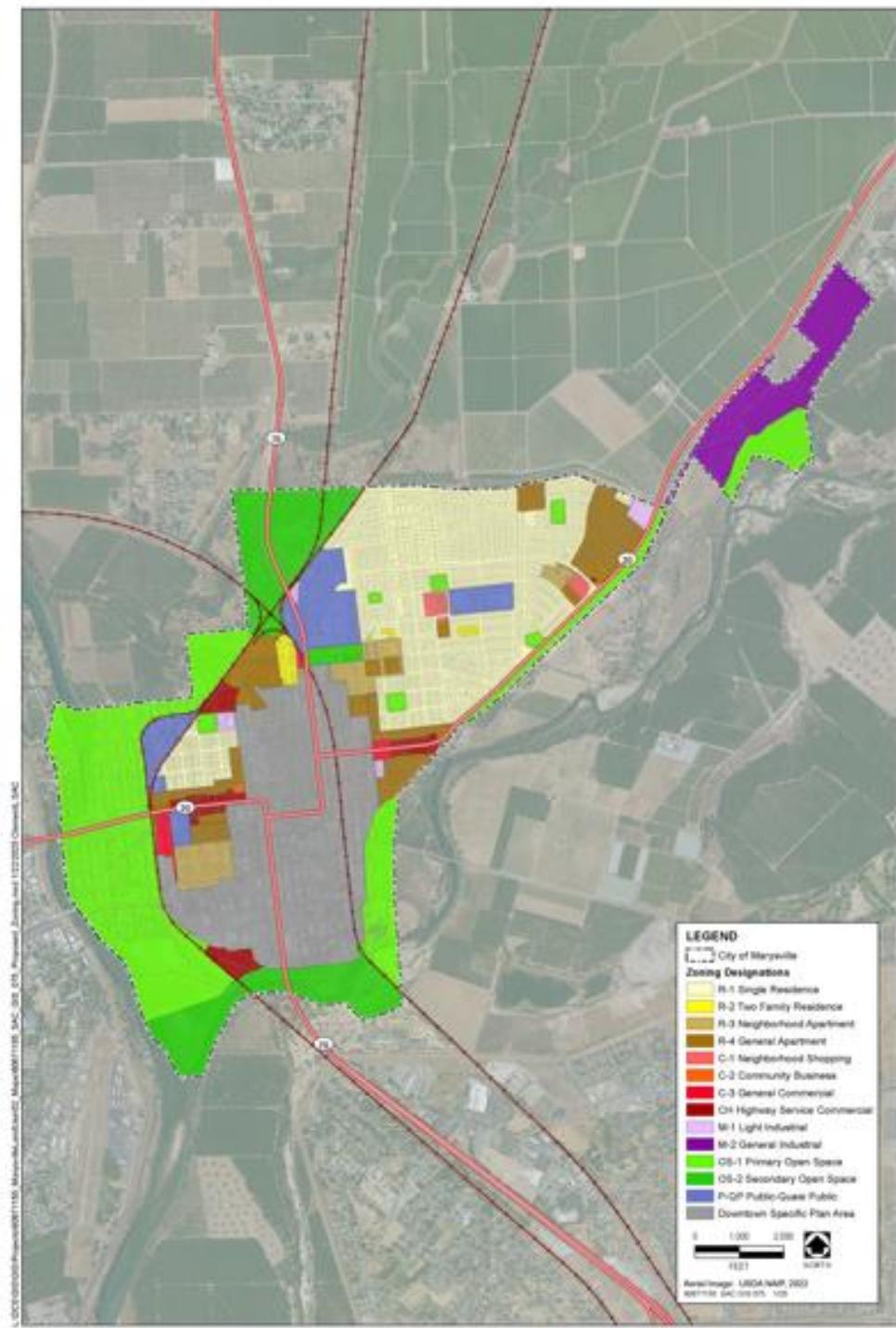


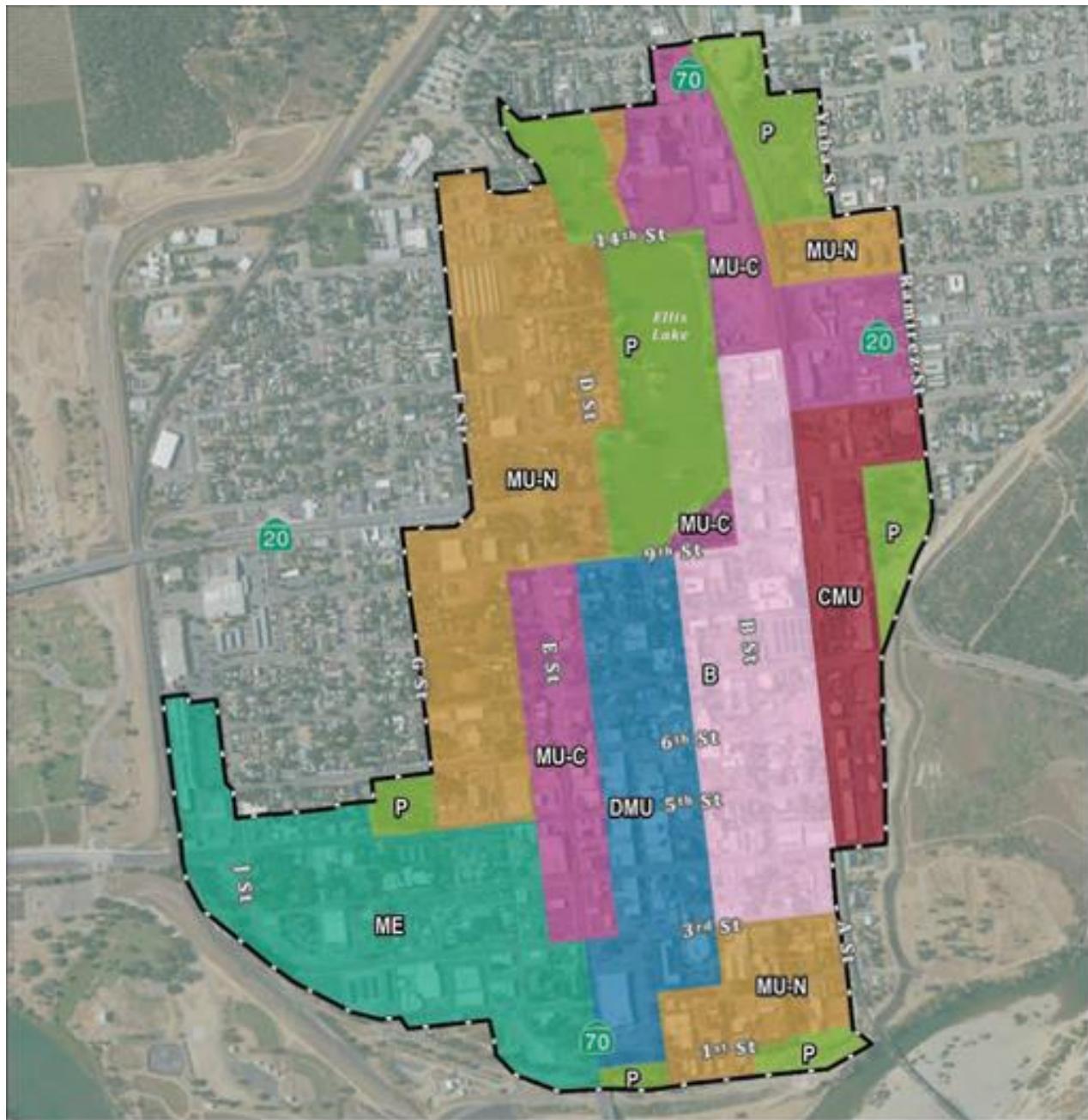
## EXHIBIT A

### ZONING MAP AND ZONING ORDINANCE TEXT UPDATE

#### Zoning Map



## Downtown Specific Plan Zoning Map



### LEGEND

Downtown Specific Plan Area

#### Land Use Zones

Commercial Mixed Use (CMU)

Mixed-Use Corridor (MU-C)

Medical Arts (ME)

Downtown Mixed Use (DMU)

Mixed-Use Neighborhood (MU-N)

B Street Corridor (B)

Parks & Open Space (P)



NORTH

0 500 1,000

FEET

**AECOM**

Aerial Image: NAIP 2022  
60671155 SAC GIS DTSPA 018 6/24

## ZONING TEXT CHANGES

March 2025

### 18.07 DEFINITIONS

**18.07.010 Word construction.** This chapter defines the terms and phrases used in this title that are technical or specialized, or that otherwise may not reflect common usage. If any of these definitions conflict with other provisions of the municipal code, these definitions shall control for purposes of this title. Other words not defined in this chapter shall have the same meaning as provided in a standard dictionary.

Words used in the present tense include the future, words in the singular number include the plural, and words in the plural number include the singular. The word "building" includes the word "structure," and the word "shall" is mandatory and not directory.

The term "City Council" means the City Council of the City of Marysville, and the term "Planning Commission" means the Planning and Historic Preservation Commission of the city of Marysville. (Ord. 1365 § 2 (part), 2014).

**18.07.011 Abandoned.** The cessation of a use or activity by the owner or tenant for a period of one year, excluding temporary or short-term interruptions for the purpose of remodeling, maintaining, or otherwise improving or rearranging a facility.

**18.07.012 Abandoned Sign.** A permanent sign that identifies a business, lessor, owner, product, service, or activity that is no longer on the premises where the sign is displayed.

**18.07.013 Abutting.** District boundaries or lot lines in common, including lots which abut only at a corner; also means adjacent to or adjoining.

**18.07.014 Acceptance of Improvements** means that there is some written acceptance of the improvements by either the City Engineer, Director of Public Works, or the City Council.

**18.07.015 Access.** The place, means, or way by which vehicles have usable legal, ingress and egress, unless the context dictates otherwise to a property and/or use as required by this Code.

**18.07.016 Access, Direct.** Direct access is access located at a point along a lot line at which such lot line is contiguous to a street (or alley) and the site and not via an easement over another site

**18.07.017 Access, Indirect.** Indirect access is access located so as to provide access to a site across a lot line which is not contiguous to a street or alley at the point of crossing, typically via an easement over another site.

**18.07.018 Access, Pedestrian.** Pedestrian access is the place, means, or way by which pedestrians have, usable legal, ingress and egress, unless the context dictates otherwise to a property and/or use as required by this Code.

**18.070.019 Accessory Dwelling Unit.** An accessory dwelling is an attached or detached residential dwelling unit which provides complete independent living facilities for one or more persons. It is on

the same site as the primary dwelling and is limited in size or other standards of this Code to be accessory to that dwelling. It includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same site as where the primary dwelling unit is situated, and meets the standards for accessory dwelling units in this Code. It may include an efficiency unit or a manufactured accessory dwelling unit. This term does not include a structure constructed as a duplex, single-family dwelling, or an apartment.

**18.070.020 Accessory Structure** means a structure detached from and incidental to the primary structure on the same lot and not designed or used for human habitation, or a structure attached to the primary structure by a breezeway. Accessory structures include, but are not limited to, storage sheds; gazebos; garden arbors greater than 10 feet in length, or three feet in width, or eight feet in height; detached decks with a floor height greater than 18 inches above grade; carports detached from the main structure; play structures greater than 6 feet; and detached patio covers. Accessory structures do not include accessory dwelling units, carports, garages, patio covers, or decks directly attached to the main structure, and additions attached to the main structure.

**18.070.021 Accessory Use.** A use incidental, related, appropriate, and clearly subordinate to the principal use of the lot or building that does not alter the primary use of the subject lot.

**18.07.022 Acreage, Gross.** The entire land area of a site prior to any dedications for public use or deductions for health, safety, or similar purposes.

**18.07.023 Acreage, Net.** The land area of a site remaining after dedication of ultimate rights-of-way, including exterior boundary streets, floodways, public parks and other open space, and utility easements and rights-of-way.

**18.07.024 Addition.** An extension or increase in floor area and/or height of a building or structure.

**18.07.025 Adjacent.** Neighboring or next to each other, but may not be touching (e.g., maybe across the street).

**18.07.026 Adjoining.** Having a common boundary with, abutting, or touching

**18.07.027 Aircraft.** Every kind of vehicle or structure intended for use as a means of transporting persons or goods, or both, in the air. Aircraft shall include helicopters.

**18.07.028 Airport Land Use Commission (ALUC).** The Sutter County or Yuba County Airport Land Use Commission, having jurisdiction over the surrounding airspace.

**18.07.029 Alley.** A roadway that provides secondary access to the rear or side of lots that front on and have primary pedestrian access to a public or private street.

**18.07.030 Alteration** means any change, addition, or modification in construction or occupancy.

**18.07.031 Allowed Use.** A land use identified in Division 2, District Regulations, as a use that may be established by right or with approval of a Conditional Use Permit, and subject to compliance with all applicable provisions of this Code.

**18.07.032 Alter.** Make a change which affects the appearance, impact, intensity, size, location, or purpose of a use, structure, or site. Alterations. An exterior change, addition, or modification to an existing structure or site. This may include changes to the architectural details or the visible characteristics of a structure, such as a change in paint color or surface texture materials, or the grading, paving, or removal of natural features from the site, affecting the exterior visual character of the property.

**18.07.033 Annexation.** The process for the incorporation of land within the City of Marysville.

**18.07.034 Antenna.** Any system of poles, panels, rods, reflecting discs or similar devices used for the transmission or reception of electromagnetic waves or radio frequency signals.

**18.07.035 Antenna Array.** Several antennas connected and arranged in a regular structure to form a single antenna.

**18.07.036 Antique.** Any object of fine art or household furniture or appliance which was produced more than fifty years ago,

**18.07.037 Applicant.** Any person that files a planning entitlement application form.

**18.07.38 Approach-Departure Zones** means either:

- A. Zones as defined by the adopted Airport Land Use Compatibility Plan; or
- B. The flight path of the helicopter as it approaches or departs from the touchdown area.

**18.07.039 Approval.** Includes both approval and approval with conditions by a Review Authority of the City.

**18.07.040 Arcade-fun Center.** Shall include, among other things, any business which has on its premises six or more amusement devices.

**18.07.041 Architectural Feature.** An exterior building feature, including a balcony, canopy, column, doors, porches, roof, roof eave, soffit, windows, wing wall, and any other similar element that does not create an interior floor space.

**18.07.042 Area Median Income.** The median family income, adjusted for household size, for Yuba County, as published from time to time by the State Department of Housing and Community Development.

**18.07.043 Artificial Turf.** A synthetic derived, natural grass substitute. The term includes synthetic grass and synthetic turf.

**18.07.044 Balcony.** A platform projecting from the wall above the first floor of a building with a balustrade or railing along its outer edge, often with access from a door or window to an upper floor.

**18.07.045 Banner.** A temporary sign constructed of cloth, canvas, vinyl, light fabric, or similar flexible materials.

**18.07.046 Barn.** Any building designated or used for storing agricultural related materials, equipment and supplies, and housing livestock.

**18.07.047 Basement** means a space partly or wholly underground, and having more than one-half its height, measured from its floor to its finished ceiling below the average adjoining grade.

**18.07.048 Bed and Breakfast Inn.** A single-family residence or detached guest house to a single-family residence that provides guest rooms, without individual kitchens, for short term temporary sleeping accommodations for paying overnight guest. The business may also include meal service that is limited to overnight guests.

**18.07.049 Billboard.** A permanent sign that meets any one or more of the following criteria:

- A. It is used for general advertising for hire;
- B. It may be an accessory or auxiliary use to a principal use on the site, or a separate or principal use of the site;
- C. It is a profit center on its own; or
- D. The ground surrounding the sign, the sign itself, or any part of the display is leased, rented, owned, or otherwise contractually dedicated for use by an establishment that is not the property owner or lessee of the entire lot or the primary occupant of a tenant space of at least 500 square feet within a building on the site.

**18.07.050 Block.** an area of land surrounded by streets, rail rights-of-way, streams, canals, or similar access control strips.

**18.07.051 Block Length.** The distance between the centerlines of intersecting streets that define the outer boundary of a block.

**18.07.052 Block Perimeter.** The length of the boundary of a block, measured at street centerline or edge of another feature that defines the boundary of the block

**18.07.53 Boarding House.** Shared housing where residents rent and have their own private rooms but share common areas such as kitchens and bathrooms

**18.07.054 Building Official or Building Inspector.** All references to the building official or building inspector in this code or in any of the codes hereinafter set forth, shall be construed to refer to the Community Development Director or duly authorized representative. Such codes are: Uniform Building Code, Uniform Code for Abatement of Dangerous Buildings, Uniform Plumbing Code, Uniform Sign Code, Uniform Housing Code, National Electrical Code, Uniform Mechanical Code and Uniform Swimming Pool Code.

**18.07.055 Buffer.** An open space or landscaped area established to provide an open area between potentially incompatible uses or structures.

**18.07.056 Building.** Any structure having a roof supported by columns or walls, for the housing or enclosure of persons, animals, equipment, or property of any kind.

**18.07.057 Building Coverage** Land covered by all main buildings on a lot, including all projects except eaves.

**18.07.058 Building Official.** Designated City employee who is primarily responsible for administration of the building regulations adopted by the City of Marysville Municipal Code, subject to the overall direction and control of the City Manager or designee

**18.07.059 Building Frontage.** A building wall adjacent to a parcel or a lot boundary that abuts a public right-of way.

**18.07.060 Building Permit.** Written authorization from the Fire Marshal/Building Official of the City of Marysville for the construction of any structure.

**18.07.061 Bus Station.** See Transit station.

**18.07.062 California Environmental Quality Act (CEQA).** State law (California Public Resources Code § 21000 et seq.) requiring public agencies to document and consider the environmental effects of a proposed action, prior to allowing the action to occur.

**18.07.063 California Room.** A patio or raised platform with a patio cover attached to a building, enclosed on two or three sides and open on at least one side, and an entrance directly into the building.

**18.07.064 Caliper.** Used in the measurement of the diameter of a tree's trunk.

**18.07.065 Cardroom.** A gaming establishment that exclusively offers card games for play by the public.

**18.07.066 Carport.** An attached or detached accessory permanent roofed building with not more than two enclosed sides or 50 percent of its perimeter, used for automobile shelter.

**18.07.067 Changeable Copy Sign.** A sign that is designed so that characters, letters, numbers, or illustrations can be manually or mechanically changed or rearranged without altering the face or surface of the sign

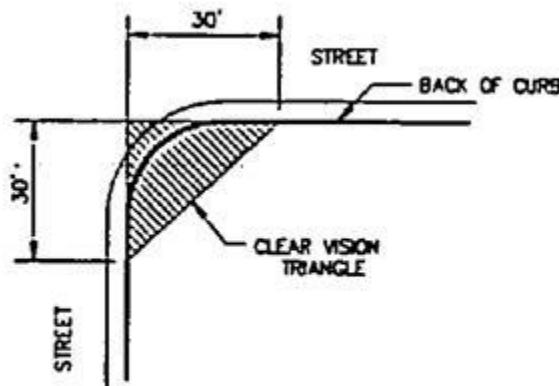
**18.07.068 Change of Use.** The change of an existing use category on a lot or parcel, or any portion thereof, to a new use category, or a change in the nature of an existing use category, but does not include a change of ownership, tenancy, or management associated with a use for which the previous nature of the use will remain substantially unchanged unless otherwise described in this Code.

**18.07.069 Cemetery** provides burial grounds and may contain graves, tombs or funeral urns.

**18.07.070 Central Business District** is that area of the city. Located between the center of Ninth Street, the south levee of the city, the center of E Street and the Center of A Street.

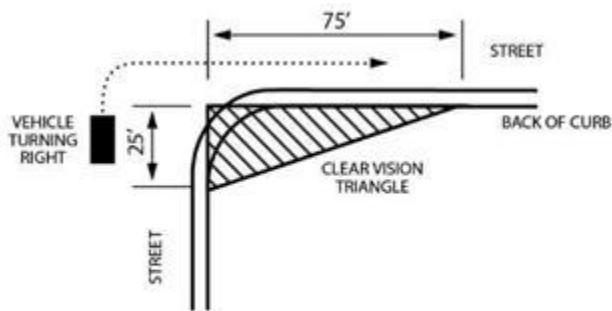
**18.07.071 Clear Vision Triangle, Commercial:** That portion of both private property and public right-of-way located at any corner where two streets intersect. The clear vision triangle is defined by the triangular area created by the diagonal connection of two points measured 30 feet back from the intersection of the prolongation of points measured along the front and corner street side back of curb

(see figure below). The dimensions of the clear vision triangle may be required to be increased if the Director of Public Works determines that additional area is needed to ensure that a potential traffic hazard is not created.



**CLEAR VISION TRIANGLE - COMMERCIAL**  
NO SCALE

**18.07.072 Clear Vision Triangle, Residential:** The clear vision triangle is defined by the path of travel of a vehicle making a right turn at an intersection and is intended to preserve appropriate line-of-sight for the driver and pedestrians at a turn. The clear vision triangle is the area created by the diagonal connection of two points measured 25 feet along the back of curb on the right-hand side of the vehicle as it approaches the intersection to turn right, and 75 feet along the perpendicular side of the back of curb on the right-hand side of the vehicle as it completes the turn and departs the intersection (see figure below).



**CLEAR VISION TRIANGLE - RESIDENTIAL**  
NO SCALE

**18.07 .073 Club and lodges** means an association of persons for some common nonprofit purpose, but not including groups organized primarily to render a service which is customarily carried on a business. "Club" includes social organizations, lodges, and fraternal organizations that use an associated building for uses other than residential purposes.

**18.07.074 Co-location.** The mounting of one or more wireless telecommunications facilities, including antennas, on an existing structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities.

**18.07.075 Commercial Vehicle.** A vehicle used for commercial purposes having a manufacturer's gross vehicle weight rating of 10,000 pounds or more per California Vehicle Code § 22507.5, typically with three or more axles and/or a minimum of six feet and 10 inches wide.

