or AG; an open waterway mapped in the City-wide Creeks and Wetlands Management Plan; or any area within 300 feet of undeveloped property likely to provide significant bird habitat, as determined by the Zoning Administrator, proposed buildings or structures shall be designed in a manner consistent with the published Bird Safe Building Design Standards as maintained by the City Planning and Community Development Department and as updated from time to time.

Section 41. Section 24.12.140 – Accessory Buildings of Chapter 24.12 – Community Design is hereby amended as follows:

**24.12.140 ACCESSORY BUILDINGS AND STRUCTURES.**

In addition to primary structures, it is often useful and convenient to have accessory buildings and structures to provide storage, allow additional usable indoor or sheltered space, or to perform some other function beyond what is included in the primary structure. These spaces can be provided in a building, defined for the purposes of this section as having a roof and walls, or by another accessory structure such as a pergola or a gazebo. Some spaces, such as children’s play equipment, can be classified as either a building (i.e. enclosed playhouse) or a structure (i.e. swing set). The defining characteristic of these buildings and structures is that they are accessory and subordinate to the primary structure and do not detract from the form and function of the primary structure and are complimentary to its use.

1. Accessory Buildings. Accessory buildings are subject to the regulations and permit requirements of the zoning district in which they are located. Accessory buildings are separate and distinct from accessory dwelling units, which are subject to the regulations in Part 2 of Chapter 24.16.

1a. No setback shall be required for an accessory building except as otherwise provided.

2b. No accessory building shall be located in a front or exterior side yard with the exception of buildings used as children’s play equipment that do not create traffic safety hazards, that are less than fifty square feet in plan area at grade, less than fourteen feet in height, and with minimum setbacks of three feet. Such buildings are exempt from the restrictions in Section 24.12.140. Children’s play structures are defined as structures that are designed, made for, and used by children. The vehicle entry side of a garage or other covered parking may not be located closer than twenty feet from front or exterior side yard lot lines;

except that the vehicle entry side of a garage or other covered parking may be built to the front and exterior side yard lot lines where the slope of the front half of the lot is greater than one foot rise or fall in a distance of seven feet from the established street elevation at the property line, or where the elevation of the lot at the street line is five feet or more above or below the established street elevation.

**3c.** Accessory buildings that are less than one hundred twenty square feet in floor area are not required to conform to the distance-between-buildings requirement set forth in the district regulations, Chapter 24.10; however, such structures are subject to all other standards, regulations, and requirements of this title and other state and local requirements including Title 18 and the California Building Standards Code.

**4d.** Accessory buildings that are less than one hundred twenty square feet in floor area and less than fifteen feet in height are not subject to design permit approval when constructed on substandard lots or when constructed on lots within a residential zone district that requires design permit approval for new structures; however, such structures are subject to all other standards, regulations, and requirements of this title and other state and local requirements including Title 18 and the California Building Standards Code.

**5e.** Habitable accessory buildings shall not be located within the front yard nor closer than six feet to the nearest point of the principal building; and shall conform to principal building rear and side yard requirements of the district in which they are located. No habitable accessory building shall be used as a separate dwelling unit except accessory dwelling units as described in Part 2 of Chapter 24.16. Guesthouses for nonpaying guests are allowed only if permitted in the zoning district in which they are located.

**6f.** Accessory buildings may not cover an area in excess of thirty percent of any required yard setback area for the primary structure. In the coastal zone, standards applicable to accessory dwelling units can be found in Section 24.12.140(10). The footprint of accessory dwelling units shall count toward the maximum allowable lot coverage by other accessory structures in yard setback areas; however, the maximum allowable lot coverage does not apply to the accessory dwelling unit itself.

**7g.** An accessory building attached to a main building by a breezeway is not part of the main building.

**8h.** An accessory building may have one sink installed in it if a building permit is obtained. A property with multiple accessory buildings may have a sink in only one accessory building without approval of an administrative use permit. Any additional plumbing fixtures would require an administrative use permit subject to following findings listed in subsection (**9i**) and a building permit for the approved improvements.

**9i.** Except for accessory dwelling units, accessory buildings may contain a full bathroom only when an administrative use permit is approved in accordance with district regulations and all of the following findings are made:

**a.i.** The structure and use are subordinate to the principal use; and

**b.ii.** The purpose of the use is incidental to the principal use; and

**c.iii.** The use is customarily or reasonably appurtenant to the permitted use; and

**d.iv.** The structure will not be used as a dwelling unit ~~except as set forth in Chapter 24.16, Part 2, Accessory Dwelling Units;~~ and

**e.v.** A deed restriction will be recorded limiting the use of the structure to that approved under the permit unless otherwise authorized by the city.



j10. In the coastal zone, and in addition to meeting all other applicable requirements (e.g., standards specified in Section 24.16.100 et seq.), ADUs shall meet the following additional standards:

ia. ADUs are allowed in any zone that allows residential uses on lots of any size, in conjunction with a proposed or existing residential use, provided they are sited and designed to avoid adverse impacts to coastal resources, including by conforming with all applicable LCP policies and standards, including those that govern wetlands, streams, environmentally sensitive habitat areas, public views, and coastal bluffs.

iib. Off-street parking shall be required in compliance with Section 24.12.240(1).

2. Accessory Structures. Accessory structures are subject to the regulations and permit requirements of the zoning district in which they are located.

- a. Accessory structures above eight feet in height shall not be located in a front or exterior side yard with the exception of entry features as described in Section 24.12.150(a)(3). No accessory structure in the front or exterior side yard may be located within the clear corner triangle as defined in section 24.22.202. Any accessory structures located in the front or exterior side yard must be open in nature and must provide and maintain a minimum of ninety percent visual permeability above the first foot in height.
- b. Accessory structures located in the rear or interior sideyard that are less than one hundred twenty square feet in floor area and less than fifteen feet in height are not subject to design permit approval when constructed on substandard lots or when constructed on lots within a residential zone district that requires design permit approval for new structures; however, such structures are subject to all other standards, regulations, and requirements of this title and other state and local requirements including Title 18 and the California Building Standards Code. This includes fences within the West Cliff Drive Overlay District that conform to Section 24.12.160.
- c. Children's play structures that do not create traffic safety hazards, that are less than fifty square feet in plan area, less than fourteen feet in height, and with minimum front setbacks of three feet are exempt from the restrictions in Section 24.12.140. Children's play structures are defined as structures that are designed for, made for, and used by children.

Section 42. Section 24.12.150 – Height Limits Modifications of Part 2: General Site Design Standards of Chapter 24.12 – Community Design of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.12.150 HEIGHT LIMITS MODIFICATIONS.**

1. The height limitations specified in this title shall not apply to the following uses:
  - a. Church spires, minarets, belfries, domes;
  - b. Water, fire observation, and lifeguard towers, chimneys, aids to navigation;
  - c. Buildings and structures intended for agricultural purposes;
  - d. Fire walls, not extending more than four feet above the height of the building;
  - e. Cupolas, scenery lofts, or other unoccupied roof structures for the housing of elevators, stairways, or tanks, tanks no more than twenty feet in height. Such structures must be set

back from the edge of the building at a ratio of 1.2 feet horizontal for every 1 foot in height.

f. Ventilating fans, air conditioning, or similar equipment used solely to operate and maintain a building, which are screened from the view of a building of equivalent height by a parapet or other architectural screen.

g. Railings, up to forty-eight (48) inches in height, or the height required by building code, whichever is greater, consistent with the requirements in Section 24.12.185 relating to rooftop decks as applicable.

2. The height limitations specified in this title may be exceeded for the following uses, subject to a special use permit:

- a. Smokestacks, monuments, flagpoles;
- b. Mechanical contrivances for amusement purposes, such as Ferris wheels, and roller coasters;
- c. Antennas for radio broadcast and receiving, electric power transmission and distribution lines, poles and towers;
- d. Wireless telecommunications facilities;
- e. Places of public assembly such as places of worship churches, schools, and other permitted public and semipublic buildings, the principal activities of which are conducted on the ground floor of such buildings; provided, that for each foot by which the height of such buildings exceed the maximum height permitted, the depth or width of the required side and rear yards shall be increased by one foot.

Section 43. Section 24.12.160 – Fencing and Screening of Part 2: General Site Design Standards of Chapter 24.12 – Community Design of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

#### **24.12.160 FENCING AND SCREENING.**

1. Fencing. Regulations governing the installation, construction and placement of fences and structures in the nature of fences, including hedges, which exceed height limitations contained herein are set forth in Chapter 24.08, Part 7, Conditional Fence Permit.

a. Height Limitations. No person shall erect upon any private property in the city any fence, or structure in the nature of a fence, exceeding the following height limitations:

(1) Within the required front and exterior side yard setback areas established by this title, Chapter 18.04, or other ordinances of the city, fences shall not exceed a height of three feet, six inches from finished grade, except as provided in Chapter 24.08, Part 7;

(2) Within the exterior side yard setback established by this title, Chapter 18.04, or other ordinances of the city, fences outside of the front yard setback or in line with the main building frontage, whichever distance is greater, that are set back a minimum of three feet from the exterior side property line shall not exceed a height of six feet from finished grade, except as provided in Chapter 24.08, Part 7. Fences within the exterior side yard setback that are less than three feet from the side property line or within the front setback area shall not exceed a height of three feet, six inches from finished grade. Any yard area between a fence and the sidewalk or property line shall be

landscaped and permanently maintained. This landscaping shall not include hedges that are higher than three-and-one-half feet.

(32) On any portion of the property outside of the required front and exterior side yard setbacks, fences shall not exceed a height of ~~six~~ eight feet from finished grade except as provided in Chapter 24.08, Part 7, with any portion of the fence above six feet having an open architectural, decorative, or ornamental feature such as lattice or other similar design or material. "Open" means that no more than 50% of the design shall be opaque. This maximum fence height does not apply to fences along an alley or the rail trail associated with an Accessory Dwelling Unit, where fences are limited to three feet, six inches along the alley or rail trail unless a conditional fence permit is approved for greater height.

(43) Any fence along a property line adjacent to a street, or in the adjacent required setback, except in the clear corner triangle, may include a gate, trellis or other entry feature exceeding the height limit stated in subsections (1)(a)(1) and (2). Such gate, trellis or entry feature shall be limited to ten feet in width and ten feet in height. Only one such gate, trellis or entry feature shall be permitted per street frontage except as provided in Chapter 24.08, Part 7.

b. Fire Hazard. The erection of any fence which constitutes a fire hazard either of itself or in connection with the existing structures in the vicinity, or which will interfere with access in case of fire, by the fire department to buildings in the vicinity or which will constitute a hazard to street traffic or to pedestrians shall not be permitted.

c. Temporary Fences – Exceptions. Nothing contained in this title shall be deemed to interfere with the erection of temporary fences around construction works, erected or maintained pursuant to Chapter 18.04 and other ordinances of the city.

d. Barbed-Wire Fencing. No barbed-wire fences may be constructed, electrified or otherwise, without a conditional fence permit.

e. Hedges. Hedges or dense planting in the nature of a hedge in excess of three feet, six inches in height shall not be grown or maintained within the required front or exterior side yard setbacks of the zoning district in which the property is located.

f. Clear Corner Triangles and Clear Vision Areas. Fences or hedges shall not be greater than, nor allowed to exceed, three feet, six inches in height in the clear corner triangle and the clear vision area as defined in Section 24.22.202.

g. Fences within Watercourse Setback Areas. Fencing within a designated riparian corridor or development setback area of a watercourse shall be consistent with requirements of the watercourse development permit, Section 24.08.2150.

## 2. Screening.

a. In any nonresidential district adjacent to any R- District, screening between districts shall be provided.

b. All areas of outdoor storage in any commercial or industrial district shall be permanently screened from view from any adjacent street, public way or adjacent private property.

Section 44. Section 24.12.180 – Community Housing Project Requirements of Part 2: General Site Design Standards of Chapter 24.12 – Community Design of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

### **24.12.180 COMMUNITY HOUSING PROJECT REQUIREMENTS.**

1. Separate Utilities. A community housing project shall provide for independent services of water, sewer, gas and electricity to each dwelling unit. Separate meters are not required.
2. Off-Street Parking. A community housing project shall provide off-street parking as required by Part 3 of this chapter.  
~~In addition, a community housing project shall provide one additional parking space for each four dwelling units within the project.~~
3. Private Useable Open Space. A community housing project shall provide ~~a minimum of one hundred square feet of private open space for each dwelling unit located in such a manner as to be immediately accessible to each dwelling unit~~ usable open space in compliance with the requirements of Section 24.12.185 and the underlying zoning district.
4. Storage Area. A community housing project shall provide a minimum of two hundred cubic feet of enclosed storage space within the project capable of being secured by lock or other means for each unit, in addition to kitchen cupboards, clothes and linen closets.

Section 45. Section 24.12.185 – Objective Design Standards for Multifamily Development of Part 2: General Site Design Standards of Chapter 24.12 – Community Design of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby added as follows:

### **24.12.185 OBJECTIVE DESIGN STANDARDS FOR MULTIFAMILY DEVELOPMENT.**

#### 1. General

- a. The purpose of this section is to provide a set of clear, objective, and measurable standards for multi-family and mixed-use residential development that is consistent with the character of Santa Cruz while also ensuring that new housing development is economically feasible.
- b. The objective standards in this section relate to building design and site design for new development and redevelopment projects (including all multi-family proposals that meet the definition of demolition in the municipal code).
- c. The regulations in this section shall apply to new development or redevelopment of residential and mixed-use buildings containing two or more dwellings (excluding any ADUs or Jr. ADUs), proposed in the city of Santa Cruz in any zone district other than the Central Business District (CBD) or Central Business District, Subdistrict –E (CBD-E). In some cases, standards apply to some zoning districts and not others; where no specific district is indicated, standards apply to all zoning districts other than the CBD and CBD-E.

#### 2. Definitions

For the purposes of interpreting Municipal Code Section 24.12.185 the following definitions shall apply:

Active Uses. Uses that qualify as Uses for Active Frontage are defined in each zone district where standards for site design requires active frontage.

Buffer Landscaping. Landscaping that can be expected to be at least 50 percent opaque from ground level up to a given height within three years of planting. Such planting includes vines, bushes, shrubs, green walls, or evergreen trees with a first branch height of 2 feet or less.

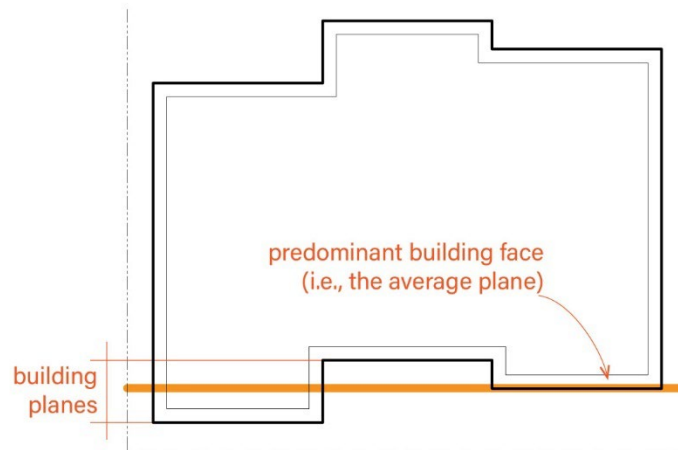
Corridors. Roadways that support a high level of connectivity and intra-city mobility. For the purposes of this document, these roadways are limited to Ocean Street, Mission Street, Water Street, and Soquel Avenue.

Live-Work. Live-work is a type of Residential use that also incorporates commercial uses. The commercial uses allowed in a Live-Work unit are dictated by the uses allowed in the underlying zoning district.

Living Wall. A Living Wall is an exterior building face covered with plants growing in containers or on special material integrated into and attached to the building exterior. The plants root in a structural support which is fastened to the wall itself, rather than in the ground. The plants receive water and nutrients from within the vertical support or container.

Predominant Building Face. Measured in plan view, the predominant building face is the average plane of the face of the building at any given level. This average includes any legal, enclosed building projections (such as bay windows or dormers), and unenclosed insets (such as inset doorways, balconies, or building notches). See Figure 1.

*Figure 1: Predominant Building Face*

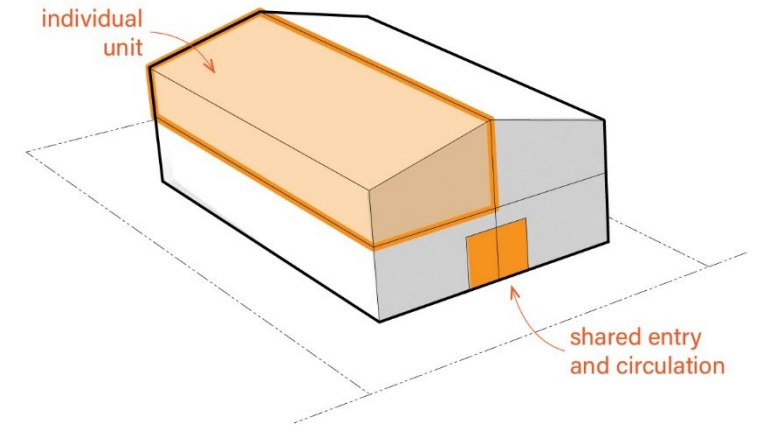


Public Frontage. A frontage that faces a street, public right of way, publicly accessible pedestrian path, or public open space, such as a river levee.

Shielded Luminaire. A luminaire is considered to be fully shielded if it is constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part.

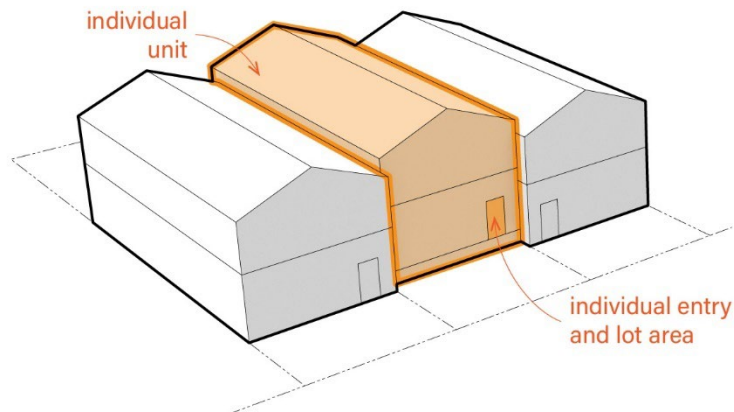
Stacked Flats. A multi-family building type that consists of units stacked vertically with shared circulation and no parking within the building envelope. See Figure 2.

*Figure 2: Stacked Flats*



Townhomes. A townhome is a multi-family building type that consists of side-by-side units, each standing on a discreet area of land, which may or may not be a separate legal lot, with parking on the ground floor within the building envelope. See Figure 3. This definition shall not apply beyond this section of the Municipal Code, and does not supersede the Definition of Dwelling, Townhouse in Section 24.22.318.

*Figure 3: Townhomes*



### 3. Maximum Building Length

Goals: To incentivize multi-family buildings that are more affordable by design, and more 'house-sized' in residential zone districts.

- a. In all R-districts and in the R-T (A), R-T(B), R-T(D) and R-T(E) districts: The maximum building length shall be as dictated by required setbacks and parcel dimensions. Where the building façade along the public frontage is no greater than 75 feet in length and

where the proposal meets the definition of a stacked flat building type (as opposed to a townhome building type), the parking requirement shall be reduced by half.

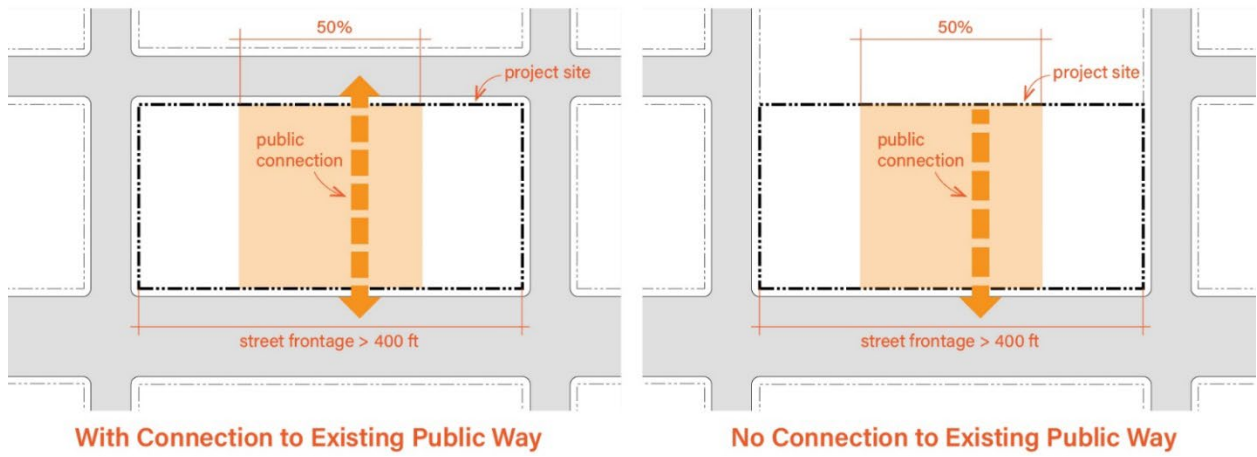
- i. On lots with multiple public frontages, such as corner lots or double-frontage lots, this requirement applies only to the public frontage requiring the widest sidewalk. Where required sidewalks are of equal width, this requirement shall apply to all frontages. Required sidewalk widths are determined by considering any relevant Area Plan requirements and the requirements of Chapters 24.12 and Chapter 15.20. In all cases, where any inconsistency is present, the required sidewalk width shall be the widest standard applicable.
- b. In C-C, R-T(C), C-T, C-N, C-B, PA and all MU districts: The maximum building length shall be as dictated by required setbacks and parcel dimensions.

#### 4. Walkability

Goal: To promote pedestrian permeability and walkability through districts as redevelopment occurs over time, particularly for larger sites.

- a. Existing public connections:
  - i. In all areas of the city, where a project site includes an existing public street, alley, path, paseo, trail, or other public pedestrian connection, this public connection will be maintained or relocated within the project site.
  - ii. Existing frontage improvements including any bike lanes or sidewalks will be maintained, repaired, or upgraded as dictated by any applicable Area Plan, or, in the case where no Area Plan applies, the requirements of Section 24.12.185.14 Ground Floor Design, or the requirements for sidewalk widths as defined in Chapter 15.20 of the Municipal Code. Where any inconsistency between regulatory documents is present, the widest applicable sidewalk requirement shall apply.
    1. Decorative sidewalks may be required based on Area Plan standards. Installation of all sidewalks will be based on the standard details provided by the Department of Public Works.
  - iii. The total number of connections through the site for cyclists and pedestrians shall not be reduced.
5. New public connections:
  - a. Where a new public street, alley, path, paseo, trail, or other public pedestrian connection is required by an Area Plan, this connection shall be incorporated into any development or redevelopment proposal for the sites identified by the Area Plan.
  - b. Where the street frontage length of a site exceeds 400 feet along a single roadway, and there is not already a public connection required by an Area Plan, the project proposal shall include a minimum of one publicly accessible street, alley, path, paseo, trail, or other public pedestrian connection within the middle 50 percent of the site. See Figure 4.
    - i. Where the new street, alley, path, paseo, or trail cannot connect to an existing public way, the owner of the property may reserve the right to restrict access to the public way until such time as further development allows such a connection to be made. When a connection to another public way is made, clear public access shall be provided, signage indicating that it is a public passage shall be posted, any gates or physical access restrictions shall be removed, and access shall be guaranteed through the granting of a public easement.

**Figure 4: New Public Connections**



- c. Regardless of the street frontage length of a project, properties abutting a public street, alley, path, paseo, trail, or other public connection on a side or rear property line shall incorporate a connection between the parcel street frontage and that existing public connection with any new development or redevelopment proposal. These connections shall allow clear passage during daylight or business hours as applicable, whichever is longer. This standard shall not apply to corner lots.
- d. All new pedestrian or bicycle connections not including required street-side improvements such as sidewalks and on-street bike lanes shall be at least 10 feet wide and a minimum of 80 percent open to the sky. Standards for public or private streets shall be met as required by Department of Public Works design guidelines.
- e. Development or redevelopment proposals on properties with street frontage shall be required to install new or improve existing sidewalks in accordance with the requirements of any Area Plan, the requirements of Section 24.12.185.14 Ground Floor Design, and the requirements for sidewalk widths as defined in chapter 15.20, as applicable. Where any inconsistency between standards exists, the wider sidewalk standard shall apply.

## 6. Public Frontages

Goal: To ensure that new development is pedestrian-oriented and provides ground floor uses that activate the public realm.

- a. Where a common Residential lobby is provided, the lobby shall be accessed from a public frontage.
- b. In all MU zones, the ground floor along any public frontage shall consist of 100 percent Uses for Active Frontage as allowed in the underlying zone district, with the exception of lobby space subject to the limitations of 24.12.185.6.e.
- c. In the C-C, R-T(C), C-T, C-N, C-B, PA zones, the ground floor along the public frontage shall consist of no less than 50 percent Uses for Active Frontage as allowed in the underlying zone district.
  - i. On lots with multiple public frontages, such as corner lots or double-frontage lots, this requirement applies only to the public frontage requiring the widest sidewalk. Where required sidewalks are of equal width, this requirement shall apply to all frontages. Required sidewalk widths are determined by considering any relevant Area



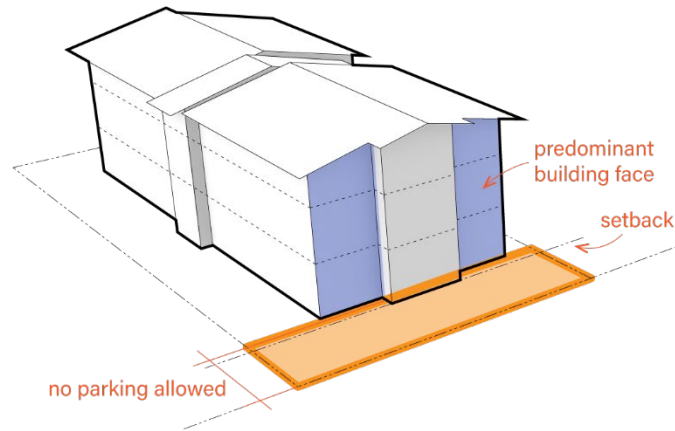
- Plan requirements and the requirements of Chapters 24.12 and Chapter 15.20. In all cases, where any inconsistency is present, the required sidewalk width shall be the widest standard applicable.
- d. Uses for Active Frontage shall be subject to the following standards:
    - i. Uses for Active Frontage shall be built to a minimum depth of at least 25 feet as measured perpendicular to the predominant building face, with the exception of areas for building ingress/egress and access to parking or loading areas. If more than one ground floor Active Frontage space is provided, the 25-foot minimum depth shall be applied as an average depth of the total depth of all the Active Frontage spaces along the predominant building face.
    - ii. Mechanical rooms shall not be placed along the public frontage. Mechanical rooms shall be located adjacent to a driveway or parking area.
    - iii. On lots with multiple public frontages, such as corner lots or double-frontage lots, mechanical rooms may be located on a public frontage. For these lots, mechanical rooms are prohibited along the public frontage requiring the widest sidewalk of all frontages on the property. Where required sidewalks are of equal width, mechanical rooms are prohibited along all frontages. Sidewalk widths are determined by considering any relevant Area Plan requirements and the requirements of Chapters 24.12 and Chapter 15.20. In all cases, where any inconsistency is present, the required sidewalk width shall be the widest standard applicable.
    - iv. Amenities provided to building residents do not qualify as Uses for Active Frontage unless they are also open and available to the general public.
  - e. In the C-C, R-T(C), C-T, C-N, C-B, PA, and all MU zones, the ground floor facing a public frontage shall be subject to the following standards:
    - i. On corner lots, the ground floor shall have 100 percent commercial uses at the corner, extending for at least 30 feet on either side of the corner, or the distance of the frontage of the corner parcel, whichever is less.
    - ii. Entries to ground floor uses shall be placed at an average of every 50 linear feet or less of building frontage. The following uses are exempt from this requirement:
      - 1. Food and Beverage Stores, Medical/Health Offices
      - 2. Lodging in areas designated MXVC in the 2030 General Plan
    - iii. Residential or Commercial lobbies are limited to a maximum of 30 feet of frontage, unless they are combined with an Active Use, in which case they are limited to 50 feet of frontage.
  - f. In all R-districts and in the R-T (A), R-T(B), R-T(D) and R-T(E) districts, with the exception of flag-lots, a parcel's public frontage shall be comprised of ground-floor residential uses that are oriented toward the public frontage.
  - g. Ground floor residential units that face a public frontage shall provide an entry facing toward the public frontage that provides access into an entry area, living area, kitchen, or hallway (not a bathroom or bedroom, with the exception of studios).
  - h. Entries facing a public frontage shall include a minimum of 48 square feet of flat, unenclosed, covered area, which may be a projection, or inset, or a combination of the two. (See Planning Code Section 24.12.120 for allowed projections into setback areas.)

## 7. Parking Location and Screening

Goal: To minimize the visual impact of parked cars from sidewalks and streets.

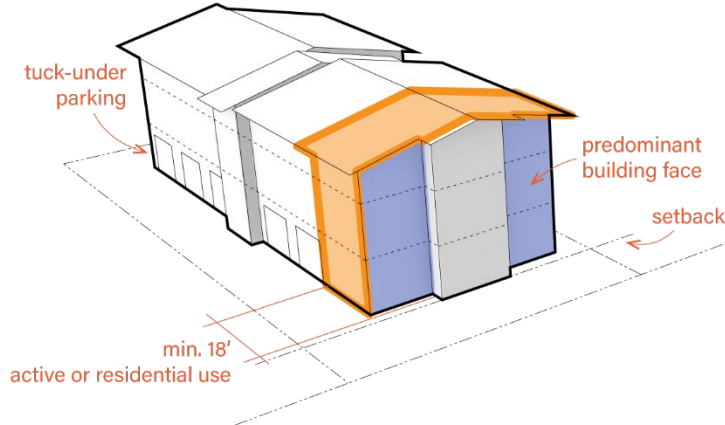
- a. Off street parking and loading facilities, including bike parking requirements, shall be provided as required in Section 24.12.200 et seq.
- b. For projects including five or more dwelling units, parking shall not be located in the area between the front lot line and a line extended horizontally from the plane of the predominant building face to the edges of the lot. See Figure 5.

**Figure 5: Parking Location**



- c. Residential parking for projects including five or more dwelling units shall be screened from view in the following ways:
  - i. Podium parking facing a public frontage shall be wrapped with Uses for Active Frontage as allowed in the applicable zone district or residential uses on all levels facing a public frontage to a depth of at least 18 feet average, measured on each level perpendicular from the predominant building face. (Also see Sections 24.12.185.13 Corridor Frontage and .14 Ground Floor Design.)
  - ii. Tuck-under parking shall be entirely contained within the building and screened by garage doors. Where it faces a public frontage and is setback less than 15 feet from the public right of way, tuck-under parking shall be wrapped with active or residential uses to a depth of at least 18 feet average, measured perpendicular from the predominant building face. See Figure 6. (Also see Sections 24.12.185.13 Corridor Frontage and .14 Ground Floor Design.)

**Figure 6: Tuck-Under Parking Screening**



- d. The entire perimeter of a surface parking area that fronts onto a side or rear yard, except the width of the access, shall be screened by buildings, evergreen buffer landscaping to a minimum depth of 3 feet, or fences that are at least 75 percent opaque. Fences or hedges shall not be greater than, nor allowed to exceed 8 feet in height on an interior side yard or rear yard, or 3.5 feet in height in a front or exterior side yard. (Also see Section 24.12.280.)
- e. In any multi-level parking structure, the exterior shall be fully screened, and automobile headlamps shall be shielded so as to not be visible from adjacent parcels, streets, public parks, publicly accessible outdoor space, or designated open space area.
- f. Driveways and approaches shall comply with the standards set forth in Municipal Code Sections 15.20 and 24.12.280 and the driveway approach standard detail included with the public works standards in effect at the time of design review and shall be designed in accordance with AASHTO Green Book sight distance standards. Ingress/egress to driveway approaches may be limited based on the results of a Transportation Study.

#### 8. Landscape and Buffering

Goals: To enhance the urban forest, provide shade for buildings and sidewalks, incorporate landscape, and provide visual buffering into new development in a way that is visually appealing and consistent with the character of Santa Cruz.

In R-districts and in the R-T (A), R-T(B), R-T(D) and R-T(E) districts, the goal of landscape is also to soften the massing of buildings as they front the street. In commercial and mixed-use districts, the goal is also to create a landscaped edge to sidewalks and encourage the incorporation of terraces and balconies for usable outdoor space (livability), architectural interest (modulation), and access to outdoor space for public health and passive cooling (resilience).

- a. In all R-districts and in the R-T (A), R-T(B), R-T(D) and R-T(E) districts:
  - i. All open spaces in the front setback (excluding areas for driveways and sidewalks), shall be at least 75 percent landscape (planted materials) that are selected to comply with WELO standards as found in Chapter 16.16 of the Santa Cruz Municipal Code that are current at the time of design review. The selected planted materials shall be WELO compliant even when the formal requirements of the WELO do not apply to the project.

- ii. Selected plant species for the site shall incorporate a mix of trees, shrubs, and ground cover.
- iii. Turf areas shall include no more than 25 percent of the total irrigated area on the site.
- b. In the C-C, R-T(C), C-T, C-N, C-B, PA and all MU zones :
  - i. All public frontages shall incorporate 12 square feet of planted area for each 30 linear feet of building frontage counted by rounding up to the next increment of planted area. For example, a building with a 31-foot building frontage would incorporate a minimum of 24 square feet of landscaped area (two increments of 12 square feet).
  - ii. This may be provided in small, individual pockets of planting, or in larger planted areas, and must occur within the property line. This standard applies regardless of ground floor use.
  - iii. A landscaped buffer of at least 5 feet in depth and the length of the property line shall be provided at the rear property line on sites that are 100 feet or greater in depth and abut a residentially zoned parcel at the rear property line .
  - iv. Plants shall be selected to comply with WELO standards found in Chapter 16.16 of the Santa Cruz Municipal Code that are current at the time of design review.
  - v. Street Trees shall be planted in the public right of way, or within 5 feet of the public right of way, at a rate of 1 tree per each 30 feet of site frontage. Spacing of trees shall be sufficient to accommodate the mature canopy of each specimen, and installation shall be in compliance with the planting requirements of the Parks and Recreation and Public Works Departments, including the Street Tree Master Plan, and the requirements of Municipal Code Sections 13.30,15.20, and 24.12.186 as applicable at the time of design review.
  - vi. Any plantings or landscaping materials within surface parking areas are required to comply with the City’s Low-Impact Development (LID) standards, Storm Water Best Management Practices, and Storm Water Management Program.
- c. Refuse/Recycling Storage Facility: Enclosures for refuse bins or dumpsters are required of all new multi-family and mixed-use residential projects with three or more housing units or any commercial development as set forth in the City of Santa Cruz Department of Public Works Refuse Container Storage Facility Standard Design Policy.

## 9. Usable Open Space

Goal: To enhance the livability of new residential buildings with well-designed, functional open spaces with landscaping and amenities for residents to enjoy.

- a. In the C-C, R-T(C), C-T, C-N, C-B, PA and all MU districts:
  - i. At least 40 square feet of private open space and at least 20 square feet of common open space shall be provided per dwelling unit.
  - ii. Common open space may be substituted for private open space at a ratio of 2:1 (i.e., 80 square feet of common open space may be substituted for 40 square feet of private open space).
- b. In all R-districts and in the R-T (A), R-T(B), R-T(D) and R-T(E) districts: the amount of required open space shall be determined by the underlying zone district standard.
- c. In all districts where residential uses are an allowed use:
  - i. Private usable open space must be at least 4 feet in any horizontal dimension and common usable open space must be at least 15 feet in any horizontal dimension.

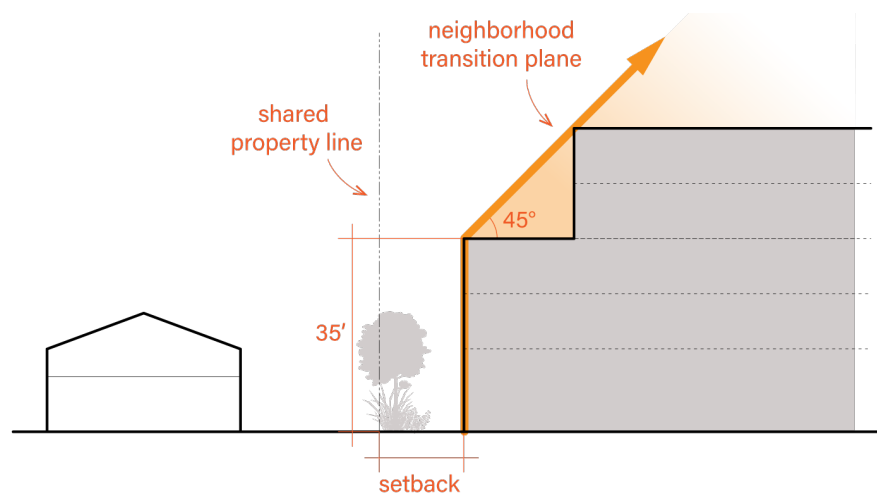
- ii. There shall be no limit to the percent of the required open space that may be assigned to private balcony or patio areas.
- iii. No less than 25 percent of the total common open space area shall be permanently landscaped with live plant material incorporating trees, shrubs, and groundcover.
- iv. A minimum of three of the following features shall be incorporated into common open spaces and maintained on the site:
  - 1. Fixed or movable seating
  - 2. Picnic-style tables
  - 3. Shade trees (see allowances under 24.22.586, Open Space, Useable) or shaded canopy
  - 4. Community garden
  - 5. Flowering plants
  - 6. Native habitat
  - 7. Play area for pets
  - 8. Educational or interpretive information about geographic, historic, or ecological features, such as plaques about relevant tribal history or indigenous plant information
  - 9. Outdoor kitchen equipment or fire pit
  - 10. Children’s play equipment
  - 11. Sports courts
  - 12. Public art or interactive art, such as a life-size chess game, sculpture, or murals
  - 13. Spa, pool, or hot tub
- d. Common open space may be provided on building rooftops as roof decks. Such usable open space is not counted as an additional story if rooftop structures comply with Municipal Code Section 24.12.150 Height Limits Modifications.
- e. Up to 30 percent of required common open space may be provided as publicly accessible open space that supports a retail or restaurant use, such as a courtyard, outdoor dining area, or other active use (i.e. not auto or bike parking), which is open to the sky, and is not less than 15 feet in any horizontal dimension, so long as the space is freely accessible to building residents without requirements to patronize the business use. Areas that are reserved exclusively for customers will not count toward required open space.

#### 10. Neighborhood Transition

Goal: To create a transition between new development and existing neighborhoods, provide privacy for current and future residents, and minimize potential shading on neighboring residents.

- a. In the C-C, R-T(C), C-T, C-N, C-B, PA, and all MU districts: along property lines that abut an R-district:
  - i. Buildings shall not intercept a 45-degree neighborhood transition plane inclined inward from the underlying setback, starting at a height of 35 feet above grade. See Figure 7.

***Figure 7: Neighborhood Transition Plane***



- ii. Private or shared balconies and decks shall not extend into an underlying setback.
- iii. The occupiable area of roof decks, including any deck on roof area falling under the neighborhood transition plane, shall be set back at least 3 feet from the building edge and any railings, shade structures, or accessory structures shall not intersect the required neighborhood transition plane. Rooftop lighting shall also comply with Lighting requirements of Section 24.12.185.17.

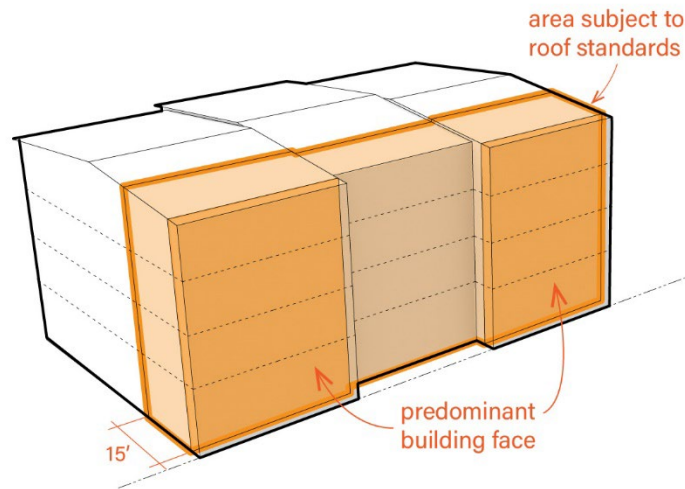
## 11. Roof Form

Goal: To ensure that the tops of buildings are designed with architectural interest, and to reduce the bulk of buildings as they meet the sky.

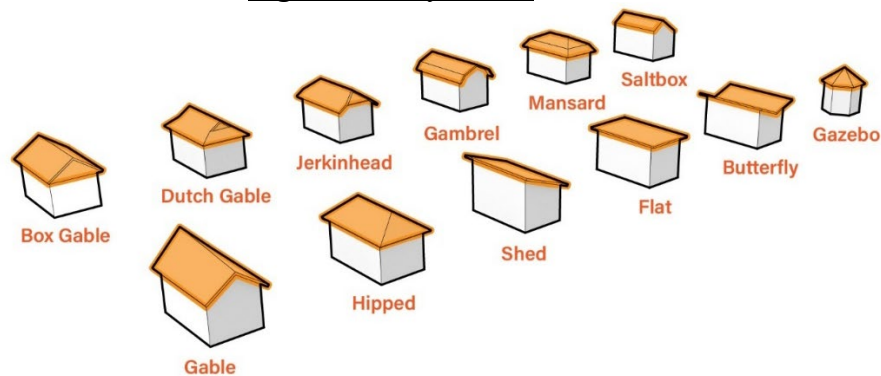
- a. Buildings shall be designed with variation in roof form. The number of required roof forms shall be calculated at a ratio of at least one roof form for every 30 feet of frontage and shall be located within 15 feet of the predominant building face on all building frontages. On Corner lots or double-frontage lots, standards for variation in roof form will apply to all frontages. See Figure 8.
  - i. Roof form is defined as a geometric plane or set of planes which form the top enclosure of a volumetric area below it/them. Common types of roof forms are gabled, hipped, sloped, flat, and flat with a decorative parapet. Examples of roof forms are illustrated in Figure 9.
  - ii. A change in roof form must be combined with a change in height of at least 3 feet, a horizontal change in plane of at least 4 feet, or a change in roof pitch. See Figure 7 for examples. Changes in roof form shall not exceed allowed building heights, as defined by the underlying zone district.
  - iii. Smaller roof forms that cover enclosed space (such as dormers and bay windows) count as individual roof forms if they are at least 36 square feet in horizontal surface area. Bay windows located on a wall below another roof form will not count as individual roof forms regardless of size.
  - iv. Unenclosed space (such balconies, terraces, porticos, and belfries) count as individual roof forms if they are at least 48 square feet in horizontal area. Balconies should also conform to the standards for Useable Open Space in Section 24.12.185.8.

- v. For the purposes of calculating the number of required roof forms on a building, each increment of 30 feet of building frontage requires an additional roof form, counted by rounding up to the next whole number. For example, a frontage of 31 feet would be required to provide two roof forms. However, there is no maximum dimension for any one roof form, nor are roofs required to be designed in 30-foot increments.

***Figure 8: Applying Roofline Standards***



***Figure 9: Roof Forms***



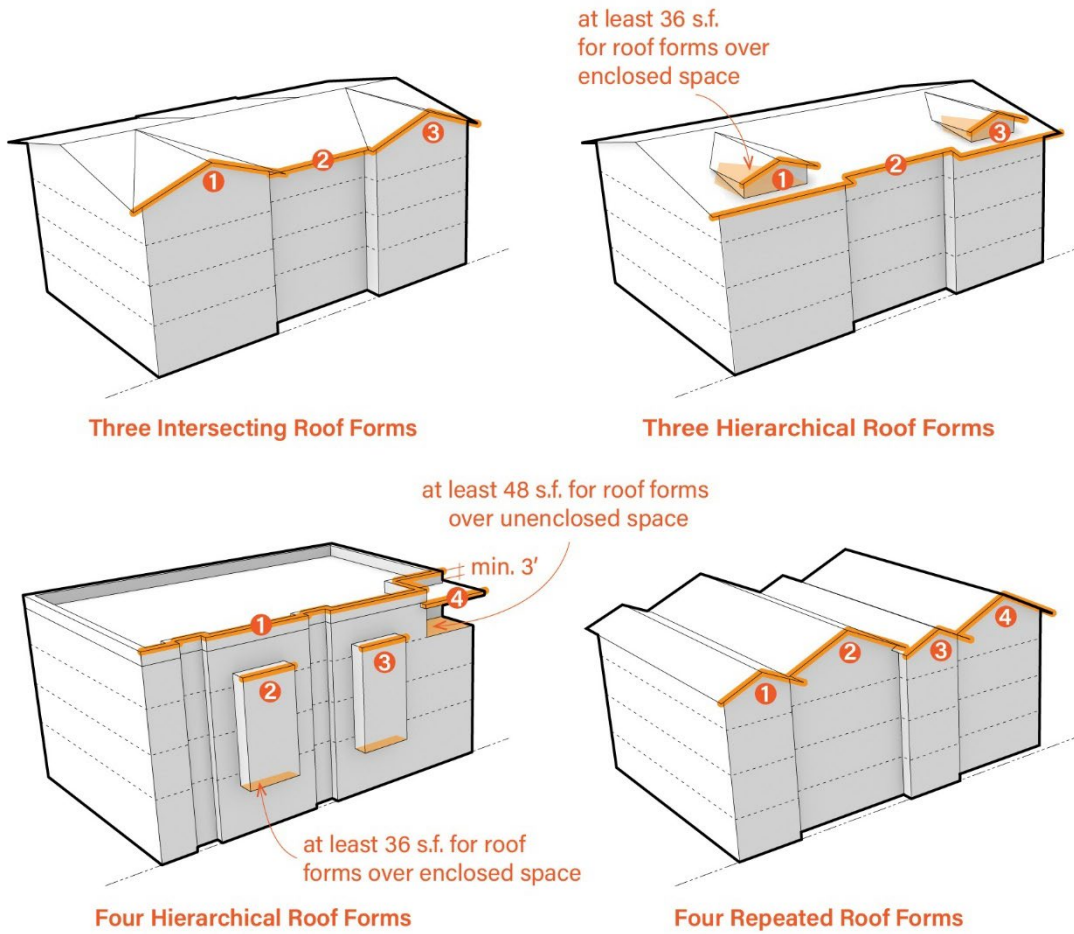
b. Combining Roof Forms

- i. The required number of roof forms may intersect to create more complex roof forms or may be organized in a hierarchy. Examples of combined roof forms are illustrated in Figure 10.
- ii. Roof forms may be repeated, as with a flat roof that steps up or down, or a sawtooth.
- iii. Where two or more forms intersect or combine to create more complex forms, each is counted as an individual roof form. For example, two hipped forms may intersect to create a hip and valley form, which would count as two roof forms.
- iv. Where two or more roof forms are organized in a hierarchy, each is counted as an individual roof form. For example, the dominant roof form may be a hipped roof,

which has two dormers with open gable roofs, which would count as three roof forms. Another example is a flat roof on a building that has two bay windows with flat roofs, each at least 36 square feet in area. See Figure 6 for examples.

- v. For flat roofs and flat roofs with decorative parapets, changes in roofline must be accompanied by a minimum 2-foot change in height relative to the adjacent roof form. For buildings that are three stories or taller, the minimum change in height shall be 3 feet. This change in height shall be measured to the top of the parapet, where present. Changes in roof form shall not exceed allowed building heights, as defined by the underlying zone district.

***Figure 10: Combining and Counting Roof Forms***

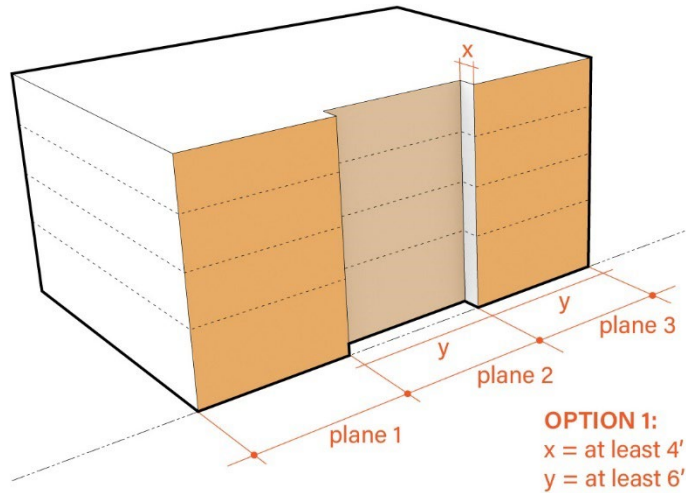


## 12. Building Modulation

Goal: To break up large building faces and create visual interest for pedestrians, neighbors, and visitors.

- a. Where no other modulation controls apply (e.g. an Area Plan), building faces that are longer than 30 feet wide shall be articulated in one of the following three ways.
  - i. Provide a horizontal change in plane for every 30 feet building face, rounded up to the next whole number (e.g., a frontage of 31 feet would be required to provide two changes in plane). As shown in Figure 11, the change in plane must be at least 4 feet deep and 6 feet wide, and must be open to the sky; or

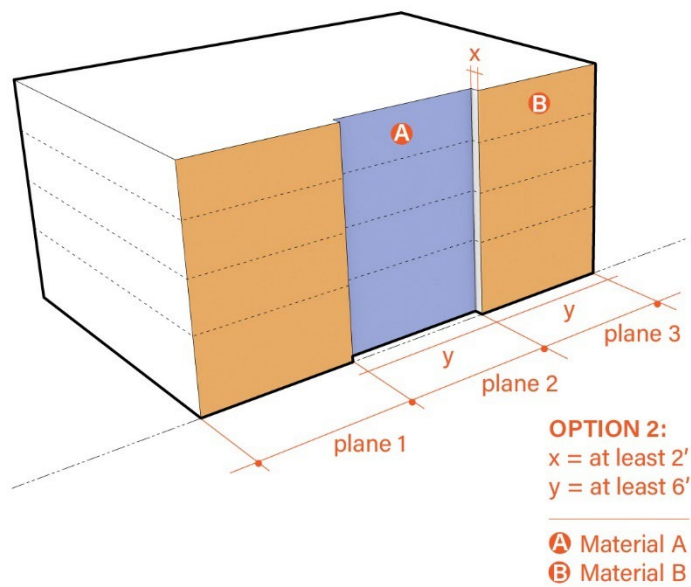




***Figure 11: Building Modulation – Option One***

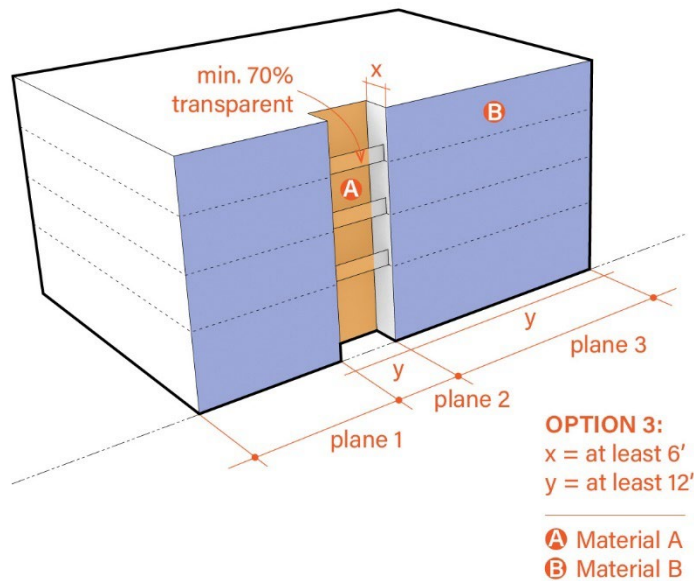
- ii. Provide a horizontal change in plane for every 30 feet of building face, rounded up to the nearest whole number (e.g., a building face of 31 feet would be required to provide two changes in plane). As shown in Figure 12, the change in plane must be at least 2 feet deep and 6 feet wide, and be combined with a change in material; or

***Figure 12: Building Modulation – Option Two***



- iii. Provide a horizontal change in plane at an interval of 50 feet or less. As shown in Figure 13, the change in plane must be at least 6 feet deep and 12 feet wide, and be combined with a change in material. When implemented as building notches, such notches may contain balconies, as long as the railing is at least 70 percent see-through or transparent.

***Figure 13: Building Modulation – Option Three***



- b. Building faces that are less than 30 feet wide are not required to have a change in plane incorporated into their design.
- c. Projections from the building face including balconies, awnings, signs, and decorative elements are not considered to be changes in plane.

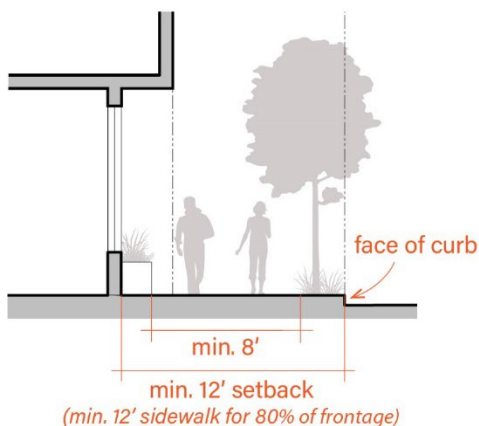
### 13. Corridor Frontage

Goal: To ensure that buildings in denser, mixed-use districts are designed with functional, human-scaled ground floors that promote walkability and provide space for local businesses.

- a. Unless otherwise dictated by an Area Plan, the ground floor frontage facing a Corridor shall be set back at least 12 feet from the face of the curb. See Figure 14.
  - i. This may be achieved by setting back only the ground floor, but in no case shall any portion of the proposed building extend into or over the public right-of-way, except that awnings and balconies at the second story or above may extend into the right of way no more than 3 feet. No projection shall be closer than 8 feet to the centerline of an alley, driveway, or path of automobile circulation except with the approval of the City Engineer based on considerations of public safety and welfare (e.g., utility considerations, emergency access, etc.).
    - 1. This setback area shall not be counted toward the requirement to incorporate Uses for Active Frontage, and the area shall be used as a 12-foot-wide sidewalk over at least 80 percent of the frontage.
    - 2. In no case shall the passable sidewalk width be less than 8 feet without approval of an Administrative Use Permit and revocable license as allowed under

Municipal Code Section 24.12.192 for Outdoor Extension Areas, in which case the passable sidewalk width shall not be less than 6 feet.

***Figure 14: Corridor Frontage***



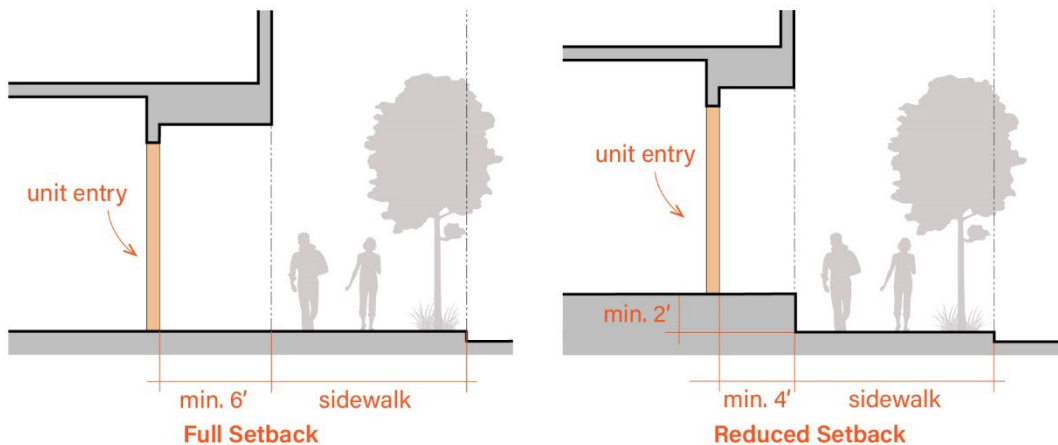
#### 14. Ground Floor Design

Goal: To ensure that buildings in commercial districts are designed with ground floors that support walkability with functional commercial or live-work frontages. Also, where residential units are allowed, to ensure well-designed frontages that strike a balance between privacy for the resident and activation of the sidewalk.

- a. In the C-C, R-T(C), C-T, C-N, C-B, PA and all MU districts, commercial ground-floors shall be designed as follows:
  - i. Minimum ground floor frontage transparency of 70 percent between a height of 2 feet and 12 feet measured parallel above sidewalk grade.
  - ii. Minimum ground floor height of 15 feet, measured from the top of the floor to the top of the floor of the next level, or 10 feet if a mezzanine is included.
  3. In a commercial space, any mezzanine shall be set back at least 30 feet from the building frontage and shall occupy no more than one-third of the area of the ground floor.
  - iii. Entries shall be inset from the building face at least 2 feet.
- b. In the C-C, R-T(C), C-T, C-N, C-B, PA, and C-B zones where residential development is allowed, ground floor residential units shall not occupy more than 50 percent of a public frontage. Residential units on the ground floor may be designed as Live-Work units or may be exclusively residential units.
- c. Any Live-Work units shall be designed as follows:
  - i. Live-Work units are only permitted on the ground floor.
  - ii. Minimum ground floor height of 15 feet, measured from the top of the floor to the top of the floor of the next level, or 10 feet if a mezzanine is included.
  4. In a Live-Work unit any mezzanine shall be set back at least 18 feet from the building frontage and shall occupy no more than one-half of the area of the ground floor.
  - iii. Minimum ground floor depth of 18 feet.
  - iv. Minimum unit/storefront width of 12 feet.

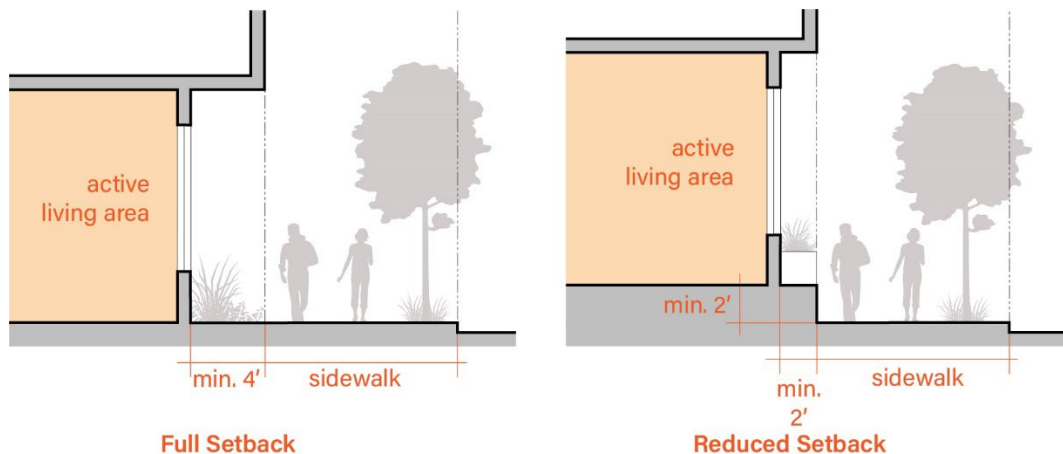
- v. Minimum ground floor frontage transparency of 50 percent between a height of 2 feet and 12 feet measured parallel above sidewalk grade.
- vi. Entries shall be inset from the building face at least 2 feet.
- d. In in the C-C, R-T(C), C-T, C-N, C-B and PA zones where residential units other than Live-Work units are located at the ground floor, the following standards shall apply:
  - i. Where units are individually accessed, the entry must be set back at least 6 feet from the property line; this setback may be reduced to 4 feet if the unit is elevated at least 2 feet from the sidewalk (as with a stoop). See Figure 15.
    - 1. This may be a setback of the ground floor only, or a setback of the entire building face.
    - 2. This setback area may include an architectural feature indicating private space including but not limited to a railing, gate, entry landing, or doorstep.
    - 3. This area may include landscaping or private open space for an individual unit. In order to qualify as private open space, the area must be separated from the sidewalk by one of the following mechanisms intended to indicate the privacy of the space:
      - An increase in elevation of at least 2 feet;
      - A railing or gate;
      - Clustered landscaping, as in a hedge or other dense planting, not exceeding 42 inches in height.

***Figure 15: Ground Floor Residential Entry Setback***



- e. Where a unit does not have individual access to the sidewalk, active living areas (including living rooms, dining rooms and kitchens, but excluding bedrooms, bathrooms, and hallways) are required at the building frontage, and must be set back at least 4 feet from the sidewalk; this setback may be reduced to 2 feet if the unit is elevated at least 2 feet above the sidewalk. See Figure 16.
  - i. This may be a setback of the ground floor only, or of the entire building face.
  - ii. This setback area shall incorporate landscaping or planters.

***Figure 16: Ground Floor Residential – Without Individual Access***

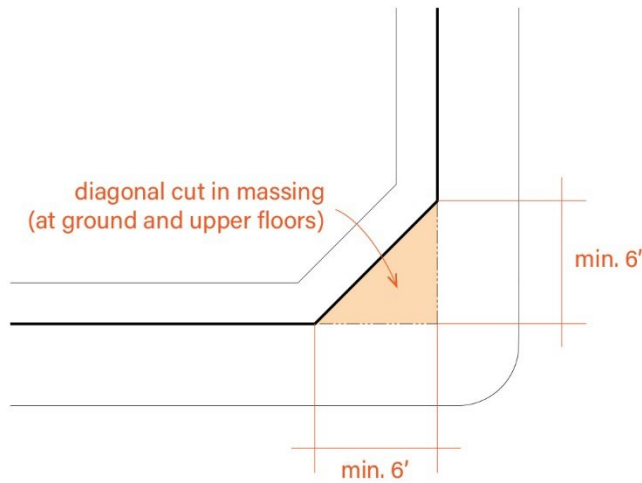


### 15. Architectural Detail

Goal: To highlight the prominence of corner buildings along Corridors, ensure that buildings have an appropriate level of detailing, and ensure that building facades convey the qualities of substantiality and depth.

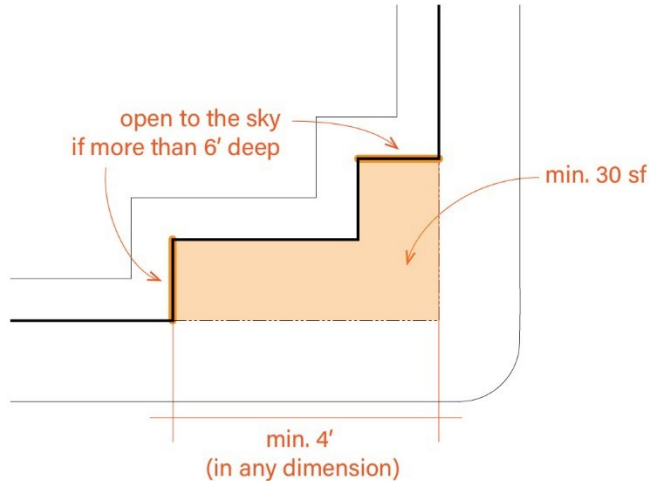
- a. Buildings that are mixed-use and/or three stories in height or greater shall visually differentiate the ground floor from the floors above by one or more of the following:
  - i. a change in material; and/or
  - ii. a change in plane; and/or
  - iii. a cornice line, belly band, or similar horizontal element.
- b. Buildings at the intersection of a Corridor and another street (including another Corridor) shall implement at least one of the following corner features:
  - i. Increased height of the corner roofline of at least 3 feet above the adjacent roofline; and/or
  - ii. A chamfered corner with a diagonal cut at least 6 feet on either side of the corner. See Figure 17. This may be at the ground floor only, or for the entire height of the building; and/or

**Figure 17: Chamfered Corner**



- c. A public open space of at least 30 square feet in area, and not less than 4 feet in any dimension, which may be designed to look like an extension of the sidewalk. Where the depth of this space is less than 6 feet, it may be open only at the ground floor. Where the depth of this space is greater than 6 feet it must be open to the sky. See Figure 18.

***Figure 18: Public Open Space at Corner***



- d. Buildings in the C-C, R-T(C), C-T, C-N, C-B, PA and MU zones shall apply at least two categories of the following architectural features to each building face and to each level above ground floor. Buildings may incorporate different features on each face and level or may use the same two features on each face and level, so long as each face and level includes features from at least two categories.
- i. Category 1 - Terrace, balcony, or Juliette balcony with a minimum projection of 10 inches and a minimum width of 3 feet (at least one per level; see also Section 24.12.185.10 Neighborhood Transition).

- ii. Category 2 - Windows detailed with a lintel, sill, or arch
- iii. Category 3 - Awnings, louvers, or shutters
- iv. Category 4 - Decorative cornice or decorative lighting sconces (see also Section 24.12.185.17 Lighting)
- e. Windows shall be inset such that there is at least 2 inches between the plane of the glass and the plane of the building face for all windows above the ground floor; this depth shall be increased to 3 inches for buildings that include 4 or more stories, for all windows above the ground floor.
- f. Walls or portions of walls that are unfenestrated (without windows, balconies, or glass doors) that extend from grade up to the roofline are limited to a maximum horizontal width of 15 feet.

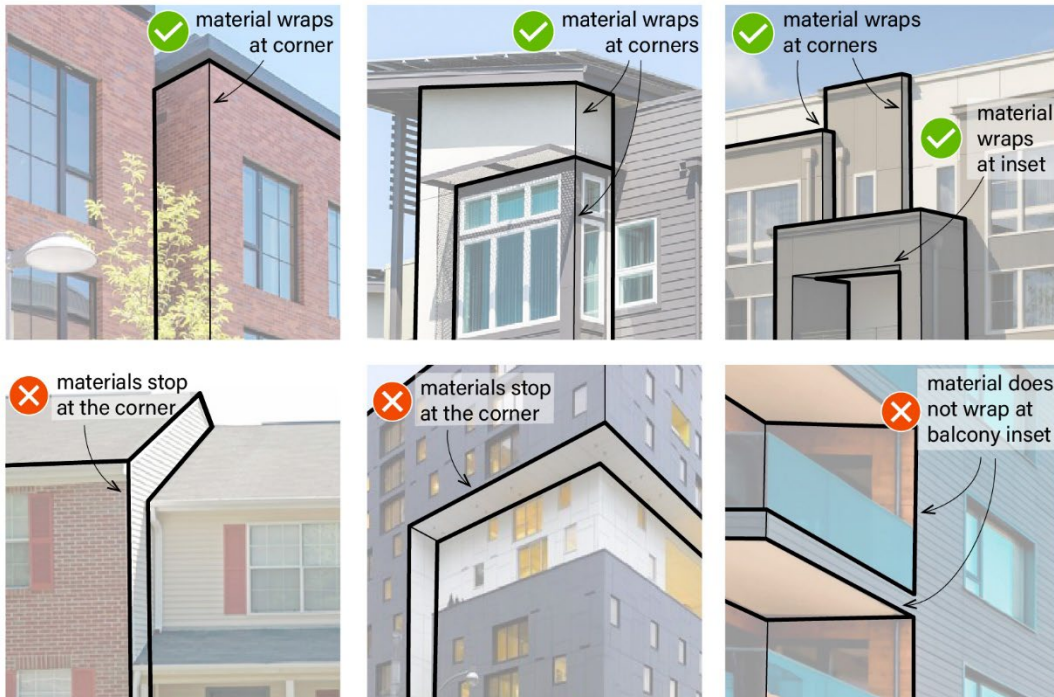
## 16. Building Materials

Goal: To ensure that building materials are high-quality, durable, convey a sense of permanence, and reflect the existing character of buildings in the urban environment.

- a. Building materials shall be selected according to the following criteria:
  - i. The following materials are acceptable for use on building faces: tile, brick, glass, metal (except as prohibited below) painted or sealed wood, concrete, stucco, plaster, adobe, and stone (engineered or natural), and living walls (as defined).
  - ii. Unarticulated or flat panelized materials (such as metal, cement board, or GFRC panels) are prohibited on public frontages but may be incorporated on other building faces. Panels for modular and pre-fabricated construction are allowed (including sandwich panels).
  - iii. Any materials that are not explicitly listed here require an administrative design review permit to ensure that approved materials conform to the goal of this section.
- b. Buildings shall incorporate two or more of the accepted materials listed above or as approved in the design of each building face. No single material may make up more than 85 percent of any building face. This can include materials for building decoration (e.g., awnings, louvers, balconies, cornice lines, or windowsills), but does not include fenestration (glass, frames, or other elements of windows and doors).
- c. Vinyl windows are prohibited in the following circumstances:
  - i. Any mixed-use or residential buildings more than three stories in height.
  - ii. On a building face oriented toward a public street other than an alley of a mixed use or residential building three stories in height or less.
- d. At building corners, except for living walls, all materials shall wrap around the corner to a depth of at least 4 inches. This includes corners of insets, reveals, or changes in plane that are 4 inches or greater in depth, as with a balcony, ground floor entry, or change in plane. See examples shown in Figure 19.
- e. Living walls shall meet the following standards:
  - i. The living wall shall be permanently integrated into the exterior design of the building face upon which they are planted.
  - ii. The living wall shall not be located on a north, or north-east-facing building face.
  - iii. The living wall shall include an integrated irrigation system.
  - iv. The living wall shall be created using materials specifically designed for the purpose of installing and maintaining plants within the intended context (considering sun,

- shade, fog, rain exposure, and any other relevant environmental factors) on an exterior building face.
- v. Components of a living wall shall be considered with other landscape elements, and are subject to the requirements of the City's WELO.
  - vi. Nothing in this section shall regulate or require the installation of living walls on the interior of any building.

***Figure 19: Material Application***



## 17. Lighting

Goal: To ensure that public areas of buildings are lit for wayfinding and safety, while minimizing impacts of glare, light trespass, and light pollution in order to help make new development Dark Sky friendly.

- a. Individual exterior luminaires shall be shielded to direct light downward and shall not exceed 1,260 lumens. Exterior light fixtures shall utilize light sources with a color temperature that does not exceed 3000 Kelvin.
  - i. A luminaire is considered to be fully shielded if it is constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part.
- b. Outdoor lights shall not blink, flash, flicker, or change intensity (excluding motion-detecting lights).
- c. Lighting shall be provided at parking lots, pedestrian paths, outdoor gathering spaces, building entries, and any other pedestrian-accessible areas.



- d. Lighting of outdoor service, loading, and storage areas shall not be visible from the street or adjacent properties.
- e. Rooftop lighting shall be set back at least 12 feet from the edge of any building face that is oriented towards any R-district.
- f. The height of luminaires shall not exceed 15 feet above grade for all luminaires other than those in parking areas or decorative sconces as allowed under F. 3. Architectural Detail.
- g. Building faces shall be illuminated such that surfaces located at least 10 horizontal feet away from building entries shall have at least 66 percent less luminance than surfaces within 10 horizontal feet of building entries. Compliance shall be demonstrated with a lighting plan.

Section 46. Section 24.12.186 – Requirements for Street Trees of Part 2: General Site Design Standards of Chapter 24.12 – Community Design of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby added as follows:

#### **24.12.186 REQUIREMENTS FOR STREET TREES.**

1. When new development or redevelopment is proposed that triggers the requirement for a sidewalk greater than or equal to seven feet in width based on requirements of Section 24.12.185.12, Section 15.20.060, or any applicable Area Plan, street trees shall be provided by the owner or developer either within the public right-of-way along any site frontage or within five feet any site frontage immediately adjacent to the required public sidewalk. The street trees shall be permanently maintained in the approved location by the owner or successor in interest of the property whose project triggered the tree planting requirement.
  - a. The street trees shall conform to the Public Works Department Tree Planting Details and Tree Sidewalk Program Policy. Except when otherwise provided in those guidelines, the street trees provided shall be a minimum of one tree for each 30 feet of frontage of the property along each street frontage, with any remaining fraction of 10 feet or more of frontage requiring an additional tree. For example, a lot that is no more than 30 feet in width is required to provide a minimum of one street tree, and a lot of 50 feet in width is required to provide a minimum of two street trees.
    - i. If closer spacing is recommended by an applicable area plan the spacing in the area plan shall govern.
    - ii. The rates above govern the number of trees to be provided but do not establish a minimum spacing. Trees may be grouped at the recommendation of the Landscape Architect or Project Certified Arborist.
  - b. The street trees shall conform to all city of Santa Cruz policies including but not limited to the Street Tree Planting Details and the Tree Sidewalk Program Policy, and all the standards of Chapter 13.30.
    - i. Planting wells may incorporate alternative technologies to enhance root development and promote tree growth. Where existing soils beyond the tree well are not conducive to tree growth, as determined by the City of Santa Cruz Urban Forester, techniques including but not limited to structural soils and suspended pavement may be conditioned.

- c. Street trees newly planted in the public right-of-way or within five feet of the public right-of-way shall not be planted:
  - i. Within a Clear Vision Area required by the city
  - ii. Within 3 feet of a parking sign unless the Department of Public Works agrees to relocate the sign at the expense of the project.
  - iii. Within 5 feet of a gas or water meter, or underground electrical conduit.
  - iv. Within 5 feet of a fire hydrant.
  - v. Within 10 feet of a sewer lateral.
  - vi. Within 10 feet of an electrical utility pole.
  - vii. Within 10 feet of a driveway.
  - viii. Within 15 feet of a crosswalk.
  - ix. Within 20 feet of a traffic signal.
  - x. Within 15 feet of existing trees unless the location is recommended by a landscape architect or Project Certified Arborist, as approved by the City of Santa Cruz Urban Forester, who will base their determination on site and tree species, to prevent mature tree canopies from conflicting.
- d. Utility infrastructure shall be consolidated if necessary in order to accommodate the siting of street trees.
- e. Where location criteria eliminate all options for locating the required number of street trees within the public right-of-way or within five feet of the public right-of-way, and utilities cannot be further consolidated to allow for installation of street trees as demonstrated in a landscaping plan, the requirement to provide street trees shall be met in the following alternative method:
  - i. Incorporation of trees on the development site at a rate of 1.5 trees per 1 street tree that is not provided, with fractional requirements rounded up to the next whole number.
    - 1. These trees may be located anywhere on the site, including but not limited to; a buffer at the rear of the property, in a permanent rooftop garden (not in a stand-alone planter), or as a shade tree within a parking area.
    - 2. Trees placed within 5 feet of any paved area shall be installed consistent with the Public Works Department Tree Planting Details.

Section 47. Section 24.12.192 – Outdoor Extension Areas of Part 2: General Site Design Standards of Chapter 24.12 – Community Design of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.12.192 OUTDOOR EXTENSION AREAS.**

The purpose of outdoor extension areas is to enhance streetscape on the city’s corridors by introducing uses attractive to pedestrians into the pedestrian environment, configured and arranged in ways which activate and enliven the public street. These uses include outdoor eating areas, retail areas and landscaping. In this section the term “adjacent business” shall apply to the business using the extension area. If the sidewalk width allows it, the adjacent business may be separated from the extension area by the public walkway. This section is applicable citywide, except for areas within the Downtown Recovery Plan which are subject to Section 24.10.2340.

Section 48. Section 24.12.240 – Number of Parking Spaces Required of Part 3: Off-Street Parking and Loading Facilities of Chapter 24.12 – Community Design of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.12.240 NUMBER OF PARKING SPACES REQUIRED.**

1. Where the computation of required parking spaces produces a fractional result, fractions of one-half or greater shall require one full parking space.

|    | Use  | Spaces Required  |
|----|--|--|
| a. | Automobile or machinery sales and service garages  | 1 for each 400 square feet of floor area   |
| b. | Banks without automatic teller machines  | 1 for each 400 square feet of floor area   |
| c. | Banks with automatic teller machines   | 1 for each 400 square feet of floor area; plus 1.5 for each machine                              |
| d. | Business and professional offices, excluding medical and dental offices  | 1 for each 300 square feet of floor area   |
| e. | Billiard parlors   | 1.5 for each table   |
| f. | Community care residential facilities, including, but not limited to: assisted living facilities, children’s homes, congregate care homes, nursing homes, residential treatment facilities | 1 for every 5 guests, plus 1 for each employee on the shift with the maximum number of personnel |
| g. | Houses of worship  | 1 for each 3.5 seats in the sanctuary  |
| h. | Dancehalls and assembly halls without fixed seats, exhibition halls, except <del>church</del> assembly rooms in conjunction with auditoriums   | 1 for each 3 persons of design occupancy load  |
| i. | Family daycare and foster family homes   | 1 for every 5 guests, plus 1 for the resident owner or manager                                   |
| j. | Funeral homes, mortuaries  | 1 for each 5 seats of the aggregate number of seats provided in all assembly rooms               |
| k. | Furniture and appliance stores, household equipment  | 1 for each 800 square feet of sales floor area   |
| l. | Hospitals  | 1 for each bed, plus 1 for each employee on the shift with the maximum number of personnel       |

|    | Use   | Spaces Required   |
|----|---|---|
| m. | Hotels, motels  | 1 for each unit intended for separate occupancy, plus 1 for the resident owner or manager               |
| n. | Manufacturing plants, bottling plants, processing plants, packaging plants, furniture repair  | 1 for each 500 square feet of floor area  |
| o. | Medical and dental clinics and offices  | 1 for each 200 square feet of floor area  |
| p. | Medical (or convalescent) hospitals   | 1 for each 5 beds, plus 1 for each employee on the shift with the maximum number of personnel           |
| q. | Physical fitness facilities<br>Physical fitness facilities with more than 15,000 square feet of floor area shall provide an additional 10 percent of the total number of required parking spaces. | 1 space for each 250 square feet of floor area  |
| r. | Physical therapy  | 1 space per 200 square feet of floor area. In addition, 1 space per 50 square feet of pool (water) area |

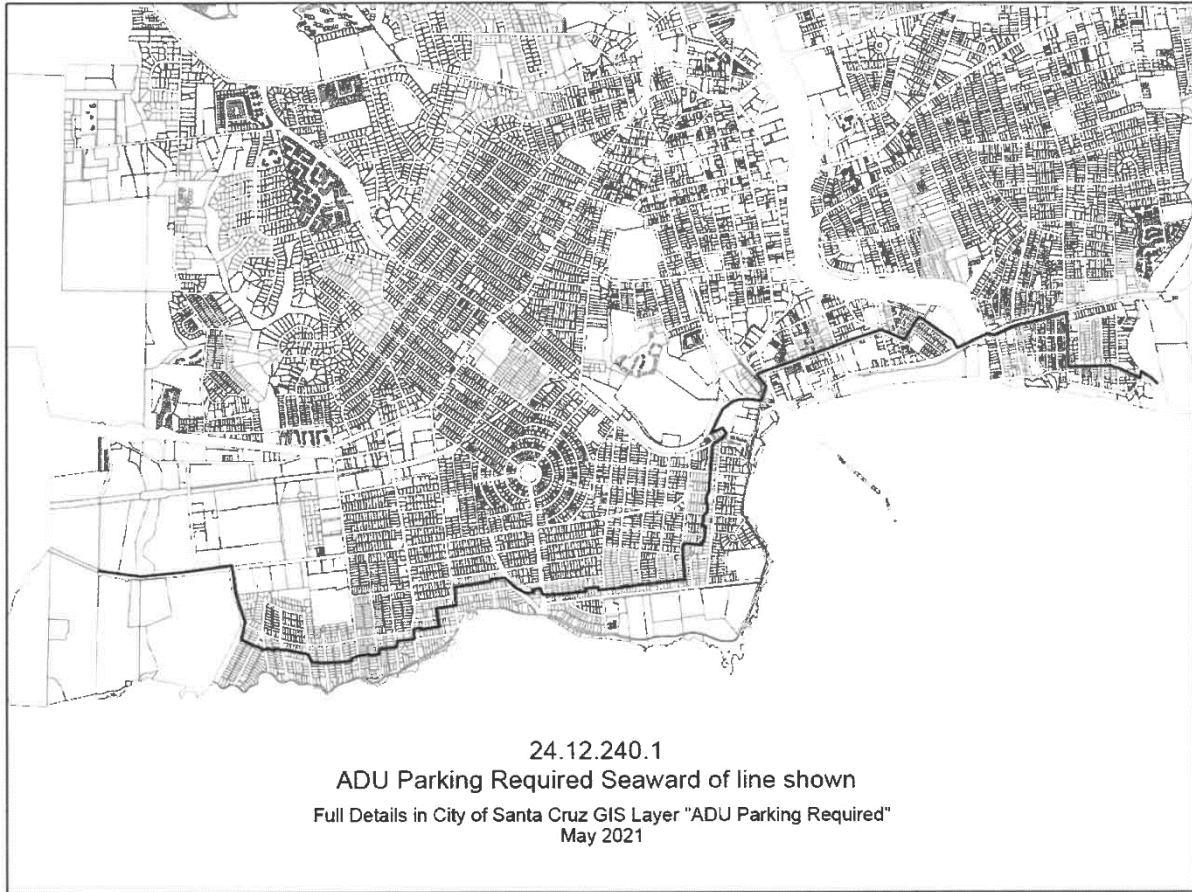
**s. Residential Uses**

| Type   | Number of Bedrooms |  |     |
|--|--------------------|--|-----|
|  | Efficiency         | 1  | 2+  |
| Single-family (including townhouses), houseboat, duplex, triplex, multiple mobilehomes, community housing projects, other multifamily dwelling units | 1.0                | 1.0  | 2.0 |
| Community housing projects, townhouses, and multifamily projects of 5 units or more  |                    | In addition to meeting above residential parking requirements, guest parking spaces shall be provided at a rate 10% of the above standards. Fractional spaces will be rounded up to the next whole number. |     |
| Lodging, rooming houses and bed-and-breakfast inns   |                    | 2 spaces, plus 1 for each bedroom that is rented   |     |
| Residence halls, dormitories   |                    | 0.75 space for each guest or occupant  |     |
| Senior housing development   |                    | 1 for each 3 dwelling units or rooms intended for separate occupancy, plus an area of land equal to the required off-  |     |

|  |  |  |
|--|--|--|
|  |  | street parking for multifamily units, not including required open space, which could be converted to parking should the retirement center change to a multifamily residential use  |
| Small ownership unit (SOU)                                     |  | 1 space for each dwelling unit   |
| Single-room occupancy dwelling unit, less than 300 square feet |  | 0.75 for each dwelling unit  |
| Single-room occupancy dwelling unit, 300 square feet or more   |  | 1 for each dwelling unit   |
| Accessory dwelling unit  |  | <p>The parking standards for accessory dwelling units are as follows (these standards do not affect the amount of required parking for the primary residence):</p> <p>Outside the coastal zone, no off-street parking shall be required for an ADU and spaces removed to accommodate an ADU will not require replacement.</p> <p>On parcels located inside the coastal zone and within the designated areas shown in the LCP Figure “ADU Parking Required” (which follows this table), at least one off-street parking space shall be required for each ADU, and all off-street parking requirements associated with all other residential uses at the site shall be met on site, including replacement parking spaces if any are removed to accommodate an ADU.</p> <p>On parcels located inside the coastal zone but not within the designated areas shown in LCP Figure “ADU Parking Required” (which follows this table), zero parking spaces shall be required for each ADU. When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit or converted to an accessory dwelling unit, those off-street parking spaces are not required to be replaced. If other parking areas on a site (e.g., a driveway or other nonstructural parking area) are removed</p> |

|     |  |  |
|-----|--|--|
|     |  | to provide for an ADU, off-street replacement parking spaces shall be required for the primary (non-ADU) residential use.  |
|     | <b>Use</b>   | <b>Spaces Required</b>   |
| t.  | Restaurants and other establishments selling food and beverages on the premises (including bars and nightclubs without live entertainment) | 1 for each 120 square feet of floor area   |
| u.  | Restaurants with counter and/or take-out service or drive-in facilities  | 1 for each 120 square feet of floor area, plus 1 for each 50 square feet of floor area devoted to counter/take-out service |
| v.  | Research and development facilities  | 1 for each 325 square feet of floor area, or 1 for every 2 employees (maximum shift), whichever is greater                 |
| w.  | Retail stores, shops, service establishments, including shopping centers other than furniture and appliance stores                         | 1 for each 250 square feet of floor area   |
| x.  | Schools:<br>• Elementary and junior high<br>• High schools   | 1 for each employee<br>1 for each employee, plus 1 for each 10 students  |
| y.  | Colleges (business, beauty, etc.) and universities   | 1 for each employee, plus 1 for each 3 students  |
| z.  | Self-service laundry and dry cleaning establishments   | 1 for each 200 square feet of floor area   |
| aa. | Service stations   | 3 for each lubrication or service bay, plus 1 for each employee on the day shift   |
| ab. | Sports arenas, auditoriums, assembly halls, and meeting rooms  | 1 for each 3.5 seats of maximum seating capacity   |
| ac. | Theaters   | 1 for each 3.5 seats for the first 350 seats; plus 1 for each 5 additional seats   |
| ad. | Tutoring facilities  | 1 for each 250 square feet of floor area   |
| ae. | Wholesale establishments, warehouses, service and maintenance center, communications equipment buildings                                   | 1 for each 1,000 square feet of floor area   |

|     | <b>Use</b>  | <b>Spaces Required</b>  |
|-----|---|---|
| af. | Recycling collection facilities <ul style="list-style-type: none"> <li>• Independent</li> <li>• In conjunction with other uses that provide required parking</li> </ul> | 2 spaces<br>0 spaces  |
| ag. | Unspecified uses of buildings, structures, or premises  | Where the parking requirement for a particular use is not specifically established in this section, the parking requirements for each use shall be determined by the zoning administrator, and such determination shall be based upon the requirements for similar uses. Public uses not specifically established in this section shall meet the parking requirement as established by the planning commission. The planning commission shall take into account the proposed use and parking availability in the vicinity of the use. |
| ah. | Uses in Parking District No. 1 (Downtown)   | Parking shall be provided in conformance with the resolution of the city council for this district in effect at the time of submittal of a complete application.  |



2. Covered Parking. All residential development has the option of including covered or enclosed parking, consistent with other zoning standards. No covered or enclosed parking is required for any residential or mixed use housing unit.
3. Unbundled Parking. All residential development of has the option to rent or sell off-street parking spaces separately from the rental or purchase of dwelling units for the life of the dwelling units, such that potential renters or buyers shall have the option of renting or buying a dwelling unit at a price lower than would be the case if there were a single price for both the dwelling unit and the parking space(s). Unbundled parking will qualify for a reduced parking requirement when executed in conformance with the requirements of Section 24.12.290.3(e).
4. 3. The following exceptions may be granted for specific types of residential projects:
  - a. Exceptions to parking requirements may be granted to publicly subsidized housing units, affordable housing projects, and projects for special needs or senior tenants where such requirements are in conflict with state or federal regulations or funding policies.
  - b. SRO parking requirements may be reduced by one-quarter space for each dwelling unit if the project is either located:
    - (1) Within one-quarter mile or one thousand three hundred twenty feet of an alternative parking facility and spaces are available and can be committed to residents; or
    - (2) Within one-quarter mile or one thousand three hundred twenty feet of access to public transportation such as a bus stop.



c. Parking requirements for mixed use developments in the I-G District, as permitted under Section 24.10.1510(2)(k)(3), may be reduced by a maximum of four-tenths space for each dwelling unit as a part of an on-site shared parking plan.

d. In addition to the allowances afforded through accessory dwelling unit regulations in Part 2 of Chapter 24.16, existing covered parking may be converted into additional units if all the requirements for the underlying zoning district can be met and replacement parking can be provided that meets the other parking requirements herein.

5. 4. No more than forty percent of the front setback of a residential property developed with up to four dwelling units (excluding any ADUs or Jr. ADUs) shall be utilized or developed for parking. No portion of the front setback of a residential property developed with more than four dwelling units (excluding any ADUS or Jr. ADUs) shall be utilized or developed for parking (See also Section 24.12.185.7). No more than fifty percent of the front setback of a residential property may be paved or covered with any impervious surface.

Section 49. Section 24.12.280 – Design Requirements of Part 3: Off-Street Parking and Loading Facilities of Chapter 24.12 – Community Design of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

#### 24.12.280 DESIGN REQUIREMENTS.

##### 1. Driveway Design Standards.

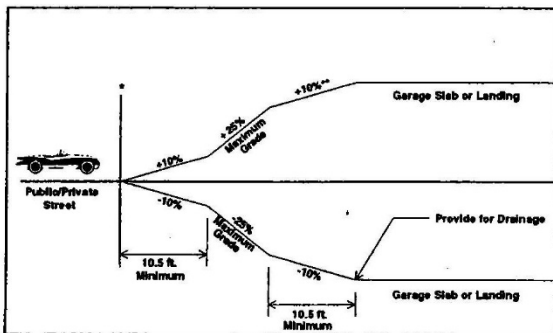
a. Parking facilities hereafter established and which are located adjacent to a required front yard in an adjoining A-District or R-District shall be provided with a clear vision area and parking facilities which are located adjacent to two intersecting streets shall include a clear corner triangle as defined in this title. These areas shall be maintained in conformance with Section 13.30.110.

b. The total clear space to accommodate a vehicle in driveways and private parking areas used as private parking facilities for single-family residential uses shall not be smaller than the dimensions of required on-site parking spaces.

c. Driveways shall be designed to conform with existing contours to the maximum extent feasible.

d. Driveways shall enter public/private streets in such a manner as to maintain adequate line of sight in clear vision areas and clear corner triangles based on AASHTO Green Book sight distances.

e. Driveways shall have a maximum grade of twenty-five percent as illustrated in the following diagram:



\* Back edge of standard city driveway.

\*\* All percentages are measured from the edge of standard city driveway.

- f. Driveways and approaches shall comply with the applicable standards set forth in Chapter 15.20.
2. Parking Facility Layout. The diagrams entitled “Sample Parking Designs and Standards,” included at the end of this chapter, shall be used for dimensions in the development and arrangement of parking spaces and parking areas. Layout and traffic flow is illustrative only and these standards may be varied with supportive documentation of acceptable circulation by a California-licensed civil engineer.
  - a. Each standard-size parking space shall be not less than nineteen feet in length by eight and one-half feet in width. Each compact parking space shall be not less than sixteen feet in length by seven and one-half feet in width.
3. Access to Spaces or Facilities.
  - a. Access to parking facilities shall not be less than twenty feet in width; except as follows:
    - (1) Access to parking facilities containing five or fewer parking spaces shall be not less than ten feet in width, except as provided in subsection (1), Driveway Design Standards, for private facilities for single-family homes.
    - (2) Access to parking facilities containing between six and twenty parking spaces shall be not less than twelve feet in width.
    - (3) Where separate one-way drive aisles are proposed, each shall be not less than ten feet in width.
    - (4) The zoning administrator shall determine the width of driveways serving parking facilities in the GB-O District based on the following findings:
      - i. That the width is necessary to preserve the open-space character of the area;
      - ii. That the width contributes to the compatible use of open-space lands.
    - (5) The public works department, planning and community development department, and/or the fire department may approve designs that vary from the above standards based on the individual circumstances of a parcel or use.
  - b. Backing Out.
    - (1) General. Driveways and aisles in a parking facility shall be designed so that vehicles do not back out into a street other than a residential alley.
    - (2) Exceptions. Parking facilities for single-family dwellings and duplexes not located on a highway or major or minor arterial, as shown on the General Plan Land Use Map, may provide for backing into the street. Parking facilities for three-family dwelling or triplex or four-family dwelling or fourplex may be designed to back out onto a street only if the street is not an arterial or collector street.
    - (3) Dimensions. Public and private parking facilities shall provide at least twenty-four feet of clear area behind parking spaces for backing-out and turning movements when ninety-degree parking spaces are used, at least fifteen feet when forty-five-degree parking is used, and at least eighteen feet when sixty degree parking is used. In unique situations, a California-licensed civil engineer may demonstrate with a turning diagram that this dimension can be reduced and still provide adequate on-site circulation for standard sized vehicles. Reductions in back-out area are subject to review and approval by the planning director or designee in consultation with the director of public works or designee.
4. Tandem Spaces.

- a. Required parking spaces for residential uses may be provided in a tandem arrangement no more than three parking spaces deep. No parking space may be in tandem with a parking space for a separate dwelling unit except as allowed for accessory dwelling units.
5. Border Barricades. Every parking facility containing angled or ninety-degree parking spaces adjacent to a street right-of-way shall, except at entrance and exit drives, be developed with a solid curb or barrier along such street right-of-way line; or shall be provided with a suitable concrete barrier at least six inches in height and located not less than two feet from such street right-of-way line. Such wall, fence, curb, or barrier shall be securely installed and maintained.
6. Surfacing. All off-street parking facilities shall be surfaced with a minimum of five inches of concrete, or one and one-half inches of asphalt overlying four inches of base rock; except:
  - a. Temporary off-street parking facilities, which may be surfaced by placement of a single bituminous surface treatment upon an aggregate base, which bituminous treatment and base shall be subject to the approval of the director of public works;
  - b. Driveways and parking pads for single-family residences may be surfaced with four inches of concrete or other approved material;
  - c. Parking facilities approved by the zoning administrator or planning commission for a different parking surface;
  - d. All off-street parking facilities shall be so graded and drained as to dispose of all surface water from within the area; in no case shall such drainage be allowed to cross sidewalks.
7. Marking. Parking spaces within a facility shall be clearly marked and delineated. For nonresidential uses, wheel stops or curbing may be required.
8. Lighting. Lighting shall be directed onto the subject property only and shielded so that the light source is not visible from adjacent properties or streets. The requirements of Section 24.12.185.17 shall also apply to development proposals including any multi-family housing.
9. Landscaping and Screening.
  - a. General Requirements. Landscaping shall be provided in conjunction with the development or modification of any parking space or facility. Landscaping is employed to diminish the visibility and impact of parked cars by screening and visually separating them from surrounding uses and the street; to provide shade and relief from paved areas; to channel the flow of traffic and generally contribute to good site design.
    - (1) Every commercial parking facility abutting property either located in R-Districts or in residential uses shall be separated from such property or use by a permanently maintained evergreen hedge, view-obscuring wall or fence, raised planter, planted berm or the like. Such screening devices shall be of sufficient height to diminish the visibility and impact of parked cars and visually separate them from the adjacent residential zone or use. Screening devices may not exceed the standards set forth in Section 13.30.110.
    - (2) Except for parking facilities for single-family lot development, landscaped areas shall be separated from paved parking areas by a six-inch continuous concrete curbing, or other permanent landscape feature including fencing, gravel, or rigid landscape edging. Parking facilities that incorporate landscaped storm water treatment or retention areas in conformance with adopted city best management practices for low impact development shall be exempt from this requirement adjacent to those areas used for treatment or retention.

b. Standards for Multifamily, Over Five Units, Commercial and Industrial Developments. Every parking facility shall include a minimum of ten percent of area devoted to parking in permanent landscaping. Landscaping shall be installed in areas used to channel the flow of traffic within parking rows, at the entry to aisles, and at other locations specified by the approving body. Required landscaping shall include appropriate vegetation including trees which shall be provided in sufficient size and quality to adequately screen and soften the effect of the parking area, within the first year. Additional standards for screening found in Section 24.12.185 shall also apply where required.

Section 50. Section 24.12.295 – Off-Street Loading Facilities of Part 3: Off-Street Parking and Loading Facilities of Chapter 24.12 – Community Design of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.12.295 OFF-STREET LOADING FACILITIES.**

1. Purpose. To reduce street congestion and traffic hazards and to add to the safety and convenience of the community, adequate, attractively designed, and functional facilities for off-street loading shall be incorporated as necessary in conjunction with new uses of land.

2. General Provisions. For every building hereafter erected, which is to be occupied by manufacturing, storage, warehouse, commercial, residential, retail and/or wholesale store, market, hotel, hospital, mortuary, motel, laundry, dry cleaning, exercise facility or other similar uses or mixed-use combinations requiring the receipt or distribution by vehicles of material and merchandise, off-street loading areas shall be provided in accordance with the requirements herein.

In the case of mixed uses in the same structure, on the same lot or in the same development, or more than one type of activity involved in the same use, the total requirements for off-street loading spaces shall be the sum of the requirements for the various uses or activities computed separately, including fractional values.

3. Requirements.

a. Required Off-Street Loading Spaces

| <b>Gross Floor Area</b>                                    | <b>Required Loading Spaces</b> |
|--|--------------------------------|
| 10,000 to 24,999 square feet                               | 1                              |
| 25,000 to 49,000 square feet                               | 2                              |
| For each additional 50,000 square feet or fraction thereof | 1                              |

| <b><u>Use</u></b>  | <b><u>Size of Use</u></b>   | <b><u>Required Off-Street Loading Spaces</u></b> |
|--|---|--|
| <u>Manufacturing, storage, warehouse, retail and/or wholesale store, market, hotel, hospital, mortuary, motel, laundry, dry cleaning, exercise facility, or other similar uses</u> | <u>10,000 to 24,999 square feet of gross floor area</u>                               | <u>1 Type B</u>                                  |
|  | <u>25,000 to 49,000 square feet of gross floor area</u>                               | <u>2 Type B</u>                                  |
|  | <u>For each additional 50,000 square feet of gross floor area or fraction thereof</u> | <u>1 Type B</u>                                  |

| <u>Gross Floor Area</u> | <u>Required Loading Spaces</u>                       |                 |
|-------------------------|--|-----------------|
| <u>Office</u>           | <u>0-24,999 square feet of gross floor area</u>      | <u>0</u>        |
|                         | <u>25,000-99,999 square feet of gross floor area</u> | <u>1 Type A</u> |
|                         | <u>over 100,000 square feet of gross floor area</u>  | <u>2 Type A</u> |
| <u>Residential</u>      | <u>0-50 Units</u>                                    | <u>0</u>        |
|                         | <u>51-200 Units</u>                                  | <u>1 Type A</u> |
|                         | <u>over 200 Units</u>                                | <u>2 Type A</u> |

b. Minimum Dimensions for Loading Spaces

| <u>MINIMUM DIMENSIONS FOR LOADING SPACES</u>                   |                              |                             |   |
|--|------------------------------|-----------------------------|---|
| <u>Type of Loading Space Required (See Table 22.112.130-A)</u> | <u>Minimum Length (feet)</u> | <u>Minimum Width (feet)</u> | <u>Required Vertical Clearance (feet)</u> |
| <u>Type A</u>  | <u>24</u>                    | <u>8</u>                    | <u>None</u>                               |
| <u>Type B</u>  | <u>30</u>                    | <u>10</u>                   | <u>14</u>                                 |

b. ~~Each loading space shall be not less than ten feet in width, thirty feet in length, and with an overhead clearance of fourteen feet.~~

c. Such space shall not occupy all or any part of any required front or exterior yard area or court space, and shall not be located closer than ~~twenty~~ twenty five feet to any lot in an R-District, unless inside a structure or separated from such district by a wall not less than eight feet in height, ~~provided a conditional fence permit is approved.~~

d. Sufficient room for maneuvering vehicles shall be provided on site.

e. Each loading berth shall be accessible from a street or alley.

f. ~~Entrances and exits shall be provided at locations approved by the public works director.~~ The location of entrances and exits will be determined based on the results of a transportation study (if required based on Section 15.15.010) and approved by the City's public works director. Alternatively, the applicant may allow the public works director to specify entrance and exit locations.

g. The loading area, aisles and access drives shall be paved with a durable, dustless surface, and shall be so graded and drained so as to disperse surface water.

h. Wheel stops and bumper rails shall be provided ~~where needed~~ for safety and ~~or~~ to protect property.

i. If the loading area is illuminated, lighting shall be directed away from any abutting residential sites and adjacent streets to reduce light and glare impacts, and shall conform to the standards of Sections 24.12.185.17 and 24.12.280.8 as applicable.

j. No repair work or servicing of vehicles shall be conducted in a loading area.

k. Trucks with trailers or detached trailers shall not be stored on-site.

l. Loading areas shall be maintained in good condition and kept free of trash, debris, and display or advertising uses. No changes shall be made in the number of loading spaces designated on the parking plan without approval of ~~review by the~~ zoning administrator.

- m. Required off-street loading facilities shall be located on the same site as the use for which the off-street loading spaces ~~berths~~ are required.

Section 51. Section 24.12.430 – Protection of Archaeological Resources of Part 5: Historic Preservation of Chapter 24.12 – Community Design of Title 24 – Zoning Ordinance of the City of Santa Cruz Municipal Code is hereby amended as follows:

**24.12.430 PROTECTION OF ARCHAEOLOGICAL RESOURCES.**

1. Policy and Purpose. Existing in Santa Cruz are certain deposits and sites of cultural significance believed to have been left by Native Americans and other early inhabitants. These deposits and sites are unique and irreplaceable phenomena of significance in the history of the city and the understanding of the cultural heritage of our land and of all humankind. Such sites have a deep, spiritual significance to Native Americans, especially the native peoples of the state of California, and constitute a precious archaeological and historical heritage which is fast disappearing as a result of public and private land development. Uncontrolled excavation or modification of these resources would destroy their cultural integrity. This loss would affect future generations and must be prevented in the public interest. Such cultural resources should be preserved in an undisturbed state wherever possible for future generations who should be more skilled and have access to better methods of study. In order to promote the public welfare, it is necessary to provide regulations for the protection, enhancement, and perpetuation of such sites. This section, therefore, is intended to provide a procedure for preserving the valuable cultural resources in the city of Santa Cruz. It should be noted that California Public Resources Code Section 5097.9 and Health and Safety Code Section 7050.5 protect archaeological and paleontological resources and supersede any local regulations.

2. Archaeological reconnaissance is required on sites proposed for development within areas identified as “highly sensitive” or “sensitive” on the general plan maps labeled “areas of archaeological sensitivity” and “historical archaeology sensitivity” prior to the issue of building or development permits. ~~For development on sites that have “known resources” see subsection (12).~~

3. An archaeological reconnaissance shall include archival research, site surveys and necessary supplemental testing as may be required and shall be conducted by a qualified archaeologist. The significance of identified resources shall be ascertained in accordance with CEQA definitions. If significant impacts are identified, impacts and mitigation measures outlined could include but are not limited to avoidance, project redesign, deposit capping, resource recovery options and/or on-site monitoring by an archaeologist during excavation activities. A written report describing the archaeological findings of the research or survey shall be provided to the city and development applications shall demonstrate compliance with any recommended mitigations identified in the required report.

4. Exemptions for minor development are allowed within “sensitive” areas only. “Minor development” is defined for this purpose as development that involves spot excavation to a depth of twelve inches or less below existing grade or uses that have virtually no potential of resulting in significant impacts to archaeological deposits. Exempt projects may include: building additions, outdoor decks, or excavation in soil that can be documented as previously disturbed.

5. Developer’s Action on Discovery of Artifacts or Remains During Excavation or Development. Any person exercising a development permit or building permit who, at any time

in the preparation for or process of excavating or otherwise disturbing earth, discovers any human remains of any age or any artifact or any other object which reasonably appears to be evidence of an archaeological/cultural resource, shall:

- a. Immediately cease all further excavation, disturbance, and work on the project site;
- b. Cause staking to be placed completely around the area of discovery by visible stakes not more than ten feet apart forming a circle having a radius of not less than one hundred feet from the point of discovery; provided, that such staking need not take place on adjoining property unless the owner of the adjoining property authorizes such staking;
- c. Notify the Santa Cruz County sheriff-coroner and the city of Santa Cruz planning director of the discovery unless no human remains have been discovered, in which case the property owner shall notify only the planning director;
- d. Grant permission to all duly authorized representatives of the sheriff-coroner and the planning director to enter onto the property and to take all actions consistent with this section.

6. Coroner's Action on Discovery of Remains. If human remains are discovered, the sheriff-coroner or his/her representative shall promptly inspect the remains to determine the age and ethnic character of the remains and shall promptly, after making such determinations, notify the planning director. If the remains are found to be Native American in origin, the sheriff-coroner shall notify the Native American Heritage Commission. The Native American Heritage Commission will identify the Native American most likely descendant who will provide recommendations for the proper treatment of the remains and associated artifacts per California State Resources Code Section 5079.9.

7. Planning Director's Action on Discovery of Artifacts. If any artifacts are discovered, the planning director shall cause an on-site inspection of the property to be made. The purpose of the inspection shall be to determine whether the discovery is of an archaeological resource or cultural resource. In making a determination, the planning director may also consult with Native American groups, qualified archaeologists, or others with the necessary expertise.

8. Discovery Not an Archaeological/Cultural Resource. Upon determining that the discovery is not of an archaeological/cultural resource, the planning director shall notify the property owner of such determination and shall authorize the resumption of work.

9. Discovery an Archaeological/Cultural Resource. Upon determining that the discovery is of an archaeological/cultural resource, the planning director shall notify the property owner that no further excavation or development may take place until a mitigation plan or other measures have been approved by the director for the protection of the site.

10. Mitigation Plan. The property owner or his/her agent shall prepare any required mitigation plan. The mitigation plan shall include conditions necessary or appropriate for the protection of the resource including, but not limited to, conditions on the resumption of work, redesign of the project, or other conditions deemed appropriate by the planning director. The director shall review the mitigation plan and may consult with Native Americans, archaeologists, or other interested persons to ensure proper protection of the resource. When the director is satisfied that the mitigation plan is adequate and that the development plan has been altered sufficiently to the demonstrate compliance with all recommended mitigations of the mitigation plan, the director shall authorize the resumption of work in conformance with the mitigation plan.

11. Referral to Historic Preservation Commission. The planning director may refer to the historic preservation commission the decision whether the discovery is of an archaeological/cultural resource and the decision whether the mitigation plan is adequate to

protect the resource. If the director refers the matter to the historic preservation commission, a public hearing shall be held in conformity with the requirements of this title relating to public hearings.

~~12. — Development on Known Archaeological Sites. No building permit for any earth-disturbing activity shall be issued on parcels identified by resolution of the city council as containing known cultural or archaeological resources without the owner first obtaining an administrative use permit. The administrative use permit shall be conditioned with appropriate archaeological survey and mitigation procedures such as those prescribed in the Historic Preservation Element and the Local Coastal Land Use Plan.~~

Section 52. This ordinance shall take effect and be in full force thirty (30) days after final adoption for areas of the City outside the Coastal Zone and shall take effect and be in full force upon certification by the California Coastal Commission for areas of the City located within the Coastal Zone.