

# AT HOME IN ENCINITAS ZONE

FOR TRANSITIONING TO MIXED USE AND MULTI-FAMILY RESIDENTIAL

Draft: May 02, 2016





# AT HOME IN ENCINITAS ZONE

## TABLE OF CONTENTS:

<b>30.36.010. Introductory Provisions . . . . .</b>	<b>1</b>	<b>30.36.060. Neighborhood Transitions . . . . .</b>	<b>32</b>
A. Intent	1	A. Applicability	32
B. Conflicting Provisions	1	B. Transition Area 1: Buffer	32
<u>C. At Home in Encinitas Zone Established</u>	<u>1</u>	C. Transition Area 2: Compatible Use	32
D. Design Guidelines	1	D. Transition Area 3: Compatible Massing	32
<u>E. Master Design Review Permit Overlay Zone</u>	<u>2</u>		
<u>F. First Generation Use &amp; Development Standards</u>	<u>2</u>	<b>30.36.070. Measurements and Exceptions</b>	<b>34</b>
G. Applicability	3	A. Blank Wall Area	34
<b>30.36.020. Housing Prototypes. . . . .</b>	<b>5</b>	B. Build-To Range	34
A. Mixed Use Residential	6	C. Ground Floor Elevation	35
B. Apartment	6	D. Height	35
C. Flat	7	E. Parking Setbacks	36
D. Carriage House	7	F. Pedestrian Access	36
E. Townhome	8	G. Primary/Side Streets	36
F. Duplex	8	H. Setback Encroachments	37
<b>30.36.030. Neighborhood Center . . . . .</b>	<b>9</b>	I. Site	38
A. Shopfront Neighborhood (AHE-S30-N)	10	J. Story Height	38
B. Mixed Use Neighborhood (AHE-X30-N)	12	K. Transparency	38
C. Residential Neighborhood (AHE-R30-N)	15	L. Building Elements	39
<b>30.36.040. Village Center . . . . .</b>	<b>17</b>	<b>30.36.080. Use Provisions . . . . .</b>	<b>42</b>
A. Shopfront Village (AHE-S30-V)	18	A. Classification of Uses	42
B. Mixed Use Village (AHE-X30-V)	20	B. Uses Not Listed	42
C. Residential Village (AHE-R30-V)	22	C. Permitted Use Table	42
<b>30.36.050. Main Street Corridor . . . . .</b>	<b>25</b>	D. Supplemental Use Standards	45
A. Shopfront Main Street (AHE-S30-M)	26	E. Use Categories	46
B. Mixed Use Main Street (AHE-X30-M)	28		
C. Residential Main Street (AHE-R30-M)	30		

<b>30.36.090. Parking. . . . .</b>	<b>.53</b>
A. Applicability	53
B. Residential Parking Ratios	53
C. Parking Reductions	53
D. Location of Parking	55
E. Bicycle Parking Requirements	56
F. Bicycle Parking Facilities	56
G. Vehicle Loading	57
<b>30.36.100. Administration. . . . .</b>	<b>58</b>
A. Applicability <u>and Process for Transition</u>	<u>58</u>
B. California Environmental Quality Act	58
C. Master Design Review Permit	59
D. Design Review	59
E. Subdivisions	60
F. Conditional Use Permits	60
G. Coastal Development Permit	60
H. Adequate Sites	60
I. Administrative Deviations	60
J. Alternative Compliance Allowed	61
K. State Agency Certification	61
<b>30.36.110. Defined Terms . . . . .</b>	<b>63</b>

# 30.36.010. Introductory Provisions

## A. Intent

The At Home in Encinitas Zones ~~are~~ is intended to:

1. Implement the At Home in Encinitas General Plan land use designation, which recognizes that relatively few vacant sites suitable for these land uses remain in the City, so the land use designation is purposefully flexible to accommodate a one-way transition from existing first generation uses and development standards to the second generation uses and standards in a manner that allows existing uses and development to thrive until that transition is initiated;
2. Allow for a moderate increase in residential density and to accommodate a mixture of residential building types and unit sizes;
3. Enable market-based solutions to the provision of attainable housing;
4. Meet the state's Regional Housing Needs Assessment (RHNA) rezoning requirements;
5. Ensure that the vision set forth in the Housing Plan is implemented;
6. Respond to neighborhood character, be compatible with community specific settings and promote basic best practices in urban design;
7. Promote infill development and revitalization that is compact and supports pedestrian-friendly development patterns with safe, effective and multi-modal transportation options; and
8. Contribute to the economic and fiscal sustainability of the City.

## B. Conflicting Provisions

Wherever a conflict exists between this Chapter 30.36 and the Encinitas Municipal Code or any Specific Plan, the intent, provisions and requirements of this Chapter controls.

## C. At Home in Encinitas Zone Established

The At Home in Encinitas Zone is established, along with the following Character Contexts with Design Contexts which closely relate the Zone to the varied community character and design contexts in the City. The following At Home in Encinitas Zones are established:

### 1. Character Contexts

- a. Residential (R30)
- b. Mixed Use (X30)
- c. Shopfront (S30)

### 2. Design Contexts

- a. Neighborhood Center (N)
- b. Village Center (V)
- c. Main Street (M)

### 3. Context Combinations Allowed

#### Neighborhood Center

<u>Residential Neighborhood Center</u>	<u>AHE-R30-N</u>
<u>Mixed Use Neighborhood Center</u>	<u>AHE-X30-N</u>
<u>Shopfront Neighborhood Center</u>	<u>AHE-S30-N</u>

#### Village Center

<u>Residential Village Center</u>	<u>AHE-R30-V</u>
<u>Mixed Use Village Center</u>	<u>AHE-X30-V</u>
<u>Shopfront Village Center</u>	<u>AHE-S30-V</u>

#### Main Street Corridor

<u>Residential Main Street</u>	<u>AHE-R30-M</u>
<u>Mixed Use Main Street</u>	<u>AHE-X30-M</u>
<u>Shopfront Main Street</u>	<u>AHE-S30-M</u>

## D. Design Guidelines

It is the intent of this Chapter that all development be in accordance with the Design Guidelines for Mixed Use and Multi-Family Residential for the new AHE-S30-, AHE-X30- and AHE-R30- character contexts, zones-

## E. Master Design Review Permit Overlay Zone

The Master Design Review Permit Overlay (-MDP) is established to designate the location and amount of mandatory non-residential ground floor uses for large sites with the AHE-S30- character context.

## F. First Generation Use & Development Standards

1. The following First Generation use and development standards apply to the At Home in Encinitas Zone as designated on the map for individual sites. The use and development standards correspond to those in the prior zone or Specific Plan that was in effect on the effective date of this Chapter, as referenced below.

<u>Zoning</u>	<u>Code Location</u>
<u>RR: Rural Residential</u> <u>RR1: Rural Residential 1</u> <u>RR2: Rural Residential 2</u> <u>R3: Residential 3</u> <u>R5: Residential 5</u> <u>R8: Residential 8</u>	<u>30.16 Residential Zones</u>
<u>GC: General Commercial</u> <u>VSC: Visitor Serving Commercial</u> <u>OP: Office Professional</u> <u>LC: Local Commercial</u>	<u>30.20 Commercial Zones</u>
<u>BP: Business Park</u>	<u>30.24 Light Industrial Zones</u>
<u>PSP: Public/Semi Public</u>	<u>30.28 Public/Semi-Public Zones</u>
<u>101SP: North 101 Corridor Specific Plan</u> <u>CSP: Cardiff Specific Plan</u> <u>ERSP: Encinitas Ranch Specific Plan</u> <u>DESP: Downtown Encinitas Specific Plan</u>	<u>Specific Plan</u>

2. Refer to Section 30.36.100 A. for the process of transitioning from First Generation use and development standards to the Second Generation use and development standards established in this Chapter.
3. Unique entitlement processes and findings established in this Chapter are applicable only to the Second Generation use and development standards of this Chapter and do not apply to discretionary actions that are applicable to the First Generation use and development standards.

## G. Applicability

This Chapter applies to any site zoned At Home in Encinitas. The following map shows the sites zoned At Home in Encinitas (AHE), the first generation use and development standards for the site (GEN1), the second generation character context (GEN2) and sites subject to the Master Design Review Permit Zone Overlay (MDP). This Chapter applies to any site using the At Home in Encinitas Zone designation of AHE-S30, AHE-X30 or AHE-R30. The map below shows which sites, citywide, are mapped with a AHE-S30, AHE-X30 and AHE-R30 At Home in Encinitas Zone option:

### Example Zone:

AHE-GC-S30-N-MDP, where AHE is the zone district, GC is GEN1, S30-N is GEN2 and MDP is the zone overlay.

[INSERT map of AHE sites after  
City Council decision in June 2016]





## 30.36.020. Housing Prototypes

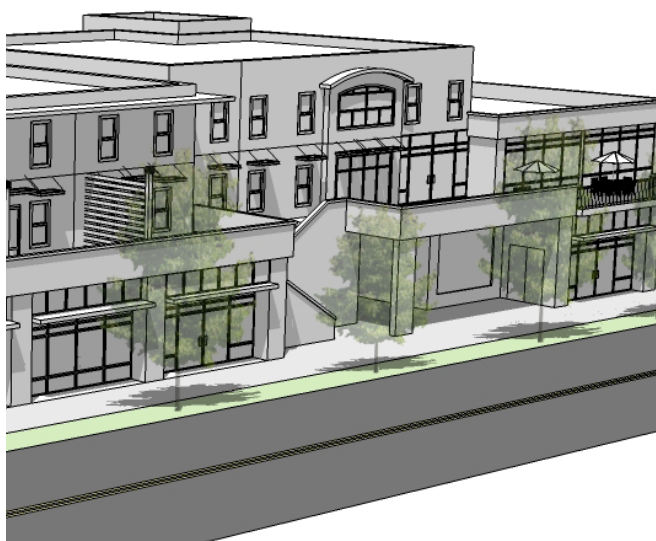
The section provides standards for six housing prototypes. Mixed Use Residential, Apartment, Flat, Carriage House, Townhome and Duplex provide an assortment of potential housing prototypes that are compatible with existing development. Standards for each housing prototype supplement the standards for each [character context within which zone that the](#) each housing prototype is allowed in. Also, only certain housing prototypes are allowed in a designated Transition Area 2 (see Sec. 30.36.060).

	Neighborhood Center			Village Center			Main Street			Transition Area 2
	AHE-S30-N	AHE-X30-N	AHE-R30-N	AHE-S30-V	AHE-X30-V	AHE-R30-V	AHE-S30-M	AHE-X30-M	AHE-R30-M	
 Mixed Use Residential	■	■	--	■	■	--	■	■	--	--
 Apartment	--	■	■	--	■	■	--	■	■	--
 Flat	--	■	■	--	■	■	--	■	■	--
 Carriage House	--	■	■	--	■	■	--	■	■	■
 Townhome	--	■	■	--	■	■	--	■	■	■
 Duplex	--	■	■	--	■	■	--	■	■	■

Key: ■ = Housing prototype allowed -- = Housing prototype not allowed

## A. Mixed Use Residential

A Mixed Use Residential building includes commercial uses on the ground floor and residential uses on upper floors. It has a shared entrance and may have interior corridors. Parking is provided in a surface lot or underground. Tuck-under parking can also be incorporated when site constraints make other parking options difficult.



### Size

Floor area per dwelling unit	900 SF max avg.
------------------------------	-----------------

## B. Apartment

Apartments are multifamily units, accessed via a common entrance and corridor. They can be single- or double-loaded. Parking is provided in surface lots, or could include podium parking or more dense situations. Apartments have porches on the ground floor and balconies on upper floors and often include common outdoor amenities.



### Size

Floor area per dwelling unit	900 SF max avg.
------------------------------	-----------------

C. Flat

A Flat is stacked vertically without an internal corridor, and include an individual entry while upper floors are access via a common stair core. Each building contains four to six units, depending on height and unit size. Parking is tucked under the building. This building type includes a wide range of unit sizes to accommodate mixed-income opportunities.



Size

Floor area per dwelling unit	900 SF max avg.
------------------------------	-----------------

D. Carriage House

Carriage houses are 2nd floor (and occasionally 3rd floor) apartments located above ground floor parking. Parking is provided either as tuck-under (partially enclosed or in private garages) or in private garages (fully enclosed). Carriage houses are usually located along an alley or within an internal surface parking lot of a larger development.



Size

Floor area per dwelling unit	900 SF max avg.
------------------------------	-----------------

## E. Townhome

A Townhome is a single-family home that is attached to others. End units have openings on three sides, while interior units have openings only in the front and in the back. It may be attached or detached with a small yard. The main entrance typically faces a public street and sidewalk and often includes a front porch or stoop.



### Size

Floor area per dwelling unit	1,300 SF max avg.
------------------------------	-------------------

## F. Duplex

A Duplex is similar to a Townhome in that it is a single-family home attached to others, but it is limited to two units, which share a party wall. Because of the lower intensity these buildings produce, they are ideal for transitions into existing single-family neighborhoods. Parking is located in the rear, either in a garage or on a surface parked driveway.



### Size

Floor area per dwelling unit	1,800 SF max avg.
------------------------------	-------------------



# 30.36.030. Neighborhood Center

## Summary



## Intent

The Neighborhood Center character context zones exists along centrally located commercial centers on major arterials and are usually organized in the form of “nodes” - where a major intersection serves as the destination, or in linear “corridors.” The Neighborhood Center character context is zones are envisioned as transforming from what is today one of strictly commercial land uses into more of a mixture of uses where residential units add to the vibrancy of the place and offer more sensitive transitions to surrounding single-family neighborhoods. The Neighborhood Center character context zones includes larger parcels of land, and therefore, larger buildings are more appropriate. Building height should remain in the range of two to three stories and buildings should orient to the street and public sidewalks. Uses may be vertically stacked or horizontally distributed. Parking should be subordinate. Internal pedestrian and auto connections are crucial to breaking up the size of very large parcels, as increased walkability is a primary desired element. Connections to adjacent developments should also be provided to support walking and biking. Enhanced connections to transit is also important.

### SHOPFRONT NEIGHBORHOOD (AHE-S30-N)

#### Housing Prototypes:

Mixed use residential Sec. 30.36.020.A

### MIXED USE NEIGHBORHOOD (AHE-X30-N)

#### Housing Prototypes:

Mixed use residential Sec. 30.36.020.A

Apartment Sec. 30.36.020.B

Flat Sec. 30.36.020.C

Carriage house Sec. 30.36.020.D

Townhome Sec. 30.36.020.E

Duplex Sec. 30.36.020.F

### RESIDENTIAL NEIGHBORHOOD (AHE-R30-N)

#### Housing Prototypes:

Apartment Sec. 30.36.020.B

Flat Sec. 30.36.020.C

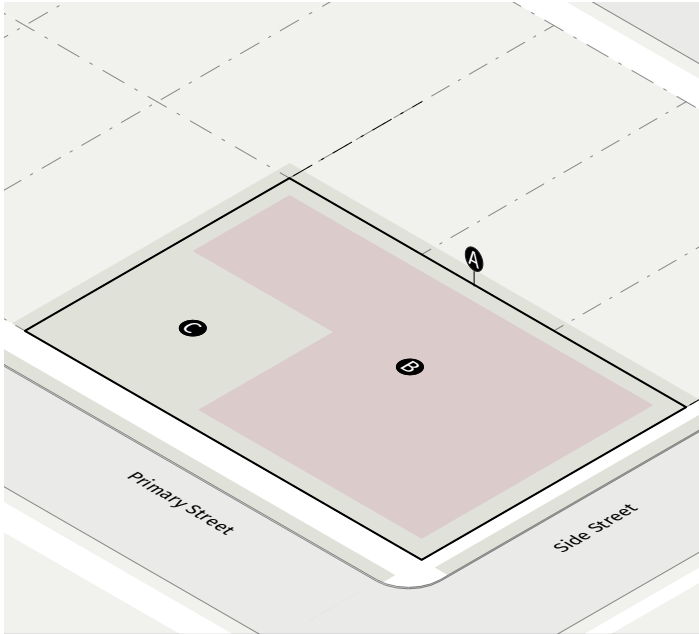
Carriage house Sec. 30.36.020.D

Townhome Sec. 30.36.020.E

Duplex Sec. 30.36.020.F

## A. Shopfront Neighborhood (AHE-S30-N)

### 1. Site



#### Density

Min density	20 u/a min
Max density	30 u/a max

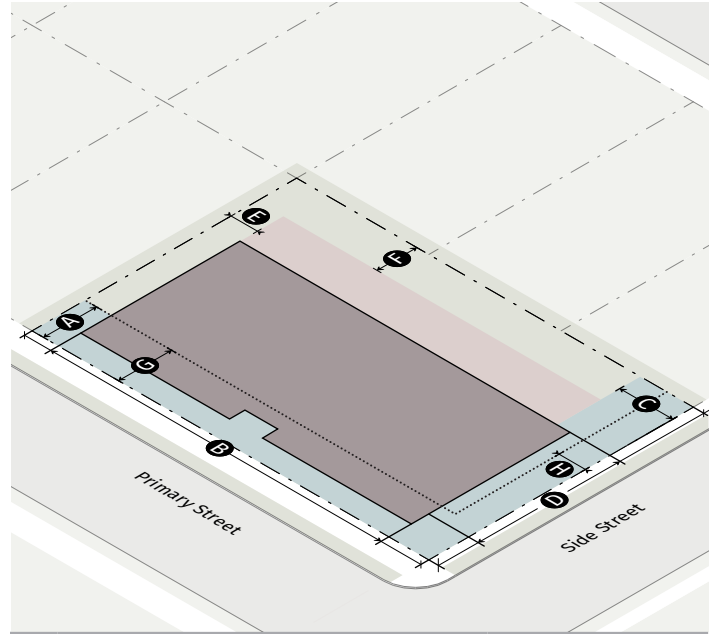
#### Site Dimensions

<b>A</b> Site area	25,000 SF min
<b>B</b> Building coverage	70% max
Block perimeter	2,500 SF max

#### Usable Open Space

<b>C</b> Private	10% min of floor area of all units
<b>C</b> Common	
0-10 units	500 SF min
11-30 units	1,000 SF min
31-50 units	2,000 SF min
50+ units	3,000 SF min

### 2. Building Placement



#### Build-to Range

<b>A</b> Primary street	0' min/20' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	75% min
<b>C</b> Side street	0' min/20' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	40% min