**18.07.076 Commission.** The Planning and Historic Preservation Commission of the City of Marysville.

**18.07.077 Common Recreational Open Space Area.** Open space on a project (exclusive of the required front setback area), including accessory structures such as swimming pools, recreational buildings, and landscaped areas, to be used for recreational purposes, by of occupants (and their visitors) of units within the project.

**18.07.078 Community Apartment.** An estate in real property consisting of an undivided interest in common in a parcel of real property and the improvements in the real property coupled with the right of exclusive occupancy for residential purposes of an apartment located thereon.

**18.07.079 Community Care Facilities** (CCFs) are licensed by the Community Care Licensing Division of the State Department of Social Services to provide 24-hour non-medical residential care to children and adults with developmental disabilities who are in need of personal services, supervision, and/or assistance essential for self-protection or sustaining the activities of daily living.

**18.07.080 Compact Residential Development:** Attached or detached single-family housing units on a parcel or parcels with a General Plan land use designation of medium density residential or higher (seven dwelling units per acre or higher, as depicted on the General Plan Land Use Map).

**18.07.081 Community Apartment Project.** The conversion of an existing structure to a community apartment containing two or more apartments to which there is the right of exclusive occupancy for residential purposes.

**18.07.082 Community Center.** A building where members of a community gather for group activities and other purposes.

**18.07.083 Condominium** means an undivided interest in common in a proportion of real property, together with a separate interest in space in a residential, commercial or industrial building on the real property.

**18.07.084 Conditional Use Permit (CUP).** A discretionary land use application for uses that are generally consistent with the goals, objectives, and policies of the General Plan, and the purposes of the district where they are proposed, and that require special consideration and specific conditions of approval applied (e.g. operational limitations and design requirements) to minimize potential impacts that may otherwise result from a land use, and to ensure that they can be designed, located, and operated in a manner that will be compatible with the surrounding area and consistent with the zoning district and the General Plan.

**18.07.085 Condominium Association.** The organization of persons who own a condominium unit or right of exclusive occupancy in a community apartment.

**18.07.086 Condominium Common Area.** An entire project excepting all units in the place.

**18.07.087 Condominium Conversion.** A change in the type of ownership of a parcel or parcels of land, together with the existing attached structures, to that defined for a condominium project or a community apartment project regardless of the present or prior use of such land and structures and whether substantial improvements have been made or are to be made to such structures.

**18.07.088 Cottage Food Operations.** An enterprise with gross annual sales limits set forth in subdivision (a) of § 113758 of the Health and Safety Code, that is operated by a Cottage Food Operator and having not more than one full-time equivalent cottage food employee, not including a family member or household member of the Cottage Food Operator, and conducted within the Registered or Permitted Area of a private home where the Cottage Food Operator resides and where Cottage Food Products are prepared and/or packaged for direct, indirect, or direct and indirect sale to consumers pursuant to §113758 subdivision (b), Subsections (4) and (5) of the Health and Safety Code.

**18.07.089 Cottage Cluster.** A building type that consists of a series of small, detached structures on a single lot, providing multiple units that are arranged to define a shared court.

**18.07.090 County.** The County of Yuba, California.

**18.07.091 Cultural Institution.** Museums, art galleries, or other cultural institutions that promote culture meant to inform and educate the public.

**18.07.092 Cultural Resources.** Prehistoric and historic materials, features, and artifacts, as determined by a qualified cultural resource specialist in compliance with the State Office of Historic Preservation regulations. Cultural resources include, but are not limited to, historic structures, archaeological sites, archeological isolates, and paleontological resources.

**18.07.093 Curb.** A City-approved raised concrete or asphalt concrete structure along the edge of the street pavement.

**18.07.094 Current Market Value.** The value of a building or structure under current market conditions determined based on information from an appraisal company, or other information that may be deemed appropriate by the Director of Community Development to determine the current value.

**18.07.095 Dancehall, ballroom, and night club.** "Dancehall, ballroom, and night club" means a commercial establishment providing entertainment such as dancing, live or amplified music, comedy, etc. (Ord. 1365 § 2 (part), 2014).

## **18.07.096 Day Care Facilities**

A. **"Day Care Center"** means a facility licensed by the California State Department of Social Services that provides day care to fifteen or more children for periods of less than twenty-four

hours in a nonresidential building. Includes but is not limited to infant centers, preschools, and school age day care facilities.

B. **“Day Care Home, Large”** means a residence licensed by the California State Department of Social Services where the occupant provides child day care for periods of less than twenty-four hours for nine to fourteen minor children, including children under the age of ten years who reside in the residence.

C. **“Day care Home, Small”** means a residence licensed by the California State Department of Social Services where the occupant provides child day care for periods of less than twenty-four hours for eight or fewer children, including children under the age of ten years who reside in the residence. (Ord. 1365 § 2 (part), 2014).

**18.07.097 Dedicated Street.** A street offered to and accepted by the City of Marysville.

**18.07.098 Deck** means a raised horizontal structure without roof or walls, except a common wall shared with a building, located outside a building, and typically used as outdoor living area.

**18.07.099 Demolition.** The removal, destruction, or partial destruction of any structure or structures, including walls.

**18.07.100 Density Bonus.** A density increase over the otherwise maximum allowable residential density under the applicable zone and designation of the Land Use Element of the General Plan as of the date of the application by the applicant to the City, as allowed under Government Code 65915.

**18.07.101 Density, Residential.** The number of permanent residential dwelling units per unit of land. Unless otherwise specified, density is measured in dwelling units per developable residential acre.

**18.07.102 Density, Base.** The lowest point of the density range for a site allowed under the General Plan.

**18.07.103 Developable Residential Area.** The total site area determined to be usable for residential development. The areas proposed as “developable residential area” are evaluated at the time of submittal of an application for a land use approval and are subject to the determination of the Director of Community Development. Developable residential area shall include the following:

- A. Areas within existing and adjoining public property which are proposed to be fully improved to City standards by an applicant as part of the proposed project, and for which no fee credit or other monetary compensation is received;
- B. Additional areas as specified in a developable residential area credit agreement, as provided for in of this Code;
- C. Areas held in common private ownership for private streets, common driveways, trails, or utility right-of-way;
- D. Areas used or proposed to be used as residential yards, accessory structures, common
- E. open space, recreation, or service areas for the residents, such as private parks,
- F. clubhouses, laundry rooms, and manager offices;
- G. Developable residential area excludes the following:
  - 1. Areas with a slope of 25 percent or greater with a vertical change of 25 feet or more;

2. Creekways below the stable top of bank, as determined by the City Engineer; and
3. Public flood control channels and related rights-of-way and facilities;

**F.** Areas determined to be unbuildable due to geologic instability, as determined by the City Engineer;

**G.** Areas above the City's applicable maximum water service elevation, as determined by the City Engineer;

**H.** Areas where development is precluded by existing easements and is not included in a required yard or open space.

**I.** Public parks, public street or alley right-of-way, and other property for public use which is proposed to be dedicated or sold to the City or public agency or maintained for the general public, for which compensation is provided in the form of fee credit or monetary compensation

**18.07.104 Developer** means a person, firm, corporation, partnership, or association who proposes to: (a) divide or cause to be divided real property into a subdivision; (b) develop an existing parcel or series of parcels with buildings, paving, landscaping, or other site improvements, if such improvements require approval of a land development permit; (c) change the use of an existing building or parcel, if such change in use requires approval of a land development permit; or (d) any combination of (a), (b), or (c).

**18.07.105 Development Standards.** The provisions of this Code that regulate the site planning and design of a proposed project or new land use, including provisions for height limits, landscaping, minimum lot area, off-street parking, setbacks, signs, and standards for specific land uses, and includes performance standards.

**18.07.106 Diameter at Breast Height (DBH).** The diameter of a tree trunk at four and one-half feet above adjacent ground. The diameter may be calculated by use of the following formula: DBH = tree circumference at breast height divided by 3.142.

**18.07.107 Director.** The Community Development Director of the City of Marysville (including interim director), or designee.

**18.07.108 Discretionary Permit.** A City land use review and entitlement process where the Review Authority exercises discretion in deciding to approve or disapprove the permit, and includes but is not limited to use permits, variances, and subdivision maps.

**18.07.109 Drive-through facility.** "Drive-through facility" means a place where vehicles line up for service at designated spots and where customers are served without leaving their vehicles (except for gasoline service stations). (Ord. 1365 § 2 (part), 2014).

**18.07.110 Driveway.** "Driveway" means a permanently surfaced area providing direct access for vehicles between a street and a permitted off-street parking or loading area and extending to a maximum width equal to the curb cut approved by the city services director. (Ord. 1365 § 2 (part), 2014).

**18.07.112 Driveway.** Private. An improved vehicular access way that provides access to a parcel or lot on which it is located. Driveways also include an easement crossing no more than one other parcel for the purpose of providing access to no more than one abutting parcel.

A. Driveway, Common. A driveway that provides access to two to six lots and six or fewer dwelling units.

**18.07.113 Drive-through Facility.** A place where vehicles line up for service at designated spots and where customers are served without leaving their vehicles.

**18.07.114 Duet.** A pair of single-unit dwellings that are attached to one another on adjacent individual lots.

**18.07.115 Duplex.** A multi-unit dwelling with two dwelling units on a single site. Does not include a single unit dwelling with an attached accessory dwelling unit

**18.07.116 Dwelling Unit.** A building or portion thereof (e.g., room or group of internally connected rooms) that has complete independent living facilities for one household, including permanent provisions for living, sleeping, eating, cooking and sanitation in the unit to be occupied by or intended for occupation by one household as a permanent residence. A dwelling unit does not include temporary accommodations, such as tents, trailers, or recreational vehicles.

**A. Dwelling, Single-Unit Attached.** A single-unit that is attached to another single-unit dwelling on an adjacent lot. A pair of single-family attached dwellings is also called a duet. Three or more single unattached dwellings is also called a townhouse.

**B. Dwelling, Multi-Unit.** Means a structure containing two or more dwelling units on a single lot or a structure containing two or more dwelling units on more than one lot when the lots are generally surrounded by common area.

**C. Dwelling, Primary Single-Unit, Detached.** Means the single-family dwelling on the same site as an accessory dwelling unit.

**18.07.117 Eave.** The overhang that projects from a building at the lower edge of the roof (i.e., the overhanging lower edge of a roof).

**18.07.118 Effective Date.** The date upon which this Code or a subsequent amendment to it is in full force and effect from and after its adoption.

**18.07.119 Efficiency Dwelling Unit.** A dwelling unit containing only one habitable room. Includes an efficiency unit as defined by the California Health and Safety Code § 17958.1.

**18.07.120 Elevation Style.** A set of architectural features on the exterior of a house plan. An elevation style includes a combination of roof forms, exterior materials, colors, or other exterior architectural features that are distinct from other elevation styles used for the same house plan.

**18.07.121 Emergency Shelter.** Any facility, the primary purpose of which is to provide a temporary shelter for the homeless.

**18.07.122 Employee Housing.** Includes up to six or fewer workers, including but not limited to farmworkers, shall be deemed to be single family structure with a residential land use, and shall be treated the same as a single-family dwelling of the same type in the same zone.

**18.07.123 Federal Communications Commission (FCC).** A Federal governmental agency responsible for the regulation of interstate and international communication by radio, television, wire, satellite, and cable.

**18.07.124 Fence.** An artificially constructed barrier consisting of any permitted materials, other than plant materials, intended to form an enclosure, mark a boundary, prevent intrusion, and/or provide a screen. See also "Wall, Masonry."

A. Open fence means a fence constructed of any permitted material which allows visibility through the fence panel when viewed perpendicular to the face of the fence. This includes open style fences such as split-wood rail, chain link, wrought iron, tubular metal, or other similar materials;

B. Solid fence means a fence constructed of materials which do not allow for visibility through the fence when viewed perpendicular to the face of the fence. A fence consisting of chain link with slats is not considered a solid fence.

**18.07.125 Fill Slope.** An artificial incline of earth created by earth filling.

**18.07.126 Final Subdivision Map.** A map showing the subdivision of land for which a tentative and final map are required by the Subdivision Map Act or this Code and designed to be filed with the County Recorder

**18.07.127 Fixed Wireless.** A local wireless operation providing services such as local and long-distance telephone and high-speed internet to residential and business customers by means of a small equipment installation (the remote unit) on the exterior of each home or business that elects to use this service.

**18.07.128 Flag.** A piece of fabric of distinctive design, typically oblong or square that is displayed hanging from a staff, halyard, or building to which it is attached. "Flag" includes the official flag of any country, state, or local government or any fabric shaped as such, though a flag may represent any establishment, idea, or concept. "Flag" excludes pennants and feather banners.

**18.07.129 Floor Area.** The sum of the areas of each floor of a building or structure.

**A. Floor Area, Gross** means the total horizontal area in square feet on each floor of a covered structure, extending to the outside of the exterior walls, but not including the area of inner courts, elevator shafts, and stairwells.

**B. Floor Area Ratio (FAR).** The ratio of floor area of a building or buildings on a site divided by the total lot area.

**18.07.130 Freestanding Sign.** Permanent sign that is supported by one or more uprights, poles or braces or similar structural components and that is not attached to a building or structure. This definition does not include portable signs, yard signs, or ground signs

**18.07.131 Garage, Commercial.** A building other than a private garage, used for the parking, repair or servicing of motor vehicles.

**18.07.132 Garage, Parking.** Public or private garage designed and/or used on a commercial basis for the storage only of vehicles.

**18.07.133 General Plan.** The City of Marysville General Plan, including all its elements and all amendments, as adopted by the City Council in compliance with Government Code § 65300 et seq.

**18.07.134 Geologic Hazards** shall mean any condition in earth, whether naturally occurring or artificially created, which is dangerous or potentially dangerous to life, property, or improvements due to movement, failure, or shifting of earth.

**18.07.135 Glare.** Direct and unshielded light striking the eye to result in visual discomfort and reduced visual performance.

**18.07.136 Government Code.** The State of California Government Code.

**18.07.137 Grade.** The gradient of slope of the ground surface prior to proposed ground disturbance, grading, or site preparation and expressed as a percent of vertical or horizontal distances.

**A. Grade, Finished.** The final ground surface elevation after the completion of grading or other site preparation related to a proposed development.

**B. Grade, Natural.** The existing ground surface elevation prior to grading or other site preparation.

**C. Grade Plane.** A reference plane representing the average of finished ground level adjoining a building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six feet from the building, between the building and a point six feet from the building.

**18.07.138 Grazing.** The consumption of growing vegetation by livestock.

**18.07.139 Green Means Go Designated Area:** Downtown area of the City of Marysville designated by the Sacramento Area Council of Governments (SACOG) to encourage infill and higher density housing uses. Includes the Medical Arts District, E Street District, Downtown District and Ellis Lake District and is included in the Downtown Specific Plan.

**18.07.140 Ground disturbance.** Any ground modification or excavation, at any depth.

**18.07.141 Ground cover.** Any variety of low growing or trailing plants used to cover the ground.

**18.07.142 Ground floor.** First Floor of building or structure.

**18.07.143 Ground Sign.** A temporary sign constructed of rigid and durable materials such as wood, that is supported by one or more uprights, poles, or braces in or upon the ground.

**18.07.144 Habitable Space.** Area within a dwelling unit for living, sleeping, eating, cooking, and/or bathing, that has controlled ventilation and heating, also, known as conditioned space.

**18.07.145 Halfplex** consistent of two separate residential units that are attached, but which each have their own assessor's parcel number.

**18.07.146 Hedge.** A plant or series of plants, shrubs, or other landscape material so arranged as to form a physical barrier or enclosure

**18.07.147 Height, Building.** Refer to the rules of measurement in Chapter 14.02.030. The vertical distance from grade plane to the average height of the highest roof surface. The average height of the highest roof surface is the mean height between the eaves and ridge for a hip, gable, or gambrel roof

**18.07.148 Helicopter.** A rotorcraft which depends for its motion and support in the air principally upon the lift generated by one or more power-driven rotors that rotate on a substantially vertical axis.

**18.07.149 Heliport.** An area of land or water or a structural surface which is used, or is intended for use, for the landing and take-off of helicopters whether on a regular or irregular basis, and any appurtenant area which is used, or is intended for use, for buildings, structures, equipment and other facilities related thereto.

**18.07.150 Heliport.** The same as a heliport except that no refueling, maintenance, repairs or storage of helicopters is permitted. Heliport shall include an area of land or water or a structural surface which is used exclusively or intended for exclusive use for the landing and take-off of aerial helicopter.

**Helipad** shall mean the same as heliport.

**18.07.151 Historic Resource.** Any resource that may have historic, cultural and/or architectural significance, locally, regionally, or nationally, including districts, ensembles, thematic groups, corridors, structures, bridges, buildings, sites, cemeteries, landscape features, signs, plaques, or archaeological sites or artifacts.

**18.07.152 Historic Site:** A historic site is considered to be the location of a historic or archaeological event, activity, occupation, structure, object, or landscape feature, including existing buildings or structure on the site, which has historic significance.

**18.07.153 Hotel.** Any building or portion thereof containing six or more guest rooms intended or designed to be hired out for compensation, and to be occupied by six or more guests. This definition includes hotels, lodging houses and rooming houses, dormitories, and any such building of any nature so occupied.

**18.07.154 Household Pet** means a tame animal that is kept for pleasure rather than for commercial purposes or human use food or products. It includes an animal kept inside a dwelling, a dog, a cat, a miniature pot-bellied pig or up to six adult rabbits

**18.07.155 House Plan.** The architectural plans for a single-family dwelling, a duplex, or a duet. A house plan constructed with the same basic floor plan in a different area, even with different exterior architectural elevations and optional floor plan features, is considered a single house plan.

**18.07.156 Impervious Surface.** A surface compacted or covered with a layer of material so it is highly resistant to infiltration of water.

**18.07.157 Incompatible Land Uses.** Land uses inherently incompatible with allowed uses as determined by the Decision Maker consistent with this Code.

**18.07.158 Intensification of Use.** A change in the use of structure or site that increases density or generates more traffic or other level of activity on the site.

**18.07.159 Kennel** means any lot where five or more dogs aged ten weeks or older are kept, whether owned by the residents, boarded, trained or bred. It does not include pets for sale in pet shops and patients in a veterinary clinic or pet grooming facility without boarding facilities.

**18.07.160 Land Development Permit.** Any discretionary approval pursuant to the Code which is required to construct or modify buildings or site improvements, install landscaping, or to use buildings or land. Examples of land development permits include, but are not limited to: conditional use permits, design review, variances, and planned development permits.

**18.07.161 Landscaped Open Areas.** An area that is maintained clear of any building or structure and includes landscaping (e.g., living plant material).

**18.07.162 Living Area.** The interior habitable area of a dwelling unit including basements and attics but does not include a garage or any accessory structure.

**18.07.163 LED Sign** (Single-Color, Two-Color, or Three-Color). A permanent sign composed of a single-color, two-color, or three-color LED, including signs with fixed and changeable copy. For signs that can be changed by electronic processes or remote control, see "Message Center Sign".

**18.07.164 Lot.** A parcel, tract, or area of land whose boundaries have been established by a legal instrument, such as a deed or map recorded with the County of Yuba, and which is recognized as a separate legal entity for purposes of transfer of title, except public easements or rights-of-way. Lot types include the following:

- A. **Corner Lot.** A lot bounded by two or more adjacent street lines which have an angle of intersection of not more than 135 degrees.
- B. **Double Frontage Lot.** An interior lot having frontage on two parallel or approximately parallel streets. The front yard requirement shall apply to both frontages. Does not include a lot which abuts a second frontage, such as an arterial street, where access to that second frontage is legally precluded.
- C. **Lot, flag.** A lot having access from the building site to a public street by means of a private right-of-way strip that is owned in fee.
- D. **Interior Lot.** A lot other than a corner lot.
- E. **Irregular Lot.** A lot that is non-rectangular, a lot with three sides, or a lot with more than four sides and requires specific definition of lot lines in order to achieve the purpose of the specific setbacks.
- F. **Front Lot Line.** A front lot line is any of the following:
  - a. On an interior lot, the property line separating the lot from the street.

- b. On a through lot, both lot lines are front lot lines and the lot is considered to have no rear lot line
- G. **Interior Lot Line.** A side or rear lot line not abutting a street.
- H. **Rear Lot Line.** The lot line farthest or most distant from the front lot line, which adjoins the side property lines.
- I. **Zero Lot Line.** The location of a structure on a lot in such a manner that one or more of the structure's sides rests directly on a lot line.

**18.07.165 Lot Line Adjustment.** A shift of an existing lot line or other adjustments between contiguous lots where no new lots are created.

**18.07.166 Low Barrier Navigation Center.** “Low Barrier Navigation Center” means a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. “Low Barrier” means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

- (1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
- (2) Pets.
- (3) The storage of possessions.
- (4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.
- (5) “Use by right” has the meaning defined in subdivision (i) of Section 65583.2. Division 13 (commencing with Section 21000) of the Public Resources Code shall not apply to actions taken by a public agency to lease, convey, or encumber land owned by a public agency, or to facilitate the lease, conveyance, or encumbrance of land owned by a public agency, or to provide financial assistance to, or otherwise approve, a Low Barrier Navigation Center constructed or allowed by this section.

**18.07.167 Mast.** A pole of wood or metal or a tower fabricated of metal that is used to support an antenna and maintain it at the proper elevation.

**18.07.168 Medical Arts District:** The area of the city starting at the intersection of Second Street and Willow Street, west on Second Street to the West levee of the City and along the levee to 1,050 feet north of Fifth Street, then east to J Street, and south to Sixth Street, east to Willow Street and south to Second Street.

**18.07.169 Medical Cannabis Dispensary.** A facility where medical cannabis, products or devices are offered for retail sale to qualified patients.

