

## **AGENDA ITEM NO. 8.6**

### **ORDINANCE NO. 06-2019**

#### **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELK GROVE AMENDING ELK GROVE MUNICIPAL CODE TITLE 23 (ZONING), CHAPTER 22.110 (DESIGN AND IMPROVEMENT STANDARDS), AND CHAPTER 6.32 (NOISE CONTROL), AND AMENDING THE ZONING MAP (NO FURTHER CEQA REQUIRED)**

**WHEREAS**, California Government Code Section 65300 requires the City to adopt a comprehensive, long-term general plan for the physical development of the City; and

**WHEREAS**, Government Code Section 65860 requires that the City's zoning regulations be consistent with the General Plan and that in the event zoning regulations become inconsistent with the General Plan by reason of amendment to the General Plan, the zoning shall be amended so that it is consistent with the General Plan as amended; and

**WHEREAS**, the City has adopted a comprehensive update to its General Plan; and

**WHEREAS**, amendments to the City's Municipal Code, including its zoning regulations and zoning map, are necessary to provide consistency with the General Plan Update (referred to herein as the General Plan-Zoning Consistency Program); and

**WHEREAS**, the City determined that the General Plan Update, including the General Plan-Zoning Consistency Program (also referred to herein as "Project") was a project requiring review pursuant to the California Environmental Quality Act (CEQA), Public Resources Code 21000 et seq. and that an Environmental Impact Report (EIR) shall be prepared to evaluate the potential environmental effects of the Project; and

**WHEREAS**, a Notice of Preparation was released for public and agency review and comment on June 23, 2017, for the General Plan Update Draft EIR, with the public review period starting June 23, 2017, and ending on July 24, 2017, and a public scoping meeting to receive comments on topics and issues which should be evaluated in the Draft EIR was held by the City on July 11, 2017; and

**WHEREAS**, upon receipt of the Notice of Preparation, the State Clearinghouse issued State Clearinghouse Number SCH#2017062058 for the Project; and

**WHEREAS**, the draft General Plan was released for public review on July 27, 2018, and was made available at City Hall, at the Elk Grove and Franklin Public Libraries, and on the City's website; and

**WHEREAS**, in accordance with Government Code Section 65352, the City referred the proposed draft General Plan to numerous agencies and entities and provided each with adequate time in which to comment on the draft General Plan; and

**WHEREAS**, the City distributed a Notice of Availability for the General Plan Update Draft EIR on July 27, 2018, which started a public review period, ending on September 26, 2018; and

**WHEREAS**, the Notice of Completion for the Draft EIR was also submitted to the State Clearinghouse for state agency review with Public Review Period starting July 27, 2018, and ending on September 26, 2018; and

**WHEREAS**, the City held a public meeting on September 13, 2018, to receive public comments on the Draft EIR and those comments were received and considered in the Final EIR; and

**WHEREAS**, the Draft EIR identified several significant and unavoidable environmental impacts of the General Plan. Approval of the General Plan therefore required adoption of a Statement of Overriding Considerations by the City Council prior to approval of the General; and

**WHEREAS**, the Draft EIR identified several potentially significant impacts that will be reduced to insignificance with specific mitigation measures. Approval of the General Plan therefore required adoption of mitigation findings and a Mitigation Monitoring Program; and

**WHEREAS**, a Final EIR has been prepared, identifying an erratum of changes to the Draft EIR as a result of the public comments on the Project, the comments to the Draft EIR, and other revisions to the Project, as identified by the City; and

**WHEREAS**, the Draft and Final EIR, including the response to the public comments, reflects the City's independent judgment and analysis; and

**WHEREAS**, on January 17, 2019, the Planning Commission recommended to the City Council that the General Plan Update EIR should be certified and that Findings of Fact and a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program be adopted; and

**WHEREAS**, on February 27, 2019, the City Council considered the General Plan Update EIR and adopted a resolution certifying the EIR and adopting Findings of Fact and Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program; and

**WHEREAS**, the Planning Commission held a duly-noticed public hearing on January 3, 2019 and February 7, 2019 as required by law to consider all of the information presented by staff and public testimony presented in writing and at the meeting and voted 4-0 (Spease abstain) to recommend approval to the City Council; and

**WHEREAS**, the City Council held a duly-noticed public hearing on March 13, 2019 as required by law to consider all of the information presented by staff and public testimony presented in writing and at the meeting;

**NOW, THEREFORE**, the City Council of the City of Elk Grove does hereby ordain as follows:

#### Section 1: Purpose

The purpose of this Ordinance is to update the Elk Grove Municipal Code, including the text and the Zoning Map, for consistency with the General Plan.

#### Section 2: Findings

##### **California Environmental Quality Act (CEQA)**

Finding: The Environmental Impact Report has been prepared in accordance with the California Environmental Quality Act (CEQA) and it reflects the independent judgment and analysis of the City.

Evidence: Adoption of the General Plan Update requires an Environmental Impact Report (EIR).

The City prepared a Notice of Preparation (NOP) and circulated it to public agencies and interested parties (including the general public) on June 23, 2017, once a draft Vision and supporting principles and preferred land plan were identified by the City Council. The NOP provided an introduction to the Project. Comments on the scope of the EIR were requested by July 24, 2017, consistent with the requirements of the State CEQA Guidelines. Comments received on the NOP are included in the Draft EIR (Appendix B) and responses are provided in Chapter 1.

The Draft EIR has been prepared as a program EIR pursuant to CEQA Guidelines Section 15168. A Program EIR examines the environmental impacts of an overall area that may contain a series of subsequent projects. This type of EIR focuses on the changes in the environment that would result from implementation of the overall Project, including development of land uses and transportation systems identified in the Project, as well as other infrastructure required to serve the Project. The General Plan Update EIR will serve as the environmental review document for subsequent activities in the program. Consistent with CEQA Guidelines Section 15168(c), the City will review subsequent activities to determine whether the activity is within the scope of the Project covered by the Program EIR or whether an additional environmental document must be prepared.

The Draft EIR identified a range of potential impacts resulting from adoption of the General Plan. Some of these impacts are analyzed in comparison to existing plans and programs, including the existing General Plan. The impact areas come from the State's CEQA guidelines (the CEQA Checklist). Staff has also included pending changes to the CEQA Checklist, including the forthcoming revisions for Vehicle Miles Traveled. This Draft EIR bridges the existing and forthcoming CEQA Checklist in order to provide coverage for future projects.

The EIR has identified the following environmental issue areas as having potentially significant environmental impacts from implementation of the Project:

- Aesthetics, Light, and Glare
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Geology, Soils, Mineral Resources, and Paleontology
- Greenhouse Gas Emissions and Energy
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Noise
- Public Services and Recreation
- Public Utilities
- Transportation

Conclusions to the potential impacts are classified as either less than significant, less than significant after incorporation of mitigation measures, or significant and unavoidable. Significant and unavoidable impacts do not limit the City's ability to approve a project. Rather, given CEQA's role in providing disclosure of potential impacts, the City may approve a project with significant impacts that cannot be mitigated to a less than significant level. CEQA Guidelines Section 15093 states that "CEQA requires the [City] to balance, as applicable, the economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits, including region-wide or statewide environmental benefits, of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered 'acceptable.' When the [City] approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the [City] shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record." A statement of overriding considerations is necessary to approve the General Plan Update.

On July 27, 2018, concurrent with the public availability of the draft General Plan, the City released the Draft EIR. The Draft EIR was made available for public review and comment on the City's website, at City Hall, and at the Elk Grove and Franklin libraries for a period of 60 days. Public comments on the Draft EIR were due to the City on September 26, 2018. A total of 17 comment letters were received. Responses to these comments have been prepared by staff and are included in the Final EIR.

The Final EIR also includes an erratum of changes to the Draft EIR as a result of the public comments on the Project, the comments to the Draft EIR, and other revisions to the Project as identified by the City (the Planning Commission, staff). The Final EIR indicates that the modifications to the Project are minor in nature and do not cause any change in significant impacts that were analyzed in the Draft EIR. The Final EIR was released for public review on January 4, 2019.

The City Council considered the General Plan EIR on February 27, 2019 and adopted a resolution certifying the document, adopting Findings of Fact and a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program. The proposed revisions to the Municipal Code are consistent with the EIR and no further environmental review is required.

## **General Plan**

Finding: The proposed municipal code amendments (text or map) are consistent with the General Plan goals, policies, and implementation programs.

Evidence: The proposed amendments to Title 23 (Zoning), Section 22.110.040 (Roadway Network Design), and Chapter 6.32 (Noise) are necessary in order to provide consistency with the General Plan Update. The proposed amendments establish new zoning districts, including the Village Center Mixed Use (VCMU), Residential Mixed Use (RMU), Light Industrial/Flex (LI/F), Park and Recreation (PR), and Public Service (PS), which are called for in Chapter 3 (Planning Framework) of the General Plan. Amendments to the allowed use listings reflect updates to the characteristics of the corresponding General Plan Land Use Designations, which the districts implement. The new Clustered Development Permit implements the updated clustering policy provided in Policy NR-1-9. Revisions to Section 22.110.040 provide consistency with the Rural Area Community Plan. Revisions to Chapter 6.32 improve the readability of the chapter while also providing consistency with policies under Goals N-1 and N-2 relative to noise.

### Section 3: Action – Text Amendments

EGMC Title 23 (Zoning), Chapter 22.110 (Design and Improvement Standards), and Chapter 6.32 (Noise Control) are hereby amended as provided in Exhibit A, incorporated herein by this reference.

### Section 4: Action – Zoning Map Amendment

The Elk Grove Zoning Map, as provided in EGMC Section 23.24.030 (Map Established) is hereby amended to appear as provided in Exhibit B, incorporated herein by this reference.

### Section 5: Action – Repeal of Special Planning Area

The Laguna Community/Floodplain Special Planning Area and the Laguna Gateway Special Planning Area are hereby repealed.

### Section 6: No Mandatory Duty of Care

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

### Section 7: Severability

If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable. This City Council hereby declares that it would have adopted this ordinance irrespective of the invalidity of any particular portion thereof and intends that the invalid portions should be severed and the balance of the ordinance be enforced.

### Section 8: Savings Clause

The provisions of this ordinance shall not affect or impair an act done or right vested or approved or any proceeding, suit or prosecution had or commenced in any cause before such repeal shall take affect; but every such act done, or right vested or accrued, or proceeding, suit or prosecution shall remain in full force and affect to all intents and purposes as if such ordinance or part thereof so repealed had remained in force. No offense committed and no liability, penalty or forfeiture, either civilly or criminally incurred prior to the time when any such ordinance or part thereof shall be repealed or altered by said Code shall be discharged or affected by such repeal or alteration; but prosecutions and suits for such offenses, liabilities, penalties or forfeitures shall be instituted and proceeded with in all respects as if such prior ordinance or part thereof had not been repealed or altered.

### Section 9: Effective Date and Publication

This Ordinance shall take effect thirty (30) days after its adoption. In lieu of publication of the full text of the ordinance within fifteen (15) days after its passage, a summary of the ordinance may be published at least five (5) days prior to and fifteen (15) days after adoption by the City Council and a certified copy shall be posted in the office of the City Clerk, pursuant to GC 36933(c)(1).

**ORDINANCE:**       **06-2019**  
**INTRODUCED:**     March 13, 2019  
**ADOPTED:**  
**EFFECTIVE:**

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STEVE LY, MAYOR of the  
CITY OF ELK GROVE

ATTEST:

APPROVED AS TO FORM:

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JASON LINDGREN, CITY CLERK

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JONATHAN P. HOBBS,  
CITY ATTORNEY

Date signed: \_\_\_\_\_

**Proposed Municipal Code Revisions  
General Plan Consistency Update – Draft Dated March 13, 2019**

*Proposed changes are shown in ~~strikeout~~ (for deleted text) and underline (for added text).*

**Changes to Title 23 (Zoning)**

**Table 23.14-1 (Approval Authority) shall be amended as follows:**

**Table 23.14-1  
Approval Authority**

Type of Permit, Entitlement, or Decision	Permit Description (EGMC Section)	Designated Approval Authority <sup>1</sup>			
		Development Services Director	Zoning Administrator	Planning Commission	City Council
Administrative Permits					
Official zoning interpretation	23.12.040	Recommending	---	Final	---
Zoning clearance/plan check	23.16.020	Final	---	---	---
Minor deviation	23.16.030	Final	---	---	---
Minor uniform sign program	23.16.027	Final	---	---	---
Temporary use permit	23.16.050	Final	---	---	---
<del>Parking reduction permit</del> <u>Special parking permit</u>	23.16.037	Final	---	---	---
Reasonable accommodation	23.16.065	Final	---	---	---
Master home plan – design review	23.16.080	Final	---	---	---
Outdoor activity design review	23.16.080	Final	---	---	---
Quasi-Judicial Permits and Entitlements					
Minor design review	23.16.080	Recommending	Final	---	---
Major uniform sign program	23.16.027	Recommending	---	Final	---
Variance	23.16.040	Recommending	---	Final	---
Minor conditional use permit	23.16.070	Recommending	Final	---	---
Conditional use permit	23.16.070	Recommending	---	Final	---
Major design review	23.16.080	Recommending	---	Final	---
Subdivision design review	23.16.080	Recommending	---	Final	---
District development plan design review	23.16.080	Recommending	---	Final	---
CIP design review	23.16.080	Recommending	---	Recommending	Final
<u>Cluster development permit</u>	<u>23.16.085</u>	<u>Recommending</u>	<u>---</u>	<u>Final</u>	<u>---</u>
Tentative parcel map	22.20	Recommending	---	Final	---
Tentative subdivision map	22.20	Recommending	---	Final	---

Type of Permit, Entitlement, or Decision	Permit Description (EGMC Section)	Designated Approval Authority <sup>1</sup>			
		Development Services Director	Zoning Administrator	Planning Commission	City Council
Legislative Approvals					
Special planning area (establishment and amendment)	23.16.100	Recommending	---	Recommending	Final
Specific plan (establishment and amendment)	23.16.090	Recommending	---	Recommending	Final
Zoning amendment (text and map)	23.16.110	Recommending	---	Recommending	Final
Community plan (establishment and amendment)	23.16.115	Recommending	---	Recommending	Final
General Plan amendment	23.16.120	Recommending	---	Recommending	Final
Prezoning	23.16.130	Recommending	---	Recommending	Final
Development agreement (establishment and amendment)	23.16.140	Recommending	---	Recommending	Final

**Section 23.16.037 (Parking Reduction Permit) shall be amended as follows:**

**23.16.037 Special parking ~~Parking reduction~~ permit.**

A. Purpose. A ~~parking reduction permit~~ special parking permit provides a process for the review of requests for modifications in the parking requirements as provided herein. Specifically, a special parking permit may provide for the reduction in the number of required parking spaces by more than ten (10%) percent of the respective development standards where such reduction is justified without compromising the basic health, safety and welfare of the community. Also see EGMC Section 23.16.030, Minor deviation, for deviations that are ten (10%) percent or less of the respective development standards. Additionally, a special parking permit may allow for a portion of the required off-street parking to be provided through on-street spaces as provided herein. ~~Through the special parking parking reduction permit, the City is creating a formal, documented process for the allowance of parking reductions-modifications.~~

B. Applicability. A special parking permit may provide for the following:

1. The minimum number of off-street parking spaces required by this title may be reduced through one (1) or more of the following procedures:

4a. Reduced Parking Ratio. The designated approving authority may approve reduced parking ratio from that listed in Table 23.58-1 (Parking Ratio for Shopping Centers Based on Percentage Restaurant Use) and Table 23.58-2 (Parking Requirements by Land Use), in accordance with EGMC Section 23.58.050(l).

2b. Parking Reduction Programs for Nonresidential Uses. Commercial, office, or industrial projects may request a reduction in the minimum number of parking spaces required, provided they include one (1) or more of the following parking reduction programs, as described in EGMC Section 23.58.060:

a. Facilities and programs;

b. Preferred carpool/vanpool parking spaces;

c. Long-term bicycle parking facilities;



~~div.~~ Proximity to alternative transportation modes;

~~ey.~~ Shared parking; and

~~fvi.~~ Vehicle park-and-ride lot requirements at shopping centers.

2. All or a portion of the minimum number of off-street parking spaces required by this title may be provided on-street when, as determined by the City, all of the following are true:

a. The parking provided on-street is located within a reasonable distance of the use or establishment that the on-street parking serves.

b. On-street parking at the designated location is already permitted and/or is supported by the City Engineer.

c. The on-street parking is located in a commercial area and not within a single-family residential neighborhood.

C. Approving Authority. The designated approving authority for all ~~parking reduction permit~~ special parking permits shall be the Development Services Director. The Development Services Director approves or denies the ~~parking reduction permit~~ special parking permit in accordance with the requirements of this title. Pursuant to EGMC Section 23.14.050, should a special parking permit be considered concurrently with other permits, all project permits shall be processed concurrently and final action shall be taken by the highest-level designated approving authority for all requested permits.

D. Submittal Requirements. The application for a ~~parking reduction permit~~ special parking permit shall be made on a form as prescribed by the Development Services Department and shall be accompanied by the information identified on the form. The City may require a parking demand study, conducted by a licensed traffic engineer or other transportation professional satisfactory to the Development Services Director, be prepared as part of an application submittal when, at the discretion of the Development Services Director, such a study would provide necessary technical information in order to adequately review the request.

E. Findings. A request for ~~parking reduction permit~~ a special parking permit shall be granted only if the approving authority makes the following findings:

1. A reduction is justified based on characteristics of the uses, hourly parking demand studies published by the Urban Land Institute, or other appropriate information demonstrating that sufficient parking capacity will exist to accommodate uses as determined by the ~~Director~~ approving authority.

2. For any other circumstance where the applicant wishes to request a ~~parking reduction permit~~ special parking permit, such ~~reduction permit~~ special parking permit may be granted where the review authority finds that:

a. The intent of the parking regulations, in compliance with all other applicable provisions of this title, is met; and

b. Sufficient parking would be provided to serve the use intended and potential future uses of the subject parcel.

**Section 23.16.080.B (Design Review Applicability) is hereby amended as follows:**

B. Design Review Applicability. There are seven (7) types of design review as described below:

1. Master Home Plan Design Review. A master home plan design review is required for master home plans for single-family residential subdivisions.
2. Outdoor Activity Design Review. An outdoor activity design review is required for permanent outdoor storage and service uses and permanent and seasonal outdoor seating as described in EGMC Chapter 23.86, Outdoor Sales, Display, Storage, and Seating.
3. Minor Design Review. A minor design review permit is required for the following items:
  - a. New construction of a multifamily residential building or structure with fewer than one hundred fifty (150) units;
  - b. New construction of a mixed-use or nonresidential building or structure less than ten thousand (10,000 ft<sup>2</sup>) square feet (e.g., commercial, office, industrial, public/quasi-public);
  - c. Additions of more than one thousand (1,000 ft<sup>2</sup>) square feet and less than ten thousand (10,000 ft<sup>2</sup>) square feet to multifamily residential buildings or structures or nonresidential buildings or structures;
  - d. The exterior remodel of multifamily residential buildings or structures or mixed-use and nonresidential buildings or structures when not substantially consistent with existing improvements or approved plans as determined by the Development Services Director;
  - e. Nonrequired fences in accordance with EGMC Chapter 23.52;
  - ~~f. Permanent outdoor storage and service uses in accordance with EGMC Chapter 23.86;~~
  - ~~g. Permanent and seasonal outdoor seating in accordance with EGMC Chapter 23.86;~~
  - ~~h. Modification of nonconforming structures in accordance with EGMC Section 23.84.020; and~~
  - i. Other items identified in this title.
4. Major Design Review. A major design review permit is required for the following items:
  - a. New construction of a multifamily residential building or structure with one hundred fifty (150) or more units;
  - b. New construction of a single nonresidential building or structure, or multiple buildings or structures within a single shopping center complex, comprising ten thousand (10,000 ft<sup>2</sup>) square feet or more (e.g., commercial, office, industrial, public/quasi-public);
  - c. Additions of a single multifamily residential or nonresidential building or structure, or multiple multifamily residential buildings or structures within a multifamily complex, or multiple nonresidential buildings or structures within a single shopping center complex, comprising ten thousand (10,000 ft<sup>2</sup>) square feet or more;
  - d. Other items identified in this title.
5. Subdivision Design Review. A subdivision design review is required for any tentative subdivision map.
6. District Development Plan Design Review. A district development plan design review is a process reserved for larger nonresidential or mixed-use development areas that will be developed in phases over time. A district development plan provides overall site plan

approval and establishes development elements including, but not limited to, pedestrian improvements, signage, landscaping, internal setbacks, lighting, building architecture design parameters, and other features that are common across the site. Examples of applicable projects include, but are not limited to, hospitals, village centers, and large retail complexes. A district development plan design review may be combined with major design review for the architecture of initial phase development. All subsequent development within the boundaries of an approved district development plan shall be consistent with the district development plan. District development plans shall not be subject to the time limits of EGMC Section 23.18.020 unless specified as a condition of approval.

7. Capital Improvement Program Design Review. A capital improvement program (CIP) design review is required for any activity that otherwise requires design review pursuant to this section but is a project under the City's capital improvement program (CIP).

***Section 23.16.085 (Cluster Development Permit) is hereby added as follows:***

**23.16.085 Clustered development permit.**

A. Purpose. The purpose of the clustered development permit review process is to promote integrative site design based on the natural features and topography of a development area; to protect environmentally sensitive areas of a development site, such as woodlands, grasslands, wetlands, and stream corridors; and to preserve other natural or cultural features on a development site, such as prime agricultural land, open space, and historic and cultural resources.

B. Applicability. A clustered development shall be permitted in any zoning district consistent with General Plan policy upon the granting of a clustered development permit, except that in the case of a development site having two or more zoning district designations, the project shall not be eligible to apply for a clustering permit and shall instead be designated and reviewed as a Special Planning Area, pursuant to Section 23.40.020.

C. General Provisions.

1. The maximum residential density and/or maximum nonresidential floor area ratio (FAR) (where applicable) for a clustered development shall not exceed the density and/or FAR normally permitted for the entire gross site area under the regulations for the applicable base zoning district.

2. A clustered development permit shall not modify or otherwise restrict the uses allowed, conditionally allowed, or prohibited within the applicable base zoning district.

3. Development standards applicable for residential lots created under a clustered development permit shall be those most similar to the zoning district corresponding to the resulting lot size. For example, a project with median lot size of 5,200 square feet may be implemented by the RD-5 zoning standards. Modifications to these standards may be permitted by the designated approving authority. The clustered development permit shall clearly state the standards applicable to the project.