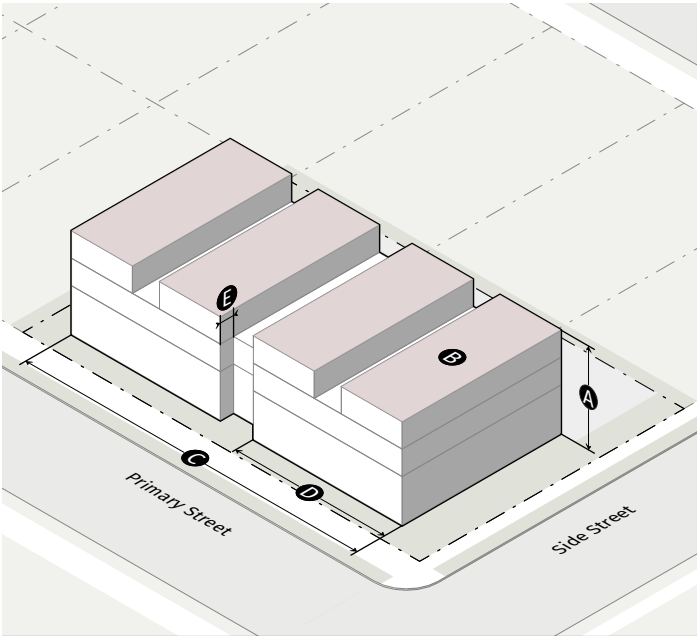
#### Side and Rear Building Setbacks

<b>E</b> Side: common lot line	10' min
<b>F</b> Rear: common lot line	15' min
<b>F</b> Rear/side: alley	5' min

#### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min

### 3. Building Height and Mass



#### Building Height

<b>A</b> Total height	3 stories/ 38' max
Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>B</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70% max

#### Building Articulation

<b>C</b> Overall street-facing wall length	250' max
<b>D</b> Street-facing wall length before offset	125' max
<b>E</b> Offset depth	5' min

### 4. Building Frontage



#### Transparency

<b>A</b> Ground story	60% min
<b>B</b> Upper story	20% min
<b>C</b> Blank wall area	30' max

#### Story Height

<b>D</b> Ground floor elevation	0' min/3' max
<b>E</b> Ground story: floor to floor	16' min
<b>F</b> Upper story: floor to floor	9' min

#### Pedestrian Access

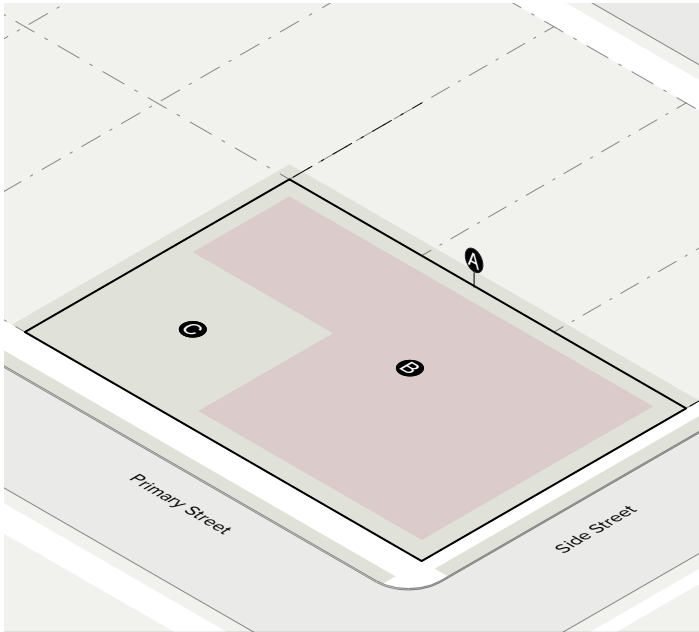
<b>G</b> Entrance facing primary street	Required
<b>H</b> Entrance spacing along primary street	75' max

#### Building Elements

Awning/canopy, balcony, forecourt, gallery	See Sec. 30.36.060.L
---	-------------------------

## B. Mixed Use Neighborhood (AHE-X30-N)

### 1. Site



#### Density

Min density	20 u/a min
Max density	30 u/a max

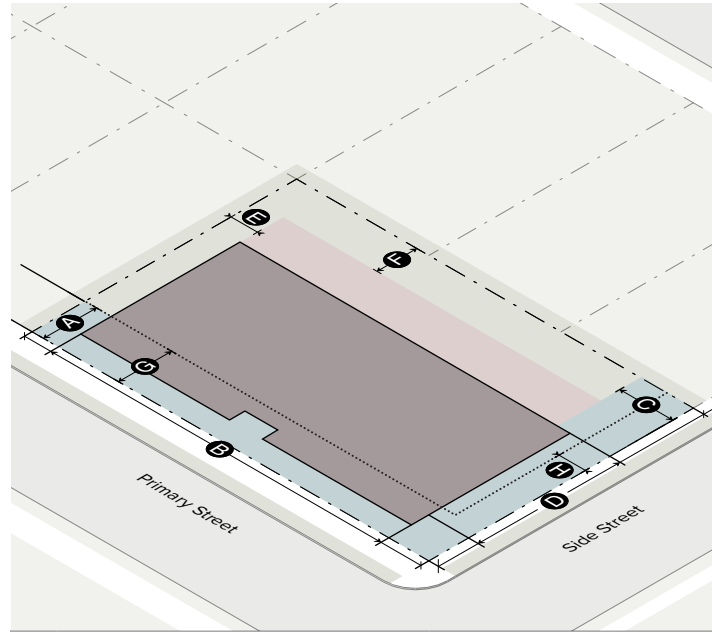
#### Site Dimensions

<b>A</b> Site area	25,000 SF min
<b>B</b> Building coverage	70% max
Block perimeter	2,500 SF max

#### Usable Open Space

<b>C</b> Private	10% min of floor area of all units
<b>C</b> Common	
0-10 units	500 SF min
11-30 units	1,000 SF min
31-50 units	2,000 SF min
50+ units	3,000 SF min

### 2. Building Placement



#### Build-to Range

<b>A</b> Primary street	0' min/20' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	75% min
<b>C</b> Side street	0' min/20' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	40% min

#### Side and Rear Building Setbacks

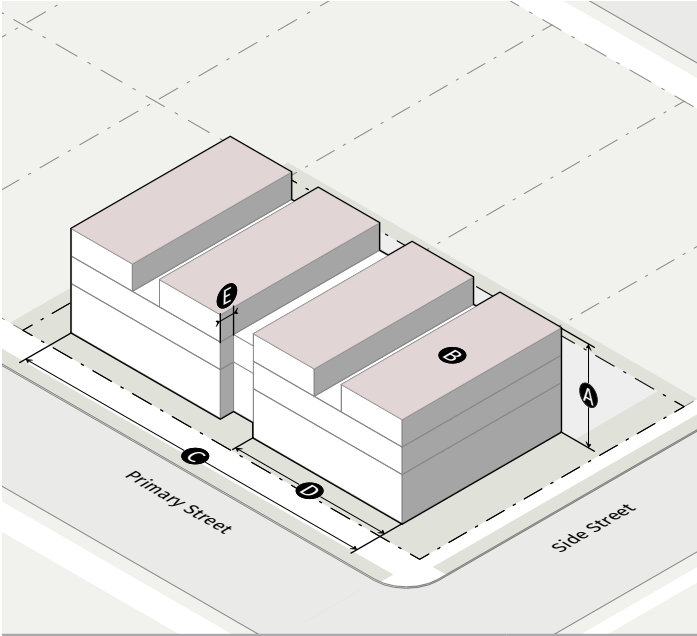
<b>E</b> Side: common lot line	10' min
<b>E</b> Side: shared wall lot line (townhome, duplex)	0' min
<b>F</b> Rear: common lot line	15' min
<b>F</b> Rear/side: alley	5' min

#### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min



### 3. Building Height and Mass



#### Building Height

<b>A</b> Total height	3 stories/ 38' max
Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>B</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70% max

#### Building Articulation

<b>C</b> Overall street-facing wall length	250' max
<b>D</b> Street-facing wall length before offset	125' max
<b>E</b> Offset depth	5' min

### 4. Building Frontage



#### Transparency

	Residential	Mixed Use
<b>A</b> Ground story	20% min	60% min
<b>B</b> Upper story	20% min	20% min
<b>C</b> Blank wall area	30' max	30' max

#### Story Height

<b>D</b> Ground floor elevation	2' min/ 5' max	0' min/ 3' max
<b>E</b> Ground story: floor to floor	10' min	16' min
<b>F</b> Upper story: floor to floor	9' min	9' min

#### Pedestrian Access

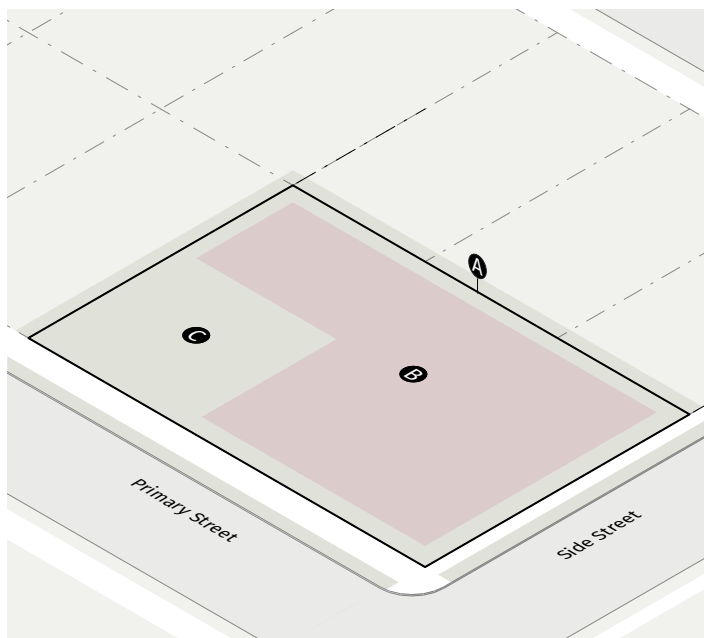
<b>G</b> Entrance facing primary street	Required	Required
<b>H</b> Entrance spacing along primary street	100' max	75' max

#### Building Elements

Awning/canopy, balcony, forecourt, front porch, stoop	See Sec. 30.36.070.L	--
Awning/canopy, balcony, forecourt, gallery	--	See Sec. 30.36.070.L

## C. Residential Neighborhood (AHE-R30-N)

### 1. Site



#### Density

Min density	20 u/a min
Max density	30 u/a max

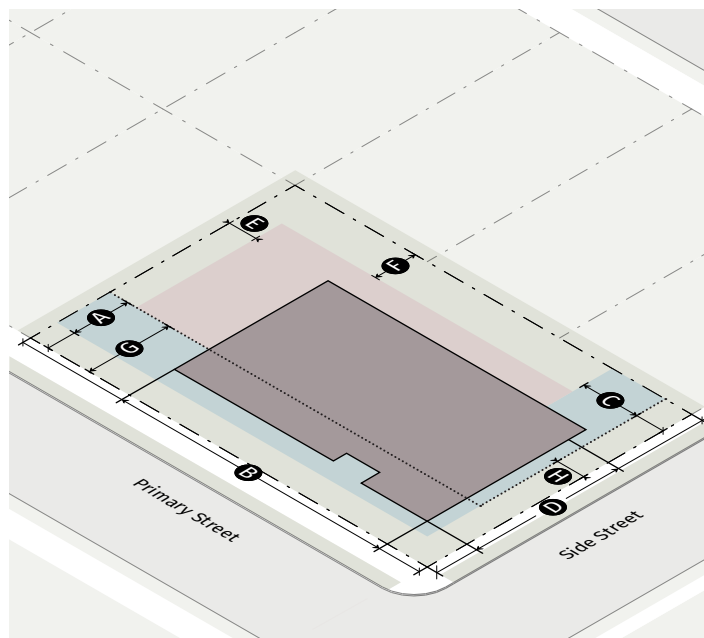
#### Dimensions

<b>A</b> Site area	25,000 SF min
<b>B</b> Building coverage	70% max
Block perimeter	2,500 SF max

#### Usable Open Space

<b>C</b> Private	10% min of floor area of all units
<b>C</b> Common	
0-10 units	500 SF min
11-30 units	1,000 SF min
31-50 units	2,000 SF min
50+ units	3,000 SF min

### 2. Building Placement



#### Build-to Range

<b>A</b> Primary street	10' min/30' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	75% min
<b>C</b> Side street	10' min/30' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	40% min

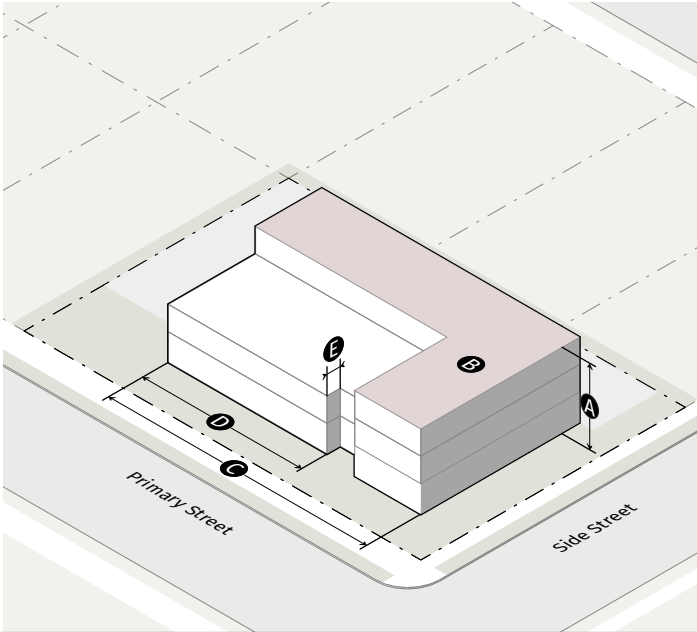
#### Side and Rear Building Setbacks

<b>E</b> Side: common lot line	10' min
<b>E</b> Side: shared wall lot line (townhome, duplex)	0' min
<b>F</b> Rear: common lot line	15' min
<b>F</b> Rear/side: alley	5' min

#### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min

### 3. Building Height and Mass



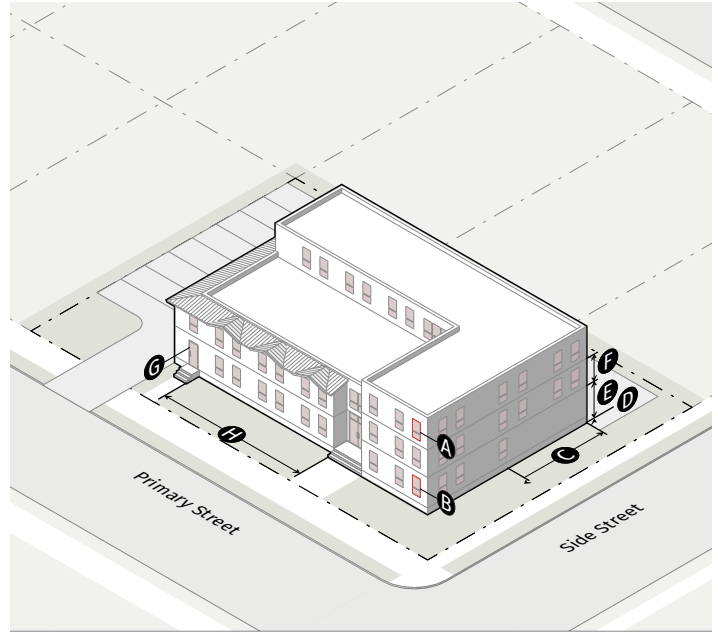
#### Building Height

<b>A</b> Total height	3 stories/ 35' max
Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>B</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70% max

#### Building Articulation

<b>C</b> Overall street-facing wall length	250' max
<b>D</b> Street-facing wall length before offset	125' max
<b>E</b> Offset depth	5' min

### 4. Building Frontage



#### Transparency

<b>A</b> Ground story	20% min
<b>B</b> Upper story	20% min
<b>C</b> Blank wall area	30' max

#### Story Height

<b>D</b> Ground floor elevation	2' min/5' max
<b>E</b> Ground story: floor to floor	10' min
<b>F</b> Upper story: floor to floor	9' min

#### Pedestrian Access

<b>G</b> Entrance facing primary street	Required
<b>H</b> Entrance spacing along primary street	100' max

#### Building Elements

Awning/canopy, balcony, forecourt, front porch, stoop	See Sec. 30.36.070.L
--	-------------------------



## 30.36.040. Village Center

### Summary



### Intent

The Village Center character context zones appears in the Cardiff Town Center area as well as commercial areas in Olivenhain. Other AHE-S30, AHE-X30 or AHE-R30 sites also exist where the “village center” palette is most desirable. The desired Village Center character includes a mixture of land uses within close proximity to each other where smaller buildings are “clustered” and connected via pathways, courtyards, and other outdoor connections. Buildings should be modestly set back from the street and have more variation in building frontage than the other two design contexts, but connecting to the street remains very important. Uses should be vertically “stacked” or horizontally arranged on a single site. A sense of connection with the outdoors should be pronounced. Materials should respond to the established community. For example, Cardiff Town Center includes historic brick structures as well as newer buildings with colorfully painted stucco; Olivenhain includes more natural materials such as wood, masonry and clay tile roofs. Reinforcing the traditional character of the Village Center context is a key objective.

#### SHOPFRONT VILLAGE (AHE-S30-V)

##### Housing Prototypes:

Mixed use residential Sec. 30.36.020.A

#### MIXED USE VILLAGE (AHE-X30-V)

##### Housing Prototypes:

Mixed use residential Sec. 30.36.020.A

Apartment Sec. 30.36.020.B

Flat Sec. 30.36.020.C

Carriage house Sec. 30.36.020.D

Townhome Sec. 30.36.020.E

Duplex Sec. 30.36.020.F

#### RESIDENTIAL VILLAGE (AHE-R30-V)

##### Housing Prototypes:

Apartment Sec. 30.36.020.B

Flat Sec. 30.36.020.C

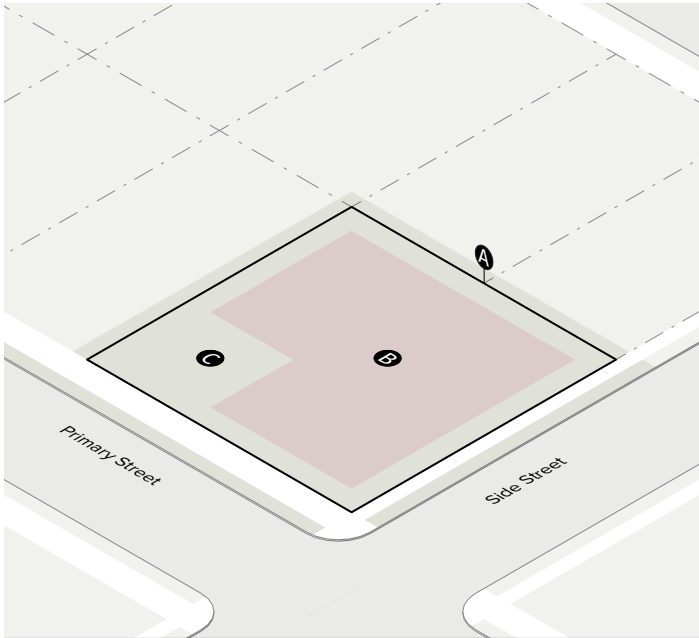
Carriage house Sec. 30.36.020.D

Townhome Sec. 30.36.020.E

Duplex Sec. 30.36.020.F

## A. Shopfront Village (AHE-S30-V)

### 1. Site



#### Density

Min density	20 u/a min
Max density	30 u/a max

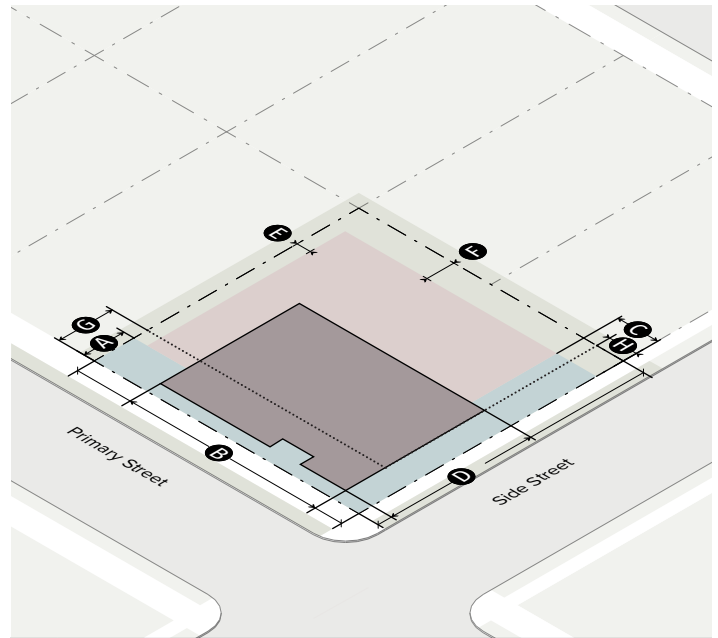
#### Dimensions

<b>A</b> Site area	25,000 SF min
<b>B</b> Building coverage	65% max

#### Usable Open Space

<b>C</b> Private	10% min of floor area of all units
<b>C</b> Common	
0-10 units	500 SF min
11-30 units	1,000 SF min
31-50 units	2,000 SF min
50+ units	3,000 SF min

### 2. Building Placement



#### Build-to Range

<b>A</b> Primary street	0' min/15' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	70% min
<b>C</b> Side street	0' min/15' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	35% min

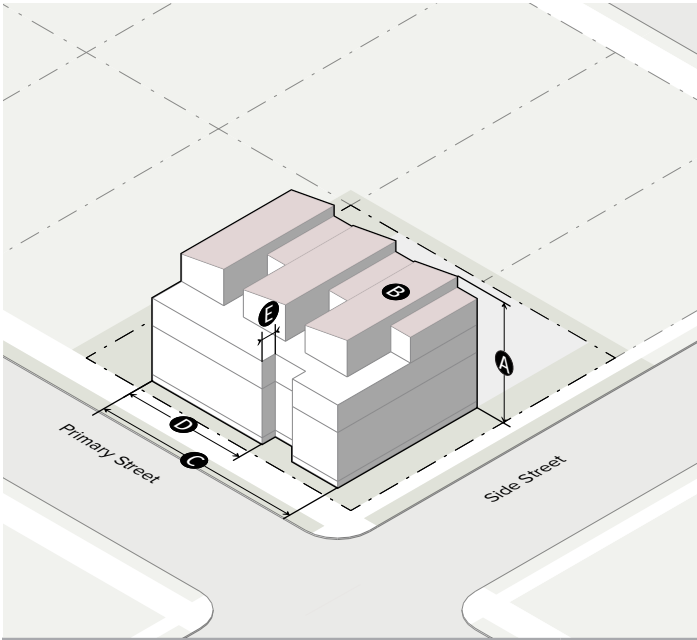
#### Side and Rear Building Setbacks

<b>E</b> Side: common lot line	5' min
<b>F</b> Rear: common lot line	10' min
<b>F</b> Rear/side: alley	5' min

#### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min

### 3. Building Height and Mass



#### Building Height

<b>A</b> Total height	3 stories/ 38' max
Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>B</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70% max

#### Building Articulation

<b>C</b> Overall street-facing wall length	200'
<b>D</b> Street-facing wall length before offset	100' max
<b>E</b> Offset depth	5' min

### 4. Building Frontage



#### Transparency

<b>A</b> Ground story	60% min
<b>B</b> Upper story	20% min
<b>C</b> Blank wall area	30' max

#### Story Height

<b>D</b> Ground floor elevation	0' min/3' max
<b>E</b> Ground story: floor to floor	16' min
<b>F</b> Upper story: floor to floor	9' min

#### Pedestrian Access

<b>G</b> Entrance facing primary street	Required
<b>H</b> Entrance spacing along primary street	65' max

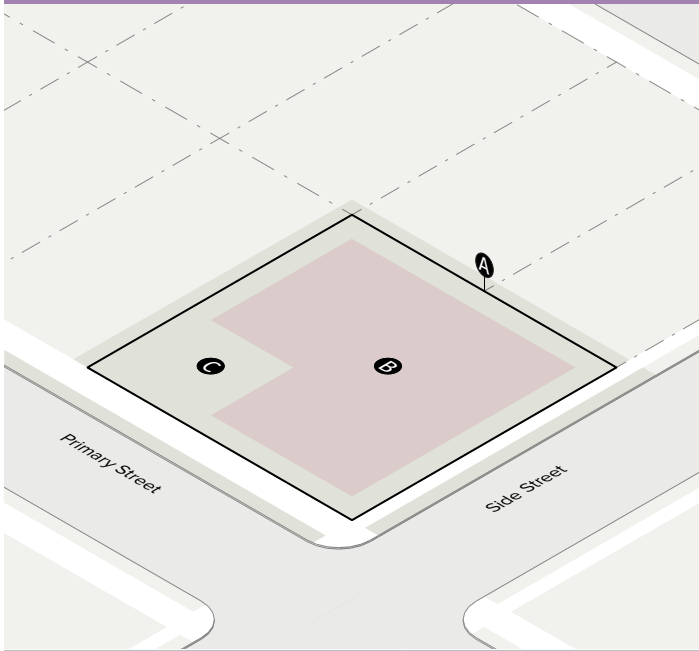
#### Building Elements

Awning/canopy, balcony, forecourt, gallery	See Sec. 30.36.070.L
---	-------------------------



## B. Mixed Use Village (AHE-X30-V)

### 1. Site



#### Density

Min density	20 u/a min
Max density	30 u/a max

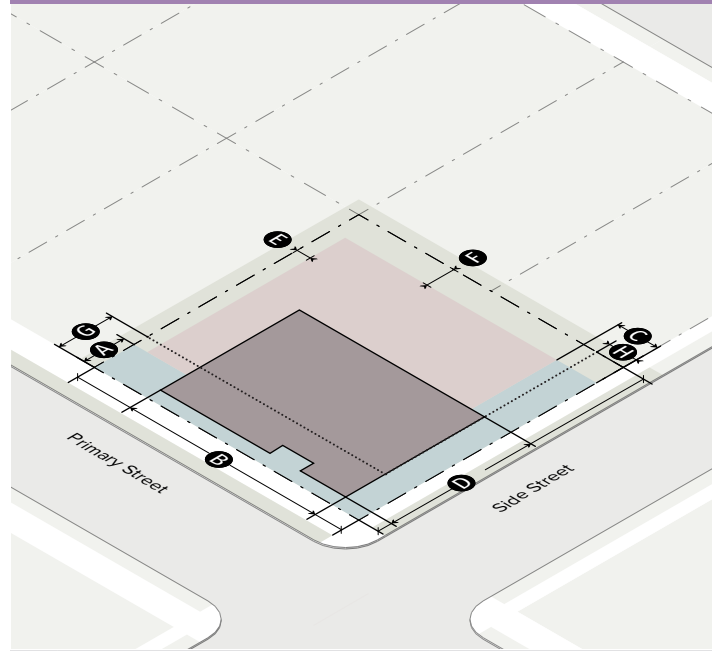
#### Dimensions

<b>A</b> Site area	25,000 SF min
<b>B</b> Building coverage	65% max

#### Usable Open Space

<b>C</b> Private	10% min of floor area of all units
<b>C</b> Common	
0-10 units	500 SF min
11-30 units	1,000 SF min
31-50 units	2,000 SF min
50+ units	3,000 SF min

### 2. Building Placement



#### Build-to Range

<b>A</b> Primary street	0' min/15' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	70% min
<b>C</b> Side street	0' min/15' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	35% min

#### Side and Rear Building Setbacks

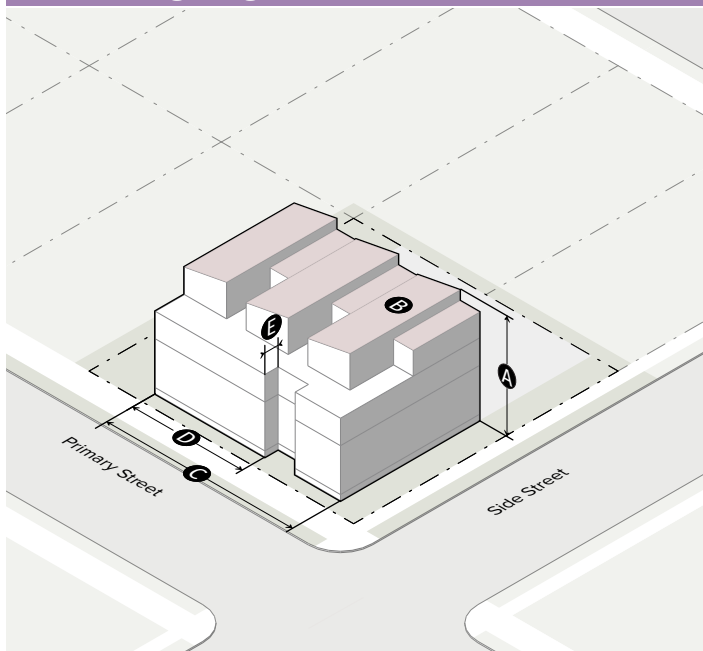
<b>E</b> Side: common lot line	5' min
<b>E</b> Side: shared wall lot line (townhome, duplex)	0' min
<b>F</b> Rear: common lot line	10' min
<b>F</b> Rear/side: alley	5' min

#### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min



### 3. Building Height and Mass



#### Building Height

<b>A</b> Total height	3 stories/ 38' max
Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>B</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70% max

#### Building Articulation

<b>C</b> Overall street-facing wall length	200'
<b>D</b> Street-facing wall length before offset	100' max
<b>E</b> Offset depth	5' min

### 4. Building Frontage



#### Transparency

	Residential	Mixed Use
<b>A</b> Ground story	20% min	60% min
<b>B</b> Upper story	20% min	20% min
<b>C</b> Blank wall area	30' max	30' max

#### Story Height

<b>D</b> Ground floor elevation	2' min/ 5' max	0' min/ 3' max
<b>E</b> Ground story: floor to floor	10' min	16' min
<b>F</b> Upper story: floor to floor	9' min	9' min

#### Pedestrian Access

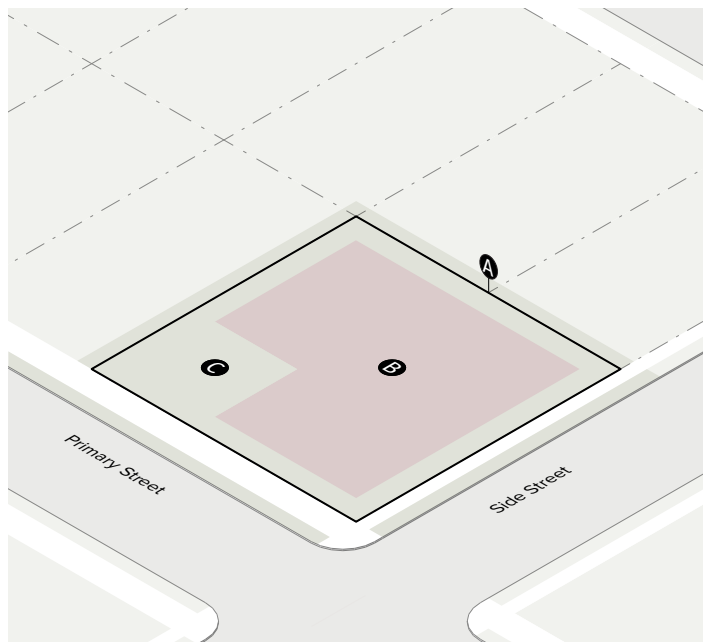
<b>G</b> Entrance facing primary street	Required	Required
<b>H</b> Entrance spacing along primary street	75' max	65' max

#### Building Elements

Awning/canopy, balcony, forecourt, front porch, stoop	See Sec. 30.36.070.L	--
Awning/canopy, balcony, forecourt, gallery	--	See Sec. 30.36.070.L

## C. Residential Village (AHE-R30-V)

### 1. Site



#### Density

Min density	20 u/a min
Max density	30 u/a max

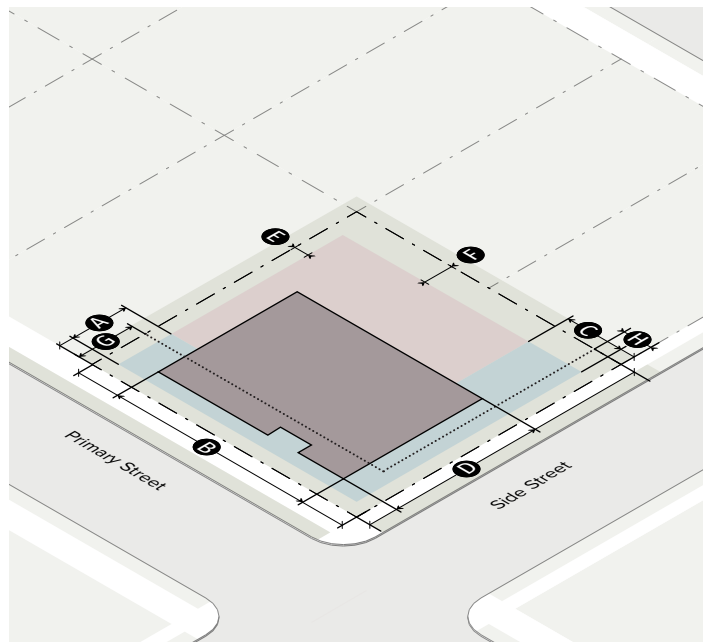
#### Dimensions

<b>A</b> Site area	25,000 SF min
<b>B</b> Building coverage	65% max

#### Usable Open Space

<b>C</b> Private	10% min of floor area of all units
<b>D</b> Common	
0-10 units	500 SF min
11-30 units	1,000 SF min
31-50 units	2,000 SF min
50+ units	3,000 SF min

### 2. Building Placement



#### Build-to Range

<b>A</b> Primary street	5' min/20' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	70% min
<b>C</b> Side street	5' min/20' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	35% min

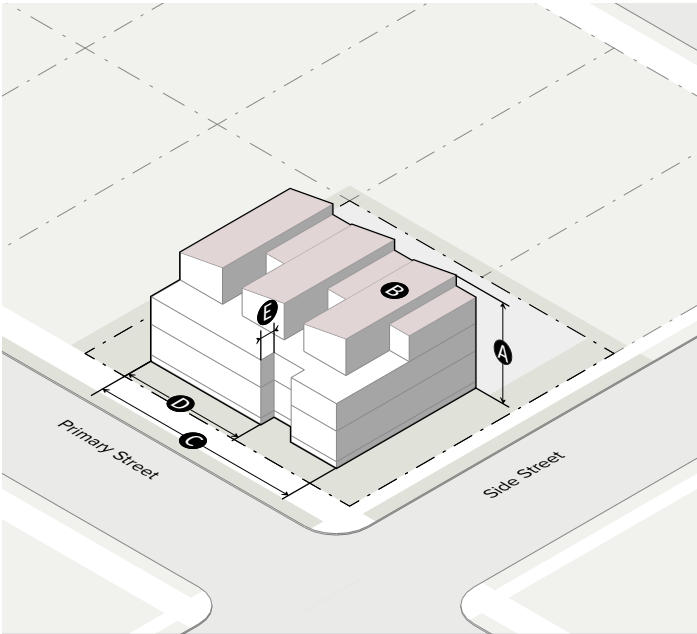
#### Side and Rear Building Setbacks

<b>E</b> Side: common lot line	5' min
<b>E</b> Side: shared wall lot line (townhome, duplex)	0' min
<b>F</b> Rear: common lot line	10' min
<b>F</b> Rear/side: alley	5' min

#### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min

### 3. Building Height and Mass



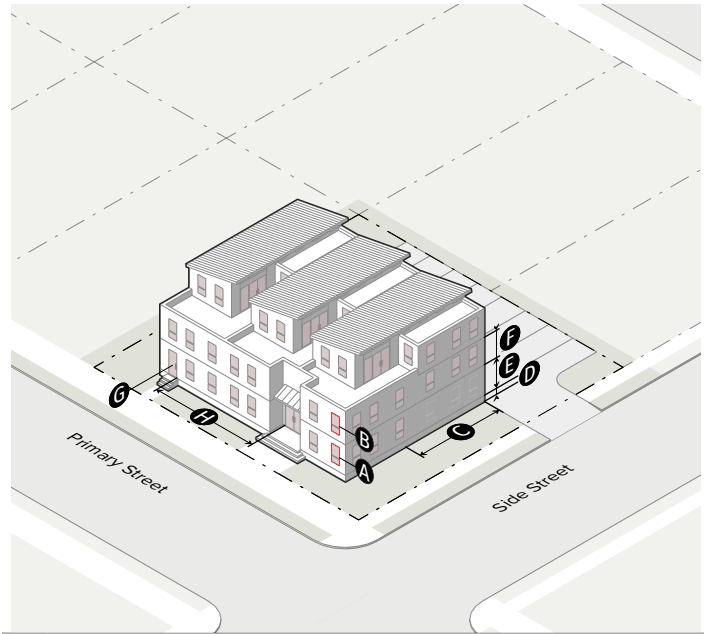
#### Building Height

<b>A</b> Total height	3 stories/ 35' max
Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>B</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70% max

