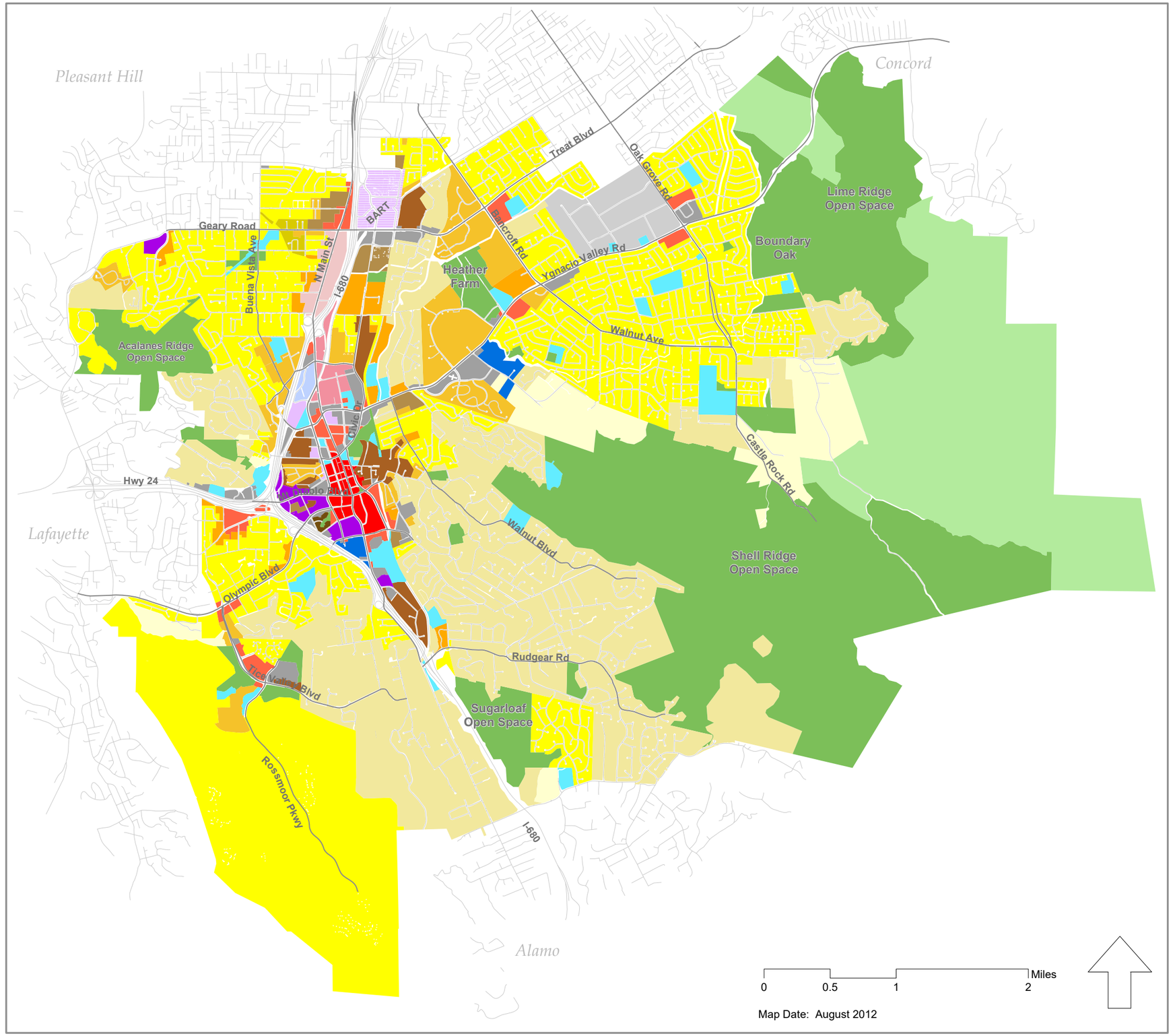
General Plan Land Use Map

City of Walnut Creek
2025



Legend

- Single Family Very Low (SFVL) 0.1 - 1.0 du/ac
- Single Family Low (SFL) 1.1 - 3.0 du/ac
- Single Family Medium (SFM) 3.1 - 6.0 du/ac
- Single Family High (SFH) 6.1 - 9.0 du/ac
- Multifamily Low (MFL) 6.1 - 14.0 du/ac
- Multifamily Medium (MFM) 14.1 - 22.0 du/ac
- Multifamily Medium High (MFMH) 22.1 - 30.0 du/ac
- Multifamily Very High (MFVH) 30.1 - 50.0 du/ac
- Multifamily Special High (MFSH) 50.1 - 100.0 du/ac
- Mixed Use - Residential Emphasis (MU-R) Density Varies
- Mixed Use - Pleasant Hill BART Station Area Specific Plan
- Mixed Use - Commercial Emphasis (MU-C) Density Varies
- Mixed Use - Golden Triangle (MU-GT) Density Varies
- Open Space - Agriculture (OS/A) 0.1 du/ac
- Open Space - Recreation (OS/R)
- Service Commercial (SC)
- Auto Sales and Service (AS)
- General Retail (GR)
- Public/Semi Public (PU)
- Hospital (HO)
- Pedestrian Retail (PR)
- Office (OF)
- Business Park (BP)
- Highways
- Major Roads
- City Limit
- Planning Area Boundary
- Sphere of Influence

The official copy of the General Plan Land Use Map is kept at the Community Development Department and is available to the public during all regular business hours. This is one of several General Plan maps that affect development in Walnut Creek and which should be consulted. The General Plan text is itself an integral part of the land use plan for the city and must also be consulted. The City of Walnut Creek is not responsible for use of this map beyond its General Plan purposes.

ABC20120807

Attachment 2

City of Walnut Creek

Pedestrian Retail District

1

Create a welcoming and distinctive gateway element at this key entry to Walnut Creek at the intersection of Ygnacio Valley and Oak Grove Roads.

PLANNING PRINCIPLES

Examples:

Gateway Monument

Wayfinding Monument

Gateway Monument