4. Open space or other preserve area maintained by a clustered development, excluding private residential open space, shall be conveyed in one of the following manners:

a. To the City of Elk Grove or the Cosumnes Community Services District (CCSD), and accepted by that entity for open space or similar purposes. The conveyance shall be in a form approved by the City or the CCSD, and shall be approved by City Council or CCSD board, as applicable. In such instances where the City will accept the property a funding

mechanism shall be identified to maintain the property in perpetuity. Such funding mechanisms may include, but are not limited to, an endowment in an amount as determined by the accepting agency and provided by the entity developing the project area.

b. To a non-profit organization whose principal purpose is the conservation of agricultural land or open space. The conveyance shall be in a form approved by the City and the organization's governing board. The applicant shall demonstrate that the non-profit has the funds to maintain the property in perpetuity.

c. To a corporation or trust owned by the owners of lots or dwelling units within the clustered development, or to the Homeowners Association of a condominium development. Ownership in the corporation or trust shall pass with the conveyances of the lots or dwelling units. The conveyance shall be in a form approved by the City and the governing body of the owners of lots or dwelling units. A deed restriction shall be recorded that provides that the open space shall be kept in the authorized condition and shall not be developed in perpetuity. The corporation must demonstrate that it has the funds to maintain the property in perpetuity.

#### D. Procedure.

1. Designated Approving Authority. The designated approving authority for a clustered development permit is the Planning Commission. The Development Services Director provides a recommendation and the Planning Commission approves, approves with conditions, or denies the clustering permit in accordance with the requirements of this title. However, in cases in which the City Council is the designated approving authority for associated entitlements or permits that are bundled with a clustered development permit pursuant to section 23.14.050 of this title, the City Council shall be the approval authority for the clustered development permit.

2. Conditions of Approval. The designated approving authority may apply such special conditions to its approval of the clustered development as may be required to promote the objectives and purposes of the General Plan and the zoning and subdivision Titles of the Municipal Code.

E. Findings. A clustered development permit is discretionary and shall be granted only when the designated approving authority determines that the proposed use or activity complies with all of the following findings:

1. Infrastructure capacity is available for the proposed density and/or intensity of use.

2. On-site resource protection is appropriate and consistent with General Plan policies.

3. The architecture and scale of development are appropriate for and consistent with the intended character of the area.

4. Development rights for the open space, or other preserve area, are permanently dedicated and appropriate long-term management, with funding provided in perpetuity.

#### ***Section 23.16.090 (Specific Plans) is hereby amended as follows:***

##### **23.16.090 Specific plans.**

A. Purpose. The purpose of a specific plan is to provide a vehicle for implementing the City's General Plan on an area-specific basis. The specific plan is intended to serve as a regulatory document, consistent with the General Plan. In the event there is an inconsistency or conflict

between an adopted specific plan and comparable provisions of this title, the specific plan shall prevail. This section is consistent with Sections 65450 through 65457 of the California Government Code.

B. Applicability. The City's General Plan encourages preparation of specific plans and identifies certain areas of the City which require specific plans for development. Specific plan zoning may be considered for other areas of the City.

C. Approving Authority. The designated approving authority for specific plans is the City Council. The Development Services Director and Planning Commission provide recommendations and the City Council approves, conditionally approves, or denies the specific plan in accordance with the requirements of this title.

D. Contents. ~~In addition to the State minimum content requirements of Specific plans shall contain all of the following information in text and diagrams as required by Sections 65451 and 65452 of the California Government Code, the following items outline the City's content requirements for an application. The Development Services Director may prepare guidelines for the preparation of specific plans consistent with the General Plan.~~

1. Statement of the relationship of the specific plan to the General Plan.
2. ~~Policies for development and standards for regulating development within the plan area~~The distribution, location, and extent of the uses of land, including open space, within the area covered by the plan.
3. ~~The proposed land uses for all areas covered by the plan~~The proposed distribution, location, and extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan.
4. ~~The types and configurations of buildings to be included in all developments within the plan area~~Standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.
5. A program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out the plan.~~The location of and types of streets.~~
6. Other subjects which in the judgement of the City are necessary or desirable for implementation of the General Plan, including but not limited to parking and circulation, proposed conservation, open space, and/or recreation areas, and other guidelines or standards applicable to the specific plan area.~~Public facilities and infrastructure required to serve developments within the specific plan area.~~
7. ~~A parking and circulation plan for off-street parking areas showing the location of parking lots, the approximate number of spaces, and the approximate location of entrances and exits.~~
8. ~~Proposed conservation, open space and/or recreation areas, if any.~~
9. ~~Any other programs, guidelines or standards appropriate for the area covered by the plan.~~

E. Environmental Review. It is anticipated, under the California Environmental Quality Act and Guidelines, that most specific plans will require preparation of an environmental impact report. Once certified, the EIR for a specific plan may be relied upon for further entitlements sought subsequent to adoption of the specific plan. Unless otherwise exempt, an initial study shall be prepared for all subsequent applications to determine whether a supplement to the EIR must be

prepared. In the event that a supplement to the EIR is determined not to be necessary, a negative declaration or mitigated negative declaration shall be prepared.

F. Findings. Specific plans and any amendment thereto shall be approved/adopted only when the City Council makes the ~~following findings as applicable: that the proposed specific plan is consistent with the General Plan goals, policies, and implementation programs. The City Council shall also make any other findings for amendments as required by the specific plan itself.~~

~~1. The proposed specific plan is consistent with the General Plan goals, policies, and implementation programs.~~

~~2. The land use and development regulations within the specific plan are comparable in breadth and depth to similar zoning regulations contained in this title.~~

~~3. The administration and permit processes within the specific plan are consistent with the administration and permit processes of this title.~~

G. ~~Repealed by Ord. 8-2011.~~ Form of adoption. If a specific plan contains zoning regulations, including but not limited to regulations of density and intensity of development, allowed uses, setback and height standards, signage regulations, or other development standards, such plan shall be adopted by ordinance as provided in Sections 65453 and 65850 of the California Government Code. Otherwise, a specific plan shall be adopted by resolution as provided in Section 65453 of the California Government Code.

H. Delineation of Specific Plan Areas. To the extent that a specific plan contains zoning regulations and is adopted by ordinance, the City zoning ~~On the zoning map, a specific plan zoning district shall be delineated~~ delineated, in a manner similar to that of any other zoning district, except that each SP-zoned area shall also bear a number which distinguishes it from other specific plan areas the boundaries of the specific plan area and may illustrate the land plan as provided in the specific plan. Where there are conflicts between the this title and the specific plan, the specific plan shall prevail. See EGMC Section 23.40.010, Specific plan district.

***Section 23.24.020 (Zoning Districts Established) is hereby amended as follows:***

**23.24.020 Zoning districts established.**

A. Overview. Zoning districts are established in order to classify, regulate, designate, and distribute the uses of land and buildings; to regulate and restrict the height and bulk of buildings; to regulate the area of yards and other open spaces around buildings; and to regulate the density of population.

The City of Elk Grove is divided into zoning districts that are grouped into two (2) categories: 1) base zoning districts, and 2) overlay zoning districts. These districts conform to and implement the City's General Plan land use. EGMC Chapter 23.27 (Allowed Uses and Required Entitlements) identifies the allowed uses and requirements for planning entitlements. EGMC Chapter 23.29 (Development Standards by Zoning District) identifies development standards unique to each zoning district.

1. Base Zoning Districts. The base zoning district is the primary zoning district that applies to a property. Every parcel throughout the City has a base zoning district that establishes the primary land use type, density, intensity, and site development regulations. Base districts are grouped into ~~seven-eight (78)~~ categories as follows:

a. Agricultural zoning districts;

b. Residential zoning districts;

- c. Commercial zoning districts;
- d. Mixed use zoning districts;
- e. Office zoning districts;
- ef. Industrial zoning districts;
- fg. Public/quasi-public zoning districts;
- gh. Special purpose zoning districts.

2. Overlay Zoning Districts. The overlay zoning districts function to supplement the base zoning district for one (1) or more of the following purposes. In the event of a conflict between the regulations of the base zoning district and the overlay zoning district, the provisions of the overlay zoning district shall apply.

- a. To allow more flexibility from the standard provisions of the underlying base zone;
- b. When special provisions are needed to protect unique site features or implement location-specific provisions; and/or
- c. To specify a particular standard or guideline for an area.

#### B. Agricultural Districts.

1. Agricultural (AG-20, AG-80): The AG districts are applied to areas of the City for viable agricultural use and very low density residential use. The agricultural zoning districts allow for a wide range of agricultural uses on large parcels of land. These uses may include crop production, commercial riding academies and stables, animal keeping, agricultural labor housing, and compatible accessory uses. The zoning district number associated with the AG districts corresponds to the minimum lot size in such district.

- a. AG-80. The AG-80 zone is applied to areas of the City to accommodate a wide range of agricultural uses on parcels of land a minimum of eighty (80) gross acres in size.
- b. AG-20. The AG-20 zone is applied to areas of the City to accommodate agricultural use on parcels a minimum of twenty (20) gross acres in size.

2. Agricultural Residential (AR). The AR districts are applied to areas of the City intended to accommodate very low density single-family residential uses in a rural setting with agricultural and accessory uses. The AR districts implement the estate residential and rural residential General Plan land use designation. The zoning district number associated with the AR districts corresponds to the minimum lot size in such district.

- a. AR-1. The AR-1 zoning district is applied to areas of the City to accommodate low density single-family residential uses in a rural setting with agricultural and accessory uses. The AR-1 zoning district implements the estate residential General Plan designation. The AR-1 district allows for one (1) primary residential unit on lots with a minimum size of one (1) gross acre. While the AR-1 zoning district falls within the estate residential density range of the General Plan, the nature and character of the district is more in keeping with the rural residential land use designation of the General Plan. These zoning districts also allow for normal agricultural uses and practices.
- b. AR-2. The AR-2 zoning district is applied to areas of the City to accommodate low density single-family residential uses in a rural setting with agricultural and accessory uses. Lots with this zoning designation are rural in nature and include small local roadways, animal keeping and raising, equestrian uses, agriculture and limited

commercial opportunities. The AR-2 zoning district implements the rural residential General Plan designation. The AR-2 district allows for one (1) primary residential unit on lots with a minimum size of two (2) gross acres.

c. AR-5, AR-10. The AR-5 and AR-10 zoning districts are applied to areas of the City to accommodate low density single-family development along with agricultural and accessory uses. Lots within the AR-5 and AR-10 zoning designations are rural in nature and include small local roadways, animal keeping and raising, equestrian uses, agriculture and limited commercial opportunities. The AR-5 and AR-10 zoning districts implement the rural residential General Plan designation. The AR-5 zoning district allows for one (1) residential unit on lots with a minimum size of five (5) gross acres. The AR-10 zoning district allows for one (1) primary residential unit on lots with a minimum size of ten (10) gross acres.

#### C. Residential Districts.

1. Very Low Density Residential (RD-1 through RD-3). The very low density residential zoning district designations are applied to areas of the City intended to accommodate very low density single-family residential uses in a semi-rural setting. Residential densities shall be in the range of one (1) to three (3) dwelling units per acre with minimum lots sizes between one-third (1/3) acre to one (1) acre. This residential designation includes the following specific zoning districts:

a. RD-1, RD-2, and RD-3. The RD districts are applied to areas of the City intended to accommodate very low density single-family estate type uses. Property with these RD designations should serve as a transitional residential district between agricultural residential and traditional lower density single-family neighborhoods. The zoning district number associated with the RD districts corresponds to the number of dwelling units permitted per acre of land. These RD districts allow a density range of one (1) to three (3) dwelling units per acre.

2. Low Density Residential (RD-4 through RD-7). The low density residential zoning district designations are applied to areas of the City intended to accommodate low density single-family residential neighborhoods. Typical development includes detached (and in some cases attached) single-family homes. Permitted uses in the RD districts include single-family and two-family homes, second units, and compatible neighborhood support facilities. Residential densities shall be in the range of 3.1 to seven (7) dwelling units per acre. Property with this designation should be located near other residential properties, schools, parks/open space, and neighborhood commercial services with low-impact office and light industrial uses nearby. Development standards for these districts allow design flexibility and promote a range of housing densities and variety of housing types. This residential designation includes the following specific zoning districts:

a. RD-4. The RD-4 district is intended for detached single-family and two-family homes up to a maximum density of four (4) dwelling units per acre. Development is typically one (1) and two (2) stories in height with larger yard areas.

b. RD-5. The RD-5 district allows single-family and two-family homes up to a maximum density of five (5) dwelling units per acre. This district may include detached and attached housing types. Development is typically one (1) and two (2) stories in height with private yard areas.

c. RD-6. The RD-6 district allows single-family and two-family homes up to a maximum density of six (6) dwelling units per acre. This district may include detached and attached housing types, as well as cluster developments. Building heights in this district are typically one (1) and two (2) stories. Development standards allow for a variety of housing types.



d. RD-7. The RD-7 district allows single-family and two-family homes up to a maximum density of seven (7) dwelling units per acre. This district may include detached and attached housing types, as well as cluster developments. Building heights in this district are typically one (1) and two (2) stories. Development standards allow for a variety of housing types.

3. Medium Density Residential (RD-10 and RD-15). The medium density residential zoning district designations are applied to areas of the City intended to accommodate higher density single-family and lower density multifamily residential neighborhoods. These RD districts accommodate a variety of housing types with a density range between 7.1 and fifteen (15) dwelling units per acre. Specifically, medium density residential development may include detached and attached single-family homes, duplexes, townhomes, condominiums, row houses, and garden apartments. Development standards for these districts allow significant design flexibility to encourage a broad range of housing types and are intended to ensure compatibility and connectivity with surrounding neighborhoods and uses. This residential designation includes the following specific zoning districts:

a. RD-10. The RD-10 district allows higher density single-family attached and detached homes, and may include lower density multifamily for-sale and for-lease units with a maximum of ten (10) dwelling units per acre. Property with this designation should be located near other residential sites, offices, commercial uses and services, or light industrial areas. Development is typically one (1) and two (2) stories in height (three (3) stories in some cases) with greater lot coverage than the low density single-family residential districts.

b. RD-15. The RD-15 district may include single-family, two-family, and/or multifamily residential use within a maximum density of fifteen (15) dwelling units per acre. Development may include both for-sale and for-lease products, such as small-lot single-family attached or detached homes, townhomes, condominiums, row houses, and garden apartments. Residential structures are typically one (1) and two (2) stories in height (three (3) stories in some cases) with greater lot coverage than the low density single-family residential districts. The RD-15 district should serve as a transitional residential district between lower density single-family neighborhoods and high density residential districts, office buildings, commercial uses, or light industrial uses. RD-15 sites should be located near arterial or collector roads.

4. High Density Residential (RD-20 through RD-30). The high density residential zoning district designations are applied to areas of the City intended to accommodate higher density multifamily development such as apartments and condominiums. This designation may also include high density single-family development types such as townhomes and other attached housing types. High density detached homes may be considered in the RD-20 designation. Residential densities shall be in the range of 15.1 to thirty (30) dwelling units per acre. Property with this designation should be located near other multifamily sites, offices, commercial uses, or light industrial areas. Additionally, multifamily residential sites should be located along thoroughfare, arterial, or collector roads or near existing or planned public transit stops. Standards for these districts promote attractive residential development that is compatible with surrounding neighborhoods, while at the same time carefully regulating uses to assure compatible development that limit impacts on surrounding uses. This residential designation includes the following specific zoning districts:

a. RD-20. The RD-20 district is intended for high density attached single-family homes, such as townhomes or row houses, as well as medium density multifamily development that includes apartments and condominiums up to a maximum density of twenty (20) dwelling units per acre. Detached single-family homes may be considered on a case-by-case basis with a conditional use permit request. Development is typically two (2) stories in height (three (3) stories in some cases) with greater lot coverage than the medium density residential districts.

b. RD-25. The RD-25 district is intended for high density residential development, including apartments and condominiums or higher density attached single-family units, such as townhomes. The maximum density in this district is thirty (30) dwelling units per acre and it is expected that most developments will be two (2) to three (3) stories in height with greater lot coverage than in the RD-20 district.

c. RD-30. The RD-30 district allows the maximum residential density permitted in the City. Except with a density bonus, the maximum density is thirty (30) dwelling units per acre and in general building heights will be three (3) stories with greater lot coverage than in the RD-25 district. Apartments or condominiums are generally expected to be the primary type of development in this district. The City encourages the location of RD-30 sites near commercial or office centers or near light industrial uses or other centers of employment.

#### D. Commercial Districts.

1. Limited Commercial (LC). The limited commercial district is designed to foster low intensity neighborhood-oriented commercial development adjacent to, integrated within, or at the entrance to residential neighborhoods. The limited commercial district may also be located along arterial or collector roads at midblock locations between major intersections. This district is intended to promote a mix of retail goods and services as well as small-scale office uses and low intensity mixed-use development. Limited commercial properties should be smaller in size, developed with buildings that are compatible in scale with surrounding residential neighborhoods. Development should be pedestrian-friendly with entrances and windows oriented to the sidewalk/street.

2. General Commercial (GC). The general commercial district is intended to allow for medium to high intensity uses with a wide range of retail, wholesale commercial, entertainment, office, services, and professional uses. Development should be pedestrian-oriented, but is expected to be auto-accommodating as well. This district should be applied to medium to large sites adjacent to other commercial uses, office uses or higher density residential development. When located adjacent to single-family residential, vehicles using the commercial site should not have a direct impact on the entrances to the neighborhood, but pedestrian connections should be provided. GC sites should be located near freeways, along arterials, or at major intersections. This district is also intended to support the development of urban villages that offer a mixture of uses including retail, offices, services, entertainment, and commercial within the same site with connections between those uses. Development should provide a pleasant visual atmosphere for motorists, transit users, and pedestrians as well as for the other businesses located within the zoning district.

3. Shopping Center (SC). The shopping center district is intended for medium to high intensity shopping centers with a local or regional market area. Developments within this district should include a wide choice of goods and services. The designation should be applied to medium to large sites near freeways, along arterials, and at major intersections. The SC zone should be adjacent to other commercial uses or higher density residential development. When located adjacent to single-family residential, vehicles using the commercial site should not have a direct impact on the entrances to the neighborhood. Development in this district typically involves integrated structures with multiple uses and tenants providing a broad range of goods and services. Development should incorporate pedestrian-friendly designs that include walkways interior to the project as well as connections to adjacent uses and neighborhoods, but should also be auto-accommodating.

4. Auto Commercial (AC). The auto commercial district is characterized by automotive sales and services and related uses. This zone is intended to promote the unified grouping of auto-oriented uses in locations where they will be convenient to residents and visitors alike. The designation should be used on sites adjacent to other existing commercial or office uses and

should be located near freeways, thoroughfares, and arterials. Uses should be of medium intensity and should be auto-accommodating.

5. Commercial Recreation (C-O). The commercial recreation district is intended to provide an area for commercial uses normally considered to be recreation-oriented and for commercial uses associated with major recreation areas, such as aquatic centers, private and public sports facilities, and outdoor theaters. In addition to providing automobile access and parking, development within this district should provide access for pedestrians to and throughout the development. Development and uses should be low to medium intensity in nature and should serve as a buffer between residential neighborhoods or agriculture uses and more intense commercial development where possible.

#### E. Mixed Use Districts.

1. Village Center Mixed Use (VCMU). The village center mixed use district is designated for development that occurs under a “village center” concept where it serves as a gathering location for area employees and residents. This zone is characterized by pedestrian-oriented development with a mix of uses and a focus on ground-floor commercial, retail, or office uses. Residential or office uses are allowed on upper floors. Development should prioritize vertical integration of uses and integrated public plazas with an emphasis on pedestrian-oriented design. This zone is ideally located along major roadways and/or transit corridors.

2. Residential Mixed Use (RMU). The residential mixed use district designates areas for residential development that allow for the integration of compatible office, retail, and service uses. The predominant land use is residential, with commercial and office serving as supporting uses. This zone is characterized by pedestrian-oriented development, with vertical mixes of uses that feature ground-floor activity spaces, live-work units, or retail or office uses with residential uses on upper floors.

#### FF. Office Districts.

1. Business and Professional Office (BP). The business and professional office district is intended for low to medium intensity office development located along thoroughfares, arterials, or collectors or near existing/planned public transit stops. This designation allows mixed-use development and high density development in conjunction with nonresidential development. The designation should be applied to sites adjacent to other commercial uses or higher density residential development. The district is intended for office development and may include supporting services such as retail, service, or restaurant uses developed in conjunction with office use. Office development should be designed to be pedestrian-friendly, but should also be auto-accommodating. Development in this district should take advantage of existing or planned public transit opportunities.

2. Industrial-Office Park (MP). The industrial-office park district is intended to provide well-designed and integrated development that supports a range of clean, light industrial or high-technology office and manufacturing uses and may include research, retail, service, and storage components or other supportive uses, such as dry cleaners, day care centers, restaurants or medical clinics. The MP designation is intended for low to medium intensity uses located along freeways, thoroughfares, arterials, or collectors or near existing/planned public transit stops. The emphasis in this district is on development in a business park setting on sites adjacent to other industrial, commercial, or office uses or near higher density residential development. Development should be pedestrian-friendly with connections between and among different uses; however, it should also accommodate automobiles. Development in this district should take advantage of existing or planned public transit opportunities.

~~FG~~. Industrial Districts.

1. Light Industrial (LI). The light industrial district is intended for low to medium intensity uses that involve the manufacture, fabrication, assembly, or processing of primarily finished materials. These activities, along with supportive and complementary uses, such as storage, shipping, retail, wholesale, or sales operations, are allowed in this district. Uses in this district should pose limited environmental impact in terms of noise, odors, traffic, hazardous materials, and other health and safety risks. In addition, the development standards are designed to promote attractive development that is compatible with surrounding development. Sites designated for LI uses should be located on medium to large sites along freeways, thoroughfares, arterials, or collectors adjacent to other office, industrial, commercial or higher density residential uses. Residential uses of any kind are prohibited in this district with the exception of a caretaker residence. Development should be auto-accommodating with sufficient and clearly defined parking and loading areas.

2. Light Industrial/Flex (LI/FX). The light industrial/flex district is intended to accommodate a diverse range of light industrial and office activities, and may serve as a buffer between heavy industrial areas and residential and other sensitive land uses. The LI/FX is generally located in areas providing adequate access for the movement of goods. The LI/FX designation allows flexibility in developing a greater extent of office uses and professional services than are allowed by right in the light industrial district.