#### Building Articulation

<b>C</b> Overall street-facing wall length	200' max
<b>D</b> Street-facing wall length before offset	100' max
<b>E</b> Offset depth	5' min

### 4. Building Frontage



#### Transparency

<b>A</b> Ground story	20% min
<b>B</b> Upper story	20% min
<b>C</b> Blank wall area	30' max

#### Story Height

<b>D</b> Ground floor elevation	2' min/5' max
<b>E</b> Ground story: floor to floor	10' min
<b>F</b> Upper story: floor to floor	9' min

#### Pedestrian Access

<b>G</b> Entrance facing primary street	Required
<b>H</b> Entrance spacing along primary street	100' max

#### Building Elements

Awning/canopy, balcony, forecourt, front porch, stoop	See Sec. 30.36.070.L
--	-------------------------



# 30.36.050. Main Street Corridor

## Summary



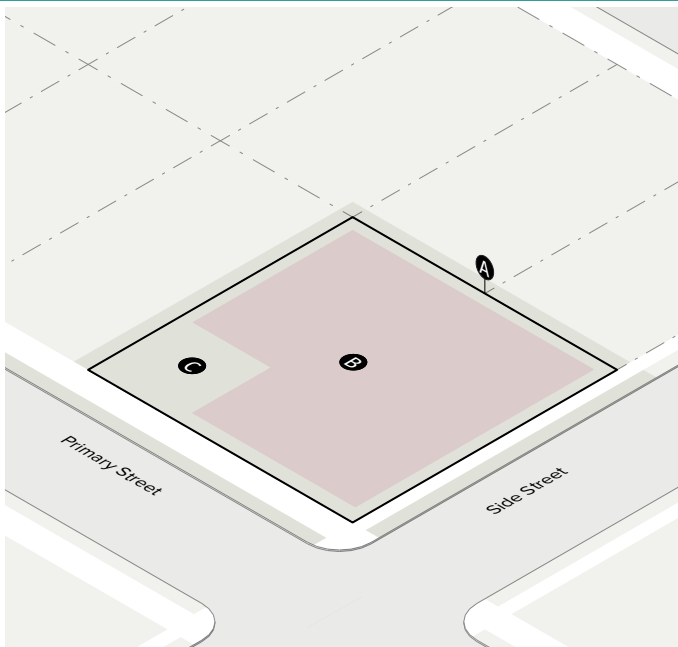
## Intent

The Main Street Corridor character context zones lies predominantly along Highway 101, although some other locations exist. The desired Main Street character includes buildings with a strong orientation to and interaction with the street. For mixed-use buildings, this means that the ground floor should be very transparent and welcoming, with storefronts and outdoor seating and displays. The activities inside the building should activate the sidewalk it faces. Mixed-use buildings should include housing on upper floors, with balconies or outdoor terraces overlooking the street. Residential-only projects within Main Street contexts should still orient to the street with clearly defined entries and balconies and common space fronting the street. Raised stoops and individual street-side entries are also welcome to help animate the street. Highway 101 is centrally located and near major transit routes. This proximity to transit also should be considered when designing in this context.

SHOPFRONT MAIN STREET (AHE-S30-M)	MIXED USE MAIN STREET (AHE-X30-M)	RESIDENTIAL MAIN STREET (AHE-R30-M)
<b>Housing Prototypes:</b>	<b>Housing Prototypes:</b>	<b>Housing Prototypes:</b>
Mixed use residential    Sec. 30.36.020.A	Mixed use residential    Sec. 30.36.020.A	Apartment                      Sec. 30.36.020.B
	Apartment                      Sec. 30.36.020.B	Flat                              Sec. 30.36.020.C
	Flat                                Sec. 30.36.020.C	Carriage house              Sec. 30.36.020.D
	Carriage house                Sec. 30.36.020.D	Townhome                    Sec. 30.36.020.E
	Townhome                      Sec. 30.36.020.E	Duplex                        Sec. 30.36.020.F
	Duplex                          Sec. 30.36.020.F	

## A. Shopfront Main Street (AHE-S30-M)

### 1. Site



#### Density

Min density	20 u/a min
Max density	30 u/a max

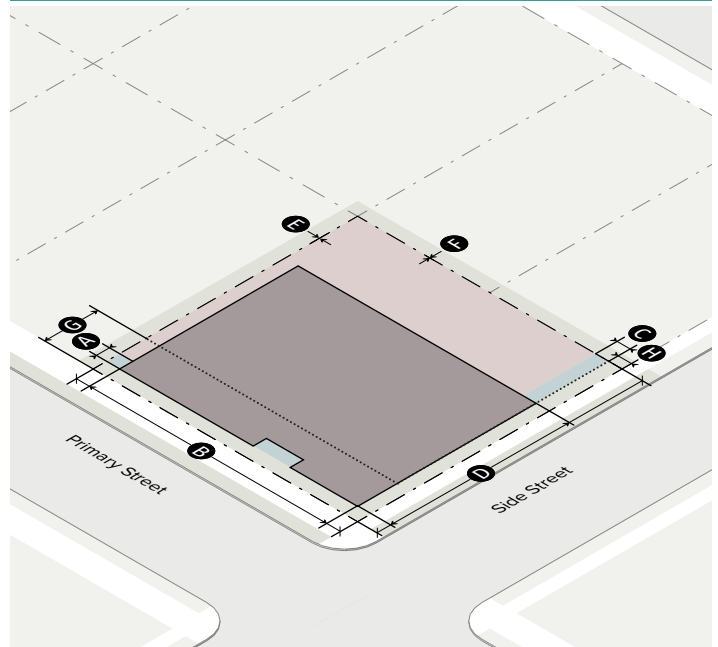
#### Dimensions

<b>A</b> Site area	25,000 SF min
<b>B</b> Building coverage	75% max

#### Usable Open Space

<b>C</b> Private	10% min of floor area of all units
<b>C</b> Common	
0-10 units	500 SF min
11-30 units	1,000 SF min
31-50 units	2,000 SF min
50+ units	3,000 SF min

### 2. Building Placement



#### Build-to Range

<b>A</b> Primary street	0' min/10' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	80% min
<b>C</b> Side street	0' min/10' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	45% min

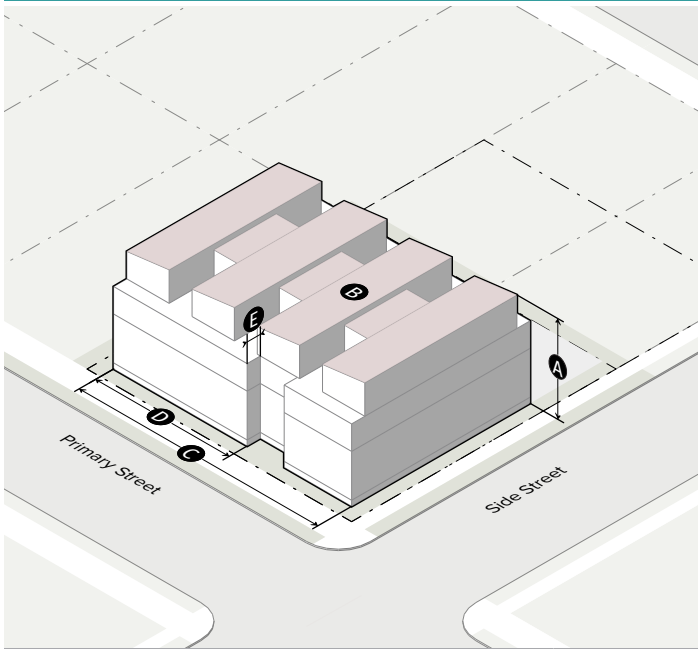
#### Side and Rear Building Setbacks

<b>E</b> Side: common lot line	0' min
<b>F</b> Rear: common lot line	5' min
<b>F</b> Rear/side: alley	5' min

#### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min

### 3. Height and Mass



#### Building Height

<b>A</b> Total height	3 stories/ 38' max
Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>B</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70%

#### Building Articulation

<b>C</b> Overall street-facing wall length	200' max
<b>D</b> Street-facing wall length before offset	100' max
<b>E</b> Offset depth	5' min

### 4. Frontage



#### Transparency

<b>A</b> Ground story	60% min
<b>B</b> Upper story	20% min
<b>C</b> Blank wall area	30' max

#### Story Height

<b>D</b> Ground floor elevation	0' min/3' max
<b>E</b> Ground story: floor to floor	16' min
<b>F</b> Upper story: floor to floor	9' min

#### Pedestrian Access

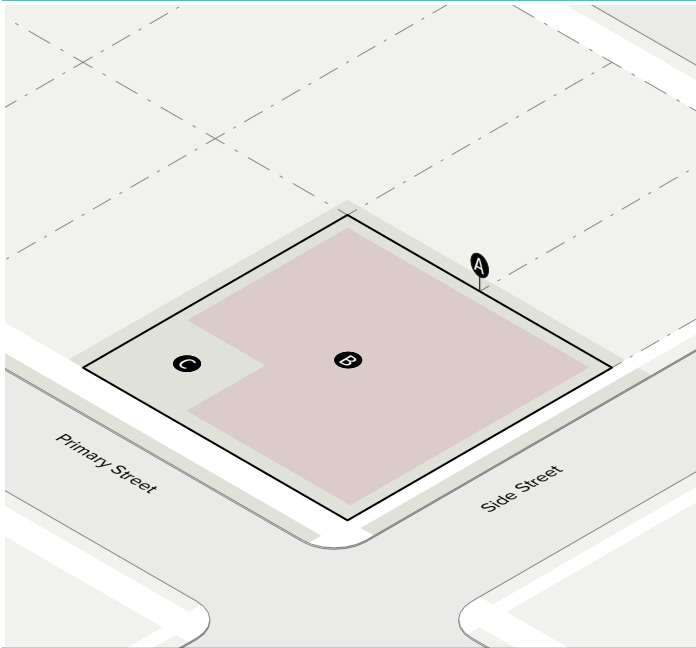
<b>G</b> Entrance facing primary street	Required
<b>H</b> Entrance spacing along primary street	50' max

#### Building Elements

Awning/canopy, balcony, forecourt, gallery	See Sec. 30.36.070.L
---	-------------------------

## B. Mixed Use Main Street (AHE-X30-M)

### 1. Site



#### Density

Min density	20 u/a min
Max density	30 u/a max

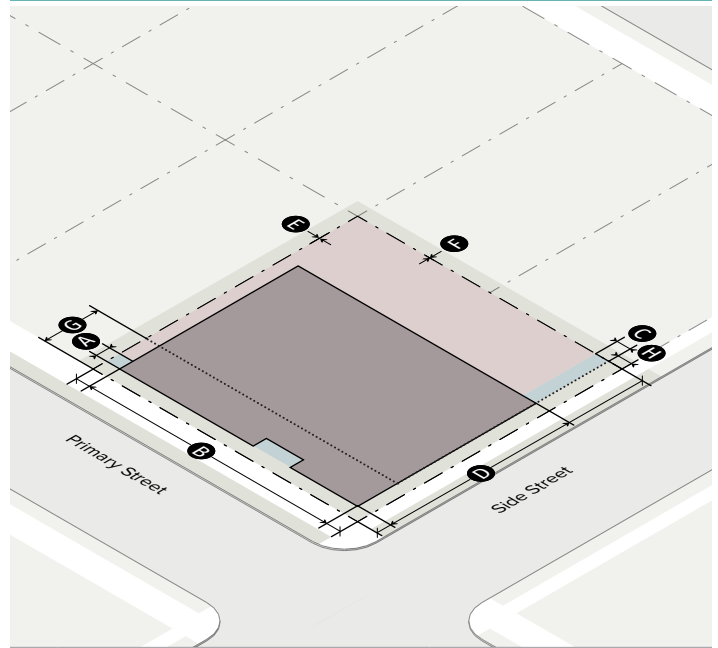
#### Dimensions

<b>A</b> Site area	25,000 SF min
<b>B</b> Building coverage	75% max

#### Usable Open Space

<b>C</b> Private	10% min of floor area of all units
<b>C</b> Common	
0-10 units	500 SF min
11-30 units	1,000 SF min
31-50 units	2,000 SF min
50+ units	3,000 SF min

### 2. Building Placement



#### Build-to Range

<b>A</b> Primary street	0' min/10' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	80% min
<b>C</b> Side street	0' min/10' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	45% min

#### Side and Rear Building Setbacks

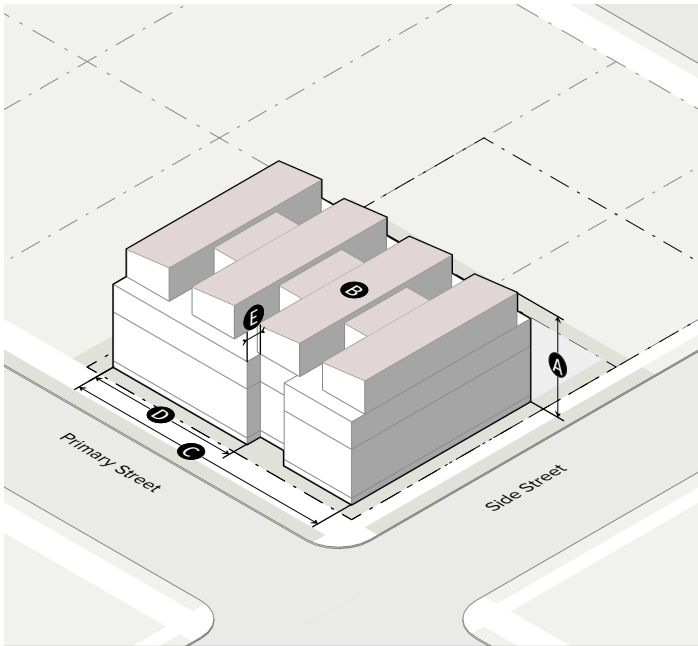
<b>E</b> Side: common lot line	0' min
<b>F</b> Rear: common lot line	5' min
<b>F</b> Rear/side: alley	5' min

#### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min



### 3. Height and Mass



#### Building Height

<b>A</b> Total height	3 stories/ 38' max
Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>B</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70%

#### Building Articulation

<b>C</b> Overall street-facing wall length	200' max
<b>D</b> Street-facing wall length before offset	100' max
<b>E</b> Offset depth	5' min

### 4. Frontage



#### Transparency

	Residential	Mixed Use
<b>A</b> Ground story	20% min	60% min
<b>B</b> Upper story	20% min	20% min
<b>C</b> Blank wall area	30' max	30' max

#### Story Height

<b>D</b> Ground floor elevation	2' min/ 5' max	0' min/ 3' max
<b>E</b> Ground story: floor to floor	10' min	16' min
<b>F</b> Upper story: floor to floor	9' min	9' min

#### Pedestrian Access

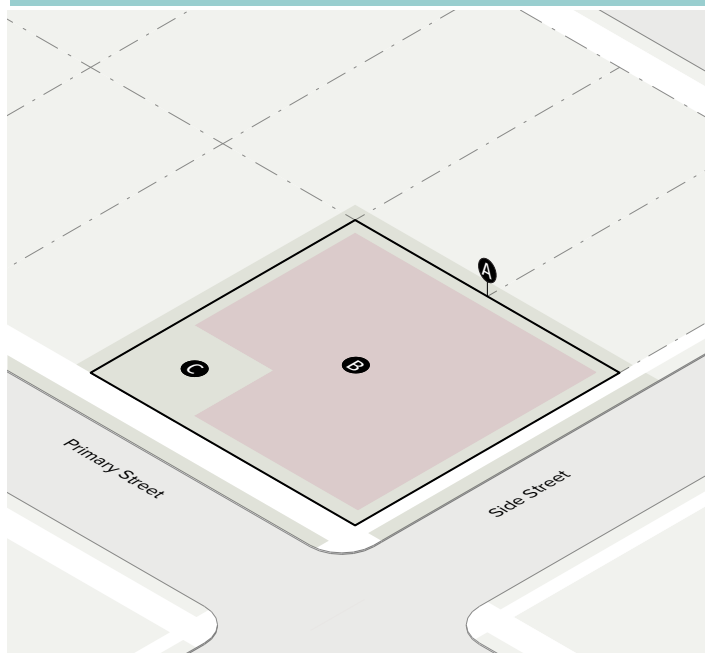
<b>G</b> Entrance facing primary street	Required	Required
<b>H</b> Entrance spacing along primary street	75' max	50' max

#### Building Elements

Awning/canopy, balcony, forecourt, front porch, stoop	See Sec. 30.36.070.L	--
Awning/canopy, balcony, forecourt, gallery	--	See Sec. 30.36.070.L

## C. Residential Main Street (AHE-R30-M)

### 1. Site



#### Density

Min density	20 u/a min
Max density	30 u/a max

#### Dimensions

<b>A</b> Site area	25,000 SF min
<b>B</b> Building coverage	75% max

#### Usable Open Space

<b>C</b> Private	10% min of floor area of all units
<b>C</b> Common	
0-10 units	500 SF min
11-30 units	1,000 SF min
31-50 units	2,000 SF min
50+ units	3,000 SF min

### 2. Building Placement



#### Build-to Range

<b>A</b> Primary street	5' min/10' max
<b>B</b> % of lot width occupied by building facade in primary street build-to range	80% min
<b>C</b> Side street	5' min/10' max
<b>D</b> % of lot width occupied by building facade in side street build-to range	45% min

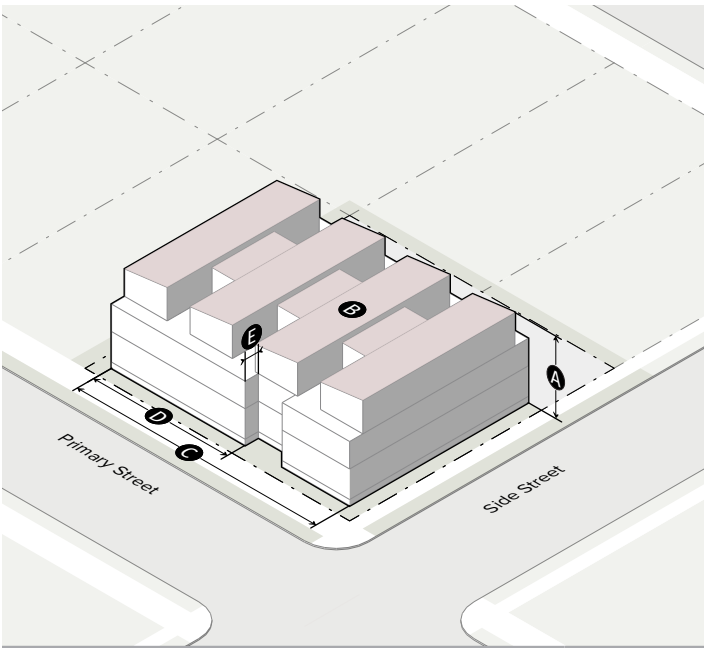
#### Side and Rear Building Setbacks

<b>E</b> Side: common lot line	0' min
<b>F</b> Rear: common lot line	5' min
<b>F</b> Rear/side: alley	5' min

#### Parking Setbacks

<b>G</b> Primary street	20' min
<b>H</b> Side street	10' min

3. Height and Mass



Building Height

<b>A</b> Total height	3 stories/ 35' max
Height within Transition Area (Sec. 30.36.060)	2 stories/ 26' max
<b>B</b> Max % of 3rd story floor area (based on total of all building footprints on site)	70%

Building Articulation

<b>C</b> Overall street-facing wall length	200' max
<b>D</b> Street-facing wall length before offset	100' max
<b>E</b> Offset depth	5' min

4. Frontage



Transparency

<b>A</b> Ground story	20% min
<b>B</b> Upper story	20% min
<b>C</b> Blank wall area	30 max

Story Height

<b>D</b> Ground floor elevation	2' min/5' max
<b>E</b> Ground story: floor to floor	10' min
<b>F</b> Upper story: floor to floor	9' min

Pedestrian Access

<b>G</b> Entrance facing primary street	Required
<b>H</b> Entrance spacing along primary street	75' max

Building Elements

Awning/canopy, balcony, forecourt, front porch, stoop	See Sec. 30.36.070.L
--	-------------------------

# 30.36.060. Neighborhood Transitions

## A. Applicability

The following neighborhood transition standards apply when a site immediately abuts a RR, RR-1, RR-2, R-3, R-5, R-8, R-11 or RS-11 zone boundary line.