**18.07.170 Merger.** The joining of two or more contiguous lots or parcels of land under one ownership into one parcel.

**18.07.171 Ministerial Review.** The review of projects or actions that involve the use of set standards or objective measurements to evaluate the feasibility of granting an approval. Such projects do not require discretionary or subjective judgment on the part of the Decision Maker on

whether or how a project should be carried out. Ministerial projects are also exempt from California Environmental Quality Act (CEQA) review.

**18.07.172 Mini Storage Warehouse** means a building or buildings used for storage which is divided into subspaces intended to be rented individually.

**18.07.173 Manufactured Home Park** means a residence that is either wholly or partially constructed or assembled off site in compliance with state law and certified under the National Manufactured Housing Construction and Safety Standards Act of 1974. This also includes reference to “mobile home” as used elsewhere in this title. As required by California Government Code Section [65852.3](#), certified mobile homes (manufactured homes) for permanent occupancy are considered the same as single-family dwellings, and are allowed in all zones that allow single-family dwellings. Such mobile homes must, however, comply with all other state and local requirements for permanent occupancy (e.g., permanent foundations, utility connections, and compliance with property development standards applicable to the land use designation). See Chapter [18.88](#), Placement of Mobile homes. This does not otherwise include recreational vehicles, trailers, or motor homes. (Ord. 1372 § 1(B), 2015: Ord. 1365 § 2 (part), 2014).

**18.07.174 Message Center Sign.** A sign that has a changeable message that can be changed by electronic processes or remote control. Message center sign includes any sign that uses LED (light emitting diode), LCD (liquid crystal display), plasma, projected images, or any functionally equivalent technology, and which is capable of automated, remote or computer control to change the image, either in a “slide show” manner (series of still images), or full motion animation, or any combination thereof. “Message center sign” also includes any sign meeting the definition in the Business and Professions Code § 5216.4. Also see “LED Sign (Single-Color, Two-Color, or Three-Color)”

**18.07.175 Minor Sign.** A sign which provides incidental information, including, for example, security, credit card acceptance, business hours, open/closed, directions to services and/or facilities, or menus.

**18.07.176 Mixed Use.** A combination of attached residential units with commercial use as part of a single project approval. The residential and commercial uses may either be in separate structures or within the same structure and may include the conversion of commercial space to one or more residential units.

**18.07.177 Mobile home.** Mobile home, including on permanent foundation. See Section [18.04.302](#), Manufactured home. (Ord. 1372 § 1(E), 2015). “Mobile Home” is further defined in California Health and Safety Code § 18008.

**18.07.178 Mobile Telecommunication Facility.** A mobile cell site that consists of a cell antenna tower and electronic radio transceiver equipment on a truck or trailer, designed to be part of a cellular network.

**18.07.179 Mobile vendor.** Any person in charge of or operating any temporary, movable, and/or mobile vending vehicle, either as agent, employee, or otherwise under the direction of the owner.

**18.07.180 Mobile vending vehicle.** Any vehicle, wagon, or pushcart from which goods, services, wares, merchandise, fruits, vegetables or foodstuffs are sold, displayed, solicited, or offered for sale

or bartered or exchanged, or any lunch wagon or eating cart or vehicle on private property or within the public right-of-way.

**18.07.181 Model Home** is a fully furnished and decorated house that serves as a showcase for prospective buyers.

**18.07.182 Mortuary or Funeral establishment** is a funeral home or morgue relating to the burial or cremation of the dead.

**18.07.183 Motion Sign.** Any sign that is designed and constructed to convey its message through movement and/or a sequence of progressive changes of parts or lights or degree of lighting. "Motion sign" includes signs that spin, rotate, or are designed to move with the wind. "Motion sign" includes devices commercially known as "wind dancer," and similar systems, as well as feather banners and pennants. Motion signs do not include flags and electronic message center signs.

**18.07.184 Movie theater.** "Movie theater" means any enclosed building with a capacity of fifty persons or more used for the showing of motion pictures to the general public. This definition is not to be construed to include adult movie theaters, defined in Section [18.66.020](#). (Ord. 1372 § 1(D), 2015; Ord. 1365 § 2 (part), 2014. Formerly 18.04.305

**18.07.185 Multi-User Telecommunication Facility.** A telecommunication facility comprised of multiple telecommunication towers or buildings supporting one or more antennas owned or used by more than one public or private entity, excluding research and development industries with antennas serving internal company uses only.

**18.07.186 Municipal Code** of the City of Marysville, which may be abbreviated as "MMC".

**18.07.187 Native Landscaping.** Vegetation that uses those species that have existed in the area for many centuries. These species usually do not need human intervention to grow and reproduce.

**18.07.188 Nonconforming Sign.** A sign that was legally installed in accordance with laws in place at the time of installation, but which no longer conforms to the provisions of this Title.

**18.07.189 Nonconforming Site.** A site or parcel of land that was lawfully created, but that does not conform to the current standards for the zone in which it was located. Also referred to as a nonconforming lot.

**18.07.190 Nonconforming Structure.** A structure that was legally constructed prior to the adoption or amendment of this Code but does not conform to the development standards in this Code.

**18.07.191 Nonconforming Use.** A use of land and/or a structure that was legally established and has been maintained prior to the Adoption or Amendment of this Code, but which is not allowed in and does not conform to the applicable zone.

**18.07.192 Organizational Documents.** The declaration of covenants, conditions and restrictions, articles of incorporation, bylaws and any contracts for the maintenance, management or operation of all or any part of a condominium project.

**18.07.193 "Owner"** includes any part owner, joint owner, tenant in common, joint tenant or tenant by the entirety of the whole or part.

**18.07.194 Parcel.** An area of land which may or may not have lots designated under one ownership.

**18.07.195 Parcel Final Map.** A map showing the subdivision of land of four or fewer parcels or as otherwise required or provided by this Division and prepared in accordance with the provisions of the Subdivision Map Act and this Division and designed to be filed with the County Recorder.

**18.07.196 Parking Space.** Space, exclusive of driveways, ramps, columns, loading areas, office, or work areas, within a building, structure, or open parking area for the parking of one automobile.

Parking Space, Tandem. A parking space located so that it is necessary to move one or more automobiles to the automobile occupying the tandem space may gain access to or from the space.

**A. Parking Off-Street.** Parking that is not provided on a street or within street right-of-way and is typically provided on private or public property in the form of a parking lot or structure.

**B. Parking, Shared.** Parking spaces that are shared between two or more uses that are on the same site or on different sites.

**18.07.197 Parklet.** A temporary sidewalk extension for use by the general public within the public right-of-way.

**18.07.198 Parkway.** The landscaped area between the curb line and the sidewalk. Depending on the street design, the parkway may be part of a right-of-way, parcel, or a lot.

**18.07.199 Paseo.** A public or private walkway not adjacent to a street that provides access to pedestrian entrances to adjoining buildings.

**18.07.200 Patio.** A horizontal area located at existing grade and used for other than vehicular purposes and surfaced with wood, macadam, masonry, stone, brick, block, or other such material.

**18.07.201 Patio Cover.** A roof and supporting structures over a patio, porch, or raised platform, whether attached to or detached from a main structure. It excludes a carport or any cover that includes walls enclosing the structure.

**18.07.202 Pawn shop.** "Pawn shop" means an indoor retail establishment that accepts personal property as collateral for loans and offers the property for sale to the public. Pawn shops are differentiated from "secondhand stores," which do not make loans. (Ord. 1365 § 2 (part), 2014).

**18.07.203 Planning Commission** means the Planning and Historic Preservation Commission as established and defined under Chapter 2.40 (Ord. 1365 § 2 (part), 2014).

**18.07.204 Personal Communications Services (PCS).** Digital wireless telephone technology such as portable phones, pagers, faxes, and computers. PCS is also sometimes known as Personal Communication Network (PCN).

**18.07.205 Pennant.** Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, attached to a rope, wire, or string, usually in a series, designed to move in the wind and to attract attention.

**18.07.206 Permanent Sign.** Any sign that is not limited by this Chapter to being displayed for a limited time period. "Permanent sign" includes any sign that is mounted with a concrete foundation or that is fastened directly to a structure with bolts, nails, or similar fasteners not designed for fast

removal by hand. “Permanent sign” includes a permanently mounted sign frame that allows removal and replacement of one or more sign panels within the sign frame. “Permanent sign” excludes temporary signs and portable signs.

**18.07.207 Plan Line.** Preliminary alignment and street geometrics of a street, or a portion thereof, that has been adopted by the City Council.

**18.07.208 Planned Sign Program.** A coordinated plan for signage for a site that may include multiple buildings, tenant spaces, structures, or lots.

**18.07.209 Portable Sign.** A type of temporary sign that is designed to be movable and is not permanently or structurally attached to the ground, a building, a structure, or any other sign.

**18.07.210 Porch.** A platform open on three sides, connected to the dwelling at the front entrance.

**18.07.211 Principal Use.** The main purpose for which a site is developed and occupied.

**18.07.212 Project.** A planning entitlement and/or any construction activity or alteration of the landscape, its terrain contour, or vegetation, including the erection or alteration of structures.

**18.07.213 Projecting Sign.** A permanent wall sign that projects more than 12 inches from the principal exterior wall of a building or structure. It includes signs attached to a building’s canopy, awning, or marquee.

**18.07.214 Property Owner.** The person(s) or entity to whom property tax is assessed, as shown on the latest equalized assessment roll of the County.

**18.07.215 Public Road.** Any street, road, or right-of-way owned or occupied by the City, intended to be used primarily by vehicles located within the incorporated area of the City.

**18.07.216 Public Utility Easement or Public Utility Right-of-Way.** An area of land provided for the construction, installation, and maintenance of public utilities or publicly regulated utilities, including water mains, sewer lines, gas mains, telephone lines, electric lines, and cable television.

**18.07.217 Reasonable Accommodation.** An adjustment to physical design standards, including but not limited to zoning, building, or subdivision standards, for persons with disabilities seeking equal access housing under the California Fair Employment and Housing Act, the Federal Fair Housing Act, and the Americans with Disabilities Act (“the Acts”) in the application of zoning law and other land use regulations, policies, procedures, and conditions of approval to accommodate- the needs of a disabled residents.

**18.07.218 Recessed Garage.** An enclosed structure, attached to the principal structure, accessible by and suitable for the parking of automobiles, located on the same lot with the principal land use, and set back (or recessed) from the primary structure’s front façade.

**18.07.219 Recreational Vehicle.** A motor home, travel trailer, truck camper, or camping trailer, with or without motive power, designed for human habitation for recreational, emergency, or other occupancy; or a park trailer, as defined in California Health and Safety Code § 18009.3.

**18.07.220 Religious Facility.** A place where religious services are conducted as the principal purpose, such as a church, mosque, synagogue or temple and may include accessory uses such as social, recreational, and community activities such as group meetings, banquets and child care.

**18.07.221 Replacement Value.** The amount that an owner would have to pay to replace a structure or use at the present time.

**18.07.222 Reversion to Acreage.** The combining of two or more recorded, contiguous lots (e.g. a subdivision or parcel map), into a single parcel, and includes abandonment of all easements and rights-of-way.

**18.07.223 Roof Sign.** A sign that extends above the height of a roof or the height of a parapet wall.

**18.07.224 Room.** Interior space or area or a portion of interior space within a building Bathrooms, hallways, closets, and service porches are not rooms, as defined.

**18.07.225 Satellite Dish.** A device (also known as a parabolic antenna) incorporating a reflective surface that is solid, open, or mesh or bar-configured, and is in the shape of a shallow dish, cone, horn cornucopia, or flat plate that is used to receive or transmit radio or electromagnetic waves between terrestrially and/or orbital based units. This term includes satellite earth stations, satellite receivers, satellite discs, direct broadcast systems, television-reception-only systems, and satellite microwave antennas.

**18.07.226 School.** Any institution at which instruction is given in a particular discipline.

**18.07.227 Secondhand Store.** Also known as a thrift store or consignment store is a retail establishment that sells previously owned items such as clothing, furniture, books and household goods.

**18.07.230 Senior Congregate Care Facility.** A facility providing residences for senior citizens 55 years of age or more or handicapped people of any age. Care may include a central kitchen and dining, laundry, recreational activities etc., with separate bedrooms or living quarters.

**18.07.228 Service Bay.** A work area for the purposes of lubricating, servicing, and repairing vehicles.

**18.07.229 Setback.** The distance by which a structure or other development feature shall be separated from a property line or other building.

**18.07.231 Short Term Rental (STR).** A residential unit rented out less than 30-days at a time.

**18.07.232 Sidewalk Dining.** Use of a portion of a public sidewalk for outdoor consumption of food and beverages. This use is a special privilege, not a matter of right, subject to granting of a revocable permit and compliance with performance standards identified herein. Sidewalk dining may be permitted on any public right-of-way subject to review and approval by the City Manager or designee.

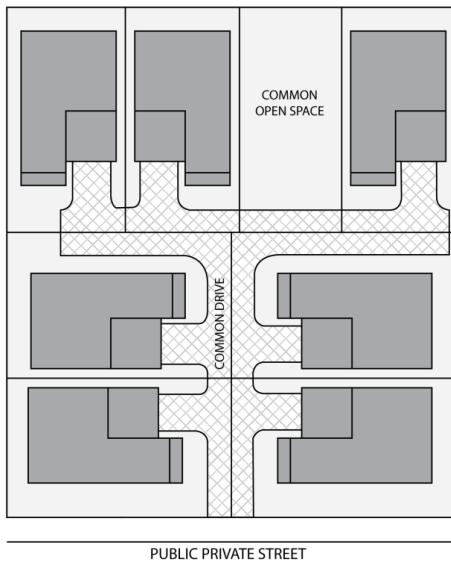
**18.07.233 Sidewalk, Public.** A pedestrian walkway within a dedicated street right-of-way.

**18.07.234 Sign.** A structure, device, figure, display, message placard or other contrivance, or any part thereof, situated outdoors or indoors on the ground or on a building or structure, which is designed, constructed, intended or used to advertise, provide information in the nature of

advertising, provide historical, cultural, archeological, ideological, political, or social information, or direct or attract attention to an object, person, institution, business, product, service, message, event, or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, or illumination.

**18.07.235 Single-Family Clustered Development.** A project consisting entirely of single-family dwelling units, either attached or detached, that are located in close proximity to each other generally with common driveways or private streets and common open areas, which are not a standard lot pattern where each individual lot or unit fronts on a public street.

#### Single Family Clustered Development Example



**18.07.236 Single-room occupancy (SRO).** "SRO" means a multi-unit housing project with units intended to be occupied by an individual person. Each unit typically consists of a single occupied room of three hundred fifty square feet or less plus individual or shared bathrooms. The facility may include a shared common kitchen and activity area. SROs may be restricted to seniors or be available to persons of all ages. (Ord. 1372 § 1(l), 2015).

**18.07.237 Site.** The lot or group of lots or parcels under single ownership or single control, considered a unit for the purposes of development or other use.

**18.07.238 Site Depth.** The horizontal distance between the midpoint of the front lot line and the midpoint of the rear lot line. For a double frontage lot, the site depth is horizontal distance between the midpoints of the two front lot lines.

**18.07.239 Site Width.** The horizontal distance between the side property lines of a site measured at right angles to the depth at a point midway between the front and rear property lines.

**18.07.240 Skilled Nursing/Intermediate Care Facility.** A facility or part of a hospital which provides twenty-four-hour inpatient care, which may include skilled nursing, physician and pharmaceutical services.

**18.07.241 Slope.** A comparison of the vertical rise of a property to its horizontal run, expressed as a percentage.

**18.07.242 Small Animal.** A mammal, bird, or reptile kept, raised, and used by people and includes animals such as rabbits, chickens, ducks, turkeys, geese, doves, pigeons, peacocks, guinea fowl, and other poultry, and excludes household pets.

**18.07.243 Specific Plan.** A specific plan is a **tool for the systematic implementation of the general plan.** It effectively establishes a link between implementing policies of the General Plan and the individual development proposals in a defined area.

**18.07.244 State Historic Preservation Office (SHPO).** The California governmental agency charged with preserving and enhancing California's irreplaceable historic heritage as a matter of public interest so that its vital legacy of cultural, educational, recreational, aesthetic, economic, social, and environmental benefits will be maintained and enriched for present and future generations.

**18.07.245 Stepback.** A required setback in addition to the standard setback from a property or other line for the upper portions of a structure, such as an upper floor.

**18.07.246 Street, Public.** A thoroughfare, dedicated as such, or acquired for public use as such, other than an alley, which provides the principal means of access to abutting land.

**18.07.247 Street Frontage.** Portion of a lot that abuts a street.

**18.07.248 Street, Improved.** Any street which is surfaced with asphalt or concrete to the standards of the City. Street, Private. A private roadway that provides the principal means of access to two or more lots or that provides access through a private community from one street to another, excluding common driveways and private alleys.

**18.07.249 Stock Cooperative Residential Housing.** Residents do not own their units outright; instead they are shareholders in a corporation based on the size of their unit

**18.07.250 Support Equipment.** The physical, electrical, and/or electronic equipment included within a telecom facility used to house, power, transport, and/or process signals from or to the facility's antenna or antennas.

**18.07.251 Supportive housing.** "Supportive housing" means housing with no limit on length of stay, that is occupied by a target population, and that is linked to an on-site or off-site service that assists the supportive housing resident in retaining the housing, improving his or her health status,

and maximizing his or her ability to live, and, when possible, work in the community. (Ord. 1372 § 1(J), 2015).

**18.07.252 Story.** A habitable level within a building.

**18.07.253 Structure.** Anything constructed or erected, the use of which requires attachment to the ground, attachment to something located on the ground, or placement on the ground, except outdoor areas such as patios, paved areas, walks, swimming pools, tennis courts, and other similar recreation areas.

**18.07.254 Subdivider.** A person, firm, corporation, partnership, or association who proposes to divide, divides, or causes to be divided real property into a subdivision.

**18.07.255 Subdivision.** The Division, by any subdivider, of any unit or units of improved or unimproved contiguous land, or any portion thereof, shown on the latest equalized County assessment roll as a unit or as contiguous units for the purpose of sale, lease or financing, whether immediate or future except for leases of agricultural land for agricultural purposes. Property shall be considered as contiguous units, even if it is separated by roads, streets, utility easements or railroad rights-of-way.

A subdivision also includes a condominium project, a community apartment project, or a stock cooperative, as defined by §§ 1425, 4105, 4190 respectively, of the Civil Code.

**18.07.256 Subdivision Design Features.** Includes all aspects of proposed subdivision improvements, including, but not limited to: street alignments, grades and widths; drainage, water, sanitary sewer facilities and utilities, including alignments and widths; location and size of all required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; vehicular, bicycle and pedestrian access; grading; land to be dedicated for park or recreational purposes and schools; and landscaping and tree preservation; and other specific requirements in the subdivision necessary to ensure consistency with, or implementation of, the General Plan.

**18.07.257 Subdivision Improvement.** Any public or private streets, easements, sidewalks, bicycle and pedestrian ways, storm drainage facilities, water and sewer facilities, utilities, landscaping to be installed, by the subdivider on- or off-site.

**18.07.258 Subdivision Map Act.** The State of California Government Code §§ 66410 et seq.

**18.07.259 Substandard Street.** A street with a right-of-way width that is narrower than the width identified for that street classification in the City's Street standards.

**18.07.260 Suite.** A group of two or more rooms which can be joined together for a single occupancy.

**18.07.261 Swimming Pool.** Any swimming pool, wading pool, fishpond, or any other outside body of water, whether above or below ground, created by artificial means and maintained in connection with a single family or multi-family residence, apartment house or complex, motel, hotel, or any other type of building, and having a depth greater than 24 inches and not located within a completely enclosed building

**18.07.262 Tandem Parking.** Parking where two parking spaces are located end to end such that one of the parking spaces is accessed only through the other parking space.

**18.07.263 Target population.** "Target population" means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section [4500](#)) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

**18.07.264 Telecommunications Facility** or wireless telecommunication facility. An unstaffed facility, generally consisting of antennas, and equipment cabinet or structure, and related equipment, for public, commercial and private electromagnetic and photoelectrical transmission, broadcast, repeater and receiving stations for radio, television, telegraph, telephone, data network, and wireless communications, including stationary commercial earth stations for satellite-based communications. Includes antennas, commercial satellite dish antennas, and equipment buildings. Does not include telephone, telegraph and cable television transmission facilities utilizing hard-wired or direct cable connections, or vehicles utilizing global positioning satellite (GPS) direction-finding technology, or equipped for reception of commercial satellite radio, television, or internet programming.

**18.07.264 Temporary Sign.** A sign intended to be displayed for a limited time period, both by the nature of its construction materials, design, or the restrictions of this Chapter. This includes banners, posters, yard signs, temporary ground signs, and portable signs.

**18.07.265 Temporary Structure.** A structure, typically without any foundation or footings, and which is required to be removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

**18.07.266 Tentative Parcel Map.** A map showing the design and improvements of a proposed subdivision for five or more lots, and the existing conditions in and around it.

**18.07.267 Toe of Slope.** That point or line of initial break where the terrain changes to an upward direction.

**18.07.268 Tower.** Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas.

**18.07.269 Tower, Lattice.** A multiple-sided, open, metal frame support structure that supports antennas and related equipment, typically with three or four support legs. "Carrier" means a company that provides wireless telecommunication services.

**18.07.270 Tower, Wireless.** A structure that is designated and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common carrier towers, cellular telephone towers, alternative tower structures, and similar structures.

**18.07.271 Townhome or Townhouse.** A multi-unit dwelling unit in a row of such units, where each unit has its own front access at the ground floor, or a single-unit dwelling with a main entrance on the ground floor that is attached to two or more similar units on adjacent individual lots.

**18.07.272 Transitional housing.** "Transitional housing" means buildings configured as rental housing developments but operated under program requirements that mandate the termination of assistance and recirculation of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no longer than two years from the beginning of the assistance.

**18.07.273 Transit Station.** A site where there is the intersection of two or more bus, train, or similar transport routes serviced by any transit entity.