23. Heavy Industrial (HI). The heavy industrial district is intended to accommodate a broad range of manufacturing and industrial uses. Permitted activity may vary from medium to higher intensity uses that involve the manufacture, fabrication, assembly, or processing of raw and/or finished materials. Sites designated for heavy industrial uses should not be located near residential development. Furthermore, residential uses of any kind are prohibited in this district with the exception of a caretaker residence. Development standards are designed to limit noise, odors, traffic, hazardous materials, and other health and safety risks as well as ensure safe, functional, and environmentally sound development. Development should be auto-accommodating with sufficient and clearly defined parking and loading areas.

~~GH~~. Public/Quasi-Public Districts

1. Park and Recreation (PR). This district is designated for existing and future park facilities, including local, neighborhood, and community parks; public golf courses; sports facilities and complexes; and other recreational facilities that serve the outdoor recreational needs of the community.

2. Public Services (PS). The public services district is applied to land and facilities owned or leased by public agencies, including the City of Elk Grove, the Elk Grove Unified School District and other public school districts, the Cosumnes Community Services District (with the exception of public parks), and other similar public agencies. This designation also allows other institutional uses such as higher education, private schools, cemeteries, or post offices.

~~Open Space District.~~

23. Open Space Land Use (O). The open space zoning district is applied to lands owned by public and private entities that have been reserved for open space uses such as landscape corridors, habitat mitigation, wetlands, wildlife habitat and corridors, lakes, trails, ~~golf courses, cemeteries,~~ and similar uses. Some quasi-public uses such as recreation centers, nature centers, public golf courses, and joint use facilities may be permitted with approval of a conditional use permit.

**H. Special Purpose Districts.**

1. Specific Plan (SP). The purpose of the specific plan (SP) district is to designate unique planning areas within the City for which the City Council has adopted or requires adoption of a separate planning document, a specific plan, consistent with the General Plan and State law.
2. Special Planning Area (SPA). The purpose of the special planning area (SPA) district is to designate areas for unique and imaginative planning standards and regulations not provided through the application of standard zoning districts.
3. Mobile Home (RM-1). The purpose of the mobile home subdivision (RM-1) district is to provide regulations for the placement of mobile homes on individual lots within an approved subdivision specifically designed and designated for the sale, not rental, of lots to accommodate mobile homes as the dwelling unit.

**I. Overlay/Combining Districts.**

1. Multifamily Overlay District (MF). The purpose of the multifamily overlay zone (MF) is to implement the General Plan by establishing opportunities for multifamily housing in specified locations throughout the City. This overlay zone supplements the allowed uses and development standards of the underlying zoning district. The intent is to allow multifamily development in conjunction with ~~or exclusive of~~ nonresidential uses permitted in the underlying zoning district to which it is applied.
2. Flood Combining District (F). The flood (F) combining district provides special regulations for the development of properties within the City covered by rivers, creeks, and streams and subject to flooding.
3. Mobile Home Park Combining District (MHP). The mobile home park (MHP) combining district is designed to provide for the development of mobile home parks, as defined in Division VI, Zoning Definitions A – Z, of this title. When combined with the underlying zone, it will provide opportunity for a variety of mobile home park environments that are compatible with the communities in which they are placed.
4. Rural Commercial Combining Zone (RUC). The rural commercial (RUC) combining district as shown on the City's zoning map includes all parcels generally located at or near the intersection of Grant Line Road and Wilton Roads that are zoned as either general commercial (GC), limited commercial (LC), or industrial (LI), as well as all parcels at or near that intersection that have a General Plan designation of commercial or light industry.
5. Surface Mining Combining District (SM). The surface mining combining district (SM) identifies lands for the development of surface mining operations as required by State law.
6. Business Center District Sign Overlay Zone (BCS). The business center district sign overlay zone (BCS) is established to increase the visibility and economic vitality of specified areas of the City while at the same time ensuring public safety. In doing so, it provides a mechanism for the identification of establishments, uses, activities, or features within a business center area as defined in this section.
7. East Franklin (EF) Overlay District. The purpose of the East Franklin Specific Plan overlay district is to provide unique development standards for properties in the East Franklin area that are consistent with historical development patterns in that area.
8. East Elk Grove (EEG) Overlay District. The purpose of the East Elk Grove overlay district is to provide unique development standards for properties in the East Elk Grove area that are consistent with historical development patterns in that area.

9. Calvine Road/Highway 99 (CR-99) Overlay District. The purpose of the Calvine Road/Highway 99 overlay district is to provide unique development standards for properties in the area previously designated as the Calvine/99 Special Planning Area that are consistent with historical development patterns in that area.

**Section 23.26.050 (Description of land use classifications) is hereby amended as follows:**

...

A. "A" Allowed Use Descriptions

...

3. "Agricultural products processing" means the act of changing an agricultural crop, subsequent to its harvest, from its natural state to the initial stage of processing of that crop in order to prepare it for market or further processing at an off-site location. Examples of this processing include nut hulling and shelling, bean cleaning, corn shelling and sorting, grape sorting and crushing, primary processing of fruits to juice and initial storage of the juice, without fermentation, cleaning and packing of fruits. This listing specifically excludes processing of medical marijuana, which is listed under "medical marijuana cultivation," and it also specifically excludes "commercial marijuana activity" and outdoor cultivation of marijuana, which is prohibited under EGMC 23.83.

...

B. "B" Allowed Use Descriptions

...

2. "Bars, and nightclubs, small tasting facilities" means any bar, cocktail lounge, discotheque, or similar establishment which may also provide live entertainment (music and/or dancing, comedy, etc.) in conjunction with alcoholic beverage sales, where such sales are the predominate sales. These facilities do not include bars that are part of a larger restaurant or other bona fide eating place. Includes bars, taverns, pubs, and similar establishments where any food service is subordinate to the sale of alcoholic beverages, as well as tasting facilities for products produced at an affiliated location pursuant to State licensing. May also include the brewing of beer as part of a brew pub or microbrewery. Bars and nightclubs may include outdoor food and beverage areas.

...

F. "F" Allowed Use Descriptions

...

5. "Fueling station" means a retail business selling gasoline, diesel, or other motor vehicle fuels. Vehicle services that are incidental to fuel services are included under separate listings, including, but not limited to, "car washing and detailing" and "vehicle services – minor." This listing excludes electric vehicle charging facilities when accessory to the primary use, such as at a residence or apartment complex, office building, shopping center, automotive sales or repair facility, or other business not exclusively engaged in vehicle charging.

...

M. "M" Allowed Use Descriptions

...

10. "Microbrewery/Tasting Facility" means an establishment conducting on-site brewing of between 2,401 and 60,000 barrels of beer annually for on-premises or off-premises consumption. May also include facilities for the tasting of different varieties of beer brewed on the premises or at an affiliated off-site location, and may include serving and on-premises consumption of food and non-alcoholic beverages. An establishment brewing no more than 2,400 barrels of beer annually is classified as a "Restaurant/Brewpub." An establishment brewing more than 60,000 barrels of beer annually is classified as "Wineries, distilleries and brewery."

~~4011.~~ “Mobile home park” means any site that is planned and improved to accommodate two (2) or more mobile homes used for residential purposes, or on which two (2) or more mobile home lots are rented, leased, or held out for rent or lease, or were formerly held out for rent or lease and later converted to a subdivision, cooperative, condominium, or other form of resident ownership, to accommodate mobile homes used for residential purposes.

~~4412.~~ “Mortuaries and funeral homes” means funeral homes and parlors where the deceased are prepared for burial or cremation and/or are cremated, and funeral services may be conducted.

...  
N. “N” Allowed Use Descriptions  
...

2. “Neighborhood market” means a pedestrian-oriented grocery/specialty market store offering food products packaged for preparation and consumption away from the site of the store and oriented to the daily shopping needs of surrounding residential areas. ~~Neighborhood markets operate less than eighteen (18) hours per day.~~ Neighborhood markets range in size between five thousand one (5,001 ft<sup>2</sup>) square feet and fifteen thousand (15,000 ft<sup>2</sup>) square feet and devote more than fifty (50%) percent of the total floor area to the sale of nontaxable goods. Neighborhood markets may devote less than fifty (50%) percent of the total sales floor area to the sale of nontaxable goods provided the focus of the store is on food and drink sales (both taxable and nontaxable). For larger stores, see “grocery store.” Neighborhood markets may include deli or beverage-tasting facilities that are ancillary to the market/grocery portion of the use.

3. “Not-for-profit business” means a not-for-profit use that distributes or facilitates the giving of goods and services for the relief of the needy. This use classification includes soup kitchens, ~~regularly staffed drop-off facilities for clothing and household goods,~~ and food banks. This listing does not include establishments that receive payment for services or goods, or regularly staffed drop-off facilities for clothing and household goods, such as a thrift store.

...  
R. “R” Allowed Use Descriptions  
...

11. “Restaurant/~~Brew Pub~~” means a retail business selling prepared food and beverages for on- or off-premises consumption. These include eating establishments where customers are served from a walk-up ordering counter for either on- or off-premises consumption, and establishments where most customers are served food at tables for on-premises consumption, but may include providing food for take-out. May also include the on-site brewing of up to 2,400 barrels of beer annually for on-premises consumption. Also includes coffee houses and accessory cafeterias as part of office and industrial uses.

...  
T. “T” Allowed Use Descriptions  
...

3. “Thrift store” means a retail establishment selling ~~secondhand goods donated by members of the public.~~ This listing also includes regularly staffed drop-off facilities for clothing and household goods.

...  
W. “W” Allowed Use Descriptions  
...

2. “Wineries, distilleries, and brewery” means manufacturing facilities where raw materials (e.g., grapes, hops, barley) are processed and fermented into wine, beer, and other alcoholic drinks. For beer, includes facilities that produce more than 60,000 barrels of beer annually. May include tasting and accessory retail sales of products produced on site.

Processing of the products, without fermentation, is considered “agricultural products processing” as defined in this section. This does not include off-site tasting facilities, which are separately defined herein.

...



***Section 23.27.020 (Allowed Uses and Required Entitlements) and Table 23.27-1 (Allowed Uses and Required Entitlements for Base Zoning Districts) are hereby amended as follows:***

**23.27.020 Allowed uses and required entitlements.**

Table 23.27-1 (Allowed Uses and Required Entitlements for Base Zoning Districts) identifies allowed uses and corresponding requirements for land use permits and entitlements for all base zoning districts within the City. Definitions for the land uses listed herein (use classifications) are provided in EGMC Section 23.26.050 (Description of land use classifications). See additional use requirements in Division V of this title (Special Use Regulations). Uses are organized into common categories as follows:

- A. Residential uses;
- B. Human services uses;
- C. Agriculture, animal keeping, and resource uses;
- D. Recreation, open space, education, and public assembly uses;
- E. Utility, transportation, and communication uses;
- F. Retail, service, and office uses;
- G. Automobile and vehicle uses; and
- H. Industrial, manufacturing, and processing uses.

Any land use shown with a “P” indicates that the land use is permitted by right; “MUP” indicates that the land use is permitted in the designated zoning district upon issuance of a minor conditional use permit; “CUP” indicates that the land use is permitted in the designated zoning district upon issuance of a conditional use permit (pursuant to EGMC Chapter 23.26); and a hyphen (“-”) indicates that the use is not allowed. Except as otherwise provided for in this title, uses not shown in the table are not permitted. Footnotes provided in the table are listed at the end of the table.

**Table 23.27-1**  
**Allowed Uses and Required Entitlements for Base Zoning Districts**

Land Use/Zoning District	Zoning Districts																							Specific Use Regulations		
	Agricultural					Residential					Commercial					Mixed Use		Office		Industrial			Open Space/Public/Quasi-Public			
	AG-80	AG-20	AR-5/10	AR-2	AR-1	RD-1/2/3	RD-4/5/6	RD-7	RD-10/15	RD-20/25/30	LC	GC	SC	AC	C-O	VCMU	RMU	BP	MP	LI	LI/FX	HI	PR		PS	O
Residential Uses																										
Caretaker Housing	-	-	-	-	-	-	-	-	-	-	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	⊘	⊘	-	-	CUP	P	CUP	⊘	⊘	-	
Dwelling, Multifamily	-	-	-	-	-	-	-	P	P	P	-	CUP <sup>2</sup>	-	-	-	P <sup>1</sup>	P	-	-	-	-	-	⊘	⊘	-	
Dwelling, Second Unit	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	⊘	⊘	-	-	-	⊘	-	⊘	⊘	-	EGMC Chapter 23.90
Dwelling, Single-Family	P	P	P	P	P	P	P	P	P	CUP <sup>1</sup>	-	-	-	-	-	⊘	⊘	-	-	-	-	-	⊘	⊘	-	
Dwelling, Two-Family	-	-	-	-	-	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	P <sup>2</sup>	-	-	-	-	-	-	⊘	⊘	-	-	-	-	-	⊘	⊘	-	
Employee Housing, Large	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	⊘	⊘	-	-	-	-	-	⊘	⊘	-	
Employee Housing, Small	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	⊘	⊘	-	-	-	-	-	⊘	⊘	-	
Guest House	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	⊘	⊘	-	-	-	-	-	⊘	⊘	-	
Home Occupations	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	P <sup>1</sup>	P	-	-	-	-	-	⊘	⊘	-	EGMC Chapter 23.82
Live-Work Facility	-	-	-	-	-	-	-	CUP	CUP	CUP	P <sup>3</sup>	P <sup>3</sup>	-	-	-	P <sup>2</sup>	P <sup>2</sup>	-	-	-	-	-	⊘	⊘	-	
Mobile Home Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	⊘	⊘	-	-	-	-	-	⊘	⊘	-	
Organizational Houses	-	-	-	-	-	-	-	CUP	CUP	CUP	-	-	-	-	-	CUP	CUP	-	-	-	⊘	-	⊘	⊘	-	

Land Use/Zoning District	Zoning Districts																								Specific Use Regulations	
	Agricultural					Residential					Commercial					Mixed Use		Office		Industrial			Open SpacePublic/Quasi-Public			
	AG-80	AG-20	AR-5/10	AR-2	AR-1	RD-1/2/3	RD-4/5/6	RD-7	RD-10/15	RD-20/25/30	LC	GC	SC	AC	C-O	VCMU	RMU	BP	MP	LI	LI/FX	HI	PR	PS		O
Single Room Occupancy (SRO) Facilities	-	-	-	-	-	-	-	-	CUP	CUP	-	P	-	-	-	-	CUP	-	-	-	-	-	-	-	-	
Supportive Housing	P	P	P	P	P	P	P	P	P	P	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	
Transitional Housing	P	P	P	P	P	P	P	P	P	P	-	P	-	-	-	-	P	-	-	P	-	-	-	-	-	
Navigation Housing	-	-	-	-	-	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Human Services Uses																										
Adult Day Health Care Center	P	P	P	P	P	P	P	P	P	CUP	P <sup>5</sup>	P	P	-	-	-	-	P	CUP	-	-	-	-	CUP	-	
Child Care Facility, Child Care Center	P	P	P	P	P	P	P	P	P	P	P	P	P	-	CUP	P	P	P	P	CUP	CUP	-	P	P	P	
Child Care Facility, Family Day Care Home	P	P	P	P	P	P	P	P	P	P	P	P	P	-	CUP	P	P	P	P	CUP	CUP	-	-	-	P	
Commercial Marijuana Activity	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	EGMC Chapter 23.83
Community Care Facility, Large	CUP	CUP	CUP	CUP	CUP	-	-	-	-	P	CUP	CUP	-	-	CUP	CUP	CUP	P	P	-	-	-	-	CUP	-	EGMC Chapter 23.88
Community Care Facility, Small	P	P	P	P	P	P	P	P	P	P	P	P	P	-	CUP	P	P	P	P	CUP	CUP	-	-	P	P	
Emergency Shelter	-	-	-	-	-	-	-	CUP	CUP	CUP	-	P	-	-	-	-	-	-	-	P	P	-	CUP	CUP	-	EGMC Chapter 23.80
Indoor Marijuana Cultivation	P	P	P	P	P	P	P	P <sup>6</sup>	P <sup>6</sup>	P <sup>6</sup>	P <sup>17</sup>	P <sup>18</sup>	P <sup>19</sup>	P <sup>19</sup>	P <sup>19</sup>	P <sup>3</sup>	P <sup>3</sup>			P <sup>8</sup>	P <sup>8</sup>	P <sup>8</sup>	-	-	EGMC Chapter 23.83	

Land Use/Zoning District	Zoning Districts																								Specific Use Regulations		
	Agricultural					Residential					Commercial					Mixed Use		Office		Industrial			Open Space/Public/Quasi-Public				
	AG-80	AG-20	AR-5/10	AR-2	AR-1	RD-1/2/3	RD-4/5/6	RD-7	RD-10/15	RD-20/25/30	LC	GC	SC	AC	C-O	VCMU	RMU	BP	MP	LI	LI/FX	HI	PR	PS		O	
Medical Marijuana Cultivation	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	⋮	-	-	-	⋮	-	-	⋮	-	-	
Medical Marijuana Dispensary	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	⋮	-	-	-	⋮	-	-	-	⋮	-	EGMC Chapter 9.31
Medical Services, Extended Care	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	CUP	CUP	CUP		⋮		-	⋮			
Medical Services, General (Clinics, Offices, and Labs)	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	P	P	P	P	-	P	-	⋮	⋮	-		
Medical Services, Hospitals	-	-	-	-	-	-	-	-	-	-	-	CUP	CUP	-	-	⋮	-	CUP	CUP	-	⋮	-	⋮	⋮	-		
Not-For-Profit Business	-	-	-	-	-	-	-	-	-	-	-	CUP	-	-	-	⋮	⋮	-	-	P	P	P	⋮	⋮	-		
Pediatric Day Health and Respite Care Facility, Small	P	P	P	P	P	P	P	P	P	P	P	P	P	-	P	P	P	CUP	CUP	CUP	CUP	-	⋮	⋮	-		
Pediatric Day Health and Respite Care Facility, Large	CUP	CUP	CUP	CUP	CUP	-	-	-	-	P	CUP	CUP	-	-	CUP	⋮	CUP	-	-	-	⋮	-	⋮	⋮	-		
Residential Care Facility for the Chronically III, Large	CUP	CUP	CUP	CUP	CUP	-	-	-	-	P	CUP	CUP	-	-	CUP	⋮	CUP	-	-	-	⋮	-	⋮	⋮	-	EGMC Chapter 23.88	
Residential Care Facility for the Chronically III, Small	P	P	P	P	P	P	P	P	P	P	-	P	-	-	-	P	P	-	-	-	⋮	-	⋮	⋮	-		
Residential Care Facility for the Elderly, Large	CUP	CUP	CUP	CUP	CUP	-	-	-	-	P	CUP	CUP	-CUP	-	CUP	⋮	CUP	-	-	-	⋮	-	⋮	⋮	-	EGMC Chapter 23.88	

Land Use/Zoning District	Zoning Districts																									Specific Use Regulations
	Agricultural					Residential					Commercial					Mixed Use		Office		Industrial			Open SpacePublic/Quasi-Public			
	AG-80	AG-20	AR-5/10	AR-2	AR-1	RD-1/2/3	RD-4/5/6	RD-7	RD-10/15	RD-20/25/30	LC	GC	SC	AC	C-O	VCMU	RMU	BP	MP	LI	LI/FX	HI	PR	PS	O	
Residential Care Facility for the Elderly, Small	P	P	P	P	P	P	P	P	P	P	-	P	-	-	-	<u>P</u>	<u>P</u>	-	-	-	-	-	-	-	-	
Agriculture, Animal Keeping, and Resource Uses																										
Animal Husbandry	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Animal Keeping – Exotic	P	P	P	P	P	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Animal Keeping – Fowl	P	P	P	P	P	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Animal Keeping – Household Pets	P	P	P	P	P	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Animal Keeping – Livestock	P	P	P	P	P	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	P <sup>3</sup>	-	-	-	-	-	-	-	-	-	-	-	-	-	<u>CUP</u>	-	
Animal Shelter	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	CUP	<u>CUP</u>	CUP	-	<u>CUP</u>	-	
Crop Production, Indoor Facility	CUP <sup>5</sup>	CUP <sup>5</sup>	CUP <sup>5</sup>	CUP <sup>5</sup>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Crop Production, Outdoor Facility	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Equestrian Facility, Commercial	CUP	CUP	CUP	CUP	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	<u>CUP</u>	<u>CUP</u>	CUP	
Equestrian Facility, Hobby	P	P	P	P	P	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	<u>CUP</u>	<u>CUP</u>	CUP	
Feedlot	P	P	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Hog Farm – Commercial	P	P	CUP	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Kennels, Commercial	CUP	CUP	CUP	CUP	CUP	-	-	-	-	-	-	CUP <sup>3</sup>	CUP <sup>3</sup>	-	-	-	-	-	P <sup>1</sup>	P	<u>P</u>	P	-	-	-	
Kennels, Hobby	P	P	P	P	P	<u>-CUP</u>	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	

Land Use/Zoning District	Zoning Districts																							Specific Use Regulations		
	Agricultural					Residential					Commercial					Mixed Use		Office		Industrial			Open Space/Public/Quasi-Public			
	AG-80	AG-20	AR-5/10	AR-2	AR-1	RD-1/2/3	RD-4/5/6	RD-7	RD-10/15	RD-20/25/30	LC	GC	SC	AC	C-O	VCMU	RMU	BP	MP	LI	LI/FX	HI	PR		PS	O
Slaughterhouse	CUP	CUP	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	CUP	-	-	-	
Veterinary Facility	CUP	CUP	CUP	CUP	-	-	-	-	-	-	P <sup>43</sup>	P <sup>43</sup>	P <sup>43</sup>	-	-	CUP	CUP	CUP	CUP	-	CUP	-	-	-	-	
Recreation, Open Space, Education, and Public Assembly Uses																										
Assembly Uses	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP <sup>5</sup>	P <sup>5</sup>	P	P	-	P	CUP	CUP	CUP	CUP	CUP	CUP	-	P		CUP <sup>1</sup>	
Cemeteries, Mausoleums	CUP	CUP	- <sup>1</sup>	-	-	-	-	-	-	-	-	CUP	-	-	-	-	-	-	-	CUP	-	CUP	-	P	P	
Community Garden	P	P	P	P	P	P	P	P	P	P	CUP	CUP	-	-	P	P	P	-	-	-	CUP	-	P	P	CUP <sup>1</sup>	
Crematorium	CUP	CUP	-	-	-	-	-	-	-	-	CUP	CUP	CUP	-	-	-	-	-	-	-	-	-	-	CUP	-	
Golf Courses/Clubhouse	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	-	-	CUP	CUP	-	-	P	-	-	-	-	-	-	-	P	CUP	CUP <sup>1</sup>	
Fitness and Sports Facilities	-	-	-	-	-	-	-	-	-	P <sup>5</sup>	CUP	P	P	-	P	-	-	CUP	MUP	MUP	CUP	CUP	CUP	CUP	-	
Indoor Amusement/Entertainment Facility	-	-	-	-	-	-	-	-	-	-	P	P	P	-	CUP	P	CUP	CUP	MUP	MUP	CUP	CUP	-	-	-	
Indoor Shooting Range	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	CUP <sup>9</sup>	CUP <sup>9</sup>	CUP <sup>9</sup>	-	-	-	
Libraries and Museums	-	-	-	-	-	-	-	-	-	-	P	P	P	-	P	P	P	P	-	-	CUP	-	P <sup>2</sup>	P <sup>2</sup>	CUP <sup>1</sup>	
Mortuaries and Funeral Homes	-	-	-	-	-	-	-	-	-	-	CUP	P	P	-	-	-	-	-	-	-	-	-	-	CUP	-	
Outdoor Commercial Recreation	-	-	-	-	-	CUP	CUP	CUP	CUP	CUP <sup>4</sup>	CUP <sup>9</sup>	P <sup>9</sup>	P <sup>9</sup>	-	P <sup>9</sup>	CUP <sup>4</sup>	-	CUP <sup>8</sup>	CUP <sup>8</sup>	CUP <sup>10</sup>	CUP <sup>1</sup> <sub>0</sub>	CUP <sup>1</sup> <sub>0</sub>	P	-	CUP <sup>1</sup>	
Outdoor Event Center	-	-	CUP	CUP	CUP	CUP	-	-	-	-	CUP <sup>9</sup>	CUP <sup>9</sup>	CUP <sup>9</sup>	-	-	-	-	-	-	-	-	-	CUP	CUP	-	

Land Use/Zoning District	Zoning Districts																								Specific Use Regulations	
	Agricultural					Residential					Commercial					Mixed Use		Office		Industrial			Open SpacePublic/Quasi-Public			
	AG-80	AG-20	AR-5/10	AR-2	AR-1	RD-1/2/3	RD-4/5/6	RD-7	RD-10/15	RD-20/25/30	LC	GC	SC	AC	C-O	VCMU	RMU	BP	MP	LI	LI/FX	HI	PR	PS		O
Parks and Public Plazas	P	P	P	P	P	P	P	P	P	P	P	P	-	-	P	P	P	-	-	-	P	-	P	P	P	
Private Residential Open Space	P	P	P	P	P	P	P	P	P	P	-	CUP	-	-	-	P	P	-	-	-	⋮	-	P	⋮	CUP	
Recreational Vehicle Parks	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	⋮	⋮	-	-	-	⋮	-	⋮	CUP	CUP	
Resource Protection and Restoration	P	P	P	P	P	-	-	-	-	-	-	-	-	-	P	⋮	⋮	-	-	-	⋮	-	P	P	P	
Resource-Related Recreation	P	P	P	P	P	P	P	P	P	-	-	-	-	-	P	⋮	⋮	-	-	-	⋮	-	⋮	⋮	P	
Schools – Academic – Charter	CUP <sup>2</sup>	CUP <sup>2</sup>	CUP <sup>2</sup>	CUP <sup>2</sup>	CUP <sup>2</sup>	CUP <sup>5</sup>	CUP <sup>5</sup>	CUP <sup>5</sup>	CUP <sup>5</sup>	-	CUP <sup>6</sup>	CUP <sup>6</sup>	CUP <sup>6</sup>	CUP <sup>6</sup>	-	CUP	CUP	CUP <sup>2</sup>	CUP <sup>2</sup>	-	⋮	-	P <sup>2</sup>	P <sup>2</sup>	CUP <sup>4</sup> ⋮	
Schools – Academic – Private	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	-	-	-	-	-	CUP	CUP	-	-	-	⋮	-	⋮	⋮	-	
Schools – Academic – Public	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	CUP	CUP	-	⋮	-	P <sup>2</sup>	P <sup>2</sup>	CUP <sup>4</sup> ⋮	
Schools – Colleges and Universities – Private	-	-	-	CUP	CUP	CUP	CUP	CUP	CUP	-	CUP	CUP	CUP	CUP	-	CUP	CUP	CUP	CUP	-	⋮	-	⋮	⋮	CUP <sup>4</sup> ⋮	
Schools – Colleges and Universities – Public	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P	CUP	CUP	CUP	CUP	CUP	CUP	⋮	CUP	CUP <sup>4</sup> ⋮		
Schools – Equipment/Machine/Vehicle Training	-	-	-	CUP	CUP	CUP	CUP	CUP	CUP	-	-	-	P	P	-	⋮	⋮	CUP	P	P	P	P	⋮	CUP	CUP <sup>4</sup> ⋮	
Schools – Specialized Education and Training/Studios	-	-	-	CUP	CUP	CUP	CUP	CUP	CUP	-	P <sup>5</sup>	P	P	P	-	CUP	CUP	P	P	MUP	CUP	CUP	⋮	CUP	CUP <sup>4</sup> ⋮	
Theaters and Auditoriums	-	-	-	-	-	-	-	-	-	-	CUP	P	P	-	CUP	P	CUP	CUP	CUP	CUP	CUP	P	CUP	CUP <sup>4</sup> ⋮		

Land Use/Zoning District	Zoning Districts																							Specific Use Regulations		
	Agricultural					Residential					Commercial					Mixed Use		Office		Industrial			Open Space/Public/Quasi-Public			
	AG-80	AG-20	AR-5/10	AR-2	AR-1	RD-1/2/3	RD-4/5/6	RD-7	RD-10/15	RD-20/25/30	LC	GC	SC	AC	C-O	VCMU	RMU	BP	MP	LI	LI/FX	HI	PR		PS	O
Utility, Transportation, and Communication Uses																										
Airport	-	-	-	-	-	-	-	-	-	-	-	-	-	-	CUP	±	±	-	-	-	±	CUP	±	±	-	
Broadcasting and Recording Studios	-	-	-	-	-	-	-	-	-	-	CUP	P	P	-	-	±	±	P	P	CUP	CUP	CUP	±	±	-	
Bus and Transit Shelters	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Fuel Storage and Distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	±	±	-	-	CUP	CUP	CUP	±	±	-	
Heliport	-	-	-	-	-	-	-	-	-	-	-	CUP <sup>8</sup>	CUP <sup>8</sup>	-	-	±	±	CUP <sup>3</sup>	CUP <sup>3</sup>	CUP	CUP	CUP	±	±	-	
Park and Ride Facility	CUP	CUP	CUP	CUP	CUP	-	-	-	-	-	-	P	P	P	-	±	±	CUP	CUP	P	P	P	±	±	-	
Parking Facility	-	-	-	-	-	-	-	-	-	-	CUP	P	P	P	CUP	CUP	CUP	P	P	P	P	P	P	CUP	CUP	
Public Safety Facility	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	CUP	P	P	P	P	P	P	P	-	
Telecommunication Facility	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	P	P	P	CUP	CUP	CUP	EGMC Chapter 23.94
Transit Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	±	±	-	P	P	P	P	CUP	P	-	
Transit Stations and Terminals	-	-	-	-	-	-	-	-	-	-	CUP	CUP	CUP	CUP	CUP	P	CUP	P	P	P	P	P	CUP	P	-	
Utility Facility and Infrastructure	CUP	CUP	CUP	CUP	CUP	P	P	P	P	P	P	P	P	P	P	CUP	CUP	P	P	P	P	P	P	P		
Retail, Service, and Office Uses																										
Adult-Oriented Business	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	±	±	-	-	CUP	±	CUP	±	±	-	EGMC Chapter 23.70
Agricultural Tourism	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	±	±	-	-	-	±	-	±	±	-	



Land Use/Zoning District	Zoning Districts																							Specific Use Regulations		
	Agricultural					Residential					Commercial					Mixed Use		Office		Industrial			Open SpacePublic/Quasi-Public			
	AG-80	AG-20	AR-5/10	AR-2	AR-1	RD-1/2/3	RD-4/5/6	RD-7	RD-10/15	RD-20/25/30	LC	GC	SC	AC	C-O	VCMU	RMU	BP	MP	LI	LI/FX	HI	PR		PS	O
Alcoholic Beverage Sales	CUP <sup>3</sup>	CUP <sup>3</sup>	CUP <sup>3</sup>	-	-	-	-	-	-	-	CUP	P	P	CUP	CUP	<u>P</u>	<u>CUP</u>	CUP	CUP <sup>8</sup>	CUP <sup>1+8</sup>	<u>CUP</u> <sup>1</sup>	CUP <sup>1+8</sup>	⋮	⋮	-	EGMC Sections 4.54.500 – 4.54.520
Ambulance Service	-	-	-	-	-	-	-	-	-	-	-	CUP <sup>7</sup>	CUP <sup>7</sup>	CUP <sup>7</sup>	-	⋮	⋮	-	-	P	<u>P</u>	P	⋮	⋮	-	
Animal Sales and Grooming	P	P	P	P	CUP	-	-	-	-	-	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	-	-	<u>CUP</u>	⋮	-	-	-	<u>P</u>	-	⋮	⋮	-	
Art, Antique, Collectable	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	<u>P</u>	<u>P</u>	-	-	-	⋮	-	⋮	⋮	-	
Artisan Shops	-	-	-	-	-	-	-	-	-	-	P <sup>6</sup>	P	P	-	-	P	P	-	-	-	⋮	⋮	⋮	⋮	-	
Banks and Financial Services	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	<u>P</u>	<u>P</u>	P	P	P	<u>P</u>	⋮	⋮	⋮	-	
Bars and Nightclubs	-	-	-	-	-	-	-	-	-	-	P <sup>8g</sup>	P <sup>9</sup>	P <sup>9</sup>	-	-	<u>P</u> <sup>4</sup>	<u>CUP</u> <sup>4</sup>	CUP <sup>3g</sup>	CUP <sup>8</sup>	CUP <sup>10</sup>	<u>CUP</u> <sup>10</sup>	⋮	⋮	⋮	-	EGMC Chapter 23.86
Bed and Breakfast Inns	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	-	CUP	CUP	CUP	-	-	<u>CUP</u>	<u>CUP</u>	-	-	-	⋮	⋮	⋮	⋮	-	
Building Materials Stores and Yards	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	⋮	⋮	-	CUP	MUP	<u>MUP</u>	⋮	⋮	⋮	-	
Business Support Services	-	-	-	-	-	-	-	-	-	-	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	-	-	<u>P</u>	⋮	P	P	P	<u>P</u>	<u>P</u>	⋮	⋮	-	
Call Centers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	⋮	⋮	P	P	-	<u>CUP</u>	⋮	⋮	⋮	-	
Card Rooms	-	-	-	-	-	-	-	-	-	-	-	CUP	CUP	-	-	⋮	⋮	-	-	-	<u>CUP</u>	⋮	⋮	⋮	-	
Convenience Stores	-	-	-	-	-	-	-	-	-	-	P <sup>10, 16</sup>	P	P	P	-	<u>P</u>	⋮	CUP <sup>3</sup>	CUP	CUP <sup>1</sup>	<u>CUP</u> <sup>1</sup>	<u>CUP</u> <sup>1</sup>	⋮	⋮	-	EGMC Chapter 23.86
Drive-In and Drive-Through Sales and Service	-	-	-	-	-	-	-	-	-	-	CUP <sup>11</sup>	CUP <sup>11</sup>	CUP <sup>11</sup>	-	-	⋮	⋮	CUP <sup>4</sup>	-	-	<u>CUP</u>	⋮	⋮	⋮	-	EGMC Chapter 23.78

Land Use/Zoning District	Zoning Districts																								Specific Use Regulations	
	Agricultural					Residential					Commercial					Mixed Use		Office		Industrial			Open Space/Public/Quasi-Public			
	AG-80	AG-20	AR-5/10	AR-2	AR-1	RD-1/2/3	RD-4/5/6	RD-7	RD-10/15	RD-20/25/30	LC	GC	SC	AC	C-O	VCMU	RMU	BP	MP	LI	LI/FX	HI	PR	PS		O
Equipment Sales and Rental	-	-	-	-	-	-	-	-	-	-	-	CUP	CUP	P	-	⊘	⊘	-	CUP	P	P	P	⊘	⊘	-	
Garden Center/Plant Nursery	CUP	CUP	CUP	CUP	CUP	-	-	-	-	-	CUP	P	P	-	-	⊘	⊘	-	CUP	CUP	CUP	⊘	⊘	⊘	-	
Grocery Store	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	P	CUP	-	-	-	⊘	⊘	⊘	⊘	-	EGMC Chapters 23.74, 23.86
Hotels and Motels	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	P	CUP	CUP	CUP	-	⊘	⊘	⊘	⊘	-	
Liquor Stores	-	-	-	-	-	-	-	-	-	-	CUP	CUP	CUP	-	-	CUP	CUP	-	-	-	CUP	⊘	⊘	⊘	-	
Maintenance and Repair Service	-	-	-	-	-	-	-	-	-	-	CUP <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	-	⊘	⊘	-	CUP	CUP	P	-	⊘	⊘	-	
Microbrewery/Tasting Facility	⊘	⊘	⊘	⊘	⊘	⊘	⊘	⊘	⊘	⊘	⊘	P <sup>9</sup>	P <sup>9</sup>	⊘	⊘	P <sup>4</sup>	⊘	⊘	⊘	P <sup>10</sup>	P <sup>10</sup>	MUP <sup>10</sup>	⊘	⊘	⊘	
Neighborhood Market	-	-	-	-	-	-	-	-	-	-	P <sup>10</sup>	P <sup>10</sup>	P <sup>10</sup>	-	-	P	P	-	-	-	P	-	⊘	⊘	-	EGMC Chapter 23.86
Offices, Accessory	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	CUP <sup>4</sup>	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	P	⊘	⊘	-	
Offices, Building Trade Contractors	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	⊘	⊘	MUP	P	P	P	P	⊘	⊘	-	
Offices, Business and Professional	-	-	-	-	-	CUP	CUP	CUP	CUP	CUP	P	P	P	-	-	P	P	P	P	MUP	P	CUP	⊘	⊘	-	
Pawn Shop	-	-	-	-	-	-	-	-	-	-	-	CUP	CUP	-	-	⊘	⊘	-	-	-	⊘	-	⊘	⊘	-	
Personal Services	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	P	P	P	P	-	⊘	-	⊘	⊘	-	
Personal Services, Restricted	-	-	-	-	-	-	-	-	-	-	-	CUP	CUP	-	-	CUP	CUP	CUP	CUP	CUP	CUP	CUP	⊘	⊘	-	
Restaurant/Brewpub	-	-	-	-	-	-	-	-	-	-	P <sup>89</sup>	P <sup>89</sup>	P <sup>89</sup>	P <sup>89</sup>	P <sup>89</sup>	P <sup>4</sup>	P <sup>4</sup>	P <sup>8</sup>	P <sup>8</sup>	P <sup>2,10</sup>	P <sup>2,10</sup>	CUP <sup>10</sup>	⊘	⊘	-	EGMC Chapter 23.86

Land Use/Zoning District	Zoning Districts																								Specific Use Regulations	
	Agricultural					Residential					Commercial					Mixed Use		Office		Industrial			Open SpacePublic/Quasi-Public			
	AG-80	AG-20	AR-5/10	AR-2	AR-1	RD-1/2/3	RD-4/5/6	RD-7	RD-10/15	RD-20/25/30	LC	GC	SC	AC	C-O	VCMU	RMU	BP	MP	LI	LI/FX	HI	PR	PS		O
Retail, Accessory	-	-	-	-	-	-	-	-	-	-	P	P	P	CUP	-	P	P	P	P	P	P	P	-	-	-	EGMC Chapter 23.86
Retail, General, Large Format	-	-	-	-	-	-	-	-	-	-	-	CUP <sup>12</sup> <sub>,13</sub>	CUP <sup>12</sup> <sub>,13</sub>	-	-	-	-	-	-	-	-	-	-	-	-	EGMC Chapters 23.74, 23.86
Retail, General, Medium Format	-	-	-	-	-	-	-	-	-	-	CUP <sup>12</sup>	CUP <sup>12</sup>	CUP <sup>12</sup>	-	-	CUP <sup>5</sup>	-	-	-	-	-	-	-	-	-	EGMC Chapters 23.74, 23.86
Retail, General, Small Format	-	-	-	-	-	-	-	-	-	-	P <sup>12</sup>	P <sup>12</sup>	P <sup>12</sup>	-	-	P <sup>5</sup>	P <sup>5</sup>	-	-	-	-	-	-	-	-	EGMC Chapters 23.74, 23.86
Retail, Superstore	-	-	-	-	-	-	-	-	-	-	-	CUP <sup>12</sup> <sub>,13</sub>	CUP <sup>12</sup> <sub>,13</sub>	-	-	-	-	-	-	-	-	-	-	-	-	EGMC Chapters 23.74, 23.86
Retail, Superstore, Large Format	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	EGMC Chapters 23.74, 23.86
Retail, Warehouse/Club	-	-	-	-	-	-	-	-	-	-	-	CUP	CUP	-	-	-	-	-	-	-	-	-	-	-	-	EGMC Chapters 23.74, 23.86
Smoke Shops	-	-	-	-	-	-	-	-	-	-	-	CUP	CUP	-	-	CUP	-	-	-	-	-	-	-	-	-	
Smoking Lounge	-	-	-	-	-	-	-	-	-	-	-	CUP <sup>20</sup>	CUP <sup>20</sup>	-	-	CUP	-	-	-	-	-	-	-	-	-	
Thrift Store	-	-	-	-	-	-	-	-	-	-	CUP	P	P	-	-	CUP	-	-	CUP-	-	-	-	-	-	-	

Land Use/Zoning District	Zoning Districts																								Specific Use Regulations	
	Agricultural					Residential					Commercial					Mixed Use		Office		Industrial			Open SpacePublic/Quasi-Public			
	AG-80	AG-20	AR-5/10	AR-2	AR-1	RD-1/2/3	RD-4/5/6	RD-7	RD-10/15	RD-20/25/30	LC	GC	SC	AC	C-O	VCMU	RMU	BP	MP	LI	LI/FX	HI	PR	PS		O
Automobile and Vehicle Uses																										
Auto and Vehicle Rental	-	-	-	-	-	-	-	-	-	-	-	P	CUP	P	-	⋮	⋮	-	P	P	P	CUP	⋮	⋮	-	
Auto and Vehicle Sales	-	-	-	-	-	-	-	-	-	-	-	14	14	P	-	⋮	⋮	-	-	-	⋮	-	⋮	⋮	-	
Auto and Vehicle Sales, Wholesale	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	⋮	⋮	-	-	P	P	P	⋮	⋮	-	
Auto and Vehicle Storage	-	-	-	-	-	-	-	-	-	-	-	-	-	P	-	⋮	⋮	-	CUP	P	P	P	⋮	⋮	-	
Auto Parts Sales	-	-	-	-	-	-	-	-	-	-	CUP15	P15	P15	P	-	⋮	⋮	-	-	P	P	P	⋮	⋮	-	
Auto Vehicle Dismantling	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	⋮	⋮	-	-	-	⋮	CUP	⋮	⋮	-	
Car Washing and Detailing	-	-	-	-	-	-	-	-	-	-	-	CUP	CUP	P	-	⋮	⋮	-	CUP	MUP	MUP	CUP	⋮	⋮	-	
Fueling Station	-	-	-	-	-	-	-	-	-	-	-	CUP	P-CUP	P-CUP	-	⋮	⋮	-	-	4CUP3	CUP3	CUP43	⋮	⋮	-	EGMC Chapter 23.72
Vehicle Services – Major	-	-	-	-	-	-	-	-	-	-	-	CUP74	CUP74	P74	-	⋮	⋮	-	CUP	CUP5	⋮	CUP5	⋮	⋮	-	
Vehicle Services – Minor	-	-	-	-	-	-	-	-	-	-	CUP74	P74	P74	P74	-	⋮	⋮	-	P	CUP5	⋮	CUP5	⋮	⋮	-	
Industrial, Manufacturing, and Processing Uses																										
Agricultural Products Processing	P	P	P	P	P	-	-	-	-	-	-	-	-	-	-	⋮	⋮	5	CUP	CUP	CUP	P	⋮	⋮	-	
Freight Yard/Truck Terminal	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	⋮	⋮	5	CUP	P	⋮	P	⋮	⋮	-	
Laundry and Dry Clean Plant	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	⋮	⋮	5	CUP6	CUP46	CUP4	CUP46	⋮	⋮	-	

Land Use/Zoning District	Zoning Districts																							Specific Use Regulations		
	Agricultural					Residential					Commercial					Mixed Use		Office		Industrial			Open SpacePublic/Quasi-Public			
	AG-80	AG-20	AR-5/10	AR-2	AR-1	RD-1/2/3	RD-4/5/6	RD-7	RD-10/15	RD-20/25/30	LC	GC	SC	AC	C-O	VCMU	RMU	BP	MP	LI	LI/FX	HI	PR		PS	O
Manufacturing, Major	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	- <sup>5</sup>	- <sup>5</sup>	CUP <sup>5</sup>	-	CUP <sup>5</sup>	-	-	-	
Manufacturing, Minor	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	- <sup>5</sup>	CUP <sup>9</sup>	CUP <sup>5</sup> ,	CUP <sup>5</sup>	CUP <sup>5</sup>	-	-	-	
Manufacturing, Small Scale	-	-	-	-	-	-	-	-	-	-	CUP <sup>12</sup>	P <sup>12</sup>	-	-	-	-	-	- <sup>5</sup>	- <sup>5, 9</sup>	CUP <sup>5</sup>	P	CUP <sup>5</sup>	-	-	-	
Printing and Publishing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	- <sup>5</sup>	CUP <sup>6</sup>	P	P	P	-	-	-	
Recycling Facility – Collection, Small	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	-	-	- <sup>5</sup>	- <sup>5</sup>	P	P	P	-	P	-	
Recycling Facility – Collection, Large	-	-	-	-	-	-	-	-	-	-	-	CUP	CUP	-	-	-	-	- <sup>5</sup>	- <sup>5</sup>	CUP	-	CUP	-	CUP	-	
Recycling Facility – Processing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	- <sup>5</sup>	- <sup>5</sup>	-	-	P	-	-	-	
Recycling Facility – Scrap and Dismantling	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	- <sup>5</sup>	- <sup>5</sup>	-	-	P	-	-	-	
Research and Development	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	CUP	P	P	P	P	-	-	-	
Storage, Personal Storage Facility	-	-	-	-	-	-	-	-	-	-	-	-CUP	CUP	CUP	-	-	-	- <sup>5</sup>	CUP	P	P	P	-	-	-	
Storage, Warehouse	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	- <sup>5</sup>	CUP <sup>9</sup>	P	P	P	-	-	-	
Storage, Yards	-	-	-	-	-	-	-	-	-	-	-	-	-	CUP	-	-	-	- <sup>5</sup>	CUP	CUP <sup>5</sup> ,	-	CUP <sup>5</sup> ,	-	-	-	
Wholesaling and Distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	- <sup>5</sup>	CUP <sup>9</sup>	P	P	P	-	-	-	
Wineries, Distilleries, and Brewery	CUP <sup>6</sup>	CUP <sup>6</sup>	CUP <sup>6</sup>	-CUP <sup>6</sup>	-CUP <sup>6</sup>	-	-	-	-	-	P <sup>4, 9</sup>	P <sup>4, 9</sup>	P <sup>4, 9</sup>	-	-	-	-	- <sup>5, 8</sup>	P <sup>7, 8</sup>	P <sup>6, 10</sup>	P <sup>6, 10</sup>	P <sup>6, 10</sup>	-	-	-	

**Notes that pertain to the agricultural zoning districts:**

1. Allowed as a conditionally permitted use only as part of the expansion of an existing cemetery.
2. Permitted by right if the use is located on a property owned by the school district.
3. Only permitted as part of a winery tasting room.
4. Offices are permitted without retail sales.
5. A conditional use permit is required when the use is located within one (1) or more structures cumulatively greater than twenty thousand (20,000 ft<sup>2</sup>) square feet. When within one (1) or more structures cumulatively twenty thousand (20,000 ft<sup>2</sup>) square feet or less, the use is permitted by right.
6. A conditional use permit may only be approved for a winery. All other uses are prohibited.

**Notes that pertain to the residential zoning districts:**

1. In the RD-20 zone only.
2. Duplexes/halfplexes are permitted (P) on corner lots by right. Duplexes/halfplexes on interior lots require a CUP.
3. The following restrictions apply to the keeping of animals in traditional residential zoning districts (see definition of animal keeping for category descriptions):
  - a. Exotic. All exotic animals shall be kept and maintained a minimum distance of forty (40' 0") feet from any property line unless contained within the dwelling.
  - b. Fowl, limited to chickens only, may only be kept on residential property when consistent with the following:
    - i. Residents may have up to six (6) chickens in all RD zone districts, as long as the chickens are confined within a clean coop or cage. Such structures must be kept a minimum of five (5' 0") feet from interior side and rear property lines.
    - ii. Notwithstanding the above, residents may have up to twelve (12) chickens if a minimum forty (40' 0") foot buffer is maintained between the area for the chickens and any neighboring property line. Chickens may roam the property as long as the forty (40' 0") foot buffer is maintained through use of a fence, wall, or other barrier.
    - iii. Roosters are not permitted in RD zone districts.
  - c. Household Pets. Keeping of any combination of five (5) or more cats and dogs is considered a kennel for this title. See EGMC Section 8.02.050 for restrictions on the number of animals allowed.
  - d. Livestock. Two (2) livestock animals may be permitted for each half (1/2) acre of land. All livestock shall be kept and maintained a minimum distance of forty (40' 0") feet from any property line and a minimum distance of seventy-five (75' 0") feet from any residential dwelling.
4. Permitted as an accessory use to the primary use permitted in the specific zoning district.
5. Permitted by right if the use is located on a property owned by the school district.
6. Permitted inside the private residence of an authorized live-work facility, subject to EGMC Chapter 23.83.

**Notes that pertain to the commercial zoning districts:**

1. Limited to one (1) unit in conjunction with a primary nonresidential use. Any residential use will be treated as a primary residential use with regards to animal keeping, kennels (commercial or hobby), or animal husbandry.
2. Use permitted only in conjunction with nonresidential development (e.g., mixed-use development).
3. All activities must be enclosed when the use is located within five hundred (500' 0") feet of any residential (RD) zone.
4. All related activities must be entirely enclosed within a structure.
5. Maximum gross floor area is five thousand (5,000 ft<sup>2</sup>) square feet.
6. Permitted by right if the use is located on a property owned by the school district.
7. All activity must be entirely screened from public view.
8. ~~All forms of speaker amplification associated with outdoor dining shall be prohibited unless otherwise authorized in combination with a project-related conditional use permit or stand-alone minor conditional use permit. May only be developed as an accessory use to the primary use of the property.~~
9. ~~When the use is located within five hundred (500' 0") feet of a residential zoning district (RD-1 through RD-30) or a residential use, the proposed activity may be authorized in combination with a conditional use permit; provided, that the CUP specifies the permitted hours of operation to only be between 8:00 a.m. and 8:00 p.m., inclusive. All forms of outdoor speaker amplification associated with the use shall be prohibited unless otherwise authorized in combination with a conditional use permit or minor use permit (if required for the use as provided in Table 23.27-1) or a minor use permit if the use is otherwise allowed by right.~~
10. Hours of operation are limited to a maximum of eighteen (18) hours per day.
11. Permitted by right when the drive-through window and menu board are both located more than three hundred (300' 0") feet from a residential zoning district (RD-1 through RD-30) or residential use, and more than one thousand (1,000' 0") feet from a rural residential General Plan designation. Otherwise, a CUP is required. In all cases, the design of the use must comply with the provisions of EGM Chapter 23.78, Drive-In and Drive-Through Facility.
12. All activities occur within a completely enclosed building or within a fenced or otherwise delineated area (see City-adopted design guidelines) directly adjacent to the building, within the property lines.
13. Upon submittal and acceptance of an application for this use listing, and in addition to all other requirements of this title relating to applications, the following special studies and analyses shall be prepared by the City or by a qualified entity or consultant selected and retained by the City, the cost of which shall be an expense of the applicant. The studies shall not be prepared by or under the direction of the applicant. These studies shall be considered by the designated approving authority as part of the review of the proposed use. These studies include:
  - a. A community impact analysis, which shall analyze the project design and compatibility of the proposed use with the surrounding neighborhood and the community as a whole;
  - b. An economic/fiscal impact analysis, which shall analyze:
    - i. The potential economic and fiscal impacts of the proposed use, both in terms of sales tax and impact on existing businesses in the community;

- ii. Whether the proposed superstore will result in a net increase or decrease of jobs in the City, segregated by types of jobs; and
  - iii. The effects of the proposed superstore on the retail sales in the City and whether there will be a net increase or decrease in net retail sales in the City;
  - c. A crime analysis, which shall analyze the potential impact of the proposed use on existing police services in the City;
  - d. An urban decay analysis as required for preparation of the environmental impact report (EIR) under the California Environmental Quality Act, which evaluates the extent to which the proposed use would have competitive impacts on existing retail facilities in the City and thus would generate urban decay and a physical deterioration of existing retail centers in the City. In instances where an EIR is not required, the urban decay analysis shall be prepared as part of the review of the conditional use permit application;
  - e. The special studies provided for herein may be included as part of the environmental document for the project or may be stand-alone documents.
14. Motorcycle, all-terrain vehicle (ATV), boat/watercraft, and sales of similar vehicles may be permitted subject to a CUP.
15. No on-site repair of vehicles permitted.
16. Accessory alcohol sales requires approval of a conditional use permit.
17. Permitted inside an authorized private caretaker residence, or inside the private living space of an authorized live-work facility, all subject to EGMC Chapter 23.83.
18. Permitted inside an authorized private caretaker residence, inside the private living space of an authorized live-work facility, or inside authorized private multifamily dwellings, all subject to EGMC Chapter 23.83.
19. Permitted inside an authorized private caretaker residence, subject to EGMC Chapter 23.83.
20. Smoking lounges shall comply with the requirements of EGMC Chapter 4.10, Article IIIe, Smoking Lounges.

**Notes that pertain to the mixed use zoning districts:**

- 1. Not permitted on the ground floor of a building.
- 2. All activities must be enclosed within structures when the use is located within five hundred (500' 0") feet of any residential (RD) zone.
- 3. Permitted inside the private residence of an authorized live-work facility, subject to EGMC Chapter 23.83.
- 4. All forms of outdoor speaker amplification associated shall be prohibited unless otherwise authorized in combination with a conditional use permit or minor use permit (if required for the use as provided in Table 23.27-1) or a minor use permit if the use is otherwise allowed by right.
- 5. All activities occur within a completely enclosed building or within a fenced or otherwise delineated area (see City-adopted design guidelines) directly adjacent to the building, within the property lines.



**Notes ~~that~~ pertaining to the office zoning districts:**

1. A CUP is required when located within five hundred (500' 0") feet of any agricultural, agricultural residential or residential zoned property or residential use.
2. Permitted by right if the use is located on a property owned by the school district.
3. ~~Permitted as only an~~ May only be developed as an accessory use to the primary use of the property.
4. Drive-in and drive-through services are only permitted when associated with banks and financial services and may not be developed or operated with any other use type. Also see relevant regulations in EGMC Chapter 23.78, Drive-In and Drive-Through Facility.
5. The Planning Commission may also consider similar industrial uses within an industrial park subject to approval of a CUP.
6. Conditionally permitted when located within an industrial park. Otherwise, new freestanding industrial uses not a part of an integrated, industrial development are not permitted.
7. Tasting room and/or retail sales require approval of a minor conditional use permit.
8. ~~Use is allowed by right in conjunction with approval of a minor conditional use permit for a winery, brewery, or distillery. All forms of outdoor speaker amplification associated shall be prohibited unless otherwise authorized in combination with a conditional use permit or minor use permit (if required for the use as provided in Table 23.27-1) or a minor use permit if the use is otherwise allowed by right.~~
9. Permitted by right when located within an approved industrial park. Otherwise, requires a conditional use permit.

**Notes ~~that~~ pertaining to the industrial zoning districts:**

1. Use may only be conditionally permitted when located in conjunction with an otherwise permitted service fueling station that is open to the general public (for example, a facility that is not a card-lock facility).
2. Permitted when the use is the only restaurant tenant in a development and it does not occupy more than two thousand five hundred (2,500 ft<sup>2</sup>) square feet. Otherwise, a conditional use permit is required.
3. Allowed by right ~~as an ancillary use to the main use provided that the~~ when the fueling facilities are facility is not accessible to the public and that no sale of fuel is allowed (for example, a card-lock facility).
4. A CUP is required when located within five hundred (500' 0") feet of any agricultural, agricultural residential, or residential zoning district or use. Otherwise the use is permitted by right.
5. All outdoor storage associated with the use shall be located within a secured enclosure with a minimum six (6' 0") foot tall solid wall to screen visibility of all business operations.
6. Tasting room and/or retail sales, accessory to wineries, distilleries, and breweries, require approval of a minor conditional use permit.
7. Use is allowed by right in conjunction with approval of a minor conditional use permit for a winery, brewery, or distillery.
8. Permitted inside an authorized private caretaker residence, subject to EGMC Chapter 23.83
9. A one thousand (1000' 0") foot separation is required from the nearest edge of the shooting range property line to any adjacent school property. A one thousand (1000' 0") foot separation will be required, unless a lesser separation is approved by the decision-making authority, for residential, hospital, or childcare zoning district or use measured from the nearest edge of the shooting range property line.

10. All forms of outdoor speaker amplification associated shall be prohibited unless otherwise authorized in combination with a conditional use permit or minor use permit (if required for the use as provided in Table 23.27-1) or a minor use permit if the use is otherwise allowed by right.

**Notes that pertaining to the ~~open-space~~public/quasi-public zoning districts:**

1. Private nonprofit and for-profit projects may only be considered when proposed uses are located in conjunction with a public park or other open space area that serves the general public by keeping the open space area open to the public.

2. Permitted by right when the use is located on a property owned by the school district.

**Table 23.29-1 Part B (Development Standards for Base Zoning Districts, Commercial, Mixed Use, Office, Industrial, and Public/Quasi-Public Zoning Districts) is hereby amended as follows:**

**Table 23.29-1**  
**Development Standards for Base Zoning Districts**  
**Part B: Commercial, Mixed Use, Office, Industrial, and ~~Open Space~~ Public/Quasi-Public Zoning Districts**

Measurement/Zoning District	Commercial					Mixed Use		Office		Industrial			Public/Quasi-Public		
	LC	GC	SC	AC	C-O	VCMU	RMU	BP	MP	LI	LI/FX	HI	<u>PR</u>	PS	O
<b>Residential Density</b>															
Density Range (du/acre)															
Minimum	-	-	-	-	-	<u>12.1</u>	<u>15.1</u>	-	-	-	-	-	-	-	-
Maximum	-	-	-	-	-	<u>40</u>	<u>40</u>	-	-	-	-	-	-	-	-
<b>Nonresidential Building Intensity</b>															
Maximum Floor Area Ratio (FAR)	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>1.0</u>	<u>2.0</u>	<u>2.0</u>	<u>2.0</u>	<u>2.0</u>	<u>1.5</u>	<u>1.5</u>	<u>1.5</u>	<u>0.3</u>	<u>2.0</u>	<u>0.1</u>
<b>Lot Dimensions</b>															
Lot Area, minimum (square feet)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Lot Width/Frontage, minimum	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Generally	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Corner lots	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Lot Depth, minimum	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Setbacks</b>															
Front Yard															
Generally	25 ft	25 ft	25 ft	25 ft	25 ft	<u>0 ft</u>	<u>5 ft</u>	25 ft	25 ft	25 ft	<u>25 ft</u>	25 ft	<u>10 ft</u>	<u>25 ft</u>	25 ft
To covered porch	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

Measurement/Zoning District	Commercial					Mixed Use		Office		Industrial			Public/Quasi-Public		
	LC	GC	SC	AC	C-O	VCMU	RMU	BP	MP	LI	LI/FX	HI	PR	PS	O
To garage door, front facing	-	-	-	-	-	=	=	-	-	-	=	-	=	=	-
To garage, swing/side load	-	-	-	-	-	=	=	-	-	-	=	-	=	=	-
Side Yard															
Interior side, generally	0 ft <sup>1</sup>	0 ft <sup>1</sup>	0 ft <sup>1</sup>	0 ft <sup>1</sup>	0 ft <sup>1</sup>	<u>0 ft</u>	<u>0 ft</u>	10 ft	10 ft	0 ft	<u>0 ft</u>	0 ft	<u>10 ft</u>	<u>10 ft</u>	10 ft
Interior side, adjacent to residential and open space	25 ft	25 ft	25 ft	25 ft	25 ft	<u>10 ft</u>	<u>15 ft</u>	-	-	-	<u>15 ft</u>	-	<u>15 ft</u>	<u>15 ft</u>	-
Street side	<u>0 ft<sup>1</sup></u>	<u>0 ft<sup>1</sup></u>	<u>0 ft<sup>1</sup></u>	<u>0 ft<sup>1</sup></u>	<u>0 ft<sup>1</sup></u>	<u>0 ft</u>	<u>5 ft</u>	25 ft	25 ft	25 ft	<u>25 ft</u>	25 ft	<u>10 ft</u>	<u>25 ft</u>	25 ft
Rear Yard															
Generally	0 ft <sup>1</sup>	0 ft <sup>1</sup>	0 ft <sup>1</sup>	0 ft <sup>1</sup>	0 ft <sup>1</sup>	<u>0 ft</u>	<u>10 ft</u>	10 ft	10 ft	0 ft	<u>0 ft</u>	0 ft	<u>10 ft</u>	<u>10 ft</u>	25 ft
To living area, lots > 100 feet deep	-	-	-	-	-	=	=	-	-	-	=	-		=	-
To living area, lots ≤ 100 feet deep	-	-	-	-	-	=	=	-	-	-	=	-		=	-
To detached garage/secondary dwelling unit	-	-	-	-	-	=	=	-	-	-	=	-		=	-
Adjacent to residential and open space	25 ft	25 ft	25 ft	25 ft	25 ft	<u>10 ft</u>	<u>15 ft</u>	-	-	-	<u>15 ft</u>	-	<u>15 ft</u>	<u>15 ft</u>	-
Height Limits															
Generally	40 ft <sup>2</sup>	40 ft <sup>2</sup>	40 ft <sup>2</sup>	40 ft <sup>2</sup>	40 ft <sup>2</sup>	<u>40 ft<sup>2</sup></u>	<u>40 ft<sup>2</sup></u>	40 ft <sup>2</sup>	40 ft <sup>2</sup>	40 ft <sup>2</sup>	<u>40 ft<sup>2</sup></u>	40 ft <sup>2</sup>	<u>40 ft</u>	<u>40 ft</u>	40 ft

Measurement/Zoning District	Commercial					Mixed Use		Office		Industrial			Public/Quasi-Public		
	LC	GC	SC	AC	C-O	VCMU	RMU	BP	MP	LI	LI/FX	HI	PR	PS	O
Buildings < 100 feet from agricultural, agricultural residential, residential, or open space zoning district	20 ft <sup>2</sup>	20 ft <sup>2</sup>	20 ft <sup>2</sup>	20 ft <sup>2</sup>	20 ft	24 ft <sup>2</sup>	24 ft <sup>2</sup>	24 ft <sup>2</sup>	24 ft <sup>2</sup>	24 ft <sup>2</sup>	24 ft <sup>2</sup>	24 ft <sup>2</sup>	24 ft <sup>2</sup>	24 ft <sup>2</sup>	-24 ft <sup>2</sup>
<b>Other Development Standards</b>															
Accessory structures	Refer to Chapter EGMC 23.46														
Fences and walls	Refer to Chapter EGMC 23.52														
Landscaping	Refer to Chapter EGMC 23.54														
Lighting	Refer to Chapter EGMC 23.56														
Parking	Refer to Chapter EGMC 23.58														
Performance standards	Refer to Chapter EGMC 23.60														
Signs	Refer to Chapter EGMC 23.62														

Notes:

1. When the building frontage along the applicable yard is greater than three hundred (300' 0") linear feet, the ~~rear~~ required setback ~~must~~ shall be a minimum of twenty (20' 0") feet.
2. As part of the design review process, the maximum height may be increased ~~up to one hundred fifty (150' 0") feet; provided, that all buildings are set back from the ultimate right-of-way line of all abutting streets and freeways a distance at least equal to the height of the building. to a height as determined by the designated approving authority, provided that the intensity of the development is consistent with the General Plan and on-site improvements, including but not limited to architectural articulation, quality, and materials and landscaping is provided to ensure, as determined by the approval authority, compatibility with the surrounding context and character of the project site.~~

**Section 23.40.010 (Special Purpose Zoning Districts) is hereby amended as follows:**

**23.40.010 Specific plan district.**

A. Purpose. The purpose of the specific plan (SP) district is to designate unique planning areas within the City for which the City Council has adopted or requires adoption of a separate planning document, a specific plan, consistent with the General Plan and State law (Sections 65450 through 65457 of the Government Code). Specific plan purposes, content requirements, and procedures are outlined in EGMC Section 23.16.090, Specific plans.

B. Designation. On the zoning map, all property within a designated specific plan area shall be delineated in a manner similar to that of any other zoning district except that each SP-zoned area shall also bear a number or name that distinguishes it from other specific plan areas. The assignment of the SP designation and number or name serves to provide a reference to the corresponding specific plan adopted by the City Council. If there are unique zoning regulations and standards applicable to the land area, such provisions will be established in the adopted specific plan. The following specific plans have been adopted and designated on the zoning map under the following ordinances:

- ~~1. East Franklin specific plan (adopted 2000);~~
- ~~2. East Elk Grove specific plan (adopted February 1996);~~
3. Laguna Ridge specific plan (Ordinance No. 15-2004, adopted July 21, 2004).

C. Allowed Uses. Except as otherwise provided, allowed uses within a specific plan area are those listed uses in the specific plan.

D. Development Standards. Except as otherwise provided, development standards within the specific plan area are those standards listed in the adopted specific plan.

**Section 23.40.020 (Special Planning Area District) is hereby amended as follows:**

**23.40.020 Special planning area district.**

A. Purpose. The purpose of the special planning area (SPA) district is to designate areas for unique and imaginative planning standards and regulations not provided through the application of standard zoning districts. Special planning area purposes, content requirements, and procedures are outlined in EGMC Section 23.16.100, Special planning area.

B. Designation. On the zoning map, all property within a designated special planning area shall be delineated in a manner similar to that of any other zoning district except that each SPA-zoned area shall also bear a number or name which distinguishes it from other special planning areas. The assignment of the SPA designation and number or name serves to provide a reference to the corresponding special planning area documents and exhibits adopted by the City Council. If there are unique zoning regulations and standards applicable to the land area, such provisions will be established in the adopted special planning area. The following special planning areas have been adopted and designated on the zoning map under the following ordinances:

1. Elk Grove Old Town SPA (SPA 5-6-4);
- ~~2. Laguna Community/Floodplain SPA (78-SPA-20);~~
- ~~3. Elk Grove-Florin and Bond Roads SPA (adopted 1989);~~
- ~~4. Laguna Gateway SPA (Ordinance No. SZC 99-0036);~~
- ~~5. Calvine Road/Highway 99 SPA (SPA 5-8-2, Ordinance No. SZC 99-0038);~~
36. Elk Grove Triangle SPA;

47. Southeast Policy Area SPA (Ordinance No. 16-2014);

58. Silverado Village SPA (Ordinance No. 20-2014);

69. Calvine Meadows Special Planning Area (Ordinance No. 05-2016).

C. Allowed Uses. Except as otherwise provided, allowed uses within the special planning area are those listed uses in the special planning area.

D. Development Standards. Except as otherwise provided, development standards within the special planning area are those standards listed in the adopted special planning area.

***Chapter 23.42 (Overlay/Combining Districts) is hereby amended as follows:***

**Chapter 23.42  
OVERLAY/COMBINING DISTRICTS**

Sections:

- 23.42.010 Purpose.
- 23.42.020 Designation of overlay/combining districts.
- 23.42.030 Multifamily overlay district.
- 23.42.040 Flood combining district.
- 23.42.050 Mobile home park combining district.
- 23.42.060 Rural commercial combining zone (RUC).
- 23.42.070 Surface mining combining district.
- 23.42.080 Business center district sign overlay zone (BCS).
- 23.42.090 East Franklin overlay district (EF).
- 23.42.100 East Elk Grove overlay district (EEG).
- 23.42.110 Calvine Road/Highway 99 overlay district (CR-99)

**23.42.010 Purpose.**

The overlay/combining zoning districts established by this title supplement the use regulations and/or development standards of the applicable underlying base zone, where important site, neighborhood, or area characteristics require particular attention in project planning. In the event of a conflict between the regulations of the underlying base zoning district and the overlay/combining zoning district, the provisions of the overlay/combining zoning district shall govern. The provisions of this chapter shall apply to all projects located in a designated overlay/combining zoning district. Overlay/combining zoning district(s) shall be designated by a representative symbol on the zoning map along with the base zoning district with which it is combined.

**23.42.020 Designation of overlay/combining districts.**

Overlay zoning district(s) shall be designated by a representative symbol on the zoning map along with the base zoning district with which it is combined.

**23.42.030 Multifamily overlay district.**

A. Purpose and Intent. The purpose of the multifamily overlay zone (MF) is to implement the General Plan by establishing opportunities for multifamily housing in specified locations throughout the City. This overlay zone supplements the allowed uses and development standards of the underlying zoning district. The intent is to allow multifamily development in conjunction with ~~or exclusive of~~ nonresidential uses permitted in the underlying zoning district to which it is applied.

B. Applicability of Multifamily Overlay Zoning (MF) District. The (MF) appearing after a zone abbreviation on the comprehensive zoning map indicates that the property so classified is subject to the provisions of this section in addition to those of the underlying zone.

~~C. Permitted Uses. In addition to the permitted uses in the underlying zoning district, the multifamily overlay district establishes multifamily residential use as a permitted use. For the purpose of this section, “multifamily development” means three (3) or more attached units. The approving authority may consider detached single-family residential projects in the multifamily overlay district if the approving authority finds that the project furthers the City’s affordable housing goals as specified in the General Plan. Multifamily development within this district may occur independent of other uses or in conjunction with other nonresidential uses permitted in the underlying zoning district (e.g., mixed-use with commercial on the ground floor, residential use above). Permitted Density. Multifamily residential uses shall be permitted with a minimum density of fifteen and one-tenths (15.1) dwelling units to the acre and a maximum density of forty (40) dwelling units to the acre.~~

~~D. Development Standards. Multifamily residential uses shall be permitted with a minimum density of fifteen and one-tenths (15.1) dwelling units to the acre and a maximum density of thirty (30) dwelling units to the acre. Additional density may be granted in accordance with the State density bonus provision and EGMC Chapter 23.50, Density Bonus and Other Developer Incentives. All multifamily projects shall be subject to the development standards as listed in Table 23.30-2D. For mixed-use development, the development shall comply with the development standards for the underlying zoning district. The opportunity for special provisions for mixed-use development shall be considered in conjunction with the design review process. Review Procedure. MA multifamily residential development shall be permitted upon require the approval of a District Development Plan, pursuant to EGMC Section 23.16.080 (B)(6). Appropriate development standards for the proposed development shall be set as part of the District Development Plan review process.~~

~~E. Design Review Required. Design review is required for all multifamily development within the multifamily overlay zone pursuant to EGMC Section 23.16.080, Design review. Projects with less than one hundred fifty (150) units may be approved by the Development Services Director and projects with one hundred fifty (150) units or more shall be subject to Planning Commission review and approval. [Ord. 24-2015 §11 (Exh. I), eff. 2-12-2016; Ord. 26-2006 §3, eff. 8-11-2006] In addition to the provisions of subsection D above, all development shall comply with the provisions of EGMC Section 23.16.080 (Design Review) for design review approval prior to building permit issuance.~~

#### **23.42.040 Flood combining district.**

A. Purpose. The flood (F) combining district as shown on the zoning map is intended to comprise all known land covered by rivers, creeks, and streams and land subject to flooding within the City. For certain regulations and standards, the district is subdivided into three (3) components: F100, corresponding to the one hundred (100) year floodplain, F200, corresponding to the two hundred (200) year floodplain, and F100/200, corresponding to the area overlapped by both the one hundred (100) year and two hundred (200) year floodplain. In adopting the regulations, the City recognizes that:

1. The promotion of the orderly development and beneficial use of lands subject to recurrent flooding is necessary if the potential property damage which results from improper development is to be minimized.
2. There is a need to protect current and future occupants of land subject to flooding from the physical damage of flooding.
3. The health, general welfare, and safety of the public of the City as a whole require that lands subject to flooding be strictly regulated as to the uses permitted on the land and the amount of open space which separates buildings and structures.
4. Inundation frequently causes extensive property damage.



5. Strict regulation of flood lands is necessary to protect prospective buyers of land from deception as to the utility of the land within the flood zones.

B. Restrictions. No building, structure, vehicle, sign, or area in any underlying zone with which the F district is combined shall be used, nor shall any building, structure, sign, or vehicle be erected, altered, moved, enlarged, or stored in any base zone with which the F district is combined, except as hereinafter specifically provided in this chapter or elsewhere in this title; nor shall any area, building, structure, vehicle, or sign be used in any manner so as to create problems adverse to the public health, safety, or general welfare, or so as to constitute a public nuisance. Any building, structure, vehicle, sign, or lot, or the use of any building, structure, vehicle, or lot, in any base zone with which the F district is combined shall be regulated and governed by the provisions of this section, the regulations and provisions applicable to such base zone, and other applicable regulations of this title. To the extent of any conflict between the provisions of the base zone with which the F district is combined, the stricter provisions shall prevail.

C. Elevations. No building or structure designed for human habitation shall hereafter be erected, altered, moved, or enlarged with a first (1st) floor elevation lower than required by EGMC Chapter 16.50 (Flood Damage Prevention).

D. Development Standards. Except as provided below, development in the F district shall be consistent with the underlying base zoning district.

1. All new development and improvements to existing structures shall comply with the provisions identified in Table 23.42.040-1 below:

**Table 23.42.040-1  
Requirements for New Development and Improvements to Existing Structures by Flood Area**

Requirement	Flood Area		
	F100	F100/200	F200
Comply with provisions of EGMC Chapter 16.50	Required	Required	Not Required
Determine whether flood depth is >3ft; if so, make findings required in subsection (E) of this section prior to project approval	Not Required	Required	Required

~~2. Health care facilities and government facilities shall be prohibited from being built in the F district. The City Council may approve exceptions to this if it determines that the operations of the proposed facility would be substantially compromised in an alternative location. To the extent feasible, new essential public facilities should be located outside of the F100, F200, and F100/200 areas, or should be constructed so as to minimize damage to said facilities if located in such area. For purposes of this section, essential public facilities includes, but is not limited to, hospitals and health care facilities, emergency shelters, fire stations, emergency command centers, and emergency communications facilities.~~

3. Any new development that occurs in the F district shall have adequate setbacks from flood control levees consistent with local, regional, State, and Federal design and management standards.

4. Any new development that occurs in the F district shall not have roadways on levees as a primary access point.

E. Findings. No development or physical changes requiring a development permit required by this title shall be allowed within the two hundred (200) year floodplain unless it has first met one (1) or more of these findings; these findings shall be made by the designated approving authority, as specified by EGMC Chapter 23.16:

1. The project has an urban level of flood protection from flood management facilities that is not reflected in the most recent map of the two hundred (200) year floodplain;
2. Conditions imposed on the project will provide for an urban level of flood protection;
3. Adequate progress has been made toward construction of a flood protection system to provide an urban level of flood protection for the project, as indicated by the Central Valley Flood Protection Board for State projects, or by the Floodplain Administrator for local projects; or
4. The project is a site improvement that would not result in the development of a new habitable structure, and would not increase risk of damage to neighboring development or alter the conveyance area of a watercourse in the case of a flood. Improvements that qualify for this exemption include, but are not limited to, the replacement or repair of a damaged or destroyed habitable structure with substantially the same building footprint area; interior repairs or remodels to existing structures; new nonhabitable structures or repairs or remodels to nonhabitable structures including but not limited to landscape features, detached garages, and pools and spas.

...

**23.42.090 East Franklin overlay district (EF).**

A. Purpose and Intent. The East Franklin overlay district is intended to provide development standards for properties in the East Franklin overlay area that are consistent with historical development patterns in that area but that may deviate from the standards of the underlying base zoning district.

B. Applicability. The (EF) appearing after a zone abbreviation on the comprehensive zoning map indicates that the property so classified is subject to the provisions of this section in addition to those of the underlying zone.

C. Development Standards. The development standards within the East Franklin overlay district shall be those listed in Table 23.42-3 below. Where a standard is not listed, refer to the standards of the applicable base zoning district.

**Table 23.42-3**  
**East Franklin Overlay District Development Standards**

<u>Development Standard</u>	<u>Zoning District</u>								
	<u>RD-1</u>	<u>RD-2</u>	<u>RD-3</u>	<u>RD-4</u>	<u>RD-5</u>	<u>RD-6</u>	<u>RD-7</u>	<u>RD-10</u>	<u>All Other Districts</u>
<b><u>Lot Dimensions (minimum)</u></b>									
<u>Area (sq. ft.)</u>	1	1	9,000	7,000	5,200	4,500	3,800	3,200	5
<u>Area, Corner (sq. ft.)</u>	1	1	9,000	7,000	6,000	5,000	4,500	4,000	5
<u>Width</u>	1	1	65 ft.	60 ft.	52 ft.	50 ft.	35 ft.	35 ft.	5
<u>Pub. Street Frontage</u>	1	1	55 ft.	50 ft.	45 ft.	40 ft.	30 ft.	30 ft.	5
<u>Width, Corner</u>	1	1	55 ft.	50 ft.	60 ft.	58 ft.	45 ft.	45 ft.	5
<u>Depth</u>	1	1	70 ft.	65 ft.	95 ft.	85 ft.	60 ft.	60 ft.	5
<b><u>Setbacks (minimum)</u></b>									
<u>Front, Living Area</u>	1	1	20 ft.	20 ft.	15 ft.	15 ft.	15 ft.	15 ft.	5
<u>Front, Porch</u>	1	1	20 ft.	20 ft.	15 ft.	15 ft.	10 ft.	10 ft.	5
<u>Front, Garage<sup>2</sup></u>	1	1	20 ft.	20 ft.	20 ft. <sup>3</sup>	20 ft. <sup>3</sup>	20 ft. <sup>3</sup>	20 ft. <sup>3</sup>	5
<u>Side, Interior</u>	1	1	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5
<u>Side Street, Attached</u>	1	1	12.5 ft.	12.5 ft.	12.5 ft.	12.5 ft.	10 ft.	10 ft.	5
<u>Side Street, Detached</u>	1	1	8.5 ft.	8.5 ft.	8.5 ft.	8.5 ft.	5 ft.	5 ft.	5
<u>Side, Total Bldg. Sep.<sup>4</sup></u>	1	1	15 ft.	10 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5
<u>Rear, Living Area</u>	1	1	20 ft.	20 ft.	15 ft.	15 ft.	15 ft.	15 ft.	5
<u>Rear, Ancillary Unit</u>	1	1	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5 ft.	5
<u>Detached Garage</u>	1	1	5 ft.	5 ft.	0 ft.	0 ft.	0 ft.	0 ft.	5

Notes:

1. Refer to the RD-1 and RD-2 base zoning districts for applicable standards.
2. Where swing driveways are utilized, the front yard garage setback may be reduced to fifteen feet (15').
3. Driveway length may be reduced to nineteen feet (19') where automatic roll-up garage doors are utilized.
4. Zero-lot line units are permitted with a five foot (5') separation where a firewall is provided; otherwise ten feet (10') is required.
5. Refer to the applicable base zoning district for applicable standards

**23.42.100 East Elk Grove overlay district (EEG).**

A. Purpose and Intent. The East Elk Grove overlay district is intended to provide development standards for properties in the East Elk Grove overlay area that are consistent with historical development patterns in the area but that may deviate from the standards of the underlying base zoning district.

B. Applicability. The (EEG) appearing after a zone abbreviation on the comprehensive zoning map indicates that the property so classified is subject to the provisions of this section in addition to those of the underlying zone.

C. Development Standards. The development standards within the East Elk Grove overlay district shall be those listed in Table 23.42-4 below. Where a standard is not listed, refer to the standards of the applicable base zoning district.

**Table 23.42-4  
East Elk Grove Overlay District Development Standards**

<b><u>Development Standard</u></b>	<b><u>Zoning District</u></b>					
	<b><u>RD-3</u></b>	<b><u>RD-4</u></b>	<b><u>RD-5</u></b>	<b><u>RD-7</u></b>	<b><u>RD-10</u></b>	<b><u>All Other Districts</u></b>
<b><u>Lot Dimensions (minimum)</u></b>						
<u>Area (sq. ft.)</u>	<u>9,000</u>	<u>7,000</u>	<u>5,000</u>	<u>3,800</u>	<u>3,200</u>	<u>5</u>
<u>Area, Corner (sq. ft.)</u>	<u>9,000</u>	<u>7,000</u>	<u>6,000</u>	<u>4,500</u>	<u>4,000</u>	<u>5</u>
<u>Width</u>	<u>65ft.</u>	<u>60ft.</u>	<u>50ft.</u>	<u>35ft.</u>	<u>35ft.</u>	<u>5</u>
<u>Public Street Frontage</u>	<u>55ft.</u>	<u>50ft.</u>	<u>45ft.</u>	<u>30ft.</u>	<u>30ft.</u>	<u>5</u>
<u>Width, Corner</u>	<u>70ft.</u>	<u>65ft.</u>	<u>60ft.</u>	<u>45ft.</u>	<u>45ft.</u>	<u>5</u>
<u>Depth</u>	<u>110ft.</u>	<u>100ft.</u>	<u>85ft.</u>	<u>60ft.</u>	<u>60ft.</u>	<u>5</u>
<b><u>Setbacks (minimum)</u></b>						
<u>Front, Living Area</u>	<u>20ft.</u>	<u>20ft.</u>	<u>15ft.<sup>1</sup></u>	<u>15ft.<sup>1</sup></u>	<u>15ft.<sup>1</sup></u>	<u>5</u>
<u>Front, Porch</u>	<u>20ft.</u>	<u>20ft.</u>	<u>15ft.<sup>1</sup></u>	<u>10ft.</u>	<u>10ft.</u>	<u>5</u>
<u>Front, Garage<sup>2</sup></u>	<u>20ft.</u>	<u>20ft.</u>	<u>20ft.<sup>3</sup></u>	<u>20ft.<sup>3</sup></u>	<u>20ft.<sup>3</sup></u>	<u>5</u>
<u>Side, Interior</u>	<u>5ft.</u>	<u>5ft.</u>	<u>5ft.</u>	<u>5ft.</u>	<u>5ft.</u>	<u>5</u>
<u>Side, Total Bldg. Sep.<sup>4</sup></u>	<u>15ft.</u>	<u>10ft.</u>	<u>10ft.</u>	<u>10ft.</u>	<u>10ft.</u>	<u>5</u>
<u>Side, Street</u>	<u>15ft.</u>	<u>12.5ft.</u>	<u>12.5ft.</u>	<u>10ft.</u>	<u>10ft.</u>	<u>5</u>
<u>Rear, Living Area</u>	<u>20ft.</u>	<u>20ft.</u>	<u>15ft.</u>	<u>15ft.</u>	<u>15ft.</u>	<u>5</u>
<u>Rear, Ancillary Unit</u>	<u>5ft.</u>	<u>5ft.</u>	<u>5ft.</u>	<u>5ft.</u>	<u>5ft.</u>	<u>5</u>
<u>Detached Garage</u>	<u>5ft. side and rear</u>	<u>5ft. side and rear</u>	<u>5ft. side and rear</u>	<u>5ft. side and rear</u>	<u>5ft. side and rear</u>	<u>5</u>

**Notes:**

1. May be reduced to ten feet (10') where adjacent to detached sidewalk.
2. Where swing driveways are utilized, the front yard garage setback may be reduced to fifteen feet (15').
3. Driveway length may be reduced to nineteen feet (19') where automatic roll-up garage doors are utilized.
4. Zero-lot line units are permitted with a five foot (5') separation where a firewall is provided; otherwise ten feet (10') is required.
5. Refer to the applicable base zoning district for applicable standards.

**23.42.110 Calvin Road/Highway 99 overlay district (CR-99).**

A. Purpose and Intent. The Calvin Road/Highway 99 overlay district is intended to provide custom development standards for properties in the vicinity of the intersection of Calvin Road and State Highway 99 that are consistent with historical development patterns in that area.

B. Applicability. The (CR-99) appearing after a zone abbreviation on the comprehensive zoning map indicates that the property so classified is subject to the provisions of this section in addition to those of the underlying zone.

C. Development Standards. The development standards within the Calvin Road/Highway 99 overlay district shall be those listed in Table 23.42-5 below. Where a standard is not listed, refer to the standards of the applicable base zoning district.

**Table 23.42-5  
Calvin Road/Highway 99 Overlay District Development Standards**

<b><u>Development Standard</u></b>	<b><u>Zoning District</u></b>	
	<b><u>RD-5, RD-6</u></b>	<b><u>All Other Districts</u></b>
<b><u>Setbacks, Generally</u></b>		
<u>Front</u>	<u>10 feet minimum</u> <u>20 feet maximum</u>	<u>1</u>
<u>Side, Interior</u>	<u>5 feet minimum</u>	<u>1</u>
<u>Side, Street Side</u>	<u>12.5 feet</u>	<u>1</u>
<u>Rear</u>	<u>10 feet minimum</u>	<u>1</u>
<b><u>Setbacks, Detached Garage</u></b>		
<u>Front</u>	<u>10 feet from primary building</u>	<u>1</u>
<u>Side, Interior</u>	<u>0 feet minimum</u> <u>(to only one property line)</u>	<u>1</u>
	<u>5 feet minimum</u> <u>(between buildings &amp; to at least</u> <u>one property line)</u>	
<u>Side, Street Side</u>	<u>12.5 feet</u>	<u>1</u>
<u>Rear</u>	<u>10 feet minimum</u>	<u>1</u>

Notes:

1. Refer to the applicable base zoning district for applicable standards.

***Section 23.56.030 (Multifamily and nonresidential outdoor lighting standards) is hereby amended as follows:***

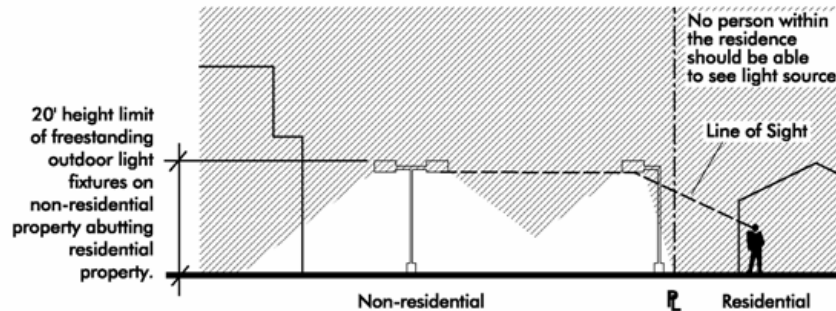
**23.56.030 Multifamily and nonresidential outdoor lighting standards.**

Except as otherwise specified herein, outdoor lighting standards listed below apply to all new multifamily residential, and nonresidential development. The designated approving authority may grant exceptions to the shielding requirements, maximum level of illumination, and height of outdoor light fixtures for outdoor recreation facilities on park sites with the finding that the light impacts do not create a public nuisance for abutting residential property.

A. Shielding Required. Except as otherwise exempt, all multifamily and nonresidential outdoor lighting shall be constructed with full shielding. Where the light source from an outdoor light fixture is visible

beyond the property line, shielding shall be required to reduce glare so that the light source is not visible from within any residential dwelling unit. See Figure 23.56-1.

**Figure 23.56-1  
Shielding Provisions for Outdoor Lighting**



B. Level of Illumination. During hours of darkness, the minimum and average maintained foot-candles of light shall be consistent with the provisions listed below. A point-by-point photometric calculation listing the number, type, height, and level of illumination of all outdoor lighting fixtures shall be required in conjunction with the development permit application and prior to issuance of a building permit or site improvement plans to ensure compliance with these provisions.

1. Parking lots, driveways, trash enclosures/areas, public phones, and group mailboxes shall be illuminated with a minimum maintained one (1 fc) foot-candle of light and an average not to exceed four (4 fc) foot-candles of light.
2. Pedestrian walkways shall be illuminated with a minimum maintained one-half (0.5 fc) foot-candle of light and an average not to exceed two (2 fc) foot-candles of light.
3. Exterior doors of nonresidential structures shall be illuminated during the hours of darkness with a minimum maintained one (1 fc) foot-candle of light, measured within a five (5' 0") foot radius on each side of the door at ground level.
4. In order to minimize light trespass on abutting residential, agricultural-residential, and agricultural property, illumination measured at the nearest residential structure or rear yard setback line shall not exceed the moon's potential ambient illumination of one-tenth (0.1 fc) foot-candle.

C. Maximum Height of Freestanding Outdoor Light Fixtures. The maximum height of freestanding outdoor light fixtures for development abutting residential, agricultural-residential, and agricultural property shall be twenty (20' 0") feet. Additionally, exterior lighting within multifamily developments shall have a maximum height of fourteen feet (14'). However, the designated approving authority may grant exceptions to this height restriction in conjunction with design review if the proposed lighting plan has negligible light glare and spill impacts on adjoining residential properties. Otherwise, the maximum height for freestanding outdoor light fixtures shall be thirty (30' 0") feet.

D. Type of Illumination. All new outdoor lighting fixtures shall be energy efficient with a rated average bulb life of not less than ten thousand (10,000) hours.

E. Hours of Illumination. Automatic timing devices shall be required for all new outdoor light fixtures with off hours (exterior lights turned off) between 10:00 p.m. and 6:00 a.m. However, outdoor lights may remain on during the required off hours when:

1. The hours of operation of the associated use extend into the required off hours (lighting may stay on during the hours of operation of the use);
2. Illuminating flags representing country, state, or other civic entity (also see EGMC Section 23.62.090(B)(4)); and
3. Functioning as security lighting (e.g., illuminating a pathway, building entry, etc.).

F. Outdoor Sports Field/Outdoor Performance Area Lighting.

1. The mounting height of outdoors sports field and outdoor performance area lighting fixtures shall be reviewed on a case-by-case basis by the designated approving authority.
2. The hours of operation for the lighting system for any game or event shall not exceed one (1) hour after the end of the event.

G. Auto and Vehicle Rental and Sales Uses. Auto and vehicle display areas shall have a minimum maintained one (1 fc) foot-candle of light and an average not to exceed thirty (30 fc) foot-candles of light. Illumination standards for all other areas outlined in subsection (B) of this section shall be adhered to.

H. Architectural/Landscape Lighting. Outdoor light fixtures used to illuminate architectural and landscape features shall use a narrow cone of light for the purpose of confining the light to the object.

I. Sign Lighting. The artificial illumination of signs, both from an internal or external source, shall be designed to eliminate negative impacts on surrounding rights-of-way and properties, and shall comply with EGMC Chapter 23.62, Signs on Private Property.

***Section 23.58.040 (General Parking Regulations) is hereby amended as follows:***

**23.58.040 General parking regulations.**

A. Location Requirements for Off-Street Parking Spaces.

1. Except as otherwise permitted herein, all required off-street parking spaces shall be accessible to and located on the same lot as the use and/or development requiring such spaces.
2. Required off-street parking spaces shall not be located within any required front yard or required street side yard setback of any parcel. However, parking spaces in addition to the first two (2) required (pursuant to Table 23.58-2) may be allowed in the front and street-side side yards of single-family residential lots (including in residential, agricultural-residential, and agricultural zones) in compliance with all of the following conditions:

a. Vehicle parking (and access thereto) in residential areas shall be on permanent paved or other approved impervious surface that prevents the infiltration of stormwater consistent with EGMC Section 23.58.090. Exceptions may be granted when a pervious surface is required to reduce the impact within the dripline of a protected tree.

b. Parking is not permitted within any required side, rear, and street-side setback area pursuant to Division III, Zoning Districts, Allowable Uses, and Development Standards, of this title. Parking is permitted in the front yard setback area. Also see maximum impervious surface area for residential property in EGMC Chapter 23.54, Landscaping.

c. Parking may not occur within any required clear-vision triangle area on a corner lot.

3. Except as otherwise provided in this title, the City may, through approval of a Special Parking Permit as provided in EGMC section 23.16.037, allow for a portion or all of the vehicle parking required by this chapter to be provided by on-street parking spaces. Each on-street parking space, where permitted, shall be defined as twenty five lineal feet (25') of unrestricted curb.

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#### C. Parking Regulations for Vehicles, Trailers, and Vessels.

1. Inoperable/Unregistered Vehicles, Trailers, and Vessels. Any vehicle, trailer, or vessel which is inoperable and/or unregistered shall be stored consistent with the following standards. These requirements do not apply to farm equipment located on property zoned for agricultural use or to auto vehicle dismantling facilities.

a. Operable vehicles, trailers, and vessels with registration expired three (3) months or less shall be stored either within an enclosed structure or shall be parked in designated parking areas of the lot (e.g., outside of required yard areas on permanent paved or other approved impervious surface consistent with the provisions of subsection (A)(2) of this section).

b. Inoperable vehicles, trailers, and vessels and those vehicles, trailers, and vessels with registration expired for a period greater than three (3) months shall be stored within an enclosed structure. No such vehicle shall be stored in any actual yard.

2. Commercial Vehicle Parking. Commercial vehicles weighing four (4) tons or more are prohibited on any street or parcel within a residential or agricultural-residential zoning district or neighborhood except long enough for typical residential delivery and pickup, moving, and towing. Commercial vehicles weighing less than four (4) tons may be permitted in residential zoning districts and neighborhoods consistent with applicable provisions of this title. See EGMC Chapter 23.82, Home Occupations.

3. Recreational Vehicle, Trailer and Vessel Parking. Recreational vehicles, trailers, and vessels of an owner, tenant, guest, or visitor may be parked on any highway (street) for a maximum period of seventy-two (72) hours as provided in EGMC Section 10.24.070(B). Any request to extend this



period for guests and visitors shall be submitted in writing to the Chief of Police for consideration and authorization. Recreational vehicle, trailer, and vessel storage is prohibited in required front and street side yards except as provided in EGMC Section 23.84.031. Recreational vehicle, trailer, and vessel parking shall comply with applicable covenants, conditions and restrictions applicable to that subdivision.

However, recreational vehicle, trailer, and vessel parking is permitted outside of required front and street side yard setback areas and within interior side and rear yards when screened by a solid six (6' 0") foot tall fence, wall, and/or landscape barrier. Screening shall be consistent with EGMC Chapter 23.52, Fences and Walls. The screening requirement does not apply to parcels with two (2) or more gross acres.

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**Table 23.58-2 (Parking Requirements by Land Use) is hereby amended as follows:**

**Table 23.58-2  
Parking Requirements by Land Use**

Land Use	Required Parking Spaces
<b>Residential Uses</b>	
Caretaker Housing	1 space/bedroom
Dwelling, Multifamily	
Studio and one-bedroom units	1 space/unit, plus 1 guest space/4 units
Two or more bedroom units	1.5 spaces/unit, plus 1 guest space/4 units
Senior product	0.5 spaces/unit, plus 0.25 spaces/unit guest parking
Dwelling, Second Unit	1 space/bedroom
Dwelling, Single-Family	2 spaces/unit <sup>1, 2, 3</sup>
Dwelling, Two-Family	2 spaces/unit <sup>1, 2, 3</sup>
Employee Housing, Large	1 space/unit
Employee Housing, Small	1 space/unit
Guest House	1 space/unit
Home Occupations	None required
Live-Work Facility	1 space/unit, plus that required for nonresidential area
Mobile Home Park	2 spaces/unit, plus 1 guest space/8 home lots
Organizational Houses	1 space/bedroom
Rooming and/or Boarding Houses	1 space/bedroom
Single Room Occupancy (SRO) Facilities	1 space/bedroom

Land Use	Required Parking Spaces
Supportive Housing	1 space/bedroom
Transitional Housing	2 spaces/unit <sup>1, 2, 3</sup>
<b>Human Services Uses</b>	
Adult Day Health Care Center	1 space/employee, plus 1 space/facility vehicle, plus 1 space/8 persons at facility capacity
Child Care Facility, Child Care Center	1 space/employee, plus 1 space/facility vehicle, plus 1 space/8 persons at facility capacity
Child Care Center, Family Day Care Home	No requirement beyond single-family requirement
Community Care Facility, Large	1 space/employee, plus 1 space/facility vehicle, plus 1 space/8 persons at facility capacity
Community Care Facility, Small	1 space/employee, plus 1 space/facility vehicle, plus 1 space/8 persons at facility capacity
Emergency Shelter	1 space/40 beds
Medical Marijuana Cultivation	Not applicable
Medical Marijuana Dispensary	Not applicable
Medical Services, Extended Care	1 space/employee, plus 1 space/facility vehicle, plus 1 space/8 persons at facility capacity
Medical Services, General (Clinics, Offices, and Labs)	1 space/250 sf.
Medical Services, Hospitals	2 spaces/licensed bed
Residential Care Facility for the Elderly, Large	1 space/employee, plus 1 space/facility vehicle, plus 1 space/8 persons at facility capacity
Residential Care Facility for the Elderly, Small	1 space/employee, plus 1 space/facility vehicle, plus 1 space/8 persons at facility capacity
Residential Care Facility for the Chronically Ill, Large	1 space/employee, plus 1 space/facility vehicle, plus 1 space/8 persons at facility capacity
Residential Care Facility for the Chronically Ill, Small	1 space/employee, plus 1 space/facility vehicle, plus 1 space/8 persons at facility capacity
<b>Agriculture, Animal Keeping, and Resource Uses</b>	
Animal Husbandry	None required
Animal Keeping – Exotic	Not applicable
Animal Keeping – Fowl	Not applicable
Animal Keeping – Household Pets	Not applicable
Animal Keeping – Livestock	Not applicable
Crop Production	5 spaces/roadside stand
Equestrian Facility, Commercial	1 space/4 stables
Equestrian Facility, Hobby	None required
Feed Lot	4.5 spaces/1,000 sf.

Land Use	Required Parking Spaces
Hog Farm – Commercial	3 spaces, plus 1 space/employee
Kennels, Commercial	1 space/250 sf.
Kennels, Hobby	None required
Slaughterhouse	3 spaces, plus 1 space/employee
Veterinary Facility	4.5 spaces/1,000 sf.
<b>Recreation, Open Space, Education, and Public Assembly Uses</b>	
Assembly Uses	Greater of: 1 space/3 fixed seats or 1 space/50 sf. for nonfixed seats in the main assembly area
Cemeteries, Mausoleums	Greater of: 1 space/3 fixed seats or 1 space/50 sf. for nonfixed seats in the main assembly area
Community Garden	1 space/5,000 sf. lot area
Crematories	Greater of: 1 space/3 fixed seats or 1 space/50 sf. for nonfixed seats in the main assembly area
Golf Courses/Clubhouse	10 spaces/hole, plus 1.5 spaces/driving range tee station
Indoor Amusement/Entertainment Facility	1 space/600 sf.
Indoor Shooting Range	1 space/range position, plus 1 space/250 sf. of retail area
Fitness and Sports Facilities	1 space/200 sf.
Libraries and Museums	1 space/400 sf.
Mortuaries and Funeral Homes	1 space/4 seats in main assembly area
Outdoor Commercial Recreation	Determined through design review
Parks and Public Plazas	For sites over 10 acres, 5% of the total site area; otherwise none required
Private Residential Open Space	For sites over 10 acres, 5% of the total site area; otherwise none required
Recreational Vehicle Parks	1.5 spaces/travel trailer/RV site
Resource Protection and Restoration	None required
Resource-Related Recreation	1 space/10,000 sf. land area, minimum 4 spaces
Schools	
Academic – Charter	Greater of: 2 spaces/classroom or 1 space/5 seats in the main assembly area
Academic – Private	Greater of: 2 spaces/classroom or 1 space/5 seats in the main assembly area
Academic – Public	Greater of: 2 spaces/classroom or 1 space/5 seats in the main assembly area
Colleges and Universities – Private	1 space/2 students (maximum student capacity, plus 1 space/employee)
Colleges and Universities – Public	1 space/2 students (maximum student capacity, plus 1 space/employee)

Land Use	Required Parking Spaces
Equipment/Machine/Vehicle Training	1 space/2 students, plus 1 space/employee
Specialized Education and Training/Studios	1 space/2 students, plus 1 space/employee
Theaters and Auditoriums	Greater of: 1 space/3 fixed seats or 1 space/30 sf.
<b>Utility, Transportation, and Communication Uses</b>	
Airport	Determined through design review
Broadcasting and Recording Studios	1 space/250 sf.
Bus and Transit Shelters	None required
Fuel Storage and Distribution	2 spaces per 3 employees (during a maximum shift) plus space to accommodate all trucks and other vehicles
Heliports	Determined through design review
Park and Ride Facility	None required
Parking Facility	Not applicable
Public Safety Facility	Determined through design review
Telecommunication Facility	None required
Transit Facilities	Determined through design review
Transit Stations and Terminals	Determined through design review
Utility Facility and Infrastructure	None required
<b>Retail, Service, and Office Uses</b>	
Adult-Oriented Business	Greater of: 1 space/3 fixed seats or 1 space/250 sf.
Agricultural Tourism	4.5 spaces/1,000 sf. accessible to the public
Alcoholic Beverage Sales	<del>4.5</del> <u>4.0</u> spaces/1,000 sf.
Ambulance Service	1 space/250 sf., plus 1 space/service vehicle
Animal Sales and Grooming	<del>1 space/250 sf.</del> <u>1 space/350 sf.</u>
Art, Antique, Collectable	<del>4.5 spaces/1,000 sf.</del> <u>1 space/350 sf.</u>
Artisan Shops	<del>4.5 spaces/1,000 sf.</del> <u>1 space/350 sf.</u>
Banks and Financial Services	
Generally	<del>5 spaces/1,000 sf.</del> <u>1 space/350 sf</u>
Stand-alone ATMs	<u>1 spaces/machine</u>
Bars and Nightclubs	1 space/3 fixed seats, plus 1 space/50 sf. assembly area
Bed and Breakfast Inns	1 space/guest room, plus 2 spaces/resident owner or manager
Building Materials Stores and Yards	<del>4.5</del> <u>4.0</u> spaces/1,000 sf.
Business Support Services	<del>4.5</del> <u>4.0</u> spaces/1,000 sf.
Call Centers	7 spaces/1,000 sf.

Land Use	Required Parking Spaces
Card Rooms	1 space/2 seats in play area
Convenience Stores	<del>4.5</del> <u>4.0</u> spaces/1,000 sf.
Drive-in and Drive-through Sales and Service	
Non-Restaurant use	None required
Restaurant, with sit-down dining	See restaurant requirement
Restaurant, no sit-down dining	1 space/employee plus 1 space
Equipment Sales and Rental	1 space/ <del>250</del> <u>350</u> sf. interior sales area, plus 1 space/1,000 sf. exterior sales and storage area
Garden Center/Plant Nursery	<del>4.5</del> <u>3.0</u> spaces/1,000 sf.
Grocery Store	<del>4.5</del> <u>4.0</u> spaces/1,000 sf.
Hotels and Motels	1 space/room
Maintenance and Repair Service	<del>1 space/250 sf.</del> <u>1 space/350 sf</u>
Neighborhood Market	<del>4.5</del> <u>4.0</u> spaces/1,000 sf.
Offices	<u>4.0 spaces/1,000 sf.</u>
Accessory	<del>4.5 spaces/1,000 sf.</del>
Building Trade Contractors	<del>4.5 spaces/1,000 sf.</del>
Business and Professional	<del>4.5 spaces/1,000 sf.</del>
Pawn Shop	<del>4.5 spaces/1,000 sf.</del> <u>1 space/350 sf</u>
Personal Services	Greater of: 1 space/ <del>200</del> <u>350</u> sf. or 2/chair
Personal Services, Restricted	Greater of: 1 space/ <del>200</del> <u>350</u> sf. or 2/chair
Restaurants	Greater of: 1 space/3 fixed seats or 1 space/60 sf. dining area
Retail	<del>4.5</del> <u>4.0</u> spaces/1,000 sf.
Accessory	
General, large format	
General, medium format	
General, small format	
Superstore	
Superstore, large format	
Warehouse/club	
Smoke Shops	<del>4.5</del> <u>4.0</u> spaces/1,000 sf.
Thrift Store	<del>4.5</del> <u>4.0</u> spaces/1,000 sf.
<b>Automobile and Vehicle Uses</b>	
Auto and Vehicle Rental	1 space/ <del>400</del> <u>500</u> sf., plus 1 space per rental vehicle

Land Use	Required Parking Spaces
Auto and Vehicle Sales	1 space/400 <del>500</del> sf.
Auto and Vehicle Sales, Wholesale	1 space/1,000 sf., minimum 2 spaces
Auto and Vehicle Storage	1 space/2,000 sf., plus one/company-operated vehicle
Auto Parts Sales	<del>4.5</del> 4.0 spaces/1,000 sf.
Auto Vehicle Dismantling	3 spaces, plus 1 space/employee
Car Washing and Detailing	
Full-Service	Greater of: 10 spaces or 3 times internal washing capacity <sup>4</sup>
Self-Service	2 spaces/wash bay
Fueling Station	None required; see convenience stores and vehicle services as appropriate
Vehicle Services	2 spaces/service bay
Major	
Minor	
<b>Industrial, Manufacturing, and Processing Uses</b>	
Agricultural Products Processing	1 space/500 sf., plus one/company-operated vehicle
Freight Yard/Truck Terminal	1 space/500 sf., plus one/company-operated vehicle
Laundry and Dry Clean Plant	1 space/500 sf., plus one/company-operated vehicle
Manufacturing	1 space/500 sf., plus one/company-operated vehicle
Major	
Minor	
Small Scale	
Printing and Publishing	1 space/500 sf., plus one/company-operated vehicle
Recycling Facility	1 space/200 sf. of office space, plus 1 space/employee
Collection, Small	
Collection, Large	
Processing	
Scrap and Dismantling	
Research and Development	<del>4.5</del> 4.0 spaces/1,000 sf.
Storage	1 space/2,000 sf., plus one/company-operated vehicle
Personal Storage Facility	
Warehouse	
Yards	
Wholesaling and Distribution	1 space/2,000 sf., plus one/company-operated vehicle
Wineries, Distilleries, and Brewery	1 space/500 sf., plus one/company-operated vehicle; see retail, general for publicly accessible retail space

Notes:

1. If development includes private streets with limited or no parking, a minimum of one (1) guest parking space shall be provided per single-family residence as determined by the designated approving authority.
2. If five (5) or more bedrooms are provided in one (1) unit, then one (1) additional space shall be provided.
3. At least two (2) parking spaces shall either be enclosed or covered.
4. Additional parking may be required for drying or vacuum areas, as determined by the designated approving authority.

***Section 23.100.020 (General definitions) is hereby amended as follows:***

**23.100.020      General definitions**

...

C. "C" Definitions.

1. "Canopy sign" means any sign that is part of or attached to an awning, canopy, or other material, or structural protective cover over a door, entrance, window, or outdoor service area.
2. "Changeable copy sign" means a sign or portion of a sign with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than once per day shall be considered an animated sign and not a changeable copy sign for purposes of this chapter.
3. "Child care facility" means a child day care facility other than a family day care home, including, but not limited to, infant centers, preschools, extended day care facilities, and school age child care centers.
4. "City property" means land or other property in which the City of Elk Grove holds a present right of possession and control, plus all public rights-of-way, plus public parks, regardless of ownership. Schools, even if publicly owned or operated, are not within this definition.
5. "City" means the City of Elk Grove, California.
6. "Clear-vision triangle" means the visibility control area as set forth in the City of Elk Grove Improvement Standards and Standard Drawings for sight distance at intersections and driveways.
7. "Cluster" or "clustering" means a site planning technique in which buildings and structures are concentrated in specific areas on a lot or development site to allow for the preservation of features and/or structures with environmental, scenic, historical, cultural, or other significance on the remaining land, and/or for the remaining land to be used for open space and recreation.
8. "Clustered development" means a land development project in which the clustering of buildings and other structures is used as a site planning technique.
79. "Co-location" means a wireless communications facility owned and operated by a communication service provider which is located on the same tower, building, accessory structure, or property as another communications facility owned or operated by a different communication service provider.
810. "Commercial mascot" means a human or live animal used as a commercial advertising or signaling device. Sometimes called "sign twirlers" or "sign clowns."

~~911.~~ “Commercial message” means any sign wording, logo, or other representation that names or advertises a business, product, service, or other commercial activity.

~~4012.~~ “Commercial vehicle” means a motor vehicle of a type maintained for the transportation of persons for hire, compensation, or profit or designed, used, or maintained primarily for the transportation of property.

~~4413.~~ “Community noise equivalent level (CNEL)” means a twenty-four (24) hour energy equivalent level derived from a variety of single-noise events, with weighting factors of five (5) and ten (10) dBA applied to the evening (7:00 p.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) periods to allow for greater sensitivity to noise during these hours.

~~4214.~~ “Confined feeding area” shall mean any livestock feeding, handling, or holding operation or feed yard where animals are concentrated in an area:

- a. Which is not normally used for pasture or for growing crops and in which animal wastes may accumulate; and
- b. Where the space per animal is less than six hundred (600 ft<sup>2</sup>) square feet.

~~4315.~~ “Construction sign” means a temporary sign located on a site where physical construction is occurring or is scheduled to begin in the near future.

~~4416.~~ “Cottage food operation” means a cottage food operation as defined in the California Health and Safety Code.

~~4517.~~ “Custom home” means a home whose floor plan is only used once in a subdivision.

...

#### F. “F” Definitions.

...

8. “Floor area ratio (FAR)” means the gross floor area of development on a site or project area divided by the total gross lot area. FAR is expressed as a decimal fraction (for example, 0.5 or 2.0).

~~89.~~ “Foot-candle” means a unit of illumination produced on a surface, all points of which are one (1' 0") foot from a uniform point of one (1) candle.

~~910.~~ “Freestanding sign” means a permanent sign that is self-supporting in a fixed location and not attached to a building. It includes a sign connected or attached to a sign structure, fence, or wall that is not an integral part of a building. Freestanding signs are of two (2) types: monument and pole.

~~4011.~~ “Full shielding” means a technique or method of construction which causes all light emitted from an outdoor light fixture to be projected below an imaginary horizontal plane passing through the lowest point on the fixtures from which light is emitted.

~~4412.~~ “Future tenant signs” means signs erected for the purpose of announcing the future occupancy of a new tenant, other than the current resident tenant.

...



***Changes to Title 22 (Land Development)***

***Section 22.110.040 (Roadway Network Design) shall be amended as follows:***

**22.110.040 Roadway network design.**

The alignment of streets shown on a tentative map shall be consistent with the General Plan and any applicable specific plan or other applicable master or precise plan, and as follows:

A. Streets shall be laid out to conform to the alignment of existing streets in adjoining subdivisions and to the logical continuation of existing streets where the adjoining land is not subdivided.

B. The realignment of streets in contemplation of the development, or use of adjoining property, and the provision of streets or dead-end street extensions to facilitate the subdivision of adjoining property may be required at the City's discretion.

C. Permanently dead-ended streets (except cul-de-sacs) are prohibited. When a street is temporarily dead-ended, a barricade or temporary turning area (with signage providing notification of the future street connection or extension) or temporary connection to another street may be required at the City's discretion. Permanent turnarounds may be required at the end of dead-end streets where the timing of the future extension is unknown, at the City's discretion.

D. Minor residential cul-de-sac streets shall serve a maximum of twenty (20) dwelling units and have a maximum length of six hundred (600' 0") feet. The City Engineer may approve an alternative maximum length standard for lots in the Rural Area, such that turn-arounds for emergency equipment are provided at appropriate locations as determined by the City Engineer. For purposes of this section, the Rural Area shall be defined as the Rural Area as described and illustrated in the Rural Area Community Plan as contained in the General Plan.

E. Minor residential streets serve a maximum of one hundred (100) dwelling units when there are only two (2) public street accesses into the area.

F. The creation of pass-through, shortcut, or sneak street situations shall be limited. In those instances where through traffic is unavoidable and of probable high volume, the specific street shall be designed to primary residential or collector street standards, as applicable.

G. The intersections of minor residential streets with collector streets, or with major arterial streets, shall be designed to align with existing street(s) or previously approved street(s) on the opposite side of the street wherever possible. If such alignment is not feasible, as determined by the City, the street shall be offset in accordance with the City's improvement standards.

H. Private roads, to the extent approved by the City, shall comply with the following:

1. The standards of the Fire Code as provided in EGMC Chapter 17.04;
2. The City's improvement standards and construction specifications; and
3. Provide private maintenance agreements between the parties using and responsible for the upkeep of the private road prior to approval of additional development on the road.

***Changes to Title 6 (Health and Sanitation)***

***Chapter 6.32 (Noise Control) shall be amended as follows:***

**Chapter 6.32**

**NOISE CONTROL**

Sections:

- 6.32.010 Purpose.
- 6.32.020 Declaration of policy.
- 6.32.030 Liberal construction.
- 6.32.040 Definitions.
- 6.32.050 Violation.
- 6.32.060 Other remedies.
- 6.32.070 Sound level measurement generally.
- 6.32.080 Exterior Noise standards.
- 6.32.090 Interior Noise standards.
- 6.32.100 Exemptions.
- 6.32.110 Machinery, equipment, fans and air conditioning.
- 6.32.120 Off-road vehicles.
- 6.32.130 Radios, music playing devices, and televisions on publicly owned property.
- 6.32.140 Prohibited activities.
- 6.32.150 General Noise regulations.

**6.32.010 Purpose.**

The City Council of Elk Grove finds:

A. Excessive, unnecessary or offensive Noise within the City is detrimental to the public health, safety, welfare and the peace and quiet of the inhabitants of the City and therefore is declared a public nuisance; and

B. Every person in the City is entitled to live in an environment free from excessive, unnecessary, or offensive Noise Levels; and

C. The establishment of maximum permissible noise levels will further the public health, safety, welfare and peace and quiet of City inhabitants.

**6.32.020 Declaration of policy.**

It is declared to be the policy and purpose of this chapter of the EGMC to assess complaints of Noises alleged to exceed the ambient noise levels.

**6.32.030 Liberal construction.**

This chapter shall be liberally construed so as to effectuate its purposes.

**6.32.040 Definitions.**

For the purposes of this title, the following terms, phrases, words, and their derivations shall have the meanings given in this chapter, unless the context clearly indicates or requires a different meaning:

A. "A" Definitions.

1. "A-weighted sound level (La, dB(A), dBA)" means the sound pressure level in decibels as measured on a sound level meter using the A-weighting network as specified in American National Standards Institute documents for sound level meters. The level so read is postscripted dB(A) or dBA.

2. "Affected Property" means the receiving property experiencing an increase in Noise Level due to a Noise source from another property.

43. "Ambient Noise Level" means the all-encompassing Noise Level associated with a given environment, being a composite of sounds from all sources, excluding the alleged offensive Noise, at the location and approximate time at which a comparison with the alleged offensive Noise is to be made.

B. Reserved for future use.

C. "C" Definitions.

1. "Construction Activities" means any site preparation, assembly, erection, substantial repair, alteration, demolition, or similar action for or within private rights-of-way, structures, utilities, or similar property.

42. "Cumulative Period" means an additive period of time composed of individual time segments which may be continuous or interrupted.

D. "D" Definitions.

1. "Decibel" or "dB" means a unit which denotes the ratio between two (2) quantities which are proportional to power; the number of decibels corresponding to the ratio of two (2) amounts of power is ten (10) times the logarithm to the base of ten (10) of this ratio a unit measure of sound (noise) level used to express the relative intensity of sounds, where zero dB represents the average least perceptible sound and 110 dB represents a level of hearing discomfort for the average person. on a scale from zero for the average least perceptible sound to about approximately 130 for the average threshold for pain level; Also a unit for expressing the ratio of two amounts of electric or acoustic signal power equal to 10 times the common logarithm of this ratio.

E. "E" Definitions.

1. "Emergency Work" means the use of any machinery, equipment, vehicle, manpower or other activity in an effort to protect, maintain, provide or restore safe conditions in the community or for the citizenry, or work by private or public utilities when restoring utility service.

2. "Exterior Noise" means any noise as perceived from outside of an enclosed building or structure.

F. Reserved for future use.

G. Reserved for future use.

H. Reserved for future use. "H" Definitions.

1. "Hertz" means a unit of measurement of frequency, numerically equal to cycles per second.

I. "I" Definitions.

1. "Impulsive noise" means a noise characterized by brief excursions of sound pressures whose peak levels are very much greater than the ambient noise level, such as might be produced by the impact of a pile driver, punch press or a drop hammer, typically with one (1) second or less duration.

2. “Interior Noise” means any noise as perceived from inside an enclosed building or structure.

J. Reserved for future use.

K. Reserved for future use.

L. “L” Definitions.

1. “Ldn” (day-night average level) means the average equivalent A-weighted sound level during a twenty four (24) hour day, obtained after the addition of ten (10) decibels to sound levels in the night after 10 p.m. and before 7 a.m. Reserved for future use.

2. “Leq (equivalent continuous sound level)” means the sound level in decibels equivalent to the total sound energy measured over a stated period of time.

M. Reserved for future use.

N. “N” Definitions.

1. “Noise” means any sound that is loud or unpleasant or that causes disturbance.

2. “Noise Area” means any defined areas or regions of a generally consistent land use wherein the Ambient Noise Levels are within a range of five dB. (Typically, all sites within any given noise area will be of comparable proximity to major noise sources.)

43. “Noise Level” means the “A” weighted sound pressure level in decibels obtained by using a Sound Level Meter at slow response with a reference pressure of twenty (20) micropascals. The unit of measurement shall be designated as “dBA.”

O. Reserved for future use.

P. Reserved for future use.

Q. Reserved for future use.

R. “R” Definitions.

1. “Residential property” means a parcel of real property which is developed and used either in part or in whole for residential purposes, other than transient uses such as hotels and motels.

S. “S” Definitions.

1. “Sensitive receptors” means receiving premises used for residential purposes and for nonresidential purposes that are sensitive to noise, including, but not limited to, residential dwellings, schools, hospitals, hotels, and community care facilities as those uses are defined in EGMC Title 23 (Zoning).

42. “Simple Tone Noise” or “Pure Tone Noise” means a noise characterized by the presence of a predominant frequency or frequencies such as might be produced by a whistle or hum.

23. “Sound Level Meter” means an instrument meeting the American National Standard Institute’s Standard S1.4-1971 for Type 2 Sound Level Meters or an instrument and the associated recording and analyzing equipment which will provide equivalent data.

34. “Sound Pressure Level” means a sound pressure level of a sound, in decibels, as defined in ANSI Standards 51.2-1962 and 51.13-1921; that is, twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound to a reference pressure, which reference pressure shall be explicitly stated.

T. Reserved for future use.

U. Reserved for future use.

V. Reserved for future use.

W. Reserved for future use.

X. Reserved for future use.

Y. Reserved for future use.

Z. “Z” Definitions.

1. “Zone” means any of the ~~Zones~~ zoning districts specified in EGMC Chapter 23.24 as such zones are presently identified therein and as they may be subsequently modified or altered.

#### **6.32.050 Violation.**

Violation of this chapter shall be an infraction which shall be enforced pursuant to the provisions of EGMC Chapter 1.04. Upon the receipt of a complaint from any person, Code Enforcement staff may investigate and assess whether the alleged noise levels exceed the noise standards set forth in this chapter. If Code Enforcement officers have reason to believe that any provision(s) of this chapter has been violated, they may cause written notice to be served upon the alleged violator. Such notice shall specify the provision(s) of this chapter alleged to have been violated and the facts alleged to constitute a violation, including dBA readings noted and the time and place of their detection, and may include an order that corrective action be taken within a specified time. If corrective action is not taken within such specified time or any extension thereof approved by the Chief Code Enforcement Officer, upon conviction, the violation shall constitute an infraction. Each day such violation is committed or permitted to continue shall constitute a separate offense and shall be punishable as such.

#### **6.32.060 Other remedies.**

A. Provisions of this chapter are to be construed as an added remedy of abatement of the public nuisance declared and not in conflict or derogation of any other action, proceedings or remedies provided by law.

B. Any violation of the provisions of this chapter shall be, and the same is declared to be, unlawful and a public nuisance. The duly constituted authorities of the City shall, upon order of the City Council, immediately commence actions or proceedings for the abatement or enjoinder thereof in the manner provided by law and shall take such steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate such nuisance.

#### **6.32.070 Sound level measurement generally.**

~~A. Any noise level measurements made pursuant to the provisions of this chapter shall be performed using a sound level meter as defined in EGMC Section 6.32.040. Any noise measurement made pursuant to the provisions of this chapter shall be made with a sound level meter as defined in EGMC Section 6.32.040. Such readings shall be taken as  $L_{eq}$  measurements using the A-weighted network (scale) at slow meter response. Fast meter response shall be used for impulsive type sounds. Calibration of the measurement equipment utilizing an acoustical calibrator shall be performed prior to recording any noise data and in accordance with the industry standards appropriate for the particular acoustical calibrator being used.~~

~~B. The location selected for measuring exterior noise levels shall be at a point at least one (1' 0") foot inside the property line of the affected residential property. Where feasible, the microphone shall be at a~~

~~height of three (3' 0") feet to five (5' 0") feet above ground level and shall be at least four (4' 0") feet from walls or similar reflecting surfaces. Additional points of measurement may be required at the discretion of Code Enforcement or the Development Services Director when the existing or proposed conditions may generate noise impacts at a higher point of measure. In the case of interior noise measurements, the windows shall be in normal seasonal configuration and the measurement shall be made at a point at least four (4' 0") feet from the wall, ceiling or floor nearest the affected occupied area. Exterior noise levels shall be measured within the property line of the affected property at a location to be determined by the City. Where practical, the microphone shall be positioned three to five feet (3' 0" to 5' 0") above the ground and away from reflective surfaces and fences. Interior Noise Levels shall be measured within the affected property at points at least four feet (4' 0") from the wall, ceiling or floor nearest the noise source, with windows in the closed configuration.~~

**6.32.080 Exterior Noise standards.**

~~A. The following noise standards, unless otherwise specifically indicated in this chapter, shall apply to all properties within a designated noise area.~~

Noise Area	City Zoning Districts	Time Period	Exterior Noise Standard
†	Agricultural; Residential	7:00 a.m. — 10:00 p.m.	55 dBA
		10:00 p.m. — 7:00 a.m.	45 dBA

~~B. It is unlawful for any person at any location within the City to create any noise which causes the noise levels on an affected property, when measured in the designated noise area, to exceed for the duration of time set forth following the specified exterior noise standards in any one (1) hour by:~~

Cumulative Duration of the Intrusive Sound	Allowance Decibels
1. Cumulative period of 30 minutes per hour	0
2. Cumulative period of 15 minutes per hour	+5
3. Cumulative period of 5 minutes per hour	+10
4. Cumulative period of 1 minute per hour	+15
5. Level not to be exceeded for any time per hour	+20

~~C. Each of the noise limits specified in subsection (B) of this section shall be reduced by five (5) dBA for impulsive or simple tone noises, or for noises consisting of speech or music.~~

~~A. Except as otherwise provided, it is unlawful for any person to create any noise that results in the exposure of sensitive receptors to noise levels that exceed the levels of Table 6.32-1.~~

**Table 6.32-1  
Exterior Noise Standards for Sensitive Receptors**

	<u>7:00 am to 10:00 pm</u>	<u>10:00 pm to 7:00 am</u>
<u>Stationary noise sources, generally</u>	<u>55 dBA</u>	<u>45 dBA</u>
<u>Stationary noise sources which are tonal, impulsive, repetitive, or consist primarily of speech or music</u>	<u>50 dBA</u>	<u>40 dBA</u>

~~DB.~~ Boundary between Different Noise Areas. If the measurement location is on a boundary between two (2) different designated noise areas, the lower noise level limit applicable to the two (2) areas shall apply.

EC. If the ambient noise level exceeds that permitted by any of the first four (4) noise limit categories specified in subsection (B) of this section, the allowable noise limit shall be increased in five (5) dBA increments in each category to encompass the ambient noise level. If the ambient noise level exceeds the fifth (5<sup>th</sup>) noise level category, the maximum ambient noise level shall be the noise limit for that category. If the measured ambient noise level at the time of a complaint investigation exceeds the identified permissible noise level provided in Table 6.32-1, the allowable noise shall conform to the following:

1. Where the ambient noise level is less than sixty (60) dB but greater than the threshold in Table 6.32-1, a maximum increase of five (5) dB above the ambient noise level is allowed.
2. Where the ambient noise level is between sixty (60) dB and sixty five (65) dB, inclusive, a maximum increase of three (3) dB above the ambient noise level is allowed.
3. Where the ambient noise level is greater than sixty five (65) dB, a maximum increase of one and one half (1.5) dB above the ambient noise level is allowed.

#### **6.32.090 Interior Noise standards**

A. In any apartment, condominium, townhouse, duplex or multiple dwelling unit it is unlawful for any person to create any noise from inside his unit that causes the noise level when measured in a neighboring unit during the periods 10:00 p.m. to 7:00 a.m. to exceed:

1. Forty-five (45) dBA for a Cumulative Period of more than five (5) minutes in any hour;
2. Fifty (50) dBA for a Cumulative Period of more than one (1) minute in any hour;
3. Fifty-five (55) dBA for any period of time.

B. The maximum permissible sound level for interior spaces shall be those shown in Table 6.32-4.

**Table 6.32-4  
Interior Noise Standards**

<b><u>Land Use</u></b>	<b><u>Maximum Allowed dB<sup>1</sup></u></b>
<u>Residential</u>	<u>45 Ldn</u>
<u>Residential subject to noise from railroad tracks, aircraft overflights, or similar noise sources which produce clearly identifiable, discrete noise events (the passing of a single train, as opposed to relatively steady noise sources as roadways)</u>	<u>40 Ldn<sup>b</sup></u>
<u>Transient Lodging</u>	<u>45 Ldn</u>
<u>Hospitals, Nursing Homes</u>	<u>45 Ldn</u>
<u>Theaters, Auditoriums, Music Halls</u>	<u>35 Leg</u>
<u>Churches, Meeting Halls</u>	<u>40 Leg</u>
<u>Office Buildings</u>	<u>45 Leg</u>
<u>Schools, Libraries, Museums</u>	<u>45 Leg</u>

**Notes:**

1. As determined for a typical worst-case hour during periods of use.
2. The intent of this noise standard is to provide increased protection against sleep disturbance for residences located near railroad tracks.

~~B. If the measured interior Ambient Noise Level at the time of a complaint investigation exceeds the identified permissible Noise Level for that use, the allowable Noise standard shall be the Ambient Noise Level. If the ambient noise level exceeds that permitted by any of the noise level categories specified in subsection (A) of this section, the allowable noise limit shall be increased in five (5) dBA increments in each category to encompass the ambient noise level.~~

**6.32.100 Exemptions.**

The following activities shall be exempted from the provisions of this chapter:

- A. School bands, school athletic and school entertainment events;
- B. Outdoor gatherings, public dances, shows and sporting and entertainment events, provided said events are conducted pursuant to a license or permit by the City;
- C. Activities conducted on parks, public playgrounds and school grounds, provided such parks, playgrounds and school grounds are owned and operated by a public entity or private school;
- D. Any mechanical device, apparatus or equipment related to or connected with emergency activities or Emergency Work; the exemption does not include permanently installed emergency generators;
- E. Noise sources associated with construction, repair, remodeling, demolition, paving or grading of any real property, provided said activities only occur between the hours of 7:00 a.m. and 7:00 p.m. when located in close proximity adjacent to residential uses. Noise associated with these activities not located adjacent in close proximity to residential uses may occur between the hours of 6:00 a.m. and 8:00 p.m. However, when an unforeseen or unavoidable condition occurs during a construction project and the nature of the project necessitates that work in process be continued until a specific phase is completed, the contractor or owner shall be allowed to continue work after 8:00 p.m. and to operate machinery and equipment necessary until completion of the specific work in progress can be brought to conclusion under conditions which will not jeopardize inspection acceptance or create undue financial hardships for the contractor or owner;
- F. Noise sources associated with agricultural operations, provided such operations do not take place between the hours of 10:00 p.m. and 6:00 a.m.;
- G. All mechanical devices, apparatus or equipment which are utilized for the protection or salvage of agricultural crops during periods of adverse weather conditions or when the use of mobile Noise sources is necessary for pest control;
- H. Any activity, to the extent provisions of Chapter 65 of Title 42 of the United States Code, and Articles 3 and 3.5 of Chapter 4 of Division 9 of the Public Utilities Code of the State of California preempt local control of Noise regulations and land use regulations related to Noise control of airports and their surrounding geographical areas, any Noise source associated with the construction, development, manufacture, maintenance, testing or operation of any aircraft engine, or of any weapons system or subsystems which are owned, operated or under the jurisdiction of the United States, or any other activity to the extent regulation thereof has been preempted by State or Federal law or regulation;
- I. Any Noise sources associated with the maintenance and operation of aircraft or airports which are owned or operated by the United States;
- J. Railroad Activities. The operation of locomotives, rail cars, and facilities by a railroad that is regulated by the State Public Utilities Commission;
- K. State or Federal Preempted Activities. Any activity, to the extent the regulation of it has been preempted by State or Federal law;
- L. Public Health and Safety Activities. All transportation, flood control, and utility company maintenance and construction operation at any time on public rights-of-way, and those situations that may occur on



private property deemed necessary to serve the best interest of the public and to protect the public's health and well-being, including debris and limb removal, removal of damaged poles and vehicles, removal of downed wires, repairing traffic signals, repair of water hydrants and mains, gas lines, oil lines, and sewers, restoring electrical service, street sweeping, unplugging sewers, vacuuming catch basins, etc. The regular testing of motorized equipment and pumps shall not be exempt;

M. Solid Waste Collection. Noise sources associated with the authorized collection of solid waste (e.g., refuse and garbage);

N. Maintenance of Residential Real Property. Noise sources associated with the minor maintenance and operation of residential real property, including but not limited to pool equipment and heating and air conditioning units. Additionally, yard maintenance equipment and other power tools may be allowed provided the activities take place between the hours of 7:00 a.m. and 10:00 p.m.

**6.32.110 Machinery, equipment, fans and air conditioning.**

Except as otherwise provided, it is unlawful for any person to operate any mechanical equipment, pump, fan, air conditioning apparatus, stationary pumps, stationary cooling towers, stationary compressors, similar mechanical devices, or any combination thereof in any manner so as to create any noise which would cause the maximum noise level to exceed a maximum limit of fifty-five (55) dBA at any point at least one (1' 0") foot inside the property line of the affected residential property and three (3' 0") foot to five (5' 0") foot above ground level.

**6.32.120 Off-road vehicles.**

It is unlawful for any person to operate any motorcycle or recreational off-road vehicle within the City in such a manner that the noise level exceeds the exterior noise standards specified in EGMC Section 6.32.080.

**6.32.130 Radios, music playing devices, and televisions on publicly owned property.**

Notwithstanding any other provision of this code and in addition thereto, it is unlawful for any person to permit or cause any noise, sound, music or program to be emitted from any radio, music playing device or television outdoors on or in any publicly owned property, park or place when such noise, sound, music or program is audible to a person ~~of normal hearing sensitivity~~ one hundred (100' 0") feet from said radio, music playing device or television.

~~A. As used herein, "a person of normal hearing sensitivity" means a person who has a hearing threshold level of between zero (0) decibels and twenty-five (25) decibels HL averaged over the frequencies five hundred (500), one thousand (1,000) and two thousand (2,000) Hertz.~~

~~B. Notwithstanding any other provision of this code, any person violating this section shall be guilty of an infraction and upon conviction thereof, is punishable by a fine not exceeding Fifty and no/100<sup>ths</sup> (\$50.00) Dollars for a first violation; a fine not exceeding One Hundred and no/100<sup>ths</sup> (\$100.00) Dollars for a second violation of this section within one (1) year; a fine not exceeding Two Hundred Fifty and no/100<sup>ths</sup> (\$250.00) Dollars for each additional violation of this section within one (1) year. A person who violates the provisions of this section shall be deemed to be guilty of a separate offense for each day, or portion thereof, during which the violation continues or is repeated.~~

~~C.A.~~ Notwithstanding any other provision of this code, no citation or notice to appear shall be issued or criminal complaint shall be filed for a violation of this section unless the offending party is first given a verbal or written notification of violation by any peace officer, public officer, park ranger or other person charged with enforcing this section and the offending party given an opportunity to correct said violation.

~~D.B.~~ This section shall not apply to the use of radios, music playing devices or televisions in the course of an assembly or festival for which a license has been issued pursuant to EGMC Section 9.36.074 or a parade for which a permit has been issued pursuant to EGMC Section 10.32.020 or any other activity, assembly or function for which a permit or license has been duly issued pursuant to any provision of the code.

**6.32.140 Prohibited activities.**

The following acts shall be a violation of this chapter:

A. Construction Noise. Operating or causing the operation of tools or equipment on private property used in alteration, construction, demolition, drilling or repair work daily between the hours of 7:00 p.m. and 7:00 a.m. when located ~~adjacent~~ in close proximity to residential uses, or between the hours of 8:00 p.m. and 6:00 a.m. when not located ~~adjacent~~ in close proximity to residential uses, so that the sound creates a Noise disturbance across a residential property line, except for Emergency Work of public service utilities. However, when an unforeseen or unavoidable condition occurs during a construction project and the nature of the project necessitates that work in process be continued until a specific phase is completed, the contractor or owner shall be allowed to continue work after 8:00 p.m. and to operate machinery and equipment necessary until completion of the specific work in progress can be brought to conclusion under conditions which will not jeopardize inspection acceptance or create undue financial hardships for the contractor or owner.

B. Loading and Unloading Activities. Loading, unloading, opening, closing or other handling of boxes, crates, containers, building materials, garbage cans, or similar objects on private property between the hours of 10:00 p.m. and 7:00 a.m. in a manner to cause a noise disturbance.

C. Sweepers and Associated Equipment. Operating or allowing the operation of sweepers or associated sweeping equipment (e.g., blowers) on private property between the hours of 10:00 p.m. and 7:00 a.m. in, or adjacent to, a residential zoning district.

D. Places of Public Entertainment. Operating or allowing to be operated any loudspeaker, musical instrument, or other source of sound in any place of public entertainment that exceeds ninety-five (95) dbA at any point normally occupied by a customer.

E. Stationary Nonemergency Signaling Devices. Sounding or allowing the sounding of an electronically amplified signal from a stationary bell, chime, siren, whistle, or similar devices intended for nonemergency purposes, from a private property for more than ten (10) consecutive seconds in any hourly period.

F. Public Nuisance Noise. Public nuisance noise is noise that is generally not associated with a particular land use but creates a nuisance situation by reason of its being disturbing, excessive, or offensive. Examples would include excessively loud Noise from alarms, animals and fowl in nonagricultural districts, horns, musical instruments, stereos, music players, televisions, vehicle or motorboat repairs and testing, and similar noise.

**6.32.150 General Noise regulations.**

Notwithstanding any other provisions of this chapter and in addition thereto, it is unlawful for any person to willfully make ~~or continue~~ or cause to be made ~~or continued~~ any loud, unnecessary or unusual noise which disturbs the peace and quiet of any neighborhood or which causes discomfort or annoyance ~~to any reasonable person of normal sensitiveness~~ to persons residing in the area.

The standards which shall be considered in determining whether a violation of the provisions of this section exists shall include, but not be limited to, the following:

- A. The sound level of the objectionable noise;
- B. The sound level of the ambient noise;
- C. The proximity of the noise to residential sleeping facilities;
- D. The nature and zoning of the area within which the noise emanates;
- E. The density of the inhabitation of the area within which the Noise emanates;
- F. The time of day or night the noise occurs;
- G. The duration of the noise and its tonal informational or musical content;
- H. Whether the noise is continuous, recurrent or intermittent;
- I. Whether the noise is produced by a commercial or noncommercial activity.

# Zoning Map Amendments