## B. Transition Area 1: Buffer

### 1. Applicability

- a. Neighborhood Center;
- b. Village Center; and
- c. Main Street Corridor.

### 2. Permitted Activity

Fencing, landscaping, yard/open space and pathways only.

### 3. Depth

- a. Neighborhood Center: 15 feet min.
- b. Village Center: 10 feet min.
- c. Main Street Corridor: 5 feet min.

## C. Transition Area 2: Compatible Use

### 1. Applicability

- a. Neighborhood Center; and
- b. Village Center.

### 2. Permitted Activity

- a. All permitted activity from Transition Area 1.
- b. Parking.
- c. Service areas.
- d. Stormwater detention.
- e. Accessory structures.
- f. Carriage house, townhome and duplex housing prototypes.

### 3. Height

2 stories/26 feet max.

### 4. Depth

- a. Neighborhood Center: 25 feet min.
- b. Village Center: 25 feet min.

## D. Transition Area 3: Compatible Massing

### 1. Applicability

- a. Neighborhood Center;
- b. Village Center; and
- c. Main Street Corridor.

### 2. Permitted Activity

- a. All permitted activity in Transition Areas 1 and 2.
- b. Mixed Use Residential, Apartment and Flat housing prototypes.

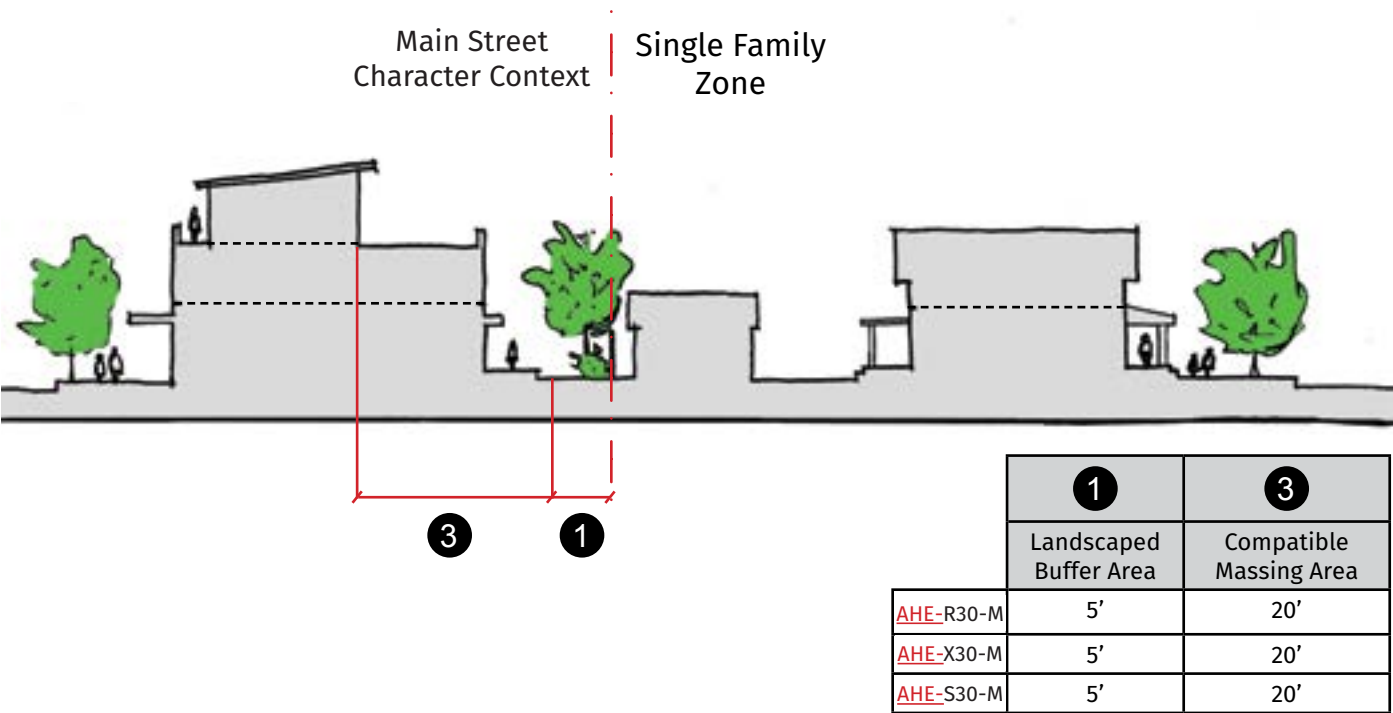
### 3. Height

2 stories/26 feet max.

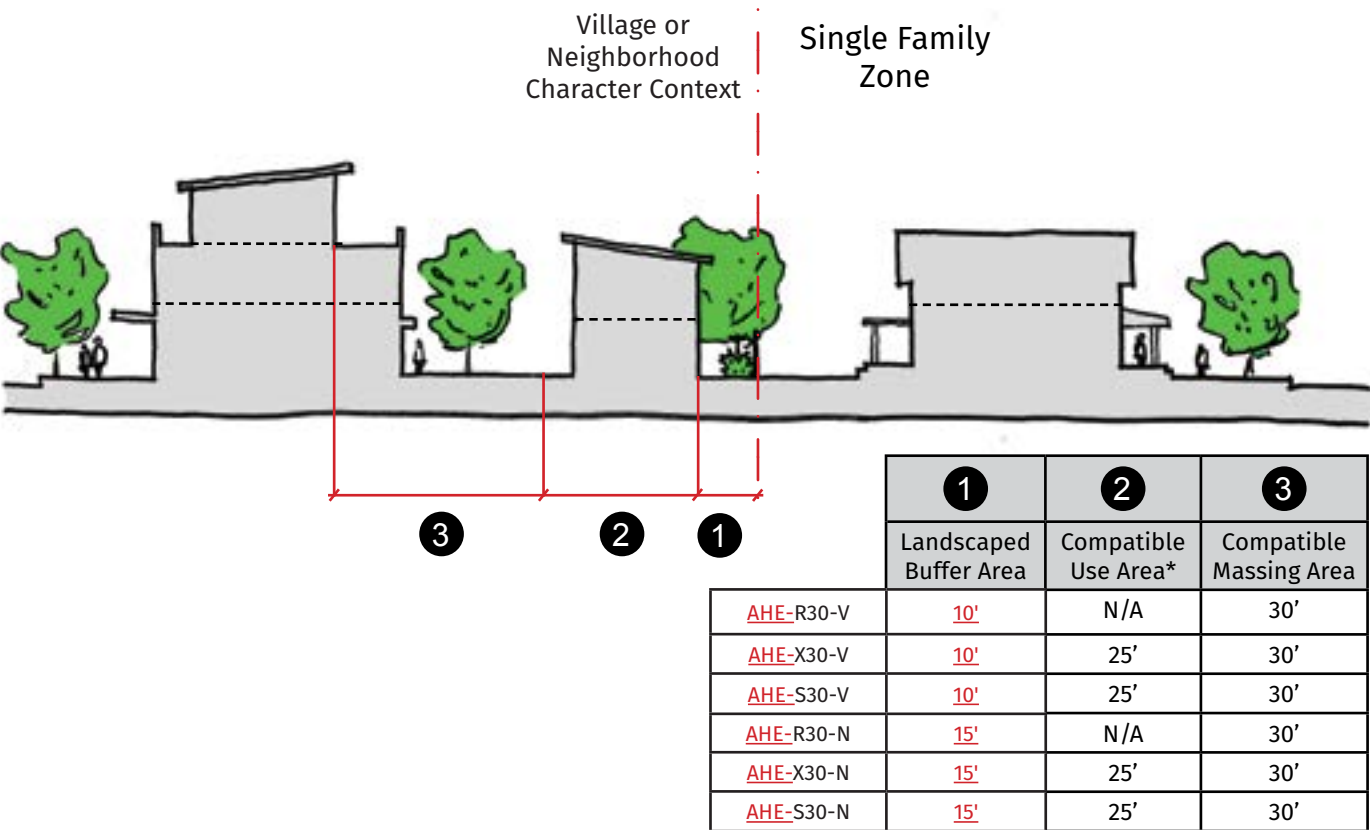
### 4. Depth

- a. Neighborhood Center: 30 feet min.
- b. Village Center: 30 feet min.
- c. Main Street Corridor: 20 feet min.

Main Street Character Context



Village or Neighborhood Character Context

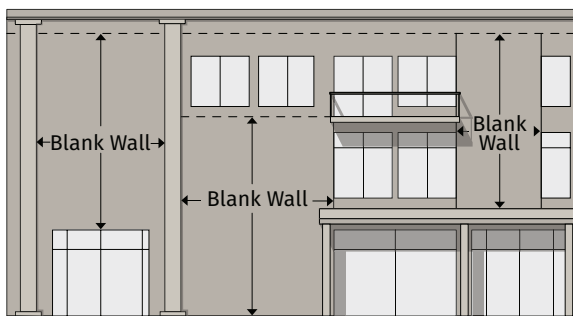


# 30.36.070. Measurements and Exceptions

## A. Blank Wall Area

### 1. Defined

Blank wall area means a portion of the exterior facade of the building that does not include: windows or doors; columns, pilasters or other articulation greater than 12 inches in depth; or a substantial material change (paint color is not considered a substantial change).



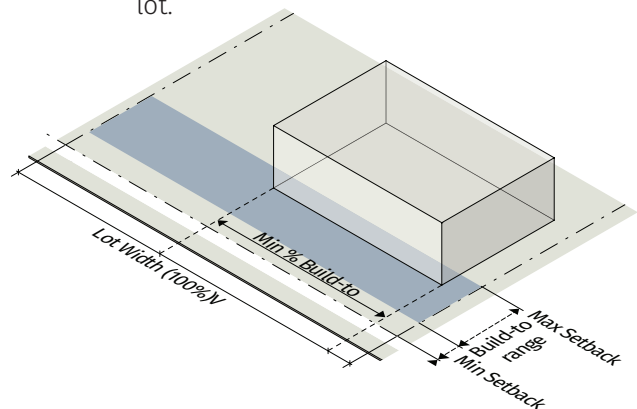
### 2. Standards

Blank wall area applies in both a vertical and horizontal direction. Blank wall area applies to ground and upper story primary and side street-facing building facades only.

## B. Build-To Range

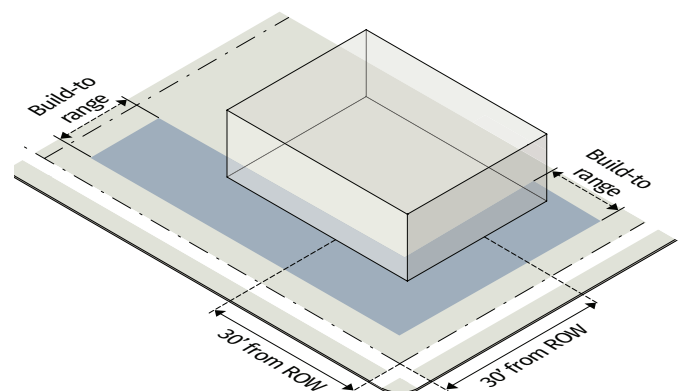
### 1. Defined

- The build-to range is the area on the lot where a certain percentage of the street-facing building facade must be located, measured as a minimum and maximum setback range from the edge of the right-of-way.
- The required percentage specifies the amount of the street-facing building facade that must be located in the build-to range, measured based on the width of the building divided by the width of the lot.



### 2. Corner Lots

On a corner lot, a building facade must be placed within the build-to range for the first 30 feet along the street extending from the block corner, measured from the intersection of the two right-of-way lines.



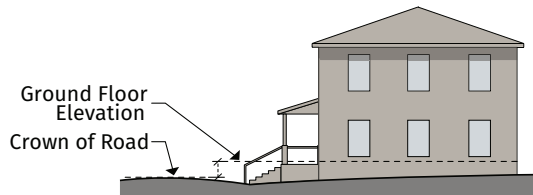
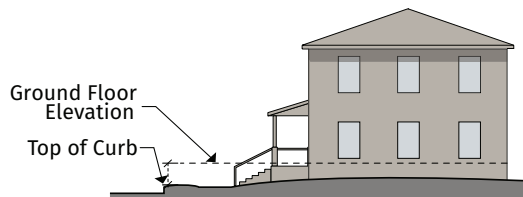
### 3. Uses Allowed

With the exception of parking spaces and outdoor storage, all structures and uses (including outdoor dining) allowed on the lot are allowed in the build-to range.

## C. Ground Floor Elevation

### 1. Defined

Ground floor elevation is the height of the ground floor relative to the height of the sidewalk and is measured from top of the abutting curb, or from the crown of the road where no curb exists, to the top of the finished ground floor.



### 2. Standards

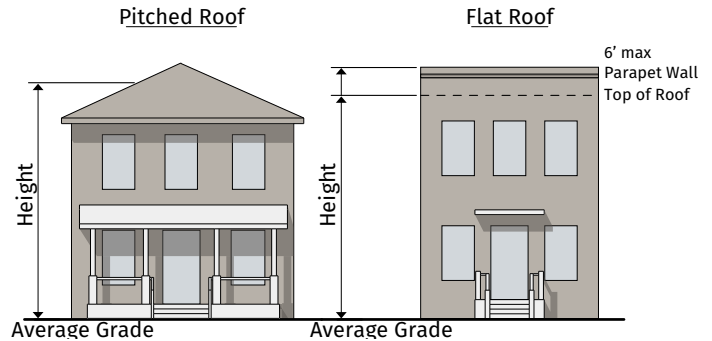
Minimum ground floor elevation applies to the first 30 feet of the lot measured from the right-of-way line.

## D. Height

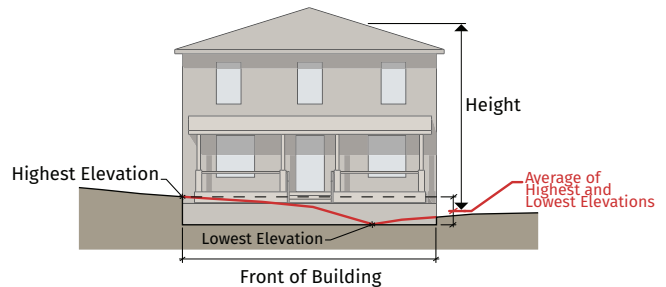
### 1. Building Height

- Building height is measured from average grade in both number of stories and feet to the mean height level between the eaves and ridge of a pitched or to the highest point of a flat roof, not including a maximum parapet wall encroachment. The maximum height encroachment for a parapet wall is 6 feet.

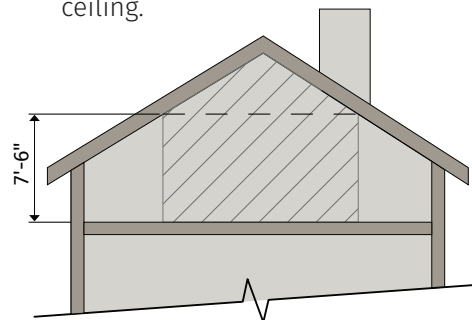
- When necessary to accommodate the Floodplain Management Regulations of Sec. 23.40, height may be measured at a maximum height of 2 feet above base flood elevation.



- Average grade is determined by calculating the average of the highest and lowest elevation along pre-development grade or improved grade (whichever is more restrictive) along the front of the building parallel to the primary street setback.



- An attic does not count as a story where 50% or more of the attic floor area has a clear height of less than 7.5 feet; measured from the finished floor to the finished ceiling.



- A basement with 50% or more of its perimeter wall area (measured from finished floor elevation) surrounded by finished grade is not considered a story.

## 2. Building Pad Establishment

The building pad for a site with greater than 10% slope may be established through the Design Review process, with building heights measured from the established building pad.

## 3. Height Encroachments

All buildings and structures must be located at or below the required district height limit, except as listed below.

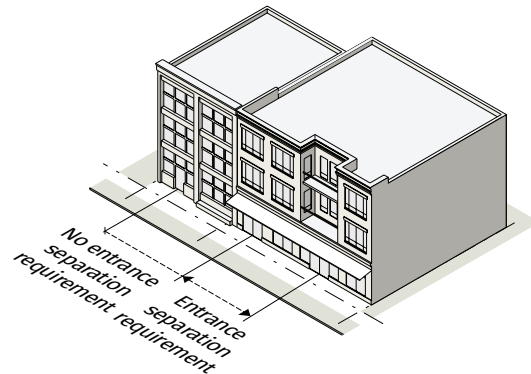
- a. The maximum height limits of the district do not apply to spires, belfries, cupolas, domes not intended for human occupancy; monuments, water tanks, water towers or other similar structures which, by design or function, must exceed the established height limits.
- b. The following may exceed the established height limit of the district provided they do not exceed the maximum height by more than 6 feet:
  - 1) Chimney, flue or vent stack;
  - 2) Rooftop deck, patio, shade structure;
  - 3) Flagpole;
  - 4) Vegetation associated with a rooftop garden or landscaping;
  - 5) Skylights;
  - 6) Parapet wall; and
  - 7) Solar panels, wind turbines and rain-water collection systems.
- c. The following may exceed the established height limits provided they do not exceed the maximum building height by more than 10 feet, do not occupy more than 25% of the roof area, and are set back at least 10 feet from the edge of the roof:
  - 1) Elevator or stairway access to roof; and
  - 2) Mechanical equipment.

## E. Parking Setbacks

1. All surface parking must be located behind the primary and street parking setback lines.
2. The parking setback applies to the ground story only.
3. Parking setbacks are measured from the edge of the right-of-way.

## F. Pedestrian Access

1. An entrance providing both ingress and egress, operable to residents or customers at all times, is required to meet the street-facing entrance requirements. Additional entrances off another street, pedestrian area or internal parking area are allowed.
2. The entrance spacing requirements must be met for each building, but are not applicable to adjacent or abutting buildings. Entrance spacing is measured from the edge of door to the edge of the next door.
3. An angled entrance may be provided at either corner of a building along the street to meet the street-facing entrance requirements.



## G. Primary/Side Streets

1. Where only one street abuts a lot, that street is considered a primary street.
2. A lot with multiple street frontages must designate at least one primary street. A lot may have more than one primary street. The Planning and Building Director will determine



which streets are primary streets based on the following (where applicable):

- a. The street or streets with the highest classification;
- b. The established orientation of the block;
- c. The street or streets abutting the longest face of the block;
- d. The street or streets parallel to an alley within the block;
- e. The street that the lot takes its address from; and
- f. The pedestrian orientation of adjacent or abutting development, existing or proposed.

## H. Setback Encroachments

All buildings and structures must be located at or behind the required setbacks except as listed below. Unless specifically stated no building or structure may extend into a required easement or public right-of-way.

### 1. Building Features

- a. Porches, stoops, balconies, galleries and awnings/canopies may extend into a required primary or side street setback as stated in Sec. 30.36.070.L.
- b. Building eaves, roof overhangs, gutters, downspouts, light shelves, bay windows and oriels less than 10 feet wide, cornices, belt courses, sills, buttresses or other similar architectural features may encroach up to 3 feet into a required setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
- c. Chimneys or flues may encroach up to 4 feet, provided that such extension is at least 2 feet from the vertical plane of any lot line.
- d. Unenclosed patios, decks, balconies, stoops, porches, terraces or fire escapes may encroach into a side interior or rear

setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.

- e. Handicap ramps may encroach to the extent necessary to perform their proper function.
- f. Structures below and covered by the ground may encroach into a required setback.

### 2. Site Features

- a. Fences and walls may encroach into a required setback.
- b. Sidewalks and driveways may encroach into a required setback.
- c. Landscaping may encroach into a required setback.
- d. Signs may encroach into a required setback.

### 3. Low Impact Stormwater Features

- a. Low impact stormwater management features may encroach into a primary or side street setback (but not into the sidewalk), including, but not limited to:
  - 1) Rain barrels or cisterns, 6 feet or less in height;
  - 2) Planter boxes;
  - 3) Bioretention areas; and
  - 4) Similar features, as determined by the Planning and Building Director.
- b. Low impact stormwater management features listed above may encroach into a side interior or rear setback, provided such extension is at least 2 feet from the vertical plane of any lot line.

### 4. Mechanical Equipment and Utility Lines

- a. Mechanical equipment associated with residential uses, such as HVAC units, swimming pool pumps or filters, and security

lighting, may encroach into a side interior or rear setback, provided that such extension is at least 3 feet from the vertical plane of any lot line.

- b. Minor structures accessory to utilities (such as hydrants, manholes, and transformers and other cabinet structures and related fences) may encroach into a required rear or side setback.
- c. Minor utilities below and covered by the ground may encroach into a required setback.

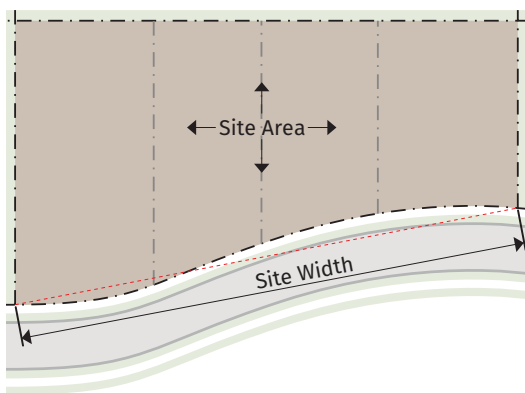
## I. Site

### 1. Defined

A site is any lot or group of contiguous lots owned or controlled by the same person or entity, assembled for the purpose of a single development.

### 2. Site Area

Site area is the cumulative area of all contiguous lots that make up the site. Site area does not include existing or proposed right-of-way, whether dedicated or not dedicated to public use.

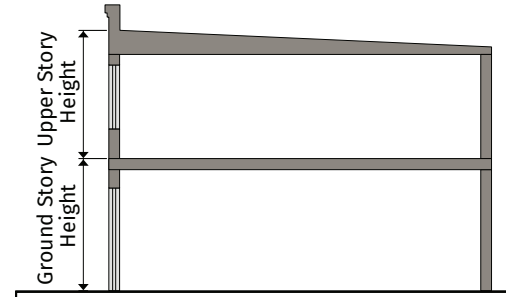


## J. Story Height

### 1. Defined

Story height is the height of each story of building and it is measured from the top of the finished floor to the top of the finished

floor above. When there is no floor above, upper story height is measured from the top of the finished floor to the top of the wall plate above.



## K. Transparency

### 1. Defined

Transparency is the minimum percentage of windows and doors that must cover a ground or upper story facade.

### 2. Standards

- a. Transparency applies to primary and side street-facing building facades only.

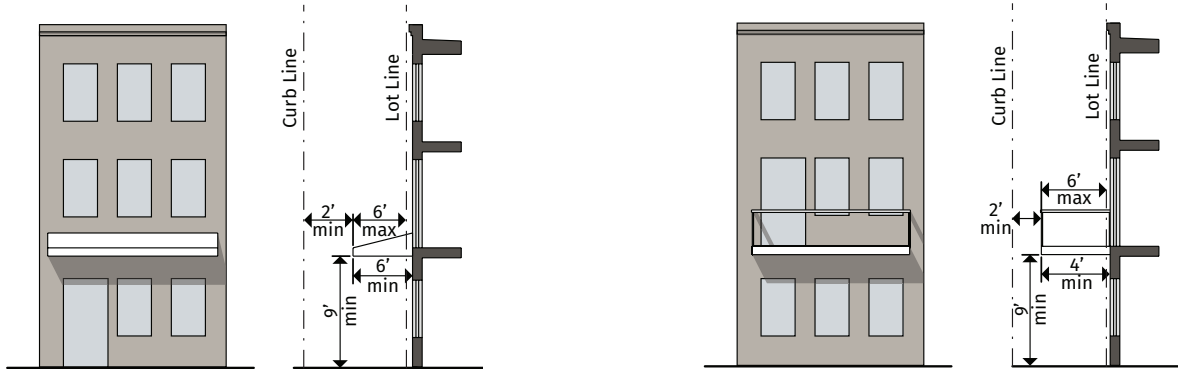


- b. Glass is considered transparent where it has a transparency higher than 80% and external reflectance of less than 15%.
- c. Ground story transparency is measured between 2 and 12 feet above the abutting sidewalk.
- d. Upper story transparency is measured from top of the finished floor to the top of the finished floor above. When there is no floor above, upper story transparency is measured from the top of the finished floor to the top of the wall plate above.

## L. Building Elements

### 1. Intent

The following standards are intended to ensure that certain building elements when added to a building frontage are of sufficient size to be both usable and functional and be architecturally compatible with the frontage they are attached to.



### 2. Awning/Canopy

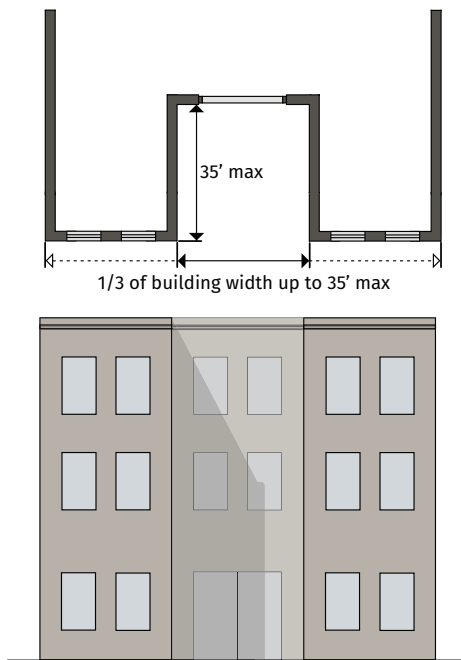
A wall-mounted, cantilevered structure providing shade and cover from the weather for a sidewalk.

- An awning/canopy must be a minimum of 9 feet clear height above the sidewalk and must have a minimum depth of 6 feet.
- An awning/canopy may extend into a primary or side street setback.
- Subject to the issuance of a Right-of Way Encroachment Permit, an awning/canopy may encroach up to 6 feet over the public right-of-way but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.

### 3. Balcony

A platform projecting from the wall of an upper-story of a building with a railing along its outer edge, often with access from a door or window.

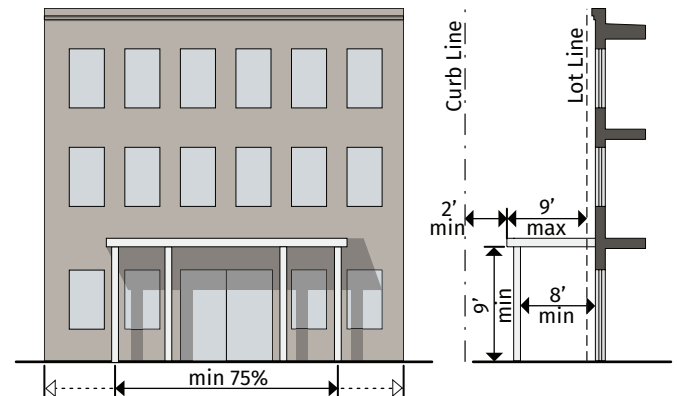
- A balcony must be at least 4 feet deep.
- A balcony must have a clear height above the sidewalk of at least 9 feet.
- A balcony may be covered and screened, but cannot be fully enclosed.
- An balcony may extend into a primary or side street setback.
- Subject to the issuance of a Right-of Way Encroachment Permit, a balcony may encroach up to 6 feet over the public right-of-way but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.



#### 4. Forecourt

An open area at grade, or within 30 inches of grade, that serves as an open space, plaza or outdoor dining area.

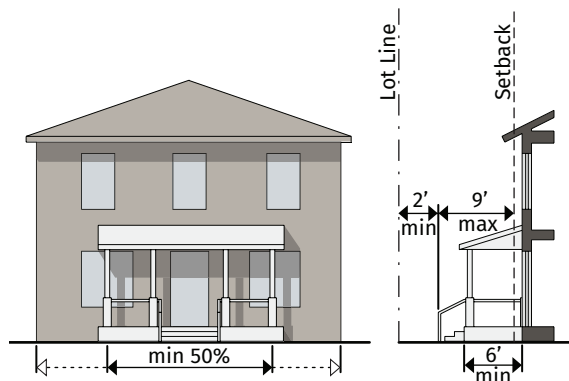
- a. A forecourt must be no more than one-third of the length of the building face, and in no case longer than 35 feet in width.
- b. The depth of the forecourt must not exceed the general width. A forecourt may be no more than 35 feet in depth.
- c. A maximum of one forecourt is permitted per lot.
- d. A forecourt meeting the above requirements is considered part of the building for the purpose of measuring the build-to requirement.



#### 5. Gallery

A covered passage extending along the outside wall of a building supported by arches or columns that is open on 3 sides.

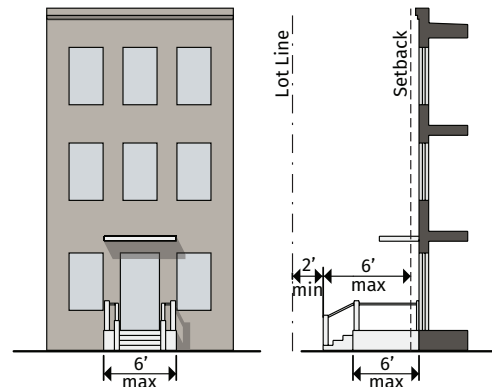
- a. A gallery must have a clear depth from the support columns to the building's facade of at least 8 feet and a clear height above the sidewalk of at least 9 feet.
- b. A gallery must be contiguous and extend over at least 75% of the width of the building facade from which it projects.
- c. A gallery may extend into a primary or side street setback.
- d. Subject to the issuance of a Right-of Way Encroachment Permit, a gallery may encroach up 9 feet into the public right-of-way but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.



## 6. Porch

A raised structure attached to a building, forming a covered entrance to a doorway.

- a. A front porch must be at least 6 feet deep (not including the steps).
- b. A front porch must be contiguous, with a width not less than 50% of the building facade from which it projects.
- c. A front porch must be roofed and may be screened, but cannot be fully enclosed.
- d. A front porch may extend up to 9 feet, including the steps, into a primary or side street setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
- e. A front porch may not encroach into the public right-of-way.



## 7. Stoop

A small raised platform that serves as an entrance to a building.

- a. A stoop must be no more than 6 feet deep (not including the steps) and 6 feet wide.
- b. A stoop may be covered but cannot be fully enclosed.
- c. A stoop may extend up to 6 feet, including the steps, into a primary or side street setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
- d. A stoop may not encroach into the public right-of-way.

## 30.36.080. Use Provisions

### A. Classification of Uses

1. In order to regulate a variety of similar uses, use categories have been established. Use categories provide a systematic basis for assigning uses to appropriate categories with other, similar uses. Use categories classify uses and activities based on common functional, product or physical characteristics.
2. Where a use category contains a list of included uses, the list is to be considered example uses, and not all-inclusive. The Planning and Building Director has the responsibility for categorizing all uses.
3. Use category definitions are specified in Sec. 30.36.080.E.
  - h. Types of vehicles used and their parking requirements;
  - i. The number of vehicle trips generated;
  - j. How the proposed use is advertised;
  - k. The likely impact on surrounding properties;
  - l. Whether the activity is likely to be found independent of the other activities on the site; and
  - m. The North American Industry Classification System (NAICS).
2. Where a use not listed is found by the Planning and Building Director not to be similar to any other permitted use, the use is only permitted following a text amendment.

### B. Uses Not Listed

A use not specifically listed is prohibited unless the Planning and Building Director determines the use to be part of a use category as described below.

1. The Planning and Building Director is responsible for categorizing all uses. If a proposed use is not listed in a use category, but is similar to a listed use, the Planning and Building Director may consider the proposed use part of that use category. When determining whether a proposed use is similar to a listed use, the Planning and Building Director will consider the following:
  - a. The actual or projected characteristics of the proposed use;
  - b. The relative amount of site area or floor area and equipment devoted to the proposed use;
  - c. Relative amounts of sales;
  - d. The customer type;
  - e. The relative number of employees;
  - f. Hours of operation;
  - g. Building and site arrangement;

### C. Permitted Use Table

#### 1. Permitted Uses (P)

A "P" in a cell indicates that a use is permitted by right.

#### 2. Major Use Permit (C)

A "C" in a cell indicates that a major use permit is required.

#### 3. Minor Use Permit (Cm)

A "Cm" in a cell indicates that a minor use permit is required.

#### 4. Uses Not Allowed (X)

An "--" indicates that a use is not allowed.

#### 5. Supplemental Use Standards (\*)

The numbers contained in the right-hand column of the table are references to additional standards that apply to the use listed. Standards referenced in this column apply only in zoning districts where the designation includes a "\*."

Use Category Specific Use	Shopfront			Mixed Use			Residential			Supplemental Use Standards
	AHE- S30-N	AHE- S30-V	AHE- S30-M	AHE- X30-N	AHE- X30-V	AHE- X30-M	AHE- R30-N	AHE- R30-V	AHE- R30-M	
Residential Uses										
Household Living										
Dwelling unit, one-family	--			--			--			
Dwelling unit, two-family	--			P			P			
Dwelling unit, three-family	--			P			P			
Dwelling unit, multi-family	P*			P			P			30.36.080.D.1
Dwelling unit, accessory	--			P			P			
Home occupation	P*			P*			P*			30.48.040.L
Mobile home park	--			--			--			
Mobile home (including dwelling unit)	--			--			--			
Group Living										
Convent, monastery	P			P			P			
Group residential	P			P			P			
Emergency residential shelter	P			P			--			
Residential care, limited (up to 6 people)	P			P			P			
Residential care, general (7+ people)	P			P			C			
Public and Institutional Uses										
Civic, except as listed below:	P			P			P			
City hall	P			P			--			
Conservatory of music	P			P			--			
Educational institution, private	C			C			C			
Place of worship including church, mosque, synagogue, temple	C			C			--			
Post office	P			P			--			
School, K-12, private/charter	C			C			C			
Parks and Open Space, except as listed below:	P			P			P			
Golf course	--			C			C			
Utilities										
Minor utilities	P			P			P			
Major utilities	C			C			C			
Wireless Communication	C			C			C			

P = Permitted, C = Major Use Permit Required, Cm = Minor Use Permit Required, \* = Subject to supplemental use standards, -- = Not Permitted



Use Category Specific Use	Shopfront			Mixed Use			Residential			Supplemental Use Standards
	AHE- S30-N	AHE- S30-V	AHE- S30-M	AHE- X30-N	AHE- X30-V	AHE- X30-M	AHE- R30-N	AHE- R30-V	AHE- R30-M	
Commercial Uses										
Day Care										
Family day care home, small (Up to 6 people)	P			P			P			
Family day care home, large (7 to 12 people)	P			P			P			
Day care center (13+ people)	P			P			Cm			
Indoor Recreation	P			P			--			
Medical	P			P			--			
Office	P			P			--			
Outdoor Recreation	--			--			--			
Overnight Lodging	P			P			--			
Parking	--			Cm			--			
Passenger Terminal	C			C			--			
Personal Service, except as listed below:	P			P			--			
Animal care, indoor	P			P			--			
Animal care, outdoor	--			--			--			
Therapeutic massage	C			C			--			
Restaurants, except as listed below:	P			P			--			
Bar/cocktail lounge	Cm			Cm			--			
Restaurant with drive through	--			C			--			
Restaurant, club with alcohol sales, brewpub, craft brewery	Cm			Cm			--			
Restaurant with live entertainment	Cm			Cm			--			
Retail, except as listed below:	P			P			--			
Alcoholic beverage sales-off premises	C			C			--			
Gas station	C			C			--			
Surf shop with manufacturing	C			C			--			
Vehicle Sales and Rental	--			--			--			

P = Permitted, C = Major Use Permit Required, Cm = Minor Use Permit Required, \* = Subject to supplemental use standards, -- = Not Permitted

Use Category Specific Use	Shopfront			Mixed Use			Residential			Supplemental Use Standards
	AHE-S30-N	AHE-S30-V	AHE-S30-M	AHE-X30-N	AHE-X30-V	AHE-X30-M	AHE-R30-N	AHE-R30-V	AHE-R30-M	
Industrial Uses										
Heavy Industrial	--			--			--			
Light Industrial/Manufacturing	--			C			--			
Research and Development	--			P			--			
Resource Extraction	--			--			--			
Vehicle Service and Repair	--			--			--			
Warehouse, Storage and Distribution	--			--			--			
Waste Related Service	--			--			--			
Open Uses										
Agriculture, except as listed below	--			--			--			
Community garden	P			P			P			
Nursery	--			P			--			
Winery	--			C			--			

P = Permitted, C = Major Use Permit Required, Cm = Minor Use Permit Required, \* = Subject to supplemental use standards, -- = Not Permitted

## D. Supplemental Use Standards

### 1. Dwelling Unit, Multi-family

In an [AHE-S30- character context zone](#), dwelling units can only be located in the upper-stories of a Mixed Use Residential housing prototype, [except as modified for sites within the Master Design Review Permit Overlay Zone](#). Dwelling units cannot be located on a ground story. Accessory and incidental uses such as a lobby, gym or community room are allowed on ground stories.

## E. Use Categories

### 1. Residential Uses

#### a. Household Living

Residential occupancy of a dwelling unit by a household. Household living includes the following:

- 1) Dwelling unit, one-family.
- 2) Dwelling unit, two-family.
- 3) Dwelling unit, three-family.
- 4) Dwelling unit, multi-family.
- 5) Dwelling unit, accessory.
- 6) Home occupation.
- 7) Mobile home park.
- 8) Mobile home (including dwelling unit).

#### b. Group Living

Residential occupancy of a structure that does not meet the definition of household living. Generally, group living facilities have a common eating area for residents, and residents may receive care or training. Group living includes the following:

- 1) Convent, monastery.
- 2) Group residential.
- 3) Emergency residential shelter.
- 4) Residential care, limited (<6 people).
- 5) Residential care, general (7+ people).

### 2. Public and Institutional Uses

#### a. Civic

Places of public assembly that provide ongoing governmental, life safety, educational and cultural services to the general public, as well as meeting areas for religious practice. Civic includes the following:

- 1) City hall.
- 2) Conservatory of music.
- 3) Educational institution, private.
- 4) Educational institution, public.
- 5) Fire station.
- 6) Library.
- 7) Museum.
- 8) Place of worship including church, mosque, synagogue, temple.
- 9) Police/sheriff station.
- 10) Post office.
- 11) Postal annex, private ownership.
- 12) Public school district administrative office.
- 13) School, K-12, private/charter
- 14) School, K-12, public.

#### b. Parks and Open Space

Uses focusing on natural areas consisting mostly of vegetation, passive or active outdoor recreation areas. Parks and open space includes the following:

- 1) Athletic field.
- 2) Cemetery.
- 3) Conservation area.
- 4) Golf course.
- 5) Park/recreational area.
- 6) Recreational facility.

#### c. Utilities

Public or private infrastructure serving a limited area with no on-site personnel (minor utility) or serving the general community with on-site personnel (major utility). Utilities includes the following:

- 1) Minor utilities, including on-site stormwater retention or detention facility, neighborhood-serving telephone exchange/switching center, gas/electric/telephone/cable transmission lines, water and wastewater pump station or lift station, gas gates, reservoir, control structure, drainage well, water supply water well.
- 2) Major utilities, including aeration facility, electrical substation, electric or gas generation plant, filter bed, transmission towers, waste treatment plant, water pumping facility, water tower or tank.

#### d. Wireless Communication

Any personal wireless services as defined by the TCA and licensed by the Federal Communications Commission, including, but not limited to, the types commonly known as cellular, personal communications services ("PCS"), specialized mobile radio ("SMR"), enhanced specialized mobile radio ("ESMR"), paging, ground based repeaters for satellite radio services, micro-cell antennae and similar systems which exist now or may be developed in the future and exhibit technological characteristics similar to them.

### 3. Commercial Uses

#### a. Day Care

A facility providing care and supervision for compensation during part of a 24 hour day, for a child/adult or children/adults not related by blood, marriage or legal guardianship to the person or persons providing the care, in a place other than the child's or children's own home or homes. Day care includes the following:

- 1) Family day care home, small (up to 6 people).

- 2) Family day care home, large (7 to 12 people).
- 3) Day care center (13+ people).

#### b. Indoor Recreation

A commercial facility providing daily or regularly scheduled recreation-oriented activities in an indoor setting. Indoor recreation includes the following:

- 1) Aquarium, private.
- 2) Amusement center, game/video arcade.
- 3) Assembly hall, auditorium, meeting hall.
- 4) Billiard, pool hall.
- 5) Bowling alley.
- 6) Club, athletic or recreational.
- 7) Dance, martial arts, music studio or classroom.
- 8) Extreme sports facility such as BMX, skateboarding or roller blading.
- 9) Gym, health spa, yoga studio, palliates.
- 10) Inflatable playground/jump house.
- 11) Miniature golf facility.
- 12) Motor track.
- 13) Movie theater or other indoor theater.
- 14) Ice or roller skating rink.

#### c. Medical

A facility providing medical or surgical care to patients. Some facilities may offer overnight care. Medical includes the following:

- 1) Ambulance service (private).
- 2) Blood plasma donation center.

- 3) Dental clinic.
- 4) Hospital.
- 5) Medical, dental office/clinic, chiropractor, osteopath, physician, medical practitioner.
- 6) Medical or dental laboratory.
- 7) Surgical center.
- 8) Urgent care, emergency medical office.

#### d. Office

A facility used for activities conducted in an office setting and generally focusing on business, professional or financial services. Office includes the following:

- 1) Business services including, but not limited to, advertising, business management consulting, computer or data processing, graphic design, commercial art or employment agency.
- 2) Counseling in an office setting.
- 3) Financial services including but not limited to, lender, investment or brokerage house, bank, call center, bail bonds, insurance adjuster, real estate or insurance agent, mortgage agent or collection agency.
- 4) Professional services including, but not limited to, lawyer, accountant, auditor, bookkeeper, engineer, architect, sales office, travel agency, interior decorator or security system services.
- 5) Radio, TV station, recording studio.
- 6) Trade, vocational, technical, business school.

#### e. Outdoor Recreation

A commercial facility, varying in size, providing daily or regularly scheduled

recreation-oriented activities. Activities take place predominately outdoors or within outdoor structures. Outdoor recreation includes the following:

- 1) Camp or campground.
- 2) Drive-in theater.
- 3) Extreme sports facility, such as BMX, skateboarding or roller blading.
- 4) Open-air theater.
- 5) Outdoor amusements such as batting cage, golf driving range, amusement park, miniature golf facility or water park.
- 6) Racetrack.
- 7) Stadium, arena.

#### f. Overnight Lodging

Accommodations arranged for short term stays. Overnight lodging includes the following:

- 1) Bed and breakfast.
- 2) Hotel, motel.
- 3) Transient habitation.

#### g. Parking

A facility that provides parking as a principal use. Parking includes the following:

- 1) Commercial parking.
- 2) Remote parking.

#### h. Passenger Terminal

Facilities for the loading and unloading of trains, buses, taxis or limo services, or for utilizing shared transportation options. Passenger terminal includes terminals and stations for the following:

- 1) Bus transfer facility or bus station.
- 2) Car share facility.
- 3) Limousine or taxi service.
- 4) Light rail station.
- 5) Rail station.

#### i. Personal Service

A facility involved in providing personal or repair services to the general public. Personal service includes the following:

- 1) Animal care, indoor.
- 2) Animal care, outdoor.
- 3) Beauty, hair or nail salon.
- 4) Catering service.
- 5) Cleaning establishment, dry cleaning, laundry, laundromat.
- 6) Copy center, printing, binding, photocopying, blueprinting, mailing service.
- 7) Funeral home, funeral parlor, mortuary, undertaking establishment, crematorium.
- 8) Locksmith.
- 9) Optometrist.
- 10) Repair of appliances, bicycles, canvas product, clocks, computers, jewelry, musical instruments, office equipment, radios, shoes, televisions, watch or similar items.
- 11) Tailor, milliner or upholsterer.
- 12) Therapeutic massage.
- 13) Tattoo parlor or body piercing.
- 14) Tutoring.
- 15) Wedding chapel.

#### j. Restaurant

A facility that prepares and sells food and drink for on- or off-premise consumption. Restaurant includes the following:

- 1) Bar/cocktail lounge.
- 2) Club, private.
- 3) Coffee shop.
- 4) Restaurant with drive through.
- 5) Restaurant, club with no alcohol sales.
- 6) Restaurant, club with alcohol sales, brewpub, craft brewery.
- 7) Restaurant with live entertainment.
- 8) Yogurt or ice cream shop.

#### k. Retail

A facility involved in the sale, lease or rental of new or used products. Retail sales includes the following:

- 1) Alcoholic beverage sales-off premises.
- 2) Antiques, appliances, art supplies, baked goods, bicycles, books, building supplies, cameras, carpet and floor coverings, crafts, clothing, computers, convenience goods, dry goods, electronics, fabric, flowers, furniture, garden supplies, gifts or novelties, groceries, hardware, home improvement, household products, jewelry, medical supplies, music, musical instruments, office supplies, package shipping, pets, pet supplies, pharmaceuticals, phones, photo finishing, picture frames, plants, pottery, printed materials, produce, seafood, shoes, souvenirs, sporting goods, stationery, tobacco, toys, vehicle parts and accessories, videos, video games and related products.
- 3) Art gallery.

- 4) Convenience store without fuel pumps.
- 5) Cottage industries such as candle making, glass blowing, pottery making, weaving, woodworking, sculpting, and other similar or associated activities.
- 6) Gas station.
- 7) Surf shop without manufacturing.
- 8) Surf shop with manufacturing.

#### **I. Vehicle Sales and Rental**

A facility that sells, rents or leases passenger vehicles, light and medium trucks, and other consumer vehicles such as motorcycles, boats and recreational vehicles. Vehicle sales and rental includes the following:

##### **1) Minor Vehicle Sales and Rental**

Sales, rental or leasing of passenger vehicles, motorcycles, boats.

##### **2) Major Vehicle Sales and Rental**

Sales, rental or leasing of commercial vehicles, heavy equipment and manufactured homes. Includes Recreational vehicles, 18-wheelers, commercial box trucks, high-lifts, construction, heavy earthmoving equipment and manufactured homes.

### **4. Industrial Uses**

#### **a. Heavy Industrial**

A facility that involves dangerous, noxious or offensive uses or a facility that has smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception, radiation or any other likely cause. Heavy industrial includes the following:

- 1) Animal processing, packing, treating, and storage, livestock or poultry slaughtering, processing of food and related products, production of lumber, explosives, fireworks, tobacco, chemical, rubber, leather, clay, bone, paper, pulp, plastic, stone, or glass materials or products, production or fabrication of metals or metal products including enameling and galvanizing.
- 2) Boat building.
- 3) Bottling plant.
- 4) Bulk fuel sales.
- 5) Bulk storage of flammable liquids, chemical, cosmetics, drug, soap, paints, fertilizers and abrasive products.
- 6) Chemical, cosmetics, drug, soap, paints, fertilizers and abrasive products.
- 7) Concrete batch plant.
- 8) Petroleum, liquefied petroleum gas and coal products and refining.
- 9) Prefabricated building manufacturing.
- 10) Sawmill, log production facility, lumberyard.
- 11) Rubber and plastic products, rubber manufacturing.

#### **b. Light Industrial/Manufacturing**

A facility conducting light industrial or manufacturing operations within a fully-enclosed building. Light industrial/manufacturing includes the following:

- 1) Brewery, distillery.
- 2) Clothing, textile or apparel manufacturing.



- 3) Facilities engaged in the assembly or manufacturing of scientific measuring instruments; semiconductor and related devices, including but not limited to clocks, integrated circuits, jewelry, medical, musical instruments, photographic or optical instruments or timing instruments.
- 4) Motion picture studio.
- 5) Pharmaceutical or medical supply manufacturing.
- 6) Sheet metal, welding, machine shop, tool repair.
- 7) Woodworking, cabinet makers or furniture manufacturing.
- 8) Recreational equipment manufacturing.
- 9) Toy manufacturing.
- 10) Upholstery installation.
- 11) Woodworking, cabinet makers or furniture manufacturing.

### c. Research and Development

A facility focused primarily on the research and development of new products. Research and development includes the following:

- 1) Laboratories, offices and other facilities used for research and development by or for any individual, organization or concern, whether public or private.
- 2) Prototype production facilities that manufacture a limited amount of a product in order to fully investigate the merits of such a product.
- 3) Pilot plants used to test manufacturing processes planned for use in production elsewhere.

### d. Resource Extraction

A facility that extracts minerals and other solids and liquids from land. Resource extraction includes the following:

- 1) Borrow pit.
- 2) Extraction of phosphate or minerals.
- 3) Extraction of sand or gravel, borrow pit.
- 4) Metal, sand stone, gravel clay, mining and other related processing.
- 5) Stockpiling of sand, gravel, or other aggregate materials.

### e. Vehicle Service and Repair

Repair and service to passenger vehicles, trucks, and other consumer motor vehicles such as motorcycles, boats and recreational vehicles. Vehicle service and repair includes the following:

#### 1) Minor Vehicle Service and Repair

A facility where minor vehicle repair and service is conducted, including audio and alarm installation, custom accessories, quick lubrication facilities, minor scratch and dent repair, emissions testing, bed-liner installation, and glass repair or replacement includes car wash.

#### 2) Major Vehicle Service and Repair

A facility where general vehicle repair is conducted, including transmission, brake, muffler and tire shops, along with body and paint shops.

**f. Warehouse, Storage and Distribution**

A facility involved in the storage or movement of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer with little on-site sales activity to customers. Warehouse, storage and distribution includes the following:

- 1) Building materials storage yard.
- 2) Contractor storage yard.
- 3) Distribution center.
- 4) Enclosed storage (includes bulk storage, cold storage plants, frozen food lockers, ice, household moving and general freight storage).
- 5) Fleet storage.
- 6) Furniture transfer and storage.
- 7) Newspaper distribution.
- 8) Self-service storage, mini-warehouse.
- 9) Trailer storage, drop off lot.
- 10) Towing/impounding of vehicles.

**g. Waste-related Service**

A facility that processes and stores waste material. Waste-related service includes the following:

- 1) Automobile dismantlers/recyclers, junk yard, wrecking yard, salvage yard.
- 2) Hazardous household materials collection center.
- 3) Hazardous waste facility.
- 4) Landfill.
- 5) Recycling facilities.

- 6) Scrap metal processors, secondary materials dealer.

**5. Open Uses**

**a. Agriculture**

The production of crops, livestock or poultry. Agriculture includes the following:

- 1) Agricultural auction.
- 2) Agricultural, horticulture packing, processing.
- 3) Animal grazing and raising.
- 4) Community garden.
- 5) Feed and grain sales.
- 6) Fish hatchery.
- 7) Horse raising, riding stable.
- 8) Nursery.
- 9) Winery.

# 30.36.090. Parking

## A. Applicability

The parking requirements of Chapter 30.54 Off-Street Parking apply except as modified below.

## B. Residential Parking Ratios

1. The following minimum residential parking ratios are required.

Market Rate	
Dwelling unit, two-family	2 spaces per unit
Dwelling unit, three-family	
Dwelling unit, multi-family	
Studio	1 space per unit
1 bedroom	1.25 spaces per unit
2 bedroom	1.5 spaces per unit
3 or more bedrooms	2 spaces per unit
Dwelling unit, accessory	1 space per unit
Affordable/Senior Housing	
Dwelling unit, two-family	1 space per unit
Dwelling unit, three-family	
Dwelling unit, multi-family	
Studio	.75 spaces per unit
1 bedroom	1 spaces per unit
2 bedroom	1.25 spaces per unit
3 or more bedrooms	1.75 spaces per unit
Dwelling unit, accessory	1 space per unit

2. In determining the required number of parking spaces, fractional spaces are rounded up to the nearest whole number.
3. Required parking spaces for residential uses in a new building with 10 dwelling units or more, may be leased or sold separately from the rental or purchase fee for the dwelling unit so that potential renters or buyers have the option of renting or buying a residential unit at a price lower than would be the case if there were a single price for both the residential unit and the parking space.

## C. Parking Reductions

### 1. Applicability

All residential and nonresidential development in the At Home in Encinitas Zones ~~are~~ is eligible for the following parking reductions.

### 2. Proximity to Transit

- a. A 10% reduction in the number of required parking spaces is allowed for uses with a main entrance within a walking distance of 1,320 feet of an operating bus stop where service intervals are no longer than 15 minutes for high frequency transit stops and facilities designated in the SANDAG Sustainable Communities Strategy.
- b. A 25% reduction in the number of required parking spaces is allowed for uses with a main entrance within a walking distance of 1,320 feet of an operating train station designated in the SANDAG Sustainable Communities Strategy.
- c. Projects within 1,320 of a high frequency transit stop planned in the SANDAG Sustainable Communities Strategy and funded in the SANDAG Regional Transportation Improvement Program may receive a parking reduction per these standards, subject to a Minor Use Permit, which must address interim parking and transportation needs.

### 3. Private Car Sharing Program

Reduction in the number of required parking spaces by 5 spaces for each car-share vehicle provided is allowed where an active on-site car sharing program is made available for use to residents or patrons.

#### 4. Shared Parking

- a. Applicants that wish to use shared parking as a means of reducing the total number of required spaces may submit a shared parking analysis using the ULI Shared Parking Model (latest edition).
- b. Such reductions are permitted on a case-by-case basis where, following review of the shared parking analysis, the Planning and Building Director determines a reduction is appropriate.
- c. The Planning and Building Director will consider all of the following in determining whether a reduction is warranted:
  - 1) Whether the uses proposed have mutually exclusive or compatibly overlapping normal hours of operation;
  - 2) The likelihood that the reduced number of parking spaces can satisfy demand;
  - 3) The amount of time during the year when the number of spaces provided may be insufficient and the amount of resulting parking overflow;
  - 4) The impact of periodic overflows upon the public streets and other parking facilities;
  - 5) The nature of surrounding land uses, character of the surrounding road system, and nearby circulation pattern;
  - 6) The amount of on-street parking available within 1,320 feet of the development; and
  - 7) Any additional reduction in parking demand by implementing transportation demand management strategies proposed by the applicant.
- d. In all cases, the applicant has the burden to demonstrate that a reduction in parking standards is warranted.

#### 5. Transportation Demand Management (TDM)

##### a. General

- 1) The Planning and Building Director may approve up to a 25% reduction in the number of spaces for uses that institute and commit to and maintain a transportation demand management funded (TDM) program, considering information the applicant submits that clearly indicates the types of TDM activities and measures proposed.
- 2) The applicant must demonstrate to the satisfaction of the Planning and Building Director that a specific reduction will occur. If the applicant demonstrates that a specific reduction will occur, the Planning and Building Director may reduce the amount of required parking equal to the amount of the reduction, up to a maximum of 25%.
- 3) No TDM program may be discontinued without notice to the Planning and Building Director and proof of compliance with all applicable parking requirements.
- 4) No TDM program may be changed without the approval of the Planning and Building Director. The Planning and Building Director may approve a change only if the applicant demonstrates that the changes proposed will either maintain the previously approved reduction, support an increase in the previously approved reduction, or that parking is provided to compensate for any reduction lost by the proposed change to the plan.

##### b. Types of TDM

There is no limitation on the types of TDM activities for which reductions may

be granted. The following measures serve as a guide to potential transportation management activities that may be used in combination to reduce parking demand.

**1) Transportation Coordinator**

A TDM program must appoint an employee to act as transportation coordinator with responsibility for disseminating information on transportation options that may be cause for a reduction in otherwise applicable parking requirements.

**2) Carpool and Vanpool Services**

The transportation coordinator is responsible for matching potential carpoolers and vanpoolers by administering a carpool/vanpool matching program.

**3) Preferential Parking**

The applicant may provide for specially marked spaces for each registered carpool and vanpool.

**4) Guaranteed Ride Home**

Carpool, vanpool and transit riders must be provided with guaranteed rides home in emergency situations.

**5) Showers/Clothes Lockers**

Shower and clothes locker facilities may be provided. If provided, they must be provided free of charge.

**6) Alternative Commute Subsidies / Parking Cash Out**

Employees may be provided with a subsidy, determined by the applicant and subject to review by the City, if they use transit or commute by other alternative modes.

**7) Compressed Work Week**

The applicant may allow employees to adjust their work schedule in order to complete the basic work requirement of five 8-hour workdays by adjusting their schedule to reduce vehicle trips to the work site.

**8) Flextime**

The applicant may provide employees with staggered work hours involving a shift in the set work hours of all employees at the workplace or flexible work hours involving individually-determined work hours.

**9) Telecommuting**

The applicant may provide opportunities for and the ability to work off-site.

**6. Maximum Parking Reduction**

The maximum cumulative parking reduction allowed is 40%.

**D. Location of Parking**

Required parking spaces must be located on the same lot they are intended to serve, except as provided below.

**1. Applicability**

All residential and nonresidential development.

**2. On-Street Parking**

- a. Where on-street parking spaces exist in the public right-of-way, one on-street parking space may be substituted for every required on-site parking space, provided the on-street space immediately abuts the subject property.
- b. Each on-street parking space may only be counted for one property. Where a space straddles an extension of a property line,

the space may only be counted by the owner whose property abuts 50% or more of the on-street parking space.

- c. The Planning and Building Director may determine that, in order to ensure future roadway capacity, the on-street parking credit is not available.

### 3. Remote Parking

- a. All required parking, except required accessible spaces, may be located off-site, provided the remote parking spaces are located within 600 feet of the primary entrance of the use served and are zoned At Home in Encinitas. ~~located on a site eligible for application of an At Home in Encinitas Zone.~~
- b. A written agreement must be prepared and submitted as part of a Minor Use Permit approval: Any such written agreement must:
  - 1) Be acceptable to the City Attorney in substance and form;
  - 2) Clearly demonstrate to the satisfaction of the Planning and Building Director that the remote parking facility has sufficient capacity to accommodate the parking requirement of the proposed use, or the designated portion;
  - 3) State clearly that it is irrevocable without the prior written consent of the Planning and Building Director; and
  - 4) State that the remote parking lot must be used and maintained exclusively for parking to serve the principal use so long as the principal use requiring the parking remains in existence.
- c. Notwithstanding the above, a project located within a parking district established pursuant to the laws of California may provide parking or payment in lieu in accordance with the terms and conditions of the parking district.

## E. Bicycle Parking Requirements

1. The following bicycle parking spaces are required for each use.
2. In no case is a nonresidential use required to provide more than 20 bicycle parking spaces.

	Required Spaces (min)	Short-term/ Long-term
<b>Residential Uses</b>		
Dwelling unit, multi-family, Group living	.5 per unit up to 2 bedrooms, .25 per additional bedroom	20%/80%
All other residential uses	None	--
<b>Public and Institutional Uses</b>		
All permitted uses	1 per 5,000 SF of gross floor area, 4 min	90%/10%
<b>Commercial Uses</b>		
All permitted uses	1 per 2,500 SF of gross floor area, 4 min	80%/20%
<b>Industrial Uses</b>		
All permitted uses	1 per 7,500 SF of gross floor area, 4 min	20%/80%

## F. Bicycle Parking Facilities

### 1. General Requirements

- a. Bicycle parking spaces must be located on paved or pervious, dust-free surface with a slope no greater than 3%. Surfaces cannot be gravel, landscape stone or wood chips.
- b. Each required bicycle parking space must be at least 2 feet by 6 feet. Where a bicycle can be locked on both sides of a bicycle parking space without conflict, each side can be counted as a required space.

## 2. Short-Term Bicycle Parking

- a. Required short-term bicycle parking spaces must be located on-site, be publicly accessible in a convenient and visible area, and be located no more than 100 feet from the building the bicycle parking space is intended to serve.
- b. All short-term bicycle parking spaces must be able to accommodate cable locks and "U" locks, including removing the front wheel and locking it to the rear fork and frame and must be able to support a bicycle in a stable position.

## 3. Long-Term Bicycle Parking

- a. Required long-term bicycle parking spaces must be located in an enclosed, secured or supervised area providing protection from theft, vandalism and weather and must be accessible to intended users.
- b. Required long-term bicycle parking for residential uses cannot be located within dwelling units or within deck, patio areas, or private storage areas accessory to dwelling units.
- c. With approval of the Planning and Building Director, long-term bicycle parking spaces may be located off-site within 600 feet of the site.
- d. Notwithstanding the above, a project located within a parking district established pursuant to the laws of California may provide parking or payment in lieu in accordance with the terms and conditions of the parking district.

## G. Vehicle Loading

### 1. Loading Not Required

On-site loading space is not required, unless the Planning and Building Director determines adequate space must be made available on-site for the unloading and loading of goods, materials, items or stock for delivery and shipping.



## 30.36.100. Administration

### A. Applicability and Process for Transition

1. The At Home in Encinitas zone applies to sites within the At Home in Encinitas General Plan land use designation for the purpose of implementing that designation. It provides for a one way transition from the First Generation use and development standards to those of the Second Generation in this Chapter.
2. When a property owner proceeds through the entitlement process to take advantage of the incentives afforded by the Second Generation use and development standards, along with the corresponding entitlement processes and findings, it must also obtain a ministerial Second Generation Permit (SGP) from the same decision maker as for the discretionary entitlement, which commits the property owner to the Character Context in this zone; a covenant is recorded against the property accordingly, binding that owner to its decision.
3. The purpose of the Second Generation Permit is to provide for a notification and documentation process whereby a property owner notifies the City of its intent to take advantage of the Second Generation use and development standards; the Second Generation Permit is ministerial and shall be granted if the project complies with the Second Generation use and development standards, which then triggers the City to ministerially disclose this transition on the General Plan land use map and Zoning Map.
4. The First Generation designation and character context are clipped out of the respective string on the General Plan land use map and Zoning Map as a disclosure and for administrative tracking purposes, putting all on notice that the transition was initiated (e.g., AHE-GC-X30-N becomes AHE-X30-N).
5. Returning backward to the first generation requires a legislative action.
6. Any previous uses and development remaining from the First Generation after the Second Generation is initiated must conform, or are then deemed legally non-conforming, subject to Chapter 30.76 Nonconformities.
7. First Generation and Second Generation regulations and processes cannot be mixed.
  1. ~~Only those sites shown on the map in Sec. 30.36.010.B may use the Floating Zone designated for that site.~~
  2. ~~A property owner has the discretion to apply the Floating Zone and make their intent known by filing a discretionary land use permit application that relies on the use and development standards of the applicable Floating Zone.~~
  3. ~~Upon approval of the discretionary permit, the Floating Zone is activated for the site and the prior zoning is permanently extinguished.~~
  4. ~~This process is considered a ministerial text amendment to the Zoning Map of the City.~~
  5. ~~Until a Floating Zone is activated for a site, the existing zoning and associated rights governs the use and development of the site.~~

### B. California Environmental Quality Act

1. A Program Environmental Impact Report (PEIR), State Clearinghouse Number 2015041044, was certified for this project.
2. The PEIR serves as the primary environmental document for the project and future development that would be undertaken in conjunction with it.
3. Subsequent environmental review is required for discretionary actions to entitle future development, including but not limited to Design

Review, certain Subdivision actions and Use Permits.

4. Subsequent discretionary actions must be examined in the light of the PEIR to determine whether an additional environmental document needs to be prepared.
5. Pursuant to California Public Resources Code Section 21093, these discretionary actions may tier from the PEIR or a determination made that no further environmental review is necessary.
6. The Planning and Building Director must prepare and maintain an environmental review guide and checklist as a tool to streamline future environmental review of projects for which this Chapter applies.

### C. Master Design Review Permit

1. Certain sites on the map in Sec. 30.36.010.B are designated for the preparation of a Master Design Review Permit (MDP), as indicated by the MDP Zoning Overlay.
2. An MDP is a discretionary action subject to Planning Commission approval. The purposes of the MDP are to designate the location and extent of non-residential ground floor uses on a large contiguous site established on the Zoning Map with the -S30- character context and establish a phasing plan for development. ~~S30-zoning to ensure that an appropriate amount of ground floor nonresidential is included in a large collection of sites and establish a phasing plan for development.~~
3. The application form and submittal requirements for an MDP must be prepared by the Planning and Building Director. Phases of development in the short term require a high level of detail while phases occurring over the long term may have less detail, provided that the MDP commits those later phases of development to providing additional detail later processed as an amendment to the MDP. Subsequent site-specific discretionary permits may be required.

4. The site area must include the entirety of the contiguous properties designated for the preparation of an MDP. A contiguous area must be designated ~~for non-residential uses S30-~~ and of a sufficient size to provide for a minimum floor area ratio equivalent to 0.20 of the total MDP project area for commercial, public, institutional and/or industrial space, inclusive of the ground floor and any upper floor area designated for such nonresidential uses.
5. The Planning Commission may approve, deny or approve with conditions an MDP based on the following findings:
  - a. The project is planned and designed to create a vibrant, walkable place with a mixed use core.
  - b. A phasing plan for the project provides for an orderly and cohesive development, inclusive of private and public amenities and improvements commensurate with the level and type of development for each phase.
  - c. The MDP conforms to the standards and provisions of the Encinitas Municipal Code.
  - d. The resulting MDP conforms to the Housing Plan, including allowing the City to rely on the project to receive credit toward meeting its Regional Housing Needs Assessment allocation.

### D. Design Review

1. All buildings, grading, landscaping or construction projects in the At Home in Encinitas Zone (whether they require any other City permit or not) are subject to design review unless exempted by Chapter 23.08, except that the decision-maker is the Planning and Building Director unless the discretionary action includes a Master Design Review Permit (MDP) for which the Planning Commission is the decision-maker. For projects including other discretionary actions at a higher level than the Planning and Building Director, the design review permit will also be decided upon at that higher level.

Design review findings for projects in [the At Home in Encinitas](#) Zone are as set forth in Sec. 30.36.100.D.4 below.

2. All design review will be conducted in accordance with Chapter 23.08, Design Review, unless modified by this Chapter.
3. The Design Guidelines for Mixed Use and Multifamily Residential apply to all design review in [the At Home in Encinitas](#) Zone and are adopted and incorporated as a part of Chapter 30.36 by reference.
4. Design findings in [the At Home in Encinitas](#) Zone are as follows:
  - a. The project successfully reflects the design principles;
  - b. The project reinforces the community character of the community in which it is located;
  - c. The project responds to the design context in which it is located;
  - d. The project exhibits successful implementation of the site design guidelines; and
  - e. The project represents successful implementation of the building design guidelines.

## E. Subdivisions

All projects within [the At Home in Encinitas](#) Zone that involve the creation of subdivisions are subject to Title 24, Subdivisions

## F. Conditional Use Permits

Review of any use in [the At Home in Encinitas](#) Zone requiring a major or minor conditional use permit (see 30.36.070) occur in accordance with Chapter 30.74, Use Permits.

## G. Coastal Development Permit

Projects within the Coastal Zone must be additionally processed and entitled pursuant to Chapter 30.80.

## H. Adequate Sites

### 1. Inventory Credit

To ensure adequate sites inventory credit, the following additional standards apply and control over any conflicting provisions:

- a. Sites must be zoned to permit owner-occupied and rental multi-family housing by right.
- b. The sites must be rezoned with minimum density and development standards that permit at least 16 units per site at a density of at least 20 units per acre. A site can be a group of parcels.
- c. At least 50% of the very low and low-income housing need must be accommodated on sites designated for residential use and for which nonresidential uses or mixed uses are not permitted, except all of the very low and low-income housing need may be accommodated on sites designated for mixed uses if those sites allow 100% residential use and require that residential use occupy 50% of the total floor area of a mixed use project.

### 2. No Net Loss

When a discretionary permit is acted upon for any site depicted on the map in Sec. 30.36.010.B, a finding must be made that adequate sites inventory exists with remaining sites. This finding is not cause for denial of the project.

## I. Administrative Deviations

### 1. Authority

During the Design Review process, the Planning and Building Director is authorized to approve deviations to certain provisions of this Chapter, where, due to special conditions, strict enforcement would be physically impractical. This optional process may occur only where the applicant requests a deviation to a standard as specified below.

## 2. Deviations Allowed

The Planning and Building Director is authorized to approve a deviation for the following:

### a. Build-to Range

- 1) Increase or reduction of up to 10% of the minimum or maximum required primary street or side street setback.
- 2) Reduction of up to 5% of the minimum required build-to percentage.

### b. Ground Floor Elevation

Reduction of up to one foot of the minimum required ground floor elevation.

### c. Story Height

Reduction of up to 5% of the minimum required ground and upper story floor heights.

### d. Transparency

Reduction of up to 5% of the minimum percentage of windows and doors that must cover street-facing building facades.

### e. Blank Wall Area

Reduction of up to 10% of the maximum allowed blank wall area on a street-facing building facade.

### f. Pedestrian Access

Reduction of up to 10% of the minimum required distance between street-facing entrances.

## J. Alternative Compliance Allowed

### 1. Planning Commission Authority

Alternative compliance is a discretionary review process in which an applicant meets the intent of a development standard of this Chapter in an alternative way (this does not include Use Provisions in Sec 30.36.080). The Planning Commission has the authority to approve a request for alternative compliance during design review.

### 2. Application Requirements

Application for alternative compliance must be submitted at the time of application for design review. The applicant must submit pertinent material necessary for review of the alternative design. In addition to the submittal material required for design review. This may include architectural renderings, materials samples or other project-specific information.

### 3. Findings

- a. The Planning Commission must find that the intent of the applicable [At Home in Encinitas](#) Zone standard has been met or exceeded in an alternative way.
- b. The Planning Commission must consider any applicable [At Home in Encinitas character context](#) Zone intent statement.
- c. The Planning Commission must find that the intent of the applicable portion of the Design Guidelines for Mixed Use and Multifamily Residential has been met or exceeded in an alternative way.

## K. State Agency Certification

1. The City's Housing Plan must be certified by the State Department of Housing and Community Development and its Local Coastal Program must be certified by the California Coastal Commission.
2. If amendments to any part of its planning policy documents, including but not limited to the General Plan, specific plans, Encinitas Mu-

municipal Code or its Local Coastal Program, are required to secure or maintain certification that may otherwise invoke the requirements of Chapter 30.00, the City Council is authorized to make any and all necessary amendments with a four-fifths super majority vote or any other lesser super majority vote should less than five Council Members be eligible to vote while maintaining a quorum.

## 30.36.110. Defined Terms

**Character Context** means the use and development standards included in the Residential (R30), Mixed Use (X30) or Shopfront (S30) designations, which are part of the Second Generation of regulatory incentives set forth in this Chapter. ~~At Home in Encinitas Zone means an AHE S30-N, AHE X30-N, AHE R30-N, AHE S30-V, AHE X30-N, AHE R30-N, AHE S30-M, AHE X30-M, AHE R30-M zone.~~

**Density** means the total number of dwelling units permitted on a net acre of land.

**Design Context** means the urban design characteristics based on the geographic location of the site in the City and the compatible neighborhood development prototype, represented by the Main Street Corridor (M), Village Center (V) or Neighborhood Center (N) designators, which are part of the Second Generation of regulatory incentives set forth in this Chapter.

**First Generation** means the use and development standards of the prior zone applicable immediately prior to the effective date of this Chapter.

**Ground Story** means the story closest to and above grade along the street.

**Housing Typology** means a housing typology defined by its form and function in Sec. 30.36.020.

**Net Acreage** means the total acreage of the lot minus any area proposed to be dedicated for future rights-of-way.

**Planning and Building Director** means the Planning and Building Director or their designee.

**Primary Street** means the principal frontage for a building site, as determined in Sec. 30.36.070.G.

**Second Generation** means the use and development standards and the processes collectively set forth in this Chapter that represent the regulatory incentives the City established to accommodate the production

of high quality housing with a range of 20 to 30 dwelling units per acre in a residential or mixed use place.

**Transition Area** means an area on the site where special transition rules apply in Sec. 30.36.060.

**Side Street** means a frontage that is not a primary street, as determined in Sec. 30.36.070.G.

**Upper Story** means any story above the ground story.