**18.07.274 Transit Stop.** A bus or similar transport stop serviced by any transit entity.

**18.07.275 Transportation Demand Management Plan (TDM).** Strategies and policies to reduce travel demand or to redistribute the demand in space or in time.

**18.07.276 Triplex.** A multi-unit dwelling with three dwelling units on a single lot.

**18.07.277 Uniform Building Code.** The Construction Code of the City of Maryville.

**18.07.278 Unit.** A residential dwelling unit unless the context dictates otherwise.

**18.07.279 Urban Reserve** means lands that are reserved for future urban use, that do not have assigned a General Plan land use designation for a specific type of use, that require comprehensive planning prior to urbanization, and that are intended to be retained in their current use, agricultural use, or similar minimal use until urbanized.

**18.07.280 Use.** The purpose for which a site or structure is arranged, designed, intended, constructed, erected, moved, altered, or enlarged, or for which either a site or a structure is or may be occupied or maintained.

**18.07.281 Use Frequented by Minors.** A use where a regular and substantial portion of the clientele are minors, including skating rinks, gymnastic facilities, dance studios, cheerleading studios, and fast-food restaurants with playground areas for minors.

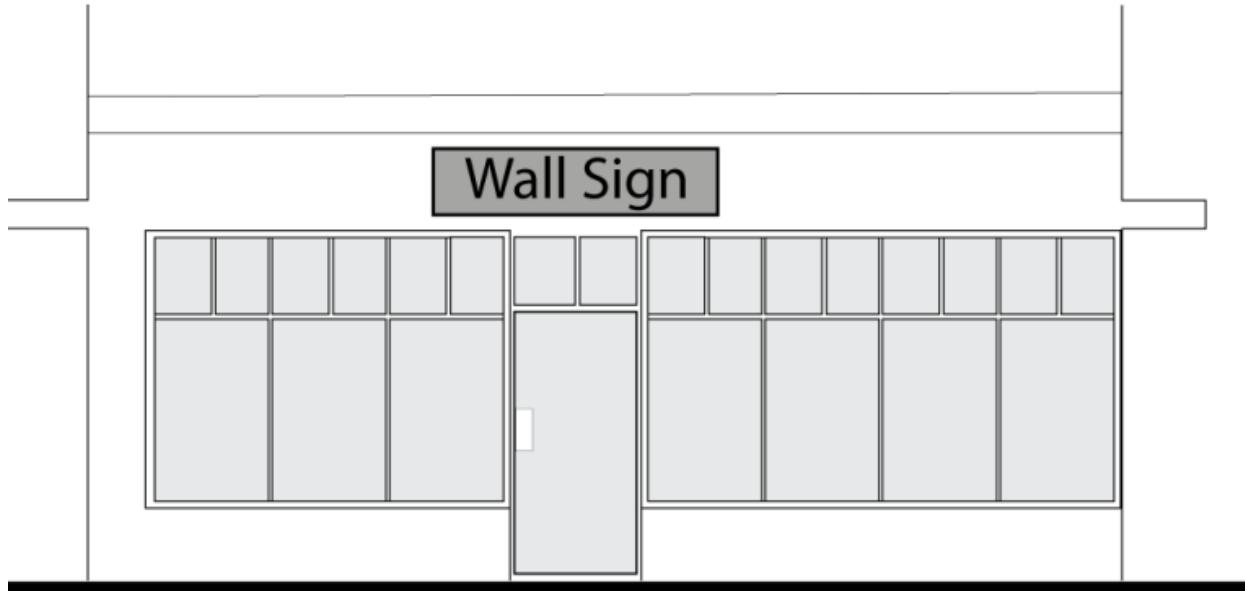
**18.07.282 Vehicle Sign.** A sign that is attached to or painted on a motor vehicle, trailer, or similar vehicle. Vehicle graphics less than four square feet in area that are painted on or attached to such vehicles are not included in this definition.

**18.07.283 Vendor Cart/Stand.** A temporary outdoor cart or stand selling food and/or beverages (e.g., fruit, hot dogs, ice cream) and other like merchandise without any outdoor seating.

**18.07.284 Vesting Tentative Map.** A tentative map for a subdivision of land shall have printed conspicuously on its face the words "Vesting Tentative Map" or "Vesting Tentative Parcel Map" at the time it is filed and processed in accordance with this Division. A vesting tentative map is a map with confers a "vested" right to proceed with development in accordance with the regulations in effect at the time the map is approved.

**18.07.285 Wall.** Any structure or device forming a physical barrier which is so constructed that 50 percent or more of the vertical surface is closed and prevents the passage of light, air, and vision through said surface in a horizontal plane.

**18.07.286 Wall Sign.** A sign attached to, erected against, painted on, or otherwise adhered to the wall of a building or structure.



**18.07.287 Waste.** Unused or discarded matter and material which consists, without limitation or exclusion by enumeration of such matter and material as rubbish, refuse and matter of any kind including but not limited to, rubble, debris, asphalt, concrete, plaster, tile rocks, bricks, soil, building materials, crates, cartons, containers, boxes, furniture and household equipment or parts thereof, lumber, trash, dirt, machinery or parts thereof, scrap metal and pieces of metal, ferrous or nonferrous, bottles, bedding and other similar matter.

**18.07.288 Wildland-urban interface.** The geographic line, area, or zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels.

**18.07.289 Window Sign.** A sign placed in or painted upon a window, regardless of whether the visual image is on the interior or exterior of the window, or both.

**18.07.290 Wireless Telecommunications Services.** The provision of services using a wireless telecommunications facility or a wireless telecommunications co-location facility, and shall include, but not limited to, the following services: personal wireless services as defined in the Federal Telecommunications Act of 1996 at 47 U.S.C. § 332(c)(7)(C) or its successor statute, cellular service, personal communication service, and/or data radio telecommunications.

**18.07.291 Workforce Housing.** Workforce Housing is intended to provide “missing middle” housing, which falls in the medium to high density housing land use categories, to offer middle-income workers an affordable place to live proximate to jobs.

**18.07.292 Yard.** An open space on a site that is required to remain unobstructed from the ground to the sky, except where specifically provided by this Code. "Yard" includes a front yard, a side yard, a rear yard, or required space between structures.

**18.07.293 Yard Sign.** A temporary sign constructed of paper, poster board, cardboard, wallboard, corrugated plastic, or other light materials and affixed to the ground by a wire frame, wooden or metal stake, or similar post and designed to be quickly removed by hand or simple hand tools.

**18.07.294 Zone.** A land area shown on the official Zoning Map of the City of Marysville within which certain land uses are allowed or prohibited, and certain site planning and development standards are established (e.g., setbacks, height limits, site coverage requirements, etc.). Also referred to as a zoning district.

**18.07.295 Zone Boundary.** The line separating one or more zones as shown on the official Zoning Map.

## **Chapter 18.12 DISTRICTS ESTABLISHED**

### **18.12.010 Districts established.**

### **18.12.020 Boundaries.**

### **18.12.030 General districts designated.**

### **18.12.040 Combining districts designated.**

### **18.12.050 Downtown Specific Plan districts designated**

### **18.12.010 Districts established.**

The classes of districts and certain combinations thereof as designated in Sections [18.12.030](#) and [18.12.040](#), and the regulations pertaining thereto are hereby applied to the land areas of the city, as delineated on the "Zoning Map of the City of Marysville," which is hereby adopted and made a part of this title, and the land areas designated thereon shall be subject to the provisions and regulations of this title. (Ord. 946 § 2 (part), 1981).

### **18.12.020 Boundaries.**

Where uncertainty exists as to the boundaries of any of the districts mentioned in Section [18.12.010](#) as shown on the zoning map, the following rules apply:

(a) Lands not included within the boundaries of any district on the zoning map shall constitute R-1 districts, and lands hereafter annexed to the city shall constitute R-1 districts unless or until classified by interim ordinance or by amendment of the zoning map.

(b) Where district boundaries are indicated as approximately following street and alley lines, the street and alley lines shall be construed to be such boundaries.

(c) Where district boundaries are indicated as approximately following lot lines, the lot lines shall be construed to be such boundaries.

(d) In case further uncertainty exists, the planning commission, upon written application, or upon its own motion, shall determine the location of the boundaries. (Ord. 1149 § 46, 1992; Ord. 1112 § 89 (part), 1991; Ord. 946 § 2 (part), 1981).

### **18.12.030 General districts designated.**

The several classes of general districts established and into which the city is or may be divided are designated as follows:

R-1 Single-family residence district;

R-2 Two-family residence district;

R-3 Neighborhood apartment district;

R-4 General apartment district;

C-1 Neighborhood shopping district;

C-2 Community business district;

C-3 General commercial district;  
C-H Highway service commercial district;  
M-1 Light industrial district;  
M-2 General industrial district;  
M-L Limited industrial district;  
P/QP Public Quasi Public  
PD Planned development district;  
OS-1 Primary open space district;  
OS-2 Secondary open space district.

(Ord. 1299 § 2, 2005: Ord. 946 § 2 (part), 1981).

#### **18.12.040 Combining districts designated.**

In addition to the classes of districts set out in Section [18.12.030](#), certain combining districts are established and are designated as follows:

R Redevelopment area combining district;  
A Special agricultural district;  
F Special floodplain district;  
HP Historic preservation overlay zone district.

(Ord. 1299 § 3, 2005: Ord. 946 § 2 (part), 1981).

#### **18.12.050 Downtown Specific Plan districts designated**

The several classes of Specific Plan districts established and into which the city is or may be divided are designated as follows:

DMU Downtown Mixed Use  
B B Street Corridor  
CMU Commercial Mixed Use  
ME Medical Arts  
MU-C Mixed Use Corridor  
MU-N Mixed Use Neighborhood

**Table 18.16.020: Allowed Uses and Permit Requirements for the Residential Zone Districts**

Land Use	Zone District				Specific Use Criteria
	R-1	R-2	R-3	R-4	
<b>Residential Uses</b>					
Single-family residence	P	P	P	P	
Two-family residence (attached or detached)	P	P	P	P	
Halfplex	P	P	P	P	
Multiple-family residences			P	P	
Condominium	P <sup>1</sup>	P <sup>1</sup>	P	P	
Manufactured home park		U	U	U	
Accessory Dwelling Units	P	P	P	P	Chapter 18.90
Stock cooperative residences			P	P	
Boarding house			P	P	Not to exceed 10 boarders in addition to the main family.
Emergency shelter			U	P	Section 18.96.060
Residential density bonuses	P	P	P	P	Chapter 18.97
Renting of rooms	P	P	P	P	Section 18.84.050(a)
<b>Residential Accessory Uses</b>					
Residential care home—small	P	P	P	P	
Residential care home—large	U	U	U	U	
Community Care Facilities			P	P	
Home occupation	ZC	ZC	ZC	ZC	Chapter 18.93

**Table 18.16.020: Allowed Uses and Permit Requirements for the Residential Zone Districts**

<b>Land Use</b>	<b>Zone District</b>				<b>Specific Use Criteria</b>
	<b>R-1</b>	<b>R-2</b>	<b>R-3</b>	<b>R-4</b>	
Day care home (small)	P	P	P	P	
Day care home (large)	U	U	P	P	
Transitional and Supportive Housing and Low Barrier Navigation Centers <sup>3</sup>			P	P	
Residential accessory structure	P	P	P	P	Section 18.96.010
Keeping of animals	P	P	P	P	Section 18.84.050(e)
Swimming pool/spa	P	P	P	P	Section 18.84.070(f)
Garage/yard sales	P	P	P	P	Not to exceed 3 days, nor more than twice per year.
Guest house	P	P	P	P	
Patio cover	P	P	P	P	Section 18.84.070(i)
<b>Nonresidential Uses</b>					
Agriculture	P	P	P	P	
Bed and breakfast inn	U	U	MU	MU	
Religious facility	U	U	U	U	
Day care center	U	U	P	P	
Golf course/country club, health club	U	U	U	U	
Parking for off-site use	U	U	U	U	
Professional offices			U	U	
Hospital				U	
Mortuary				U	

**Table 18.16.020: Allowed Uses and Permit Requirements for the Residential Zone Districts**

Land Use	Zone District				Specific Use Criteria
	R-1	R-2	R-3	R-4	
Parks	P	P	P	P	
Public buildings and facilities	U	U	P	P	
Cemetery	U	U	U	U	
Senior congregate care facility			P	P	
Skilled nursing/intermediate care facility			U	U	
Model home	P	P	P	P	
Clubs and lodges			U	U	
Offices			U	U	
Wireless telecommunications facility	P, U	P, U	P, U	P, U	Chapter 18.95
Hotel, motel				U	

<sup>2</sup> Employee housing (up to six persons), supportive housing, transitional housing, mobile homes on permanent foundations, and mobile home parks (including condominium and cooperative parks) are allowed and subject only to those restrictions and development standards that apply to other residential dwellings of the same type and number in the same zone.

<sup>3</sup>A low-barrier navigation center development is a use by-right in areas zoned for mixed-use and non-residential zones permitting multifamily uses, if it meets the following requirements:

- A. Connected Services. It offers services to connect people to permanent housing through a services plan that identifies services staffing.
- B. Coordinated Entry System. It is linked to a coordinated entry system, so that staff in the interim facility or staff who co-locate in the facility may conduct assessments and provide services to connect people to permanent housing. “Coordinated entry system” means a centralized or coordinated assessment system developed pursuant to Section 576.400(d) or Section 578.7(a)(8), as applicable, of Title 24 of the Code of Federal Regulations, as those sections read on January 1, 2020, and any related requirements, designed to coordinate program participant intake, assessment, and referrals.

C. Code Compliant. It complies with Chapter 6.5 (commencing with Section 8255) of Division 8 of the Welfare and Institutions Code.

D. Homeless Management Information System. It has a system for entering information regarding client stays, client demographics, client income, and exit destination through the local Homeless Management Information System, as defined by Section 578.3 of Title 24 of the Code of Federal Regulations.

**Table 18.16.030: R-1 Zone District Development Standards**

<b>Minimum lot size</b>	3,000 square feet Except as provided in Sec.18.84.100. Other exception: Pre-existing lots that are substandard in size are building sites provided other standards are met or a variance is approved.
<b>Minimum lot width</b>	60 feet; 70 feet for corner lots. Cul-de-sac lots may be 40 feet if the width is at least 50 feet at the rear of the front yard. Except as provided in Sec.=[18.84.100.
<b>Maximum percentage lot coverage (includes residence(s) and garage)</b>	45% for single story and 40% for two stories. Includes residence(s) and garage.
<b>Minimum yards</b>	Front yard: 20 feet. Interior side yard: 5 feet. Street side yard: 15 feet. Rear yard: 15 feet. Setback from levee: 10 feet. Other criteria and exceptions are provided in Section 18.84.070, Yards and fences.
<b>Maximum building height</b>	2.5 stories, not to exceed 35 feet. Other criteria and exceptions are provided in Sec. 18.84.080.
<b>Fences and walls</b>	See Sec. 18.84.070 (e).
<b>Off-street parking and loading</b>	See Chap. 18.60.

<b>Required landscaping</b>	Single-family homes: None. All other uses: See Sec. 18.86.030.
<b>Signs</b>	See Chap18.64.
<b>Public improvements</b>	See Chap.11.04.

(Ord. 1437 §1, 2022; Ord. 1365 §4 (part), 2014).

**Table 18.16.040: R-2 Zone District Development Standards**

<b>Minimum lot size</b>	1,500 square feet Except as provided in Sec.18.84.100. Other exception: Pre-existing lots that are substandard in size are building sites provided other standards are met or a variance is approved.
<b>Minimum lot width</b>	60 feet; 70 feet for corner lots. Cul-de-sac lots may be 40 feet if the width is at least 50 feet at the rear of the front yard.
<b>Maximum percentage lot coverage (includes residence(s) and garage(s))</b>	50% including residence(s) and garage.
<b>Minimum yards</b>	Front yard: 20 feet. Interior side yard: 5 feet. Street side yard: 15 feet. Rear yard: 15 feet. Setback from levee: 10 feet. Other criteria and exceptions are provided in Section 18.84.070, Yards and fences.
<b>Maximum building height</b>	2.5 stories, not to exceed 35 feet. Other criteria and exceptions are provided in Sec. 18.84.080.
<b>Fences and walls</b>	See Sec. 18.84.070(e).
<b>Off-street parking and loading</b>	See Chap. 18.60.
<b>Required landscaping</b>	Single-family homes: None.

	All other uses: See Sec. 18.86.030.
<b>Signs</b>	See Chapter 18.64.

(Ord. 1437 §1, 2022; Ord. 1365 §4 (part), 2014).

**Table 18.16.050: R-3 Zone District Development Standards**

<b>Minimum and maximum density</b>	New development must be within the density range allowed by the appropriate general plan designation.
<b>Minimum lot size</b>	6,000 square feet; 7,000 square feet for corner lots. Except as provided in Sec. 18.84.100. Other exception: Pre-existing lots that are substandard in size are building sites provided other standards are met or a variance is approved.
<b>Minimum lot width</b>	60 feet; 70 feet for corner lots. Cul-de-sac lots may be 40 feet if the width is at least 50 feet at the rear of the front yard.
<b>Maximum percentage lot coverage (includes residences)</b>	55%.
<b>Minimum yards</b>	Front yard: 20 feet. Interior side yard: 5 feet. Street side yard: 15 feet. Rear yard: 15 feet. Setback from levee: 10 feet. Other criteria and exceptions are provided in Section 18.84.070, Yards and fences.
<b>Maximum building height</b>	Within 25 feet of an R-1 or R-2 district: 2.5 stories not to exceed 30 feet. Greater than 25 feet from an R-1 district: 3 stories, not to exceed 40 feet. Other criteria and exceptions are provided in Sec. 18.84.080.
<b>Minimum distance between buildings</b>	Front to any side or rear: 20 feet.

	All others: 10 feet.
<b>Open space/recreation areas<sup>1</sup></b>	100 square feet per residential unit.
<b>Walkways</b>	Walkways shall link residential units with recreational and other internal facilities as well as other residential units.
<b>Fences and walls</b>	See Sec.18.84.070(e).
<b>Off-street parking and loading</b>	See Chapter 18.60.
<b>Required landscaping</b>	Single-family homes: None. All other uses: See Sec. 18.86.030.
<b>Signs</b>	See Chapter.18.64.
<b>Trash enclosures</b>	See Chapter.18.61.

<sup>1</sup>Open space/recreation criteria:

Areas that may be included are private or common patios, decks, balconies, recreation rooms, roof areas designed to accommodate a leisure activity, swimming pool/spa areas and other types of landscaped recreation or leisure areas.

Areas that do not qualify are front and street side yards, driveways and parking areas and associated landscaping, clothes drying areas, building entryways and walkways between buildings. To qualify as open space/recreation area the space must be a minimum of six feet by ten feet.

(Ord. 1437 § 1, 2022; Ord. 1365 § 4 (part), 2014).

#### **Table 18.16.060: R-4 Zone District Development Standards**

<b>Minimum and maximum density</b>	New development must be within the density range allowed by the appropriate general plan designation.
<b>Minimum lot size</b>	6,000 square feet; 7,000 square feet for corner lots.  Except as provided in Sec.18.84.100.  Other exception: Pre-existing lots that are substandard in size are building sites provided other development standards are met or a variance is approved.

<b>Minimum lot width</b>	60 feet; 70 feet for corner lots. Cul-de-sac lots may be 40 feet if the width is at least 50 feet at the rear of the front yard.
<b>Maximum percentage lot coverage (includes residences)</b>	55%.
<b>Minimum yards</b>	Front yard: 20 feet. Interior side yard: 5 feet. Street side yard: 15 feet. Rear yard: 15 feet. Setback from levee: 10 feet. Other criteria and exceptions are provided in Section 18.84.070, Yards and fences.
<b>Maximum building height</b>	Within 25 feet of an R-1 or R-2 district: 2.5 stories not to exceed 30 feet. Greater than 25 feet from an R-1 district: 4 stories, not to exceed 50 feet. Other criteria and exceptions are provided in Sec.18.84.080.
<b>Minimum distance between buildings</b>	Front to any side or rear: 20 feet. All others: 10 feet.
<b>Open space/recreation areas<sup>1</sup></b>	100 square feet per residential unit.
<b>Walkways</b>	Walkways shall link residential units with recreational and other internal facilities as well as other residential units.
<b>Storage facilities, accessory buildings</b>	Cannot be located within required yard areas.
<b>Fences and walls</b>	See Sec.18.84.070(e).
<b>Off-street parking and loading</b>	See Chapter.18.60.
<b>Required landscaping</b>	Single-family homes: None. All other uses: See Sec.18.86.030.

<b>Signs</b>	See Chapter.18.64.
<b>Trash enclosures</b>	See Chapter.18.61.

<sup>1</sup>Open space/recreation criteria:

Areas that may be included are private or common patios, decks, balconies, recreation rooms, roof areas designed to accommodate a leisure activity, swimming pool/spa areas and other types of landscaped recreation or leisure areas.

Areas that do not qualify are front and street side yards, driveways and parking areas and associated landscaping, clothes drying areas, building entryways, walkways between buildings. To qualify as open space/recreation area the space must be a minimum of six

## **Chapter 18.24 COMMERCIAL ZONE DISTRICTS**

**18.24.010 Purpose of the commercial zone districts.**

**18.24.020 Allowable land uses and permit requirements.**

**18.24.030 C-1 zone district development standards.**

**18.24.040 C-2 zone district development standards.**

**18.24.050 C-3 zone district development standards.**

**18.24.060 C-H zone district development standards.**

**18.24.010 Purpose of the commercial zone districts.**

The purposes of the individual commercial zone districts are as follows:

Neighborhood shopping (C-1) zone district: Intended to be applied to properties that will serve a local neighborhood with smaller convenience shopping and service businesses. The C-1 zone district is compatible with the commercial general plan designation.

Community business (C-2) zone district: Intended to be applied in established community business districts or similar areas where there is or will be a concentration of retail and service commercial uses. The C-2 zone district is consistent with the commercial general plan designation.

General commercial (C-3) zone district: Intended to be applied where a wide range of general commercial activities are necessary for public service. The C-3 zone district is consistent with the commercial general plan designation.

Highway service commercial (C-H) zone district: Intended to be applied along major road frontages to provide the necessary services to the traveling public. The C-4 zone district is consistent with the commercial general plan designation. (Ord. 1365 § 5 (part), 2014).

**18.24.020 Allowable land uses and permit requirements.**

Table 18.24.020 identifies the uses of land allowed by each of the commercial zone districts. The last column of the table identifies a section of this title that references additional land use regulations or development standards that are applicable to that use. The applicable permit requirements for each use are established by the letter designations as follows:

"P" Designates a permitted use. New development requires a development plan review which is typically a ministerial staff review process that ensures compliance with all city development standards, as provided in Sec. [18.72.010](#). Larger projects may trigger a more extensive review.

"ZC" Designates that a zoning clearance is needed, which is a ministerial staff review, as provided in Sec. [18.72.020](#).

"U" Designates that a use permit is required, as provided in Sec. [18.72.030](#).

"MU" Minor use permit.

Blank Not an allowable use in that zone district.

**Table 18.24.020: Allowed Uses and Permit Requirements for Commercial Zone Districts**

Land Use	Zone District				Specific Use Criteria
	C-1	C-2	C-3	C-H	
<b>Commercial Uses</b>					
General retail sales and services conducted indoors (unless otherwise specified in this table)	P	P	P	P	
Neighborhood retail sales	P	P	P	P	
Animal grooming	P	P	P	P	
Animal boarding (indoors) <sup>1</sup>		U	U	U	
Veterinarian		P	P	P	
Auto, boat, motorcycle, RV, mobile home, trailer and agricultural equipment sales and rental (indoor repair as secondary use)		MU	MU	MU	
Bank, financial institution, insurance	P	P	P	P	
Day care center	P	P	P	P	

Health/fitness facility		P	P	P	
Offices (administrative, government, business, medical and professional)	MU	P	P	P	
Funeral establishment		U	P	P	
Schools and studios primarily conducted indoors	P	P	P	P	
Bar, night club, lounge, tavern		U	U <sup>4</sup>	U	
Laundry, laundromat	P	P	P	P	
Repair shop (i.e., shoes, radios, appliances, electronic equipment)	P	P	P	P	
Hotel, motel		P	P	P	
Indoor entertainment (theater, video arcade/fun center, skating rink, bowling, billiards)	U	P	P	P	
Outdoor commercial recreation (theme, amusement park, miniature golf, go-cart track)		U	U <sup>4</sup>	U	
Restaurant	P	P	P	P	See Chapter. <a href="#">18.63</a> for sidewalk dining.
Auto, boat, motorcycle, RV repair (excluding body and radiator shops) <sup>3</sup>			P	P	
Retail plant nursery (includes outdoor sales)		P	P	P	
Car rental		P	P	P	
Car wash		U	MU <sup>4</sup>	MU	

Home improvement, building material sales (includes outdoor sales)		U	U <sup>3</sup>	U	
Equipment rental (includes outdoor storage)			U <sup>3</sup>	U	
Drive-through facilities	U	U	MU <sup>3</sup>	MU	Sec. <a href="#">18.96.030</a>
Auto service station <sup>1</sup>	U	U	U <sup>3</sup>	U	Sec. <a href="#">18.96.050</a>
Medical, dental, optical lab		P	P	P	
Retail tire sales <sup>3</sup>		MU	MU <sup>3</sup>	MU	
Secondhand store <sup>3</sup>	P	P	P	P	
Bottled gas sales <sup>1</sup>			U	U	
Bus depot		U	U <sup>3</sup>	U	
Card room		U	U <sup>3</sup>	U	
Recreational vehicle park			U <sup>3</sup>	U	
Massage service		U	U		Excludes services exempted under Sec. <a href="#">5.48.030</a> .
Recycling facility	U	U	U	U	Chapter. <a href="#">18.92</a>
Mini-storage warehouse <sup>1</sup>	U	U	U	U	Sec. <a href="#">18.96.040</a>
Adult oriented use			U		Chapter. <a href="#">18.66</a>
Cannabis testing laboratory <sup>5</sup>		U	U		
Medical cannabis dispensary*		U	U	U	Chapter. <a href="#">18.67</a>
Condominium	P	P	P	P	
<b>Residential Uses</b>					
Single-family residence <sup>2</sup>	MU	MU	MU <sup>3</sup>	MU	

Multifamily residences <sup>2</sup>	P	P	P	P	Consistent with State Government Code Section 65913.4 If project pays prevailing wages and meets specified affordable housing targets it is a ministerial project not subject to a use permit.
Accessory Dwelling Units	P	P	P	P	Sec. 18.90 ADUs
Live/work lofts <sup>2</sup>	MU	MU	MU <sup>3</sup>	MU	
Employee housing <sup>4</sup>	P	P	P	P	
Emergency shelter <sup>4</sup>			P	P	Sec. <a href="#">18.96.060</a>
Residences w/office or retail	MU	MU	MU <sup>3</sup>	MU	
Home occupation	ZC	ZC	ZC <sup>3</sup>	ZC	Chapter. <a href="#">18.93</a>
Senior congregate care facility, skilled nursing/intermediate care facility	MU	MU	MU	MU	
Single-room occupancy (SRO)		U	U <sup>3</sup>	P	Sec. <a href="#">18.96.070</a>
<b>Public/Quasi Public Uses</b>					
Public buildings and facilities	U	P	P	P	
Library/museum	U	P	P	P	
Religious facility	MU	P	P*	P*	*MU in central business district
Hospital <sup>1</sup>		U	U	U	
Park	P	P	P	P	
Clubs and lodges		U	P	P	
Special Events	U	U	U	U	See Section 18.24.070 for Special Event Requirements
Public parking	P	P	P	P	
Community center	P	P	P	P	

Cultural institution	P	P	P	P	
Wireless telecommunications facility	U	U	U <sup>4</sup>	U	
Heliport		U	U <sup>4</sup>	U	

1. Not allowed in the central business district.
2. Minor use permit required in the central business district.
3. Use permits and minor use permits not required in medical arts district.
4. Employee housing (up to six persons), supportive housing, transitional housing, mobilehomes on permanent foundations, and mobilehome parks (including condominium and cooperative parks) are allowed and subject only to those restrictions and development standards that apply to other residential dwellings of the same type and number in the same zone.
5. The following term when used in the municipal code shall have the meaning of a "cannabis testing laboratory or lab" as stated in Chapterter [18.67](#), Commercial cannabis activity.

(Ord. 1409 § 2 (part), 2019; Ord. 1378 §§ 2, 3, 2015; Ord. 1372 §§ 2(B), 2(F), 2(I), 2015; Ord. 1365 § 5 (part), 2014).

**Table 18.24.030: Development Standards Applicable to the C-1 Zone District**

<b>Minimum lot size</b>	None.
<b>Minimum lot width</b>	None.
<b>Minimum yards</b>	<p>Front yard: 5 feet, except 15 feet for a distance of 25 feet from an R district boundary. Yard must be landscaped and not used for parking or loading. Upper story may overhang if there is a vertical clearance of 12 feet.</p> <p>Street side yard: Same as front yard, except no side yard adjacent to an alley.</p> <p>Interior side yard: None, except when abutting a residential zone district it is 5 feet.</p> <p>Rear yard: None, except (1) when abutting a residential zone district it is 5 feet and a 6-foot masonry wall shall be constructed along the property line or (2) it is 12 feet if accessible by a street, alley or</p>

	<p>parking lot. Upper floor may overhang if there is 14 feet of vertical clearance if not located abutting a residential zone district.</p> <p>Levee setback: 10 feet.</p> <p>Other criteria and exceptions are provided in Section <a href="#">18.84.070</a>, Yards and fences.</p>
<b>Maximum building height</b>	2.5 stories, not to exceed 35 feet. Other criteria and exceptions are provided in Sec. <a href="#">18.84.080</a> .
<b>Building coverage</b>	None.
<b>Off-street parking and loading</b>	See Chapter. <a href="#">18.60</a> .
<b>Landscaping</b>	A 5-foot-wide landscape strip shall be provided along all street rights-of-way. Landscaping shall be provided in all other areas between sidewalk and edge of rights-of-way. Other landscaping standards are provided in Chapter. <a href="#">18.86</a> .
<b>Signs</b>	See Chapterter. <a href="#">18.64</a> .
<b>Trash enclosures</b>	See Chapterter. <a href="#">18.61</a> .
<b>Outside storage</b>	All outside storage shall be screened by a solid fence between 6 and 8 feet in height except for vehicle sales.
<b>Public improvements</b>	Chapter. <a href="#">11.04</a> .

(Ord. 1437 § 1, 2022; Ord. 1365 § 5 (part), 2014).

**Table 18.24.040: Development Standards Applicable to the C-2 Zone District**

<b>Minimum lot size</b>	None.
<b>Minimum lot width</b>	None.
<b>Minimum yards</b>	<b>Front yard:</b> 5 feet, except 15 feet for a distance of 25 feet from an R district boundary. Yard must be landscaped and not used for parking

	<p>or loading. Upper story may overhang if there is a vertical clearance of 12 feet.</p> <p><b>Street side yard:</b> Same as front yard, except no side yard adjacent to an alley.</p> <p><b>Interior side yard:</b> None, except when abutting a residential zone district it is 5 feet.</p> <p><b>Rear yard:</b> None, except when abutting a residential zone district it is 5 feet and a 6-foot masonry wall shall be constructed along the property line. It is 12 feet if accessible by a street, alley or parking lot. Upper floor may overhang if there is 14 feet of vertical clearance if not abutting a residential zone district.</p> <p><b>Buildings over 35 feet in height:</b> For rear and interior side yards, an additional 3 feet of setback is required for every 10 feet over 35 feet in height, up to a maximum of 15 feet.</p> <p><b>Levee setback:</b> 10 feet.</p> <p><b>Other</b> criteria and exceptions are provided in Section <a href="#">18.84.070</a>, Yards and fences.</p>
<b>Maximum building height</b>	8 stories, not to exceed 85 feet. Other criteria and exceptions are provided in Sec. <a href="#">18.84.080</a> .
<b>Building coverage</b>	None.
<b>Off-street parking and loading</b>	See Chapter. <a href="#">18.60</a> .
<b>Landscaping</b>	Landscaping shall be provided in all required front or street side yards and in all other areas between sidewalk and edge of rights-of-way. Other landscaping standards are provided in Chapter. <a href="#">18.86</a> .
<b>Signs</b>	See Chapter. <a href="#">18.64</a> .
<b>Trash enclosures</b>	See Chapter. <a href="#">18.61</a> .
<b>Outside storage</b>	All outside storage shall be screened by a solid fence between 6 and 8 feet in height, except for vehicle sales.

<b>Public improvements</b>	Chapter <a href="#">11.04</a> .
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(Ord. 1437 § 1, 2022; Ord. 1365 § 5 (part), 2014).

**Table 18.24.050: Development Standards Applicable to the C-3 Zone District**

<b>Minimum lot size</b>	None.
<b>Minimum lot width</b>	None.
<b>Minimum yards</b>	<p><b>Front yard:</b> 5 feet, except 15 feet for a distance of 25 feet from an R district boundary. Yard must be landscaped and not used for parking or loading. Upper story may overhang if there is a vertical clearance of 12 feet.</p> <p><b>Street side yard:</b> Same as front yard, except no side yard adjacent to an alley.</p> <p><b>Interior side yard:</b> None, except when abutting a residential zone district it is 5 feet.</p> <p><b>Rear yard:</b> None, except (1) when abutting a residential zone district it is 5 feet and a 6-foot masonry wall shall be constructed along the property line or (2) it is 12 feet if accessible by a street, alley or parking lot. Upper floor may overhang if there is 14 feet of vertical clearance if not located abutting a residential zone district.</p> <p><b>Buildings over 35 feet in height:</b> For rear and interior side yards, an additional 3 feet of setback is required for every 10 feet over 35 feet in height, up to a maximum of 15 feet.</p> <p><b>Levee setback:</b> 10 feet.</p> <p>Criteria and exceptions are provided in Section <a href="#">18.84.070</a>, Yards and fences.</p>
<b>Maximum building height</b>	8 stories, not to exceed 85 feet. Other criteria and exceptions are provided in Sec. <a href="#">18.84.080</a> .
<b>Building coverage</b>	None.

<b>Off-street parking and loading</b>	See Chapter <a href="#">18.60</a> . Parking is not required in the Downtown District.
<b>Landscaping</b>	Landscaping shall be provided in all other areas between sidewalk and edge of rights-of-way. Other landscaping standards are provided in Chapter <a href="#">18.86</a> .
<b>Signs</b>	See Chapter <a href="#">18.64</a> .
<b>Trash enclosures</b>	See Chapter <a href="#">18.61</a> .
<b>Outside storage</b>	All outside storage shall be screened by a solid fence between 6 and 8 feet in height, except for vehicle sales.

(Ord. 1437 § 1, 2022; Ord. 1365 § 5 (part), 2014).

**Table 18.24.060: Development Standards Applicable to the C-H Zone District**

<b>Minimum lot size</b>	None.
<b>Minimum lot width</b>	None.
<b>Minimum yards</b>	<p>Front yard: 5 feet (must be landscaped), except within 25 feet of a residential district it shall be 15 feet. Upper story may overhang with a vertical clearance of 12 feet.</p> <p>Street side yard: Same as front yard.</p> <p>Interior side yard: None, except when abutting a residential zone district it is 5 feet.</p> <p>Rear yard: None, except when abutting a residential zone district it is 5 feet and a 6-foot masonry wall shall be constructed along the property line. It is 12 feet if accessible by a street, alley or parking lot. Upper floor may overhang if there is 14 feet of vertical clearance if not abutting a residential zone district.</p> <p>Buildings over 35 feet in height: For rear and interior side yards, an additional 3 feet of setback is required for every 10 feet over 35 feet in height, up to a maximum of 15 feet.</p> <p>Levee setback: 10 feet.</p>

	Other criteria and exceptions are provided in Section <a href="#">18.84.070</a> , Yards and fences.
<b>Maximum building height</b>	8 stories, not to exceed 85 feet. Other criteria and exceptions are provided in Sec. <a href="#">18.84.080</a> .
<b>Building coverage</b>	None.
<b>Off-street parking and loading</b>	See Chapter <a href="#">18.60</a> .
<b>Landscaping</b>	A 5-foot-wide landscape strip shall be provided along all street rights-of-way. Landscaping shall be provided in all other areas between sidewalk and edge of rights-of-way. Other landscaping standards are provided in Chapterter. <a href="#">18.86</a> .
<b>Signs</b>	See Chapter. <a href="#">18.64</a> .
<b>Trash enclosures</b>	See Chapter. <a href="#">18.61</a> .
<b>Outside storage</b>	All outside storage shall be screened by a solid fence between 6 and 8 feet in height, except for vehicle sales.

(Ord. 1437 § 1, 2022; Ord. 1365 § 5 (part), 2014).

**18.24.070 Special Events Facility.** Except as otherwise provided for in this Chapterter, a special events facility may be permitted provided the facility complies with the following standards:

- a. Food Vendors.** Permittee is responsible for ensuring the event organizer and food vendors utilized by the organizer secure food permits with the Yuba County Division of Environmental Health.
- b. Hours of Operation.** All events shall start no sooner than 9:00 a.m. and end by 10:00 p.m. each day. Facility setup and cleanup shall be allowed between the hours of 8:00 a.m. to 11:00 p.m. All guests of an event other than those staying in approved overnight lodging facilities shall be off the property by 10:30 p.m.
- c. Operational Controls.**
  - (1) Noise.** Outdoor amplified sound shall not exceed 65 dB when measured at the property lines.

**(2) Light and Glare.** Any proposed outdoor lighting used during events shall be downcast and shielded so that neither the lamp nor the reflector interior surface is visible from any off-site location.

**(3) Odor.** A special event shall not cause objectionable odors on adjacent properties.

**d. Parking.**

**(1) On-Site Parking.** On-site parking shall be provided at a minimum ratio of one space per 2.5 attendees, on a lot free of combustible material.

**(2) Off-Site Parking.** If off-site parking is utilized, written consent shall be obtained from the owners of all off-site parking areas. A minimum of one parking attendant shall be present at each lot used for off-site parking to assist in parking vehicles. For each off-site parking lot containing 50 or more vehicles, one parking attendant per 50 vehicles shall be provided. For temporary parking lots, signs and directional signs shall be posted no earlier than the day before the event and shall be removed no later than the day following the event. For events that require off-site parking, monitors shall be provided to direct traffic at all points of ingress, egress, and forks in private access roads and to turn away vehicles when authorized parking capacity is reached. If off-site parking is proposed, it shall be considered with the review of the land use permit for the event site.

**e. Sanitation.** Permittee must provide sanitation facilities of adequate capacity that are accessible to attendees and event staff, including restrooms, refuse disposal receptacles, potable water and wastewater facilities.

**f. Use of Existing Structures.** Existing structures used as part of a special events facility must comply and be permitted for commercial and public assembly occupancy and be in compliance with Americans with Disabilities Act (ADA), where applicable.

**g. Other Permits and Licenses.** Must obtain any other required permits from Federal, State or local agencies.

**h. Insurance.** The operator of a special event facility shall have commercial property insurance for the use.

**Table 18.34.020: Allowed Uses and Permit Requirements for the Industrial Zone Districts**

Land Use	Zone District			Specific Use Regulation
	M-L	M-1	M-2	
<b>Industrial</b>				
Indoor assembly, processing, fabricating, treatment, manufacturing, repairing or packaging of goods that do not create noise, dust odor, smoke, bright light, involve the handling of explosives or inflammable materials as a primary use, or otherwise create offensive conditions at the property line	P	P	P	
The uses described above or provided elsewhere in this table that may create the potentially offensive condition(s) described above		U	U	
Adult oriented business	U	U	U	Chap. <a href="#">18.66</a>
Auto body, radiator, upholstery repair, brake, muffler shop, tire shop <sup>2</sup>		P	P	
Auto service station		P	P	Sec. <a href="#">18.96.050</a>
Auto wrecking yard <sup>1</sup>		U	U	
Auto, boat, and motorcycle sales, repair and rental <sup>2</sup>	P	P	P	
Bank, financial institution, insurance	P	P	P	
Bar, night club, lounge, tavern	P	P		
Bottled gas sales <sup>1</sup>	U	U	U	
Building material sales, lumber yard		P	P	
Bulk petroleum and pressurized gas product storage and wholesale		U	U	
Bus depot	U <sup>4</sup>	U <sup>4</sup>	U <sup>4</sup>	

**Table 18.34.020: Allowed Uses and Permit Requirements for the Industrial Zone Districts**

Land Use	Zone District			Specific Use Regulation
	M-L	M-1	M-2	
Cabinet, plumbing, sheet metal, welding, machine shop		P	P	
Commercial cannabis activity business, including medical cannabis dispensary:				Chap. <u>5.10</u> , <u>18.67</u> , <u>18.69</u>
• Cultivation, specialty, small, 500—5,000 square feet	U	U	U	
• Cultivation, specialty mixed light, small, 2,501—5,000 square feet	U	U	U	
• Cultivation, specialty cottage (indoor), small, up to 2,500 square feet	U	U	U	
• Cultivation, indoor, small, 5,001—10,000 square feet	U	U	U	
• Cultivation, mixed light, small, 5,001—10,000 square feet	U	U	U	
• Cultivation, indoor, medium, 10,001—22,000 square feet	U	U	U	
• Cultivation, mixed light, medium, 10,001—22,000 square feet	U	U	U	
• Cultivation, nursery (indoor)	U	U	U	
• Cultivation, indoor, large, >22,000 square feet	U	U	U	
• Cultivation, mixed light, large, >22,000 square feet	U	U	U	
• Manufacture 1 (use of nonvolatile solvents)	U	U	U	
• Manufacture 2 (use of volatile solvents)	ZC	ZC	ZC	

**Table 18.34.020: Allowed Uses and Permit Requirements for the Industrial Zone Districts**

Land Use	Zone District			Specific Use Regulation
	M-L	M-1	M-2	
• Testing laboratory	P	P	P	
• Retailer (medical cannabis only)	U	U	U	
• Distributor	ZC	P	P	
• Microbusiness (medical cannabis only), <10,000 square feet cultivation	U	U	U	
Car wash	P	P	P	
Card room	U <sup>4</sup>	U <sup>4</sup>	U <sup>4</sup>	
Caretaker, night watchman residence	P	P	P	
Cement and asphalt plant			U	
Clubs and lodges	U <sup>4</sup>	U <sup>4</sup>		
Cold storage facility		P	P	
Commercial laundry		P	P	
Community center	P	P		
Contractor's yard, outdoor material storage		P	P	
Cultural institution	P	P		
Day care center	U	U		
Distribution center		P	P	
Drive-through facilities	MU <sup>4</sup>	MU <sup>4</sup>	MU <sup>4</sup>	Sec. 18.96.030
Dry cleaning, dyeing plant		P	P	
Employment centers (includes office uses that generally do not cater to the public such as call centers)	P	P	P	
Equipment rental		P	P	

**Table 18.34.020: Allowed Uses and Permit Requirements for the Industrial Zone Districts**

Land Use	Zone District			Specific Use Regulation
	M-L	M-1	M-2	
Farm equipment and supply sales		P	P	
Flea market			U	
Funeral establishment	P	P		
General retail sales and services conducted indoors (unless otherwise specified in this table)	P	P	P	
Health/fitness facility	P	P	P	
Heliport, airport		U <sup>4</sup>	U <sup>4</sup>	
Hospital <sup>1</sup>	U <sup>4</sup>	U <sup>4</sup>	U <sup>4</sup>	
Hotel, motel	U	U <sup>4</sup>	U	
Indoor entertainment (theater, video arcade/fun center, skating rink, bowling, billiards)	P	P	P	
Kennel			U	
Laundry, laundromat	P	P		
Library/museum	P	P		
Lumber processing (sawing, planing, plywood, veneer, laminating)		U	U	
Massage service	U	U		Excludes services exempted under Sec. 5.48.270
Medical, dental, optical lab	P	P	P	
Moving and storage facility		P	P	
Offices (administrative, governmental, business, medical and professional)	P	P	P	

**Table 18.34.020: Allowed Uses and Permit Requirements for the Industrial Zone Districts**

Land Use	Zone District			Specific Use Regulation
	M-L	M-1	M-2	
Outdoor commercial recreation (theme, amusement park, miniature golf, go-kart)		P	P	
Park	P	P	P	
Processing and manufacturing of food products		P	P	
Public buildings and facilities	P	P	P	
Public parking	P	P	P	
Recreational vehicle park	U	U	U	
Recycling collection and materials processing facility <sup>1</sup>		U	U	Chap. <u>18.92</u>
Religious facility	U	U	U	
Repair shop (i.e., shoes, radios, appliances, electronic equipment)	P	P	P	
Research and development laboratory	P	P	P	
Restaurant	U	U	U	
Retail plant nursery (includes outdoor sales)	P	P	P	
RV, camper sales and repair		P	P	
Sales and indoor repair of commercial trucks and trailers and other heavy equipment		P	P	
Schools and studios primarily conducted indoors	U	U		
Secondhand store <sup>3</sup>	P	P		
Self-storage facility <sup>1</sup>	P	P	P	Sec. <u>18.96.040</u>

**Table 18.34.020: Allowed Uses and Permit Requirements for the Industrial Zone Districts**

Land Use	Zone District			Specific Use Regulation
	M-L	M-1	M-2	
Tire recapping plant		P	P	
Trade school	P	P	P	
Truck, freight terminal <sup>1</sup>		P	P	
Veterinary clinic, animal boarding, animal grooming <sup>3</sup>		P	P	
Wholesale businesses, warehousing		P	P	
Wholesale printing, engraving, lithography and publishing	P	P	P	
Wholesale vehicle sales, auction; vehicle storage			P	
Wireless communication facility	U	U	U	Chap. <u>18.95</u>
Wood yard			U	
Wrecking, dismantling yard			U	
<b>Residential Uses</b>				
Condominiums	MU <sup>1</sup>	MU <sup>3</sup>	MU <sup>3</sup>	
Emergency shelter	U	P	U	Sec.18.96.060
Employee housing	P <sup>4</sup>	P <sup>4</sup>	P <sup>4</sup>	
Home occupation	ZC	ZC		Sec. 18.93
Live/work lofts	MU <sup>1</sup>	MU <sup>1</sup>		
Multifamily residence	P	P		
Residences w/office or retail	MU <sup>1</sup>	MU <sup>1</sup>		
Senior congregate care facility, skilled nursing/intermediate care facility	MU <sup>1</sup>	MU <sup>1</sup>		
Single-family residence	MU	MU		

**Table 18.34.020: Allowed Uses and Permit Requirements for the Industrial Zone Districts**

Land Use	Zone District			Specific Use Regulation
	M-L	M-1	M-2	
Single-room occupancy (SRO)	U	U		Sec.18.96.070

<sup>1</sup> Minor use permit required.

<sup>2</sup> Animal boarding must be conducted indoors with air conditioning unless a use permit is approved for outdoor boarding.

<sup>3</sup> Employee housing (up to six persons), supportive housing, transitional housing, mobile homes on permanent foundations, and mobile home parks (including condominium and cooperative parks) are allowed and subject only to those restrictions and development standards that apply to other residential dwellings of the same type and number in the same zone.

(Ord. 1404 § 5, 2018; Ord. 1392 § 1, 2017; Ord. 1378 §§ 4, 5, 2015; Ord. 1372 §§ 2(C), 2(G), 2(J), 2015; Ord. 1365 § 6 (part), 2014).

## 18.36 Public Quasi Public

### Purpose:

This chapter provides regulations applicable to primary uses in the civic and resource protection zoning districts established by Section 18.12 (Zoning districts established).

**Public/Quasi-Public (P/QP) District.** The public/quasi-public district is applied to land intended for education, parks and recreation, religious assembly, governmental offices, municipal corporation yards, water treatment plants, power generating facilities (including privately owned facilities), and other publicly-owned facilities.

Primary uses are permitted in civic and resource protection zones subject to the requirements of this title as designated below:

- A. Principally permitted use, designated as "P";
- B. Conditionally permitted use, designated as "CUP"; and
- C. Administratively permitted use, designated as "A."

	P/QP
Agricultural	-
Animal Keeping	-
Resource Protection and Restoration	P
Resource Related Recreation	P
Community Assembly	P
Community Services	P
Religious Services	P
Essential Services	P
General	P
Psychiatric	P
Intensive Public Facilities	P
Libraries and Museums, Private	P
Emergency	P
Supplemental/Individual Use	CUP

	P/QP
General Power Production	CUP
Passive Power	P
Public Parking Services	P
College and University	P
Public/Private Elementary and Secondary	CUP
Caretaker/Employee Housing	A
Dwelling, Single-Family <sup>(3)</sup>	CUP
Multi-family Residential	P/CUP <sup>1</sup>
Indoor Sports and Recreation	P
Large Amusement Complex	-
Outdoor Entertainment	CUP
Outdoor Sports and Recreation	CUP
Day Care Center	P
Telecommunication Facilities	P/A/CUP

- **New, streamlined approval process:** New housing projects would go through a ministerial process, bypassing the California Environmental Quality Act (CEQA) and subjective local design standards. SB-4 includes detailed zoning and density regulations, including provisions for developments located in zones that do and do not allow residential uses.
- **Density:** The law allows for a baseline density level, with an option to seek further increases through state density bonus law.
- **Height specifications:** The allowed height is the greater of one story above the maximum already applicable to the site or the height of any adjacent parcel.
- **Affordability criteria:** The law includes specific affordability criteria, specifically that 100 percent of the units be affordable to lower-income households, with exceptions that 20 percent of the units may be for moderate-income households and 5 percent of the units may be for staff of FBO or college institutions.

Parking: SB 4 limits required parking to one space per unit, and would be applicable in the California Coastal Zone.

- **Ground floor:** SB-4 also allows for various ground-floor ancillary uses, including childcare centers and community-based organizations, in single-family zones as part of the development.

- **Projects are subject to labor standards:** Projects that are eligible for SB-4 incentives would be subject to labor standards established in Assembly Bill 2011 (2022). These standards mandate that construction projects with more than ten units adhere to prevailing wage requirements for all workers and provide healthcare benefits. Developments involving more than 50 housing units must engage contractors and subcontractors that either participate in a state-approved apprenticeship program or request apprentices from such a program.

### **18.84.110 Reasonable accommodation.**

This section provides a procedure to request reasonable accommodation for persons with disabilities seeking equal access to housing under the Federal Fair Housing Act and the California Fair Employment and Housing Act (the Acts) in the application of zoning laws and other land use regulations, policies, and procedures.

(a) Applicability. A request for reasonable accommodation may be made by any person with a disability, their representative, or any entity, when the application of a requirement of this title or other City requirement, policy, or practice acts as a barrier to fair housing opportunities. A person with a disability is a person who has a physical or developmental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having such impairment, or anyone who has a record of such impairment. This chapter is intended to apply to those persons who are defined as disabled under the fair housing laws.

(1) A request for reasonable accommodation may include a modification or exception to the rules, standards, and practices for the siting, development, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.

(2) A reasonable accommodation is granted to the household that needs the accommodation and does not apply to successors in interest to the property.

(3) A reasonable accommodation may be granted in compliance with this chapter without the need for the approval of a variance.

(b) Application Procedure. Requests for reasonable accommodation shall be submitted to the Community Development Department and shall contain the following information:

(1) The applicant's name, address, and telephone number.

(2) Address of the property for which the request is being made.

(3) The current actual use of the property.

(4) The basis for the claim that the individual is considered disabled under the fair housing laws.

(5) The zoning ordinance provision, regulation, or policy from which reasonable accommodation is being requested.

(6) Why reasonable accommodation is necessary to make the specific property accessible to the individual.

- a. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.
- b. Any request for reasonable accommodation in regulations, policies, practices, and procedures may be filed at any time that the accommodation may be necessary to ensure equal access to housing. Reasonable accommodation does not affect an individual's obligations to comply with other applicable regulations not at issue in the requested accommodation.
- c. If an individual needs assistance in making the request for reasonable accommodation, the jurisdiction will provide assistance to ensure that the process is accessible.

(c) Review.

- (1) The city planner or his/her designee shall issue a written decision on a request for reasonable accommodation within thirty (30)-days of the date of the application.
- (2) Other Review Authority. Requests for reasonable accommodation submitted for concurrent review with discretionary land use applications shall be reviewed by the authority responsible for reviewing the discretionary land use application. The written modifications or grant, grant with modifications, or deny the request for reasonable accommodation shall be made in accordance with the findings and decision as established below.
- (3) If necessary to reach a determination of the request for reasonable accommodation, the reviewing authority may request further information from the applicant consistent with fair housing laws. The request shall specify in detail the information that is required. In the event that a request for additional information is made, the thirty (30) day period to issue a decision is stayed until the applicant responds to the request.
- (4) Required Findings. The written decision to grant or deny a request for reasonable accommodation will be consistent with the fair housing laws and shall be based on consideration of the following factors:
  - (A) Whether the housing, which is the subject of the request, will be used by an individual considered disabled under the fair housing laws.
  - (B) Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the fair housing laws.
  - (C) Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the city.

- (D) Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a city program or law, including but not limited to land use or zoning.
- (E) Alternative reasonable accommodation that may provide an equivalent level of benefit.

(5). Written Decision on the Request for Reasonable Accommodation

- (A) The written decision on the request for reasonable accommodation shall explain in detail the basis of the decision, including reviewing the authority's findings on the criteria set forth above. All written decisions shall give notice of the applicant's right to appeal and to request reasonable accommodation in the appeals process as set forth below. The notice of decision shall be sent to the applicant by certified mail.
- (B) The written decision of the reviewing authority shall be final unless an applicant appeals it to the jurisdiction's planning commission.
- (C) If the reviewing authority fails to render a written decision on the request for reasonable accommodation within the thirty (30)-day time period allotted by Section (c)(1) above, the request shall be deemed granted.
- (D) While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

(6) Appeals.

- (A) Within thirty (30) days of the date of reviewing authority's written decision, an applicant may appeal an adverse decision. Appeals from the adverse decision shall be made in writing.
- (B) If an individual needs assistance in filing an appeal on an adverse decision, the jurisdiction will provide aid to ensure that the appeals process is accessible.
- (C) All appeals shall contain a statement of the grounds for the appeal. Any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.
- (D) Nothing in this procedure shall preclude an aggrieved individual from seeking any other state or federal remedy available.

## Chapter 18.90

### ACCESSORY DWELLING UNITS

- 18.90.010 Purpose**
- 18.90.020 Findings**
- 18.90.030 Definition**
- 18.90.030 Permit Requirements**
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#### **18.60.050 Development Standards within Existing Structures**

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#### **18.90.080 Use Restrictions**

#### **18.90.090 Nonconforming zoning conditions**

#### **18.90.100 Junior Accessory Dwelling Units**

##### **18.90.010 Purpose**

It is the purpose of this chapter to increase the supply of affordable housing within the city and to increase the utilization of the city's housing resources by permitting Accessory Dwelling Units (ADUs) in all residential, commercial and mixed-use zones consistent with state law.

##### **18.90.020 Findings.**

The City Council finds that accessory dwelling units and junior accessory dwelling units are considered residential uses that are consistent with existing General Plan objectives and the zoning designation for the lots upon which accessory dwelling units or junior accessory dwelling units are located. The City Council further finds that accessory dwelling units and junior accessory dwelling units that comply with the requirements set forth in this chapter shall be deemed to be accessory uses or accessory buildings or structures and shall not be considered to exceed the allowable density for lots upon which accessory dwelling units or junior accessory dwelling units are located.

##### **18.90.030 Definition**

ADUs are separate, complete homes for at least one person that are located on the same property as another, primary home. That means that ADUs have a place to live and sleep, a kitchen, and in most cases, their own bathroom.

**A. Accessory dwelling unit**" shall be as defined by [Government Code](#) Section 65852.2, as it now exists or may hereafter be amended, and means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons. The unit shall be located on a permanent foundation or a permanent chassis if a manufactured home, have an independent exterior access (if located within a single-family dwelling unit), and shall include permanent provisions or infrastructure to support living, sleeping, eating, cooking, and sanitation on the same parcel as where a single-family, two-family or multi-family dwelling is situated or proposed to be situated. Accessory dwelling units can also include efficiency units, as defined in Section 17958.1 of the [Health](#)

and Safety Code, manufactured homes, as defined in Section 18007 of the Health and Safety Code, second dwelling units, granny flats, in-law quarters, casitas, carriage units, and tiny houses as long as such units otherwise meet this definition.

**B.** “Accessory structure” means a structure that is accessory and incidental to a single-family, two-family or multi-family dwelling located on the same lot.

**C.** “Car share vehicle” means a vehicle that can be rented for short periods of time and is available 24-hours a day, seven days a week at unattended self-service locations.

**D.** “Existing structure,” for the purposes of defining an allowable space that can be converted to an accessory dwelling unit, means the following:

1. The proposed accessory dwelling unit is located within the walls and roofline of a fully enclosed, existing structure (i.e., the existing footprint); and

2. The existing structure can be made safely habitable under local building codes at the determination of the building official, regardless of any nonconforming zoning conditions.

**E.** “Junior accessory dwelling unit” shall be as defined by Government Code Section 65852.22, as it now exists or may hereafter be amended, and means a unit that is no more than 500 square feet in size and contained entirely within an existing or proposed single-family dwelling. A junior accessory dwelling unit may include separate sanitation facilities or may share sanitation facilities with the existing structure.

**F.** “Living area” means the interior habitable area of a dwelling unit, including basements and attics, but does not include a garage or any accessory structure.

**G.** “Nonconforming zoning condition” means a physical improvement on a property that does not conform with current zoning standards.

**H.** “Passageway” means a pathway that is unobstructed clear to the sky and extends from a street to one entrance of the accessory dwelling unit.

**I.** “Permanent provisions or infrastructure,” in the context of the definition of an “accessory dwelling unit,” means a permanent kitchen consisting of a sink, a counter for food preparation, a food storage area, and either a minimum 220V receptacle or a dedicated gas line for a cooking appliance (a 110V receptacle for a microwave, toaster, hotplate, etc. is not a permanent provision); a toilet connected to plumbing; a bathroom sink connected to plumbing; and a bathing facility connected to plumbing, such as a shower or bathtub.

**J.** “Primary dwelling unit” means a proposed or existing single-family, two-family or multi-family dwelling unit located on the lot where the accessory dwelling unit is proposed to be developed, and includes attached, enclosed accessory structures, such as a garage.

**K.** “Proposed dwelling” means a dwelling that is the subject of a permit application and that meets the requirements for permitting.

**L.** “Public transit” means a location, including, but not limited to, a bus stop or train station, where the public may access buses, trains, subways, and other forms of transportation that charge set fares, run on fixed routes, and are available to the public.

**M.** “Tandem parking” means that two or more automobiles are parked on a driveway or in any other location on a lot, lined up behind one another.

**N.** “Within the existing space” includes areas within an existing primary dwelling unit or within an existing attached or detached accessory structure such as a garage, storage area, a carriage house, a pool house, studio, and similar enclosed structures. The addition of square footage, including, but not limited to, the addition of another floor, is not considered to be “within the existing space,” unless the expansion is for the purposes of ingress and egress and does not exceed 150 square feet. Additions of square footage which are not “within the existing space” are considered new construction.

#### **18.90.030 Areas permitted.**

A second residential unit is permitted on any lot or parcel in residential zones, subject to the provisions and restrictions of this chapter. (Ord. 1372 § 5(A) (part), 2015).

#### **18.90.040 Permit Requirements**

A building permit shall be required prior to construction or creation of an accessory dwelling unit or junior accessory dwelling unit. Any ADU outside of the historic district that satisfies the requirements of this chapter shall be ministerially approved.

#### **18.90.050 Designated Areas**

**A. Mixed Use and Residential Zones.** Accessory dwelling units are principally permitted in the commercial mixed use (CMU), single-family residential (R1), small lot residential (RS), two-family residential (R2), multi-family housing (R3), and residential mixed use (RMU) zoning districts, provided the lot contains an existing or proposed single-family, two-family or multi-family dwelling unit as defined in Section 18.16 (Residential Use Types) and the accessory dwelling unit complies with the standards identified in this chapter.

**B. Commercial Zones.** Accessory dwelling units are also principally permitted in the commercial zoning districts, provided the lot contains an existing or proposed single-family, two-family or multi-family dwelling unit (Residential Use Types) and the accessory dwelling unit complies with the standards identified in this chapter. If a commercially zoned lot contains an existing single-family, two-family or multi-family dwelling unit which does not have an approved conditional use permit, then the accessory dwelling unit shall be required to obtain an Administrative Permit pursuant to Chapter 18 (Permit and Variance Requirements).

#### **18.90.060 Development standards for accessory dwelling units proposed within existing structures or existing living areas.**

Accessory dwelling units are permitted to be developed within existing structures or within the living area of an existing primary dwelling unit. Accessory dwelling units developed within existing structures or living areas shall be allowed only in compliance with the following standards:

**A. Setbacks.** No setback shall be required for an accessory dwelling unit, including porches, decks, balconies, stairs, and patios which are attached to and for the use of the accessory dwelling unit, built within the footprint and dimensions of an existing living area or existing structure. Garages are subject to the setbacks of Section **xx** (Accessory structures).

**B. Floor Area.** The total floor area of an attached accessory dwelling unit developed within an existing primary dwelling unit shall not exceed 50 percent of the floor area of the existing primary dwelling unit, except that an expansion of up to 150 square feet beyond the same physical dimensions as the existing primary dwelling unit is permitted for accommodating ingress and egress. The total floor area for a detached accessory dwelling unit developed within an existing detached accessory structure shall not exceed the floor area of the existing detached accessory structure, except that an expansion of up to 150 square feet beyond the same physical dimensions as the existing detached accessory structure is permitted for accommodating ingress and egress.

**C. Unit Sizes.**

1. An accessory dwelling unit shall not be less than the minimum size for an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, as it now exists or may hereafter be amended.
2. An accessory dwelling unit shall not be more than 850 square feet for a studio or one-bedroom or more than 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

**D. Minimum Facilities.** Accessory dwelling units developed within existing structures or living areas shall include permanent provisions for independent living, sleeping, eating, cooking, and sanitation within the unit and must include a separate exterior entrance from the primary dwelling unit if the primary dwelling is a single-family dwelling.

**E. Appearance.** The accessory dwelling unit shall be designed and constructed so as to be compatible with the existing primary dwelling unit and neighborhood in terms of form, and materials, as determined by the Community Development Director or designee applying objective standards, and the accessory dwelling unit shall be subordinate to the primary dwelling unit. Manufactured homes shall meet the architectural standards set forth in Section 18.16.030 Residential zone general development standards).

**F. Historic District or Individual Historic Resources**

1. Design review within the historic district or individual historic resources shall be required, consistent with the Historic Design Guidelines.
2. Windows and doors original to structures on historic properties (including openings and garage doors) must be retained, unless this would prevent creation of the ADU.
3. Newly constructed ADUs and JADUs in landmark and historic districts should make every attempt to reduce visibility from the public right-of-way.

**G. Parking Requirements.** Accessory dwelling units developed within existing structures or living areas shall not be required to provide parking. A garage, carport, or covered parking structure shall

be subject to the development regulations of the city, if the owner chooses to provide parking as part of the accessory dwelling unit. In addition, when a garage, carport, or covered parking structure is converted to an accessory dwelling unit, the required off-street parking spaces for the primary dwelling unit, if eliminated, do not need to be replaced. If the property owner chooses to replace the parking spaces, the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including within the front yard or street side setback, and may be covered spaces subject to conformance with the applicable requirements set forth in Section 18.16 (Permitted accessory structures to dwelling use type (single-family and two-family)).

**H. Passageways.** No passageways shall be required in conjunction with accessory dwelling units developed within existing structures or living areas.

**I. Building and Fire Codes.** Except as otherwise provided in this chapter, accessory dwelling units developed within existing structures or living areas shall comply with all local building and fire codes.

**J. Fire Sprinklers.** Accessory dwelling units developed within existing structures or living areas shall not be required to provide fire sprinklers if fire sprinklers were not required for the primary dwelling unit.

**K. Utilities.** Accessory dwelling units developed within existing structures or living areas shall not be required to install a new or separate utility connection directly between the accessory dwelling unit and the public utility infrastructure unless the accessory dwelling unit was constructed with a new single-family dwelling unit. However, if necessary, utility infrastructure does not exist with capacity available to serve both the primary dwelling unit and the accessory dwelling unit, the property owner shall be responsible for all costs related to installation of necessary infrastructure or upsizing existing infrastructure. Property owners may install a new or separate utility connection directly between the accessory dwelling unit and the public utility infrastructure at the property owner's option and expense.

**L. Height.** Detached ADUs: 16 feet on a lot with a proposed or existing single-family or multifamily dwelling unit (Gov. Code, § 66321, subd. (b)(4)(A)). 18 feet on a lot with an existing or proposed single-family or multifamily dwelling, including an additional 2 feet to accommodate roof pitch that aligns with the primary dwelling, when the lot is a half-mile from a major transit stop or high-quality transit corridor (Gov. Code, § 66321, subd. (b)(4)(B)).

18 feet height on a lot with an existing or proposed multifamily, multistory dwelling (Gov. Code, § 66321, subd. (b)(4)(C)). If a detached two-story ADU can be built according to the height allowances required under State ADU Law while remaining compliant with the building code, a local agency cannot deny an ADU application to create a two-story ADU, irrespective of the underlying zoning that might restrict a primary dwelling to one story. (Gov. Code, §§ 66321, subd. (b)(4)(D); 66314, subd. (d)(8).) Attached ADUs 25 feet or the height limitation that applies to the primary dwelling in the local zoning ordinance, whichever is lower (Gov. Code, § 66321, subd. (b)(4)(D)).

**M. Number Permitted.** A combination of up to two accessory dwelling/junior accessory dwelling units are permitted within areas zoned to allow single-family or two-family residential use provided the lot contains an existing or proposed single-family dwelling, and the accessory dwelling/junior accessory dwelling unit complies with the standards identified in this chapter (Accessory Dwelling Units). Up to two detached ADUs are allowed on a lot that has a proposed multifamily dwelling, or up to eight

detached ADUs are allowed on a lot with an existing multifamily dwelling, not to exceed the number of existing units on the lot.

## **N. Exceptions to Development Standards.**

**1.** One accessory dwelling unit and one junior accessory dwelling unit is permitted per lot with a proposed or existing single-family dwelling if all of the following apply:

- a. The accessory dwelling unit or junior accessory dwelling unit is within the proposed space of a single-family dwelling unit or existing space of a single-family dwelling unit or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.
- b. The space has exterior access from the proposed or existing single-family dwelling unit.
- c. The side and rear setbacks are sufficient for fire and safety.
- d. The junior accessory dwelling unit complies with the requirements of Government Code Section 65852.22, as it now exists or may hereafter be amended.

**2.** Multiple accessory dwelling units within portions of existing multi-family dwelling units are permitted in areas not used as livable spaces, including, but not limited to, storage rooms, boiler rooms, passageways, attics, basements, or garages, if all of the following apply:

- a. Each unit complies with state building codes for dwellings.
- b. At least one accessory dwelling unit is permitted within an existing multi-family dwelling or up to eight ADUS within the existing multi-family dwelling units may be converted to accessory dwelling units, whichever is greater.

**3.** Two detached accessory dwelling units are permitted per lot that have an existing multi-family dwelling unit, subject to a height limit of 16 feet and four-foot rear and side setbacks.

**O. Waivers.** Notwithstanding anything to the contrary contained in this title, limits on height, setbacks, lot coverage, floor area ratio, open space, and lot sizes are hereby waived if they do not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height, and which provides four-foot rear and side setbacks.

## **18.90.070 Development standards for accessory dwelling units proposed as new construction.**

Newly constructed accessory dwelling units are permitted to be attached to a proposed or existing primary dwelling unit or detached from a proposed or existing primary dwelling unit as long as the newly constructed accessory dwelling unit is located on the same lot as a proposed or existing primary dwelling unit. Newly constructed accessory dwelling units shall be allowed only in compliance with the following standards:

**A. Minimum Lot Area.** There is no minimum lot area.

**B. Maximum Lot Coverage.** There is no maximum lot coverage.

**C. Setbacks.** No setback shall be required for an accessory dwelling unit constructed in the same location (i.e., footprint) and to the same dimensions as an existing accessory structure. A setback of four feet from the side and rear lot lines shall be required for an accessory dwelling unit that is otherwise newly constructed, including porches, decks, balconies, stairs, and patios which are attached to and for the use of the accessory dwelling unit.

**D. Floor Area.** The total floor area of an attached accessory dwelling unit shall not be less than 150 square feet nor exceed the standards of subsection E (Unit sizes). The total floor area for a detached accessory dwelling unit shall not be less than 150 square feet nor exceed the standards of subsection E (Unit sizes).

#### **18.90.080 Development Standards Table**

	<b>Size</b>	<b>Parking Required</b>	<b>Setbacks</b>	<b>Lot coverage</b>	<b>Compatibility</b>
<b>Attached Junior</b>	500 sf	none	within the allowed footprint	N/A	N/A
<b>Attached ADU</b>	Less than 50% of primary floor area	none	None if within same footprint of original structure	None	Match existing materials
<b>Detached ADU</b>	Not less than 150 sf or more than 850 sf for a single bedroom or more than 1,000 sf with more than one bedroom	1 may be in tandem	4' side and rear, not in street side or front yard	None	Match existing materials

#### **E. Unit Sizes.**

1. An accessory dwelling unit shall not be less than the minimum size for an efficiency unit, as defined in Section 17958.1 of the Health and Safety Code, as it now exists or may hereafter be amended.

**2.** An accessory dwelling unit shall not be more than 850 square feet for a studio or one-bedroom or more than 1,000 square feet for an accessory dwelling unit that provides more than one bedroom.

**F. Minimum Facilities.** The accessory dwelling unit shall include permanent provisions for independent living, sleeping, eating, cooking, and sanitation within the unit and must include a separate exterior entrance from the primary dwelling unit if the primary dwelling is a single-family dwelling.

**G. Appearance.** The accessory dwelling unit shall be designed and constructed so as to be compatible with the proposed or existing primary dwelling unit and neighborhood in terms of height, form, and materials, as determined by the Community Development Director or designee applying objective standards, and the accessory dwelling unit shall be subordinate to the primary dwelling unit.

**H. Parking Requirements.** Garages, carports, and covered parking structures attached to the accessory dwelling unit and built to satisfy the required parking standards for the accessory dwelling unit are subject to the same setbacks and other development regulations as the accessory dwelling unit.

**1.** Accessory dwelling units with one or more bedrooms shall provide one off-street parking space. Studios shall not be required to provide any parking spaces. The parking requirement for accessory dwelling units with bedrooms can be met by providing the required parking space within the front yard setback and may be located in tandem with other on-site parking as long as it complies with the requirements.

**2.** When a garage, carport, or covered parking structure is demolished in conjunction with the construction of an accessory dwelling unit, the required off-street parking spaces for the primary dwelling unit, if eliminated, do not need to be replaced. If the property owner chooses to replace these parking spaces, the replacement spaces may be located in any configuration on the same lot as the accessory dwelling unit, including within the front yard or street side setback, and may be covered spaces subject to conformance with the applicable requirements set forth in Section 18.

**3.** Notwithstanding the above, accessory dwelling units shall not be required to provide parking in any of the following circumstances:

- a. When the accessory dwelling unit is located within one-half mile walking distance of public transit.
- b. When the accessory dwelling unit is located within the Downtown Historic District or Downtown Specific Plan
- c. When the accessory dwelling unit is part of an existing or proposed primary dwelling unit or an existing accessory structure.
- d. When on-street parking permits are required but not offered to the occupant of the accessory dwelling unit.
- e. When there is a car share vehicle located within one block of the accessory dwelling unit.

**I. Passageways.** No passageways shall be required in conjunction with the construction of an accessory dwelling unit.

**J. Building and Fire Codes.** Except as otherwise provided in this chapter, newly constructed accessory dwelling units shall comply with all local building and fire codes.

**K. Fire Sprinklers.** Accessory dwelling units shall not be required to provide fire sprinklers if fire sprinklers were not required for the primary dwelling unit.

**L. Utilities.** New or separate utility connections directly between the accessory dwelling unit and the public utility infrastructure shall only be required if directed by the utilities department. In such cases, if necessary, utility infrastructure does not exist with capacity available to serve both the primary dwelling unit and the accessory dwelling unit, the property owner shall be responsible for all costs related to installation of necessary infrastructure or upsizing existing infrastructure.

**M. Height.** An accessory dwelling unit shall not exceed the height limits prescribed in Residential zone general development standards for the zone in which the accessory dwelling unit will be located, or if not within a residential zone, the height shall not exceed the standards established for the single-family residential (R1) zone.

**N. Number Permitted.** Except as otherwise permitted, only one accessory dwelling unit is permitted per lot.

## **O. Exceptions to Development Standards.**

**1.** One newly constructed detached accessory dwelling unit that does not exceed four-foot rear and side setbacks, which may be combined with one junior accessory dwelling unit, is permitted per lot if all of the following apply:

a. The total floor area for the newly constructed detached accessory dwelling unit shall not exceed 800 square feet.

b. The newly constructed detached accessory dwelling unit shall not exceed 16 feet in height.

**2.** Two newly constructed detached accessory dwelling units are permitted per lot that has an existing multi-family dwelling unit, subject to a height limit of 16 feet and four-foot rear and side setbacks.

**P. Waivers.** Notwithstanding anything to the contrary contained in this title, limits on height, setbacks, lot coverage, floor area ratio, open space, and lot sizes are hereby waived if they do not permit at least an 800 square foot accessory dwelling unit that is at least 16 feet in height, and which provides four-foot rear and side setbacks.

## **18.90.090 Use restrictions.**

**A. Sales Prohibited, Exceptions.** Accessory dwelling units shall not be sold independently of the primary dwelling unit on the lot unless all of the criteria of Government Code Section 65852.26, as may be amended from time to time, are met, including that the accessory dwelling unit or the primary

dwelling unit was built or developed by a qualified nonprofit corporation and there are affordability restrictions on the sale and conveyance of the accessory dwelling unit or primary residence that ensure the accessory dwelling unit and primary dwelling will be preserved for low income housing for 45 years for owner-occupied housing units and will be sold or resold to a qualified buyer.

**B. Rentals.** Accessory dwelling units may be rented as long as the rental term exceeds 30 calendar days.

#### **18.90.100 Nonconforming zoning conditions.**

An accessory dwelling unit or junior accessory dwelling unit in compliance with the standards set forth in this chapter is still permitted even when the primary dwelling unit has a nonconforming zoning condition.

#### **18.90.110 Junior accessory dwelling units.**

**A.** Junior accessory dwelling units are principally permitted within areas zoned to allow single-family residential use and must be located on a lot that contains an existing or proposed single-family dwelling unit as defined in Section 18 (Residential use types).

**B.** Junior accessory dwelling units are subject to the following conditions:

1. Only one junior accessory dwelling unit is permitted per residential lot.

2. A junior accessory dwelling unit shall not exceed 500 square feet.

3. The junior accessory dwelling unit shall be constructed within the walls of the proposed or existing single-family dwelling unit, including attached garages.

6. The junior accessory dwelling shall include a separate entrance from the main entrance to the proposed or existing single-family dwelling unit.

7. The permitted junior accessory dwelling unit must include an efficiency kitchen, which shall include at a minimum all of the following:

a. A cooking facility with appliances.

b. A food preparation counter and storage cabinets that are of reasonable size in relation to the size of the junior accessory dwelling unit.

8. Junior accessory dwelling units shall comply with all local building and fire codes applicable to the existing single-family dwelling unit except that fire sprinklers shall not be required if fire sprinklers were not required for the single-family dwelling unit.

9. Junior accessory dwelling units may be rented as long as the rental term exceeds 30 calendar days.

10. Junior accessory dwelling units shall not be required to provide parking nor be required to provide replacement parking if constructed within an attached garage.

**11.** Junior accessory dwelling units shall comply with all other applicable requirements set forth in this chapter.

## **Chapter 18.94 HISTORIC PRESERVATION**

### **18.94.010 Purpose.**

### **18.94.020 Definitions.**

### **18.94.030 Powers and duties.**

### **18.94.040 Standards for designation.**

### **18.94.050 Inventory.**

### **18.94.060 Proposed construction, alteration, demolition or removal.**

### **18.94.070 Standards for review.**

### **18.94.080 Applicability.**

### **18.94.090 Maintenance of historic structures and districts.**

### **18.94.100 Historic preservation revolving fund.**

### **18.94.110 Administration and enforcement.**

### **18.94.120 Penalty.**

### **18.94.130 Showing of hardship.**

### **18.94.010 Purpose.**

This chapter establishes provisions for the designation of historic buildings, structures, landmarks, sites, and historic districts consistent with the goals, objectives, and policies of the General Plan and the Downtown Specific Plan. The purpose of this chapter is to manage the buildings, structures, objects, landmarks, historic districts, and other areas within the community that have historical and cultural value to the city because of social, economic, political, architectural, engineering or other heritage importance. Such stewardship would:

- (a) Foster awareness of and interest in the cultural heritage of the City of Marysville through the designation of historic structures, objects, landmarks, sites, and districts;
- (b) Implement the policies of the General Plan regarding the preservation, rehabilitation, restoration, relocation, and adaptive reuse of historic buildings/structures;
- (c) Protect, enhance, and perpetuate the use of buildings, structures, and sites that are reminders of past eras, events, cultures, and persons important to local, state or national history, or that provide significant examples of varied architectural styles reflecting the cultural, social, and economic phases of the City's history;
- (d) develop and maintain appropriate settings and environment for buildings, structures, landmarks, historic districts, and sites to preserve the overall aesthetic and character of an area;

- (e) Encourage investment in historic properties and districts to enhance property values, stimulate economic activity, and provide for the stabilization of commercial and neighborhood areas, increase economic and financial benefits to the city and its inhabitants, and the promotion of tourist trade and interest;
- (f) Proved solutions for the preservation, rehabilitation, restoration, relocation, and adaptive reuse of qualified historical buildings to promote sustainability, to provide access for persons with disabilities, provide reasonable safety for the building occupants, and to provide a cost-effective approach to facilitate the preservation and continued use of qualified historical buildings.

#### **18.94.020 Definitions.**

Unless otherwise required by the context, the following words and phrases shall have the meaning ascribed to them by this section:

- (1) "Addition" means a non-historical extension or increase in floor area or height of a building, structure, or property.
- (2) "Alteration" means any exterior change or modification of a Designated historic building, a Contributing building in a historic district, or a Qualified Historical Building or Property including exterior changes to, or modifications of, the building, architectural details, or visual characteristics such as surface texture, grading, surface paving, new buildings or structures, removal of trees and other natural features, disturbance of archaeological sites or areas and placement or removal of any exterior objects such as signs, plaques, light fixtures, street furniture, walls, fences, steps, planting and landscape accessories affecting the visual qualities of the property visible from a public right-of-way.
- (3) "Architectural review board" means a three-member subcommittee of the planning and historic preservation commission established pursuant to Chapter 18.87.
- (4) "California Historical Building Code" means the regulations provided for the preservation, restoration, rehabilitation, relocation or reconstruction of buildings or properties designated as qualified historical buildings or properties. The code is intended to provide solutions for the preservation of qualified historical buildings or properties, to promote sustainability, to provide access for persons with disabilities, to provide a cost-effective approach to preservation, and to provide for the reasonable safety of the occupants or users and requires enforcing agencies to accept solutions that are reasonably equivalent to the regular building code when dealing with qualified historical buildings or properties.
- (5) "California Register of Historical Resources" is an authoritative guide in California to be used by state and local agencies, private groups, and citizens to identify the state's historical

resources and to indicate what properties are to be protected, the extent prudent and feasible from substantial adverse change.

- (6) "Character-defining features" means the aspects of a building, structure, or site that physically conveys its historical significance including, but not limited to, size, scale, massing, materials, craftsmanship, decorative details, interior spaces and features, as well as the various aspects of its site and environment.
- (7) "Contributing building" means a building within a historic district that retains scale, mass, and other architectural and design characteristics to the degree that it contributes to the sense of time and place of the district.
- (8) "Commission" means the planning and historic preservation commission.
- (9) "Council" means the city council of the city of Marysville.
- (10) "Demolition" means the destruction, razing or elimination of a historic building or structure.
- (11) "Designated historic building" means any building or structure that has been recognized by the City for its historical significance.
- (12) "Exterior architectural feature" means the architectural elements embodying style, design, general arrangement, and components of all of the outer surfaces of an improvement, the kind and texture of the building materials, and the type and style of all windows, doors, porches, awnings, and other fixtures appurtenant to such improvement.
- (13) "Historic district" means any area which has been recognized by the City for its historical and/or cultural significance.
- (14) "Historic structure" means a building or other structure, such as a bridge, mine, highway, or locomotive that meets the Secretary of Interior's significance criteria and is designated on the official register.
- (15) "Historical resource" includes, but is not limited to, any object, building, structure, site, area, place, record, or manuscript which is historically or archaeologically significant, or is significant in architecture, engineering, science, economics, agriculture, education, social, political, military, or culture to the City of Marysville.
- (16) "Improvement" means any building, structure, place, parking facility, fence, gate, wall, work of art, or other object constituting a physical betterment of real property or any part of such betterment.
- (17) "National Register of Historic Places" means the official federal list of districts, sites, buildings, structures, and objects significant in American history, architecture, archaeology, engineering, and culture as authorized by the National Historic Preservation Act of 1966 (16 U.S.C. Sec. 470 et seq.).

- (18) "National Register Historic Commercial District, Marysville" means parts of fourteen blocks bounded by First, Sixth, C and E streets with contributing buildings that represent the period of 1854 to 1948.
- (19) "Noncontributing building" means a building within a historic district that does not contribute to the sense of time and place of the immediate area and the district. Noncontributing buildings may include buildings constructed after the period of significance of the historic district or buildings in which the historic characteristics have been irreparably modified.
- (20) "Owner" means the person or persons whose name(s) and address(es) appear on the last equalized assessment roll.
- (21) "Period of significance" means the period of time when a qualified historical building or property was associated with important events, activities or persons, or attained the characteristics for its listing or registration.
- (22) "Potential historical resource" means a building, structure, object, or site older than 50 years that has not yet been evaluated for historical significance.
- (23) "Preservation" means applying measures necessary to sustain the existing integrity of historic property through protection, stabilization, ongoing maintenance and repairs of historic materials and features rather than extensive replacement and new construction.
- (24) "Qualified Historical Building or Property" as defined in Health and Safety Code Section 18955 means any building, site, object, place, location, district or collection of structures, and their associated sites, deemed of importance to the history, architecture or culture of an area by an appropriate local, state or federal governmental jurisdiction. This shall include historical buildings or properties on, or determined eligible for, national, state, or local historical registers or inventories, such as the National Register of Historic Places, California Register of Historical Resources, State Historical Landmarks, State Points of Historical Interest, and city or county registers, inventories or surveys of historical or architecturally significant sites, places or landmarks.
- (25) "Reconstruction" means the act or process of depicting, by means of new construction, the form, features and detailing of a non-surviving site, landscape, building, property, or object for the purpose of replicating its appearance at a specific period of time.
- (26) "Register" means the City's list of all Designated historic buildings, structures, objects, landmarks, sites, historic districts and Contributing buildings, and Qualified Historical Building or Property that are historically significant.
- (27) "Rehabilitation" means the process of making possible a compatible use for a historic property through repair, alterations, and additions while preserving features that physically convey its historical, cultural, or architectural values.

- (28) “Relocation” means the act or process of moving any qualified historical building or property, or a portion of a qualified historical building or property to a new site or a different location on the same site.
- (29) “Restoration” means the process of returning a building or structure to a particular period of time by means of removal of features from other periods and/or reconstructing missing features to accurately depict the form, features, and character of a property and it appeared in the past.
- (30) Secretary of the Interior Standards. The federal standards providing guidance for preservation, restoration, rehabilitation, and reconstruction of historic buildings and structures.

#### **18.94.030 Powers and duties.**

The planning and historic preservation commission, the commission’s three-member subcommittee (the architectural review board), or the city planner, when acting on behalf of the commission (as outlined within the City of Marysville Historic Design Standards), shall have the following powers and duties:

- (a) Make recommendations to the council concerning designation of historic buildings, structures, objects, landmarks, and historic districts and the removal of listings from the register.
- (b) Establish and maintain a list of designated historic buildings, structures, objects, landmarks, and historic districts fifty years old or older, and take appropriate measures for recognition.
- (c) Subject to the provisions of this chapter to review and approve, approve with conditions, or disapprove applications for construction, alteration, rehabilitation, preservation, restoration, demolition, and/or repair work on historic structures, including contributing buildings to a historic district, or adjacent to a historic building/contributing building to a historic district
- (e) Review and approve, approve with modifications, or deny, including any exterior alteration work visible from a public right-of-way on a designated historic building, structure, or contributor to a historic district. In advising, the commission shall be guided by the purpose and standards specified in this chapter. The city planner is authorized to approve minor exterior modifications, which includes such actions as installation of wall signs; installation or replacement of features with similar materials and design (for example: windows, doors, exterior cladding); and/or re-roofing that is similar material and style; and changes to commercial signage.
- (f) Make recommendations to the council concerning the acquisition of development rights, and the imposition of other restrictions and the negotiation of historic property contracts under the provisions of Government Code Section [50280](#) et seq. and guidelines promulgated by the council.

(g) Increase public awareness of the value of historic preservation by developing and participating in public information programs.

(h) Make recommendations to the council concerning the utilization of grants from federal and state agencies, private groups and individuals to promote the preservation of historical resources.

(i) Recommend to the council that the city purchase a historic structure where private preservation is impractical.

(j) The council may authorize one or more members of the city staff and/or a contracted qualified expert or firm to assist the commission in carrying out its duties pursuant to this chapter. (Ord. 1299 § 45, 2005: Ord. 1216 (part), 1996).

#### **18.94.040 Standards for designation.**

Buildings fifty years old or older within the city of Marysville, or those that have achieved significance within the last fifty years, that meet the Secretary of the Interior's significance criteria for an historic object, resource, building or structure or contributor to an historic district are hereby designated historical structures resources.

Further, other buildings or structures may be eligible for designation as historical resources only if they are visually accessible to the public, and satisfy one or more of the following criteria:

(1) The property is the first, last, only, or most distinctive historic property of its type in the city;

(2) The property is associated with an individual or group having a profound influence on the history of the state of California, the city of Marysville, or the county of Yuba;

(3) The property is a prototype of, or an outstanding example of, a period, style, architectural movement, or construction, or is one of the more notable works, or the best surviving work in the state, city or county of a pioneer architect, designer or master architect or builder. (Ord. 1299 § 46, 2005: Ord. 1216 (part), 1996).

#### **18.94.050 Inventory.**

The City shall maintain and update the register of designated historic buildings, structures, sites, and historic districts within the city that have been recognized by the City for historical significance.

#### **18.94.060 Proposed construction, alteration, demolition or removal.**

(a) An application for a building permit and/or design review approval is submitted to the city with respect to construction, alteration, or demolition of a historical resource or historic building or structures within a historic preservation overlay zone district or historic district; such application shall be processed in accordance with the provisions of this Title and the City of Marysville Historic Design

Standards. In the event of any inconsistency or conflict between the provisions of the municipal code dealing with issuance of building permits, the provisions set forth in this chapter shall prevail.

(b) The City of Marysville Historic Design Standards shall be approved and amended by resolution, from time to time, by the city council upon a recommendation from the planning and historic preservation commission. (Ord. 1299 § 47, 2005: Ord. 1216 (part), 1996).

#### **18.94.070 Standards for review.**

In evaluating applications submitted, the commission, the architectural review board subcommittee, and the city planner shall consider the architectural style, design, arrangement, texture, materials and color, and the requirements and recommendations outlined within the City of Marysville Historic Design Standards. Applications may be approved, approved with conditions, or denied. (Ord. 1299 § 48, 2005: Ord. 1216 (part), 1996).

#### **18.94.080 Applicability.**

The provisions of this chapter shall be inapplicable to the construction, alteration, demolition, or relocation of any buildings or structures where a building permit for such work was issued prior to the designation of such building, structure or historic district as a historical resource (Ord. 1216 (part), 1996). None of the provisions of this chapter shall prevent any measures of construction, alteration, or demolition necessary to correct the unsafe or dangerous conditions of any historical resource where such condition has been declared unsafe or dangerous by any appropriate city public official or body, and where the proposed measures have been declared necessary by such official or body to correct the condition; provided, however, that only such work as is necessary to correct the unsafe or dangerous condition. In the event any structure or other feature is damaged by fire, earthquake, or other natural disaster, to such an extent that in the opinion of the aforesaid officials or body it cannot be reasonably repaired and restored, it may be removed in conformity with applicable permit procedures and applicable laws.

#### **18.94.090 Maintenance of historical resources and districts.**

The owner, lessee, and any other person in actual charge or possession of a historical resource, historic structure, or of a structure in a historic district, shall be encouraged to keep in good repair all of the exterior portions of such structure and all interior portions thereof where maintenance is necessary to prevent deterioration and decay of any exterior portion. (Ord. 1216 (part), 1996).

Nothing in this chapter shall be construed to prevent or to relieve a property owner of the responsibility for the routine maintenance or repair of the exterior of any designated historic resource or any contributing building in an historic district to the extent that such maintenance or repair does not constitute an alteration of the exterior.

#### **18.94.100 Historic preservation revolving fund.**

(a) The council may, by resolution, establish a historic preservation revolving fund. The resolution creating such a fund shall contain provisions for its administration and control.

(b) Said revolving fund may be used for the preservation and improvement of historical resources, historic structures and districts.

(c) The revolving fund may utilize grants from federal and state agencies and private groups or individuals received pursuant to council action, as well as appropriations from the city budget, to promote the preservation of historically significant structures in the city of Marysville. (Ord. 1216 (part), 1996).

#### **18.94.110 Administration and enforcement.**

Except as otherwise specifically provided herein, it shall be the duty of the city planner to administer and enforce this chapter. (Ord. 1299 § 49, 2005: Ord. 1216 (part), 1996).

#### **18.94.120 Penalty.**

Any person who violates this chapter shall be guilty of an infraction, punishable by:

(a) A fine, not exceeding five hundred dollars, for the first violation;

(b) A fine, not exceeding one thousand dollars, for a second violation;

(c) A fine, not exceeding fifteen hundred dollars, for each additional violation of this chapter within one year. (Ord. 1216 (part), 1996).

#### **18.94.130 Showing of hardship.**

If the applicant presents evidence clearly demonstrating to the satisfaction of the approving authority that failure to approve the application for building permit and/or design review approval will cause an extreme hardship because of conditions peculiar to the particular structure or other feature involved, the approving authority may approve or conditionally approve such application even though it does not meet the stipulated standards of review. The applicant shall bear the burden of providing evidence of hardship. The city planner or commission is authorized to request that the applicant furnish additional information, documentation, and/or expert testimony, the cost of which shall be paid by the applicant, to be considered. In determining whether hardship exists, the approving authority shall consider evidence that demonstrates that denial of the application will deprive the applicant of all reasonable economic value of the property; or utilization of the property for lawful purposes is prohibited or impractical.

### **18.96.060 Emergency shelter performance standards.**

In addition to the development standards in the underlying zoning district, emergency shelters shall comply with the standards set forth in this section. In the event of conflict between these standards and the underlying zoning district regulations, the provisions of this section shall apply.

All emergency shelters, if allowed in accordance with the underlying zoning district, shall be subject only to the same development standards that apply to the other permitted, or conditionally permitted, uses in those zones, except for the following requirements unique to emergency shelters, as authorized by Government Code Section [65583\(a\)\(4\)](#):

- (a) Shall not be located within five hundred feet of any preschool, elementary school, or high school or within three hundred feet of another emergency shelter, unless such social service is located within the same building or on the same lot.
- (b) The maximum number of beds or persons permitted to be served nightly by the facility shall not exceed the maximum density allowed by the zone in which it is proposed or forty beds or persons in zones without a maximum density.
- (c) There shall be adequate space inside the structure such that prospective and current residents are not required to wait on sidewalks or any other public rights-of-way.
- (d) There shall be a gated and fenced outdoor area.
- (e) Security lighting shall be installed and maintained to provide adequate lighting of the property. Facilities shall provide exterior lighting on pedestrian pathways and parking lot areas on the property. Lighting shall reflect away from residential areas and public streets.
- (f) The maximum length of stay by a homeless person in an emergency shelter shall be six months.
- (g) Off-street parking shall be required based upon demonstrated need, but not to exceed parking requirements for other residential or commercial uses within the same zone.
- (h) A management plan is required for all emergency shelters to address management experience, good neighbor issues, transportation, client supervision, client services, and food services. Such plan shall be submitted to and approved by the City Planner. Minimum standards and practices in the plan shall be as follows:
  - (1) The emergency shelter shall be operated by a responsible agency or organization, with experience in managing or providing social services.

- (2) Security during the hours that the shelter is in operation.
- (3) The emergency shelter shall have an identified administrator and representative to address community concerns.
- (4) The emergency shelter shall provide at least one responsible on-site supervisor at all times for every ten occupants.
- (5) Residents shall be evaluated by persons experienced in emergency shelter placement.
- (6) The program shall identify a transportation system that will provide its clients with a reasonable level of mobility including, but not limited to, access to social services and employment opportunities.
- (7) Medical assistance, training, counseling, and personal services essential to enable homeless persons to make the transition to permanent housing may be provided, with or without meals, as an incident to the operation of an emergency shelter.
- (8) Referral services shall be provided to assist residents in obtaining permanent housing and income. Such services shall be available at no cost to residents of a shelter.
- (9) All emergency shelters shall be maintained in a safe and clean manner and free from refuse or discarded goods. (Ord. 1372 § 6(A), 2015: Ord. 1292 § 1 (part), 2005).

## **Chapter 18.98 DOWNTOWN SPECIFIC PLAN**

### **18.98.010 Purpose**

### **18.98.020 Definition**

### **18.98.030 Conflict**

### **18.98.040 Violations**

### **18.98.010 Purpose**

The purpose of the Downtown Specific Plan Downtown Code is to direct public and private development consistent with the community vision for the Downtown Specific Plan Area. Revitalization within the older areas of the city presents unique development challenges. The Downtown Specific Plan is therefore a comprehensive document which provides detailed performance criteria and development standards that are intended to facilitate development while recognizing the area's unique and historic character. Key elements addressed in the Downtown Specific Plan include:

- A. Permitted and conditionally permitted uses for various zone districts.
- B. Prescriptive development standards including setbacks, height requirements, and floor area ratios.
- C. Development guidelines, landscaping and public realm improvements.
- D. Details that define the character of the Downtown Specific Plan Area.

### **18.98.020 Definition**

“Downtown Specific Plan Area” means the area encompassing approximately 467-acres within the central portion of the Downtown Area including the Medical Arts District, E-Street Corridor, and Ellis Lake areas and designated by the Sacramento Area of Governments as a designated Green Means Go area.

### **18.98.030 Conflicts**

In the event of any conflict between the provisions of the Downtown Specific Plan Downtown Code and the provisions of the Marysville Municipal Code, the provisions of the Downtown Specific Plan shall prevail. However, with regard to topics that the Downtown Specific Plan does not address, the provisions of the Marysville Municipal Code shall prevail.

### **18.98.040 Violations.**

A violation of the requirements of the Downtown Specific Plan is punishable as an infraction.

### **18.98.050 Downtown Specific Plan Allowed Land Use**

The following land use matrix specifies permitted uses, conditionally permitted uses, administratively permitted uses and prohibited use for each of the Specific Plan Land Use Zones.

Existing buildings, structures, and uses permitted within the Specific Plan Area (as of the effective date of this chapter) shall continue to be permitted and exempt from the requirements of this chapter as legal nonconforming.

The expansion of, addition, to or modification of an existing building, structure or use may be permitted subject to development plan review and approval of the Community Development Director to ensure that the proposed expansion is consistent with the policies and standards of this chapter of the Municipal Code.

**Table 18.98060 Allowed Uses and Permit Requirements for the Downtown Specific Plan Zone Districts**

Land Use	Downtown Mixed Use	B Street Corridor	Commercial Mixed Use	Medical Arts	Mixed-Use Corridor	Mixed-Use Neighborhood
<b>Residential</b>						
Accessory Dwelling Unit <sup>1</sup>		P			P	P
Assisted Living Facilities	P	U		P	P	P
Condominiums	P	P	P	P	P	P
Emergency Shelter			P	P		
Group Homes	P	P	U		P	P
Halfplex	P	P		P	P	P
Multiple-family residences	P	P	P	P	P	P
Live/Work Lofts	P	U	U	P	P	P
Residences w/office or retail	P	P	P	P	P	P
Residential accessory structure <sup>2</sup>	P	U			U	P
Aging adults housing	P	U		P	P	P
Single-family residence		U	U	P	P	P
Single-room occupancy		P	P	P	P	P
Two-family residence (attached or detached)		P		P		P
<b>Retail, Dining, Entertainment, and Services</b>						
Auto, boat, motorcycle, RV repair			P			
Automobile, boat, motorcycle, all-terrain vehicle sales			P		P	

<sup>1</sup> Refer to Chapter 18.90 on regulations for Accessory Dwelling Units.

<sup>2</sup> Refer to Chapter 18.93 on Home Occupation regulations.

Land Use	Downtown Mixed Use	B Street Corridor	Commercial Mixed Use	Medical Arts	Mixed-Use Corridor	Mixed-Use Neighborhood
Bank, financial institution, insurance	P	P	P	P	P	P
Bar, night club, lounge, tavern	P	P	P	P	P	U
Brewery, winery, distillery	P	P	P		P	U
With Accessory Tasting Room	MU	MU	U		U	
Car wash		U	P		U	
Commercial recreation facility – Indoor (Theater, video arcade/fun center, skating rink, bowling, billiards)	P	P	P		P	
Commercial recreation facility – Outdoor (Theme, amusement park, miniature golf, go-cart track)	U	U	P		U	
Convenience store	P	P	P	P	P	
Drive-through facilities			P		P	
Electric vehicle charging	P	P	P	P	P	
Gasoline, diesel fueling			P		P	
General retail sales and services	P	P	P	P	P	P
Grocery, specialty foods	P	P	P	P	P	P
Grocery, farmers market	P	P	P	P	P	P
Health/fitness facility	P	P	P	P	MU	MU
Hotel, motel, bed and breakfast	P	P	P	P	P	
Neighborhood retail sales	P	P	P	P	P	P
Personal services	P	P	P	P	P	P
Restaurant, cafe, coffee shop	P	P	P	P	P	P
Secondhand store	P	P	P		P	MU
Veterinary clinic, animal hospital, animal boarding, animal grooming, kennel	P			P	P	P
<b>Public/Quasi Public Uses</b>						
Clubs and lodges	P	P	P		P	P

Land Use	Downtown Mixed Use	B Street Corridor	Commercial Mixed Use	Medical Arts	Mixed-Use Corridor	Mixed-Use Neighborhood
Community center	P	P	P		P	P
Cultural institution	P	P	U		P	P
Library/museum	P	P	P		P	P
Public buildings and facilities	P	P	P	P	P	P
Religious facility	P	MU	U		MU	P
<b>Community / Other</b>						
Child day care center	P	P	P	P	P	P
Conference/convention facility	P	P	P	P	ZC	U
School - College, university	P	P	P	P	P	
School - Elementary, middle, secondary	P	P	P		P	P
School - Specialized education/training	MU	MU	MU	P	MU	MU
Fitness/health facility		P	P		P	
Medical services - Hospital	MU	MU	MU	P	MU	MU
Park, playground	P	P		P	P	P
Studio - Art, dance, martial arts, music, etc.	P	P	P		P	P
<b>Office</b>						
Office	P	P	P	P	P	P
Mixed-Use: Office Component	P	P	P	P	P	P
Medical services - Doctor office, clinic, or urgent care		P	P	P	P	
Medical services - Extended care		MU	U	P	U	

Land Use	Downtown Mixed Use	B Street Corridor	Commercial Mixed Use	Medical Arts	Mixed-Use Corridor	Mixed-Use Neighborhood
<b>Industry, Manufacturing, Assembly, Storage, Processing</b>						
Indoor assembly, processing, fabricating, treatment, manufacturing, repairing or packaging of goods that do not create noise, dust odor, smoke, bright light, involve the handling of explosives or inflammable materials as a primary use, or otherwise create offensive conditions at the property line	MU	MU	P		P	MU
Adult oriented business			U			
Alcohol Beverage Manufacturing	MU	MU	U		U	U
Auto body, radiator, upholstery repair, brake, muffler shop, tire shop			P			
Building material sales, lumber yard			U		U	
Bus depot	U	U	U	U	U	
Cabinet, plumbing, sheet metal, welding, machine shop		U	P			
Cannabis Cultivation <sup>3</sup>			U			
Cannabis Commercial <sup>3</sup>	U	U	U	U		
Commercial laundry			P	P	U	
Dry cleaning, dyeing plant	U	U	U	U	U	U
Equipment rental			U			
Farm equipment and supply sales			P			
Flea market	MU	MU	MU		MU	MU
Processing and manufacturing of artisan food products	P	U	P		P	P
Research and development		P	P	P		
Self-Storage Facility						

<sup>3</sup> Refer to Chapter 18.67 for Cannabis regulations.

Land Use	Downtown Mixed Use	B Street Corridor	Commercial Mixed Use	Medical Arts	Mixed-Use Corridor	Mixed-Use Neighborhood
Trade school	U	U	U		U	U
Wholesale businesses, warehousing	U	U	MU		MU	
Wholesale printing, engraving, lithography, and publishing	U	U	MU		MU	

Note: land uses not listed, but similar in activity to listed uses are to be treated in the same ways as listed similar uses.

**Table 18.98.070 Development Standards**

The following provides standards for development in the Specific Plan Area.

Development Standard	Downtown Mixed Use	B Street Corridor	Commercial Mixed Use	Medical Arts	Mixed-Use Corridor	Mixed-Use Neighborhood
Residential Density (dwelling units per acre)	Min: 20 Max: 57	Min: 10 Max: 36	Min: 10 Max: 42	Min: 14 Max: 48	Min: 20 Max: 57	Min: 10 Max: 30
Non-Residential Intensity (floor area ratio)*	3.5	2.0	3.0	3.5	3.5	1.5
Maximum Height (primary structure)	75 feet or 6 stories	60 feet or 5 stories	75 feet or 6 stories	60 feet or 5 stories	60 feet or 5 stories	40 feet or 3 stories
Height (accessory structure)	Refer to <a href="#">Chapter 18.96.010 Accessory Buildings</a> .					
Minimum Front Setback	0 ft	0 ft	0 ft	0 ft	0 ft	0 ft
Minimum Rear Setback	5 ft	5 ft	10 ft	10 ft	10 ft	10 ft
Minimum Side Setback	0 ft	0 ft	5 ft	0 ft	0 ft	5 ft
Maximum Lot Coverage	100%	90%	90%	100%	100%	80%
Historic Adjacency	Refer to <a href="#">Chapter 18.59 Historic Preservation Overlay Zone District and Historic Design Guidelines</a> .					

\*Intensity is used to regulate non-residential development and mixed-use projects proposing both residential and non-residential development.

## **18.99 SENATE BILL 9 IMPLEMENTATION**

### **18.99.07 - Purpose and Applicability.**

- A. This implements California Government Code sections 68582.21 and 66411.7, herein referred to as Senate Bill 9. The purpose is to apply objective local development standards for projects covered by Senate Bill 9. This Part is applicable only so long as Senate Bill 9 is operative.

### **18.99.08 - Urban Lot Split Standards.**

#### A. Lot design requirements:

##### 1. Lot frontage:

- A. Where 55-feet of frontage on a public right-of-way is not proposed for both lots created by an Urban Lot Split, pursuant to Government Code Section 66411.7, each lot shall have a minimum of 30 feet of frontage on a public right-of-way and an average width of 30 feet, or
- B. Where 30-feet of frontage on a public right-of-way is not proposed for both lots created by an Urban Lot Split, one of the lots shall be provided with access by a corridor with at least 12 feet but no more than 15-feet of frontage on a public street.
- C. Said access corridor shall maintain a width of at least 12-feet but no more than 15-feet for the entire length of the corridor.
- D. The length of said access corridor shall be at minimum the required front setback of the zoning district in which the lot is situated.
- E. The access corridor shall be kept free and clear of building or structures of any kind except for lawful fences and underground or overhead utilities.
- F. Where one of the lots created by an Urban Lot Split does not propose frontage on a public right-of-way, direct access to the public right-of-way must be provided through an easement for ingress and egress and emergency access.
- G. Said easement shall be a minimum 12-feet but no more than 15-feet in width for the entire length of the easement.
- H. The length of said easement shall be at minimum the length of the required front setback of the zoning district in which the lot is situated.
- I. Said easement shall be recorded as a Covenant of Easement on the Parcel Map for the Urban Lot Split.

**Maximum lot depth**, as required by [Section 18](#) of this Code, shall be waived for lots created by an Urban Lot Split.

#### **Property line and setbacks:**

##### 1. For lots accessed by a corridor of 12-feet to 15-feet in width:

- A. Front property line is the property line that abuts the public street.

- B. The front setback area is the entire length of the 12-foot to 15-foot-wide access corridor.
- C. The rear property line is any property line that is generally parallel to the public right-of-way from which the lot gains access, and that abuts properties that are not a part of the Urban Lot Split.
- D. The remaining property lines shall be considered side property lines.

2. For lots that do not abut a public street that are accessed by an easement:

- A. There shall be no front property line.
- B. The rear property line is any property line that is generally parallel to the public right-of-way from which the lot gains access, and that abuts properties that are not a part of the Urban Lot Split.
- C. The remaining property lines shall be considered side property lines.
- D. All required utility connections shall be placed on the same parcel as the unit or units the utilities are serving or shall be located within a utility easement.
- E. A minimum of one dwelling unit shall exist on a lot being subdivided at time of recordation of a Parcel Map for an Urban Lot Split.
- F. Lots created through an Urban Lot Split shall not contain more than two dwelling units, inclusive of Accessory Dwelling Units and Junior Accessory Dwelling Units. In no case shall the city permit more than two units per lot created by an Urban Lot Split.
- G. Lots that contain a two-family dwelling created pursuant to Senate Bill 9 without an Urban Lot Split, shall be limited to one attached accessory dwelling unit or two detached accessory dwelling units per lots.
- H. For purposes of Government Code 66411.7(a)(3)(G), "acting in concert with" means knowing participation in a joint activity or parallel action towards a common goal whether or not pursuant to an express agreement. Examples include, but are not limited to, an adjacent parcel previously subdivided by a person acting on behalf of, acting for the predominant benefit of, acting on the instruction of, or actively cooperating with, the owner of the parcel that is being subdivided.

**18.99.09 - Dwelling Unit Standards.**

- A. The cumulative Floor Area Ratio of units that are constructed pursuant to Senate Bill 9, excluding Accessory Dwelling Units and Junior Accessory Dwelling Units, shall be limited to .45 per lot or 800 sf per unit, whichever is greater. For purposes of this Part, Floor Area Ratio and unit square footage shall be calculated per [Section 18](#) of this Code.
- B. Height and stories. Units created pursuant to Senate Bill 9 shall be limited to a maximum height of no greater than thirty feet and no more than two stories. A maximum height of no greater than twenty feet and one story shall be applied to units situated within twenty feet of the rearmost property line.
- C. Additional standards for dwelling units permitted under Senate Bill 9.

1. Garage frontage limit. The cumulative linear feet of the vehicular doors to a garage or garages that are oriented to face the front property line or side corner property line shall be no wider than one half of the width of the dwelling structure to which the garage or garages are attached.
2. Encroachments into setback areas are allowed per [Chapter 18](#), however, in no case shall an encroachment be closer than three feet from a side property line. Eaves are the only encroachment allowed into a rear property line and must maintain a setback of three feet in any case.

#### **18.99.10- Additional Requirements.**

- A. For projects covered by Senate Bill 9, the Applicant shall submit a statement under penalty of perjury that within the last three years there has been no tenant in a dwelling unit that is proposed to be altered or demolished.
- B. Prior to approval of a Parcel Map for an Urban Lot Split or Ministerial Approval for a Senate Bill 9 project, the applicant shall record a deed restriction identifying that the units on the parcel or parcels may not be rented for a term of 30 days or less.

#### **18.998.11 Waiver.**

In the event these standards physically preclude the creation of a second unit pursuant to Senate Bill 9, applicants may seek a waiver through a process to be defined in administrative guidelines promulgated by the Director of Community Development.