Gateway Monument

Gateway Monument Fountain

Gateway Monument Art Sculpture

Gateway Monument with Signage

Gateway Water Feature

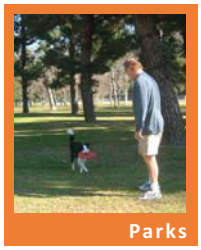
2

Establish a family friendly mix of uses that supports the needs of neighborhood residents and businesses while, at the same time, being economically viable for the land owner. Retail uses should be neighborhood oriented retail rather than destination or big box retail.

Examples:

Residential

Neighborhood Oriented Retail


Parks

Restaurants

Pedestrian Oriented Retail

Central Public Plaza

Public Gathering Areas

Cafes

Outdoor Dining

Neighborhood Shopping Center

3

Create activity nodes that focus on lively pedestrian-friendly environments with synergistic uses that can serve the existing Shadelands Business Park and surrounding neighborhoods.

PLANNING PRINCIPLES

Examples:

Pedestrian Recreation Area

Splash Pad

Central Plaza

Amphitheater

Food Vendors

Promenade

Parkside Cafe

Community Garden

Recreation Areas

4

Provide a variety of public amenities such as a park, plaza, water feature, promenade and neighborhood gathering place.

Examples:

Amphitheater

Playground

Water Feature

Sitting Areas

Bocce Ball Courts

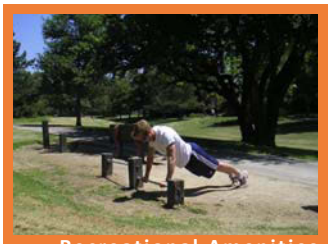
Pathways

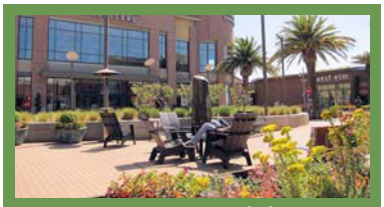
Gazebo

Park

Volleyball

Plaza and Water Feature


Recreational Amenities


Dining Areas

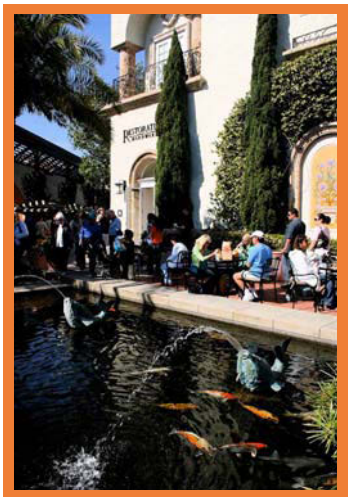
5 Enhance the economic viability and attractiveness of the greater Shadelands Business Park.

Examples:

Well Articulated Architecture

Attractive Public Spaces

Restaurants


Dining Opportunities

Connectivity

Whimsical and Playful Design

Outdoor Sitting Areas

Transportation Linkages

6

Minimize traffic impacts through land use selection, enhanced mobility options and circulation improvements. Minimize increased through traffic in Woodlands neighborhood.

PLANNING PRINCIPLES

7

Establish a **multimodal circulation** network that balances the needs for safety and comfort of pedestrians, bicyclists, drivers and transit riders. Consider ways to enhance connections to downtown Walnut Creek, BART, and surrounding neighborhoods.

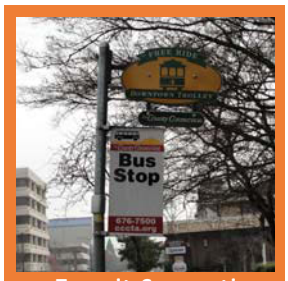
PLANNING PRINCIPLES

Examples:

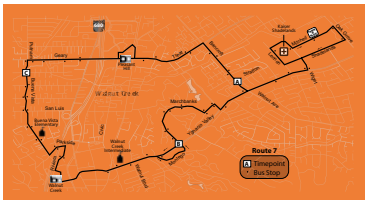
Transit

Angled Parking

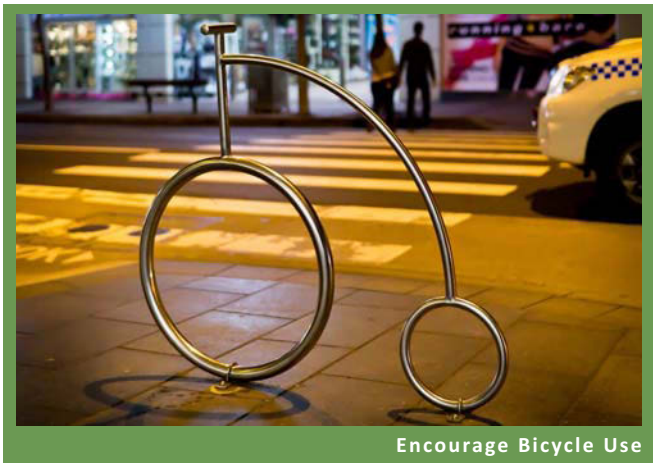
Pathways



Transit Connections



County Connection - Route 7 Shadelands/BART Pleasant Hill/BART Walnut Creek



Encourage Bicycle Use

8

Provide safe and convenient parking, opportunities for shared parking strategies, and minimize the visual impacts of parking from Ygnacio Valley Road through parking design.

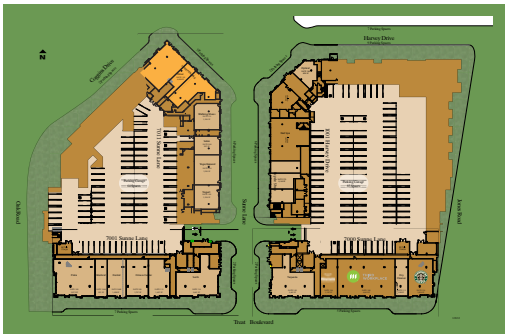
PLANNING PRINCIPLES

Examples:

Landscape Buffer Screening

Parking Strategies

Podium Parking



Shared Parking Tucked Behind Buildings, Screened, Or In Parking Structures

9

Incorporate the significant existing trees into the design of the project.

Examples:

Rossmoor Tree Protected in Place

Existing Trees

Existing Trees

Existing Trees

Existing Trees

Va De Vi Bistro Existing Tree Protected in place

Existing Tree Protected in Place

10 Provide for sustainable design practices and features.

Examples:

Solar Lighting

Green Wall

Electric Vehicle Charging Station

Solar Panels

Solar

Bioswale

Bioswale

11 Consider the relationships between and impacts on the adjacent commercial centers and Shadelands Business Park.

Examples:

Before: Sports Basement, Ygnacio Plaza Shopping Center

After: Sports Basement, Ygnacio Plaza Shopping Center

Before: Hamilton Marketplace, Novato

Before: Hamilton Marketplace, Novato

After: Hamilton Marketplace, Novato

After: Hamilton Marketplace, Novato

Planning Principles

CONFIRMING THE VISION

1 Create a welcoming and distinctive **gateway element** at this key entry to Walnut Creek at the intersection of Ygnacio Valley and Oak Grove Roads.

2 Establish a family friendly **mix of uses** that supports the needs of neighborhood residents and businesses while, at the same time, being economically viable for the land owner. Retail uses should be neighborhood oriented retail rather than destination or big box retail.

3 Create **activity nodes** that focus on lively pedestrian-friendly environments with synergistic uses that can serve the existing Shadelands Business Park and surrounding neighborhoods.

4 Provide a variety of **public amenities** such as a park, plaza, water feature, promenade and neighborhood gathering place.

5 Enhance the **economic viability** and attractiveness of the greater **Shadelands Business Park.**

Planning Principles

6 **Minimize traffic impacts** through land use selection, enhanced mobility options and circulation improvements. Minimize increased through traffic in Woodlands neighborhood.

7 Establish a **multimodal circulation** network that balances the needs for safety and comfort of pedestrians, bicyclists, drivers and transit riders. Consider ways to enhance connections to downtown Walnut Creek, BART, and surrounding neighborhoods.

8 Provide safe and convenient **parking**, opportunities for shared parking strategies, and minimize the visual impacts of parking from Ygnacio Valley Road through parking design.

9 Incorporate the significant **existing trees** into the design of the project.

10 Provide for **sustainable design** practices and features.

11 Consider the relationships between and impacts on the **adjacent commercial centers** and **Shadelands Business Park.**

CHAPTER 1

Introduction

General Plan 2025 is a comprehensive revision of Walnut Creek's 1989 General Plan.

General Plan 2025 –

- Expresses the desires of the Walnut Creek community about the city's future physical, social, economic, cultural, and environmental character.
- Builds on the efforts and visions of the past to define a realistic vision of what the city can be in 20 years.
- Establishes what the community wants to reinforce or change, in order to preserve and enhance the best of what the city offers.
- Serves as a comprehensive and everyday guide for making decisions about the nature and location of economic and urban development and road improvements.
- Protects natural resources and the public health and safety.
- Ensures consistency of City actions, while providing the flexibility to respond to changing needs and times.
- Serves as the City's "constitution" for conservation, land use, and community development, providing the legal foundation for all zoning and subdivision ordinances, decisions, and projects—all of which must be consistent with the general plan.

This chapter comprises 12 sections.

- Accomplishments of the 1989 Plan
- What is a General Plan?
- Legal Requirements
- Environmental Assessment
- Maps and Diagrams
- The Planning Area
- Walnut Creek General Plan History
- The General Plan Process
- Vision and Principles
- Organization of the Plan
- Annual Review by Planning Commission
- Amending the Plan

ACCOMPLISHMENTS OF THE 1989 PLAN

The 1989 General Plan set a variety of goals and standards and proposed a number of special planning studies to be performed over a 20-year planning period. Many of these goals and studies focused on developing and reinvigorating the Core Area and the Traditional Downtown.

Beginning in 1990, the City devoted considerable effort to creating a growth limitation program that met community goals for managing city development. After adoption of a Growth Limitation subelement in 1993, work began on bringing all other planning regulations, including the zoning ordinance, into compliance with the general plan. The revised zoning ordinance was adopted in 1996.

As directed in the 1989 General Plan, several specific plans were prepared for areas with significant potential for land use changes. The first to be completed was the North Gate Specific Plan (1991)—a joint planning effort between the City and Contra Costa County. This plan provides guidance and protection for a 507-acre area that serves as a transition from the City to the County lands adjacent to Mount Diablo.

In 1996, the East Mt. Diablo Boulevard Specific Plan was adopted for a two-and-a-half block area in the Pedestrian Retail District. (The district is mapped in Figure 4 on page 4-10.) As of 2005, two major retail projects - Broadway Pointe and Olympia Place - were constructed consistent with the specific plan.

The Geary Road/North Main Street Area Plan was adopted in 1997 to provide for new development in, and preservation of, the northwest Walnut Creek neighborhood. The plan addresses issues such as housing, land use, public improvements, transportation, and improvements to North Main Street.

The Locust Street Extension Block Plan/Special Study was approved in 1999 for the coordinated redevelopment of a two-block area along Locust Street south of Mt. Diablo Boulevard. Although not a specific plan in the legal sense, the study was prepared in much the same way, and resulted in the coordinated private development of two retail projects—Plaza Escuela and the Corners.

The City adopted the North Main Street/Ygnacio Valley Road Specific Plan in 2002. The plan focuses on roadway and pedestrian improvements and private redevelopment potential along the North Main Street corridor from Civic Drive to Ygnacio Valley Road. In 2005, the City completed the centerpiece of that planning effort, the reconstruction of public improvements in the North Main Street corridor. The project undergrounded utilities, widened sidewalks, added landscaping and street trees, reduced street width, and created an inviting pedestrian corridor between the BART station and the traditional downtown.

Preparation of the Locust Street/Mt. Diablo Boulevard Precise Plan began in 2004. This plan focuses on a one-and-one-half block area in the Traditional Downtown and is intended to ensure that any new development is compatible with its surroundings in form and height and will have appropriate parking, vehicular access, pedestrian circulation, public open space, and other amenities.

The vision of the 1985 Alma Avenue Specific Plan to create a high-density residential district in downtown Walnut Creek was realized in 2004 with the completion of the four large, multifamily residential developments and private construction of the 2.5-acre public Alma Park.

A number of significant public improvement projects were called for by the 1989 General Plan. The Geary Road improvement and widening project and the Castle Rock Sports Park were both completed in 2003. At Heather Farm Park, significant improvements were made to sports fields and parking in 2002, and a skate park was constructed in 2005.

HOUSING ELEMENT

The City's Housing Element was updated in 2002. It was added to the 1989 General Plan and is incorporated by reference in *General Plan 2025.* The Housing Element—

- Encourages a mix of commercial and residential uses in the Core Area and Downtown.
- Proposes and facilitates higher-density residential near public transit, major thoroughfares, shopping, and employment centers.
- Encourages the development of housing affordable to seniors and accessible to people with disabilities.

- Promotes affordable housing through new ordinances and city subsidies.

In 2004, the City adopted an Inclusionary Housing Ordinance that requires all new housing projects with more than one unit to include affordable units or the contribution of in-lieu fees to the City's affordable housing fund. In 2005, the City adopted a Commercial Linkage Fee Ordinance that requires new commercial projects to contribute in-lieu fees to the affordable housing fund.

From 2002 through 2004, 683 multifamily units and 92 detached single-family houses were either built, under construction, or had been issued permits. Another 800 multifamily units were under review as of May 2005.

In addition, between 2003 and 2005, the City initiated and approved three affordable housing developments that would provide a total of 103 housing units exclusively for seniors and 17 housing units with no age restrictions.

WHAT IS A GENERAL PLAN?

A general plan is a comprehensive, long-range, and internally consistent statement of a city's development and preservation policies. It is a city's primary tool to direct and manage growth and conservation.

- A general plan is comprehensive—it addresses all geographic areas within the City's planning area and all issues relating to the physical development of the city.

- The plan is long range—it looks 20 years into the future and focuses on the broad trends that will shape tomorrow's city.

- The plan is internally consistent—each goal, policy, and action is checked against and integrated with every other goal, policy, and action in the plan.

Walnut Creek and Mt. Diablo from Acalanes Ridge

LEGAL REQUIREMENTS

State law requires that cities prepare general plans and regularly review and update them.[1] The City Council adopts (and can later amend) the general plan by resolution.[2] Once a general plan is adopted or amended, the zoning, subdivision, and other land-regulating ordinances must be amended to be consistent with the plan.

State law requires that a general plan contain seven elements: land use, circulation, housing, conservation, open space, safety, and noise. Optional elements added to a general plan (e.g., local economy and growth management in this plan) have the same status as mandated elements. Figure 3 at the end of this chapter shows where the seven State-mandated ele-

[1] California Government Code, §65302.
[2] California Government Code, §65356.

ments and the growth management element mandated by Measure C and Measure J are found in *General Plan 2025.*

The general plan is to be considered and used as a whole. Case law and accepted land-use practice stress the equality of the elements in a general plan. Since all general plan elements carry equal weight, no single section, chapter, or subject can be stressed while ignoring others. All of the sections should be read together.[3]

While the plan must be internally consistent, an exception—passed into State law in 2004 — allows the Housing Element to specify a different development density than set by the general plan.[4]

ENVIRONMENTAL ASSESSMENT

Case law and the California Environmental Quality Act (CEQA) require that an Environmental Impact Report (EIR) be prepared to assess potential environmental consequences on adoption and implementation of a general plan. The particular form of assessment used for *General Plan 2025* is a Program EIR.

The City established the scope of the EIR early in the general plan update process. Issues addressed in the EIR are:

1. Land use
2. Population, employment, and housing
3. Visual quality
4. Traffic and circulation
5. Cultural resources
6. Biological resources
7. Agricultural resources
8. Mineral resources
9. Community services
10. Infrastructure
11. Geology, soils, and seismic hazards
12. Hydrology and flooding
13. Hazardous materials
14. Noise
15. Air quality

The Draft EIR was available for review and comment by the public and interested parties, agencies, and organizations beginning August 8, 2005. The public comment period was extended to September 30, 2005, beyond the 45 days required by State law. During the review period, the Planning Commission held community workshops on the Draft EIR (August 9 and 13) and a public hearing on December 15, 2005 to hear oral comments. The City also encouraged the public to submit written comments to the Community Development Department. Relevant comments were incorporated in the Final Environmental Impact Report (FEIR).

At the close of the public comment period, the FEIR was prepared to respond to all substantive comments on the Draft EIR. The FEIR was available for public review on December 9, 2005. The Planning Commission considered it on January 12, 2006, prior to making a recommendation on the Draft *General Plan 2025* to the City Council. The City Council certified the FEIR as complete on April 4, 2006 before adopting *General Plan 2025.*

MAPS AND DIAGRAMS

The Land Use Map is provided at the back of this document. The map graphically expresses the plan's development and conservation policies by showing the desired arrangement and location of land uses. The map is consistent with the general plan text, goals, policies, and actions.

General plans must also contain a circulation element, showing the "general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, and other local public utilities and facilities, all

[3] *Sierra Club v. Board of Supervisors* [1981] 126 Cal.App.3d 875.

[4] Government Code §65589.5.

correlated with the land use element."[5] Walnut Creek's Roadway Classification Map (see Figure 3 on page 5-8) shows current and proposed arterials, collectors, and local streets; rail lines; bus routes; bikeways; and trails.

Together, the Land Use and Circulation Maps illustrate the primary ways the City plans to direct and manage growth through 2025. In addition to these two maps, the general plan contains many other maps and diagrams that augment or illustrate important information with respect to issues, policies, and action programs.

THE PLANNING AREA

Walnut Creek is a regional economic and cultural center in Contra Costa County, 23 miles east of San Francisco at the foot of Mount Diablo. (See Figure 1, this page.)

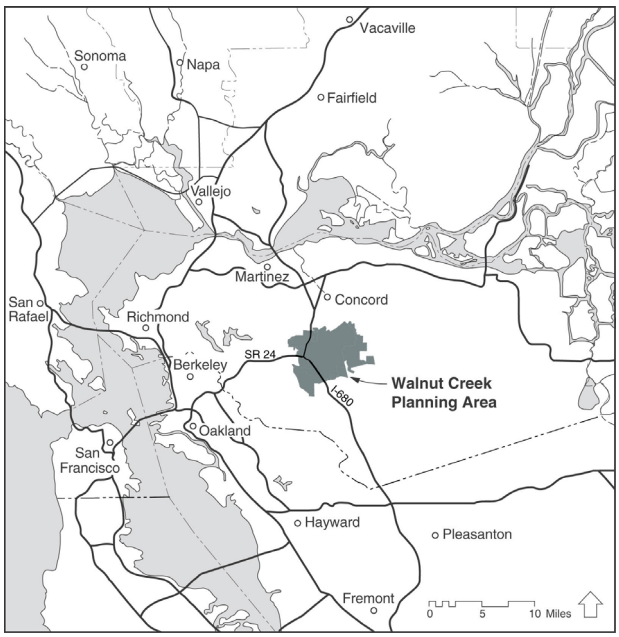


Figure 1. Regional Location Map

The city's vigorous and lively downtown and the Broadway Plaza area lie directly east of the junction of north-south Interstate Highway 680 and State Highway 24. Highway 24 leads west to the Caldecott Tunnel and the bayside cities beyond.

Important planning boundaries for Walnut Creek are 1) the city limits, 2) the Sphere of Influence (SOI), 3) "lands of interest," and 4) the Planning Area. (See Figure 2, Planning Boundaries, page 1-6.)

The city limits encompass 19.77 square miles and include all areas under Walnut Creek's jurisdiction and control.

The Local Area Formation Commission (LAFCO), in conjunction with the City, determined the Sphere of Influence. The SOI includes lands outside the city that can ultimately be served by the City and are thus within a probable future city limit. Lands in the Sphere of Influence total 4.3 square miles.

In addition to the Sphere of Influence, State law requires the general plan to consider any territory outside the city 's boundaries that, in the City's "judgment, bears relation to its planning."[6] These "lands of interest" to Walnut Creek total 4.4 square miles.

Thus, Walnut Creek's Planning Area totals 28.47 square miles and includes the city, all of the SOI, and the lands of interest. The City is expected to create land use plans for all property within its chosen planning area; however, no regulatory authority is conferred by the boundary.

The 1989 planning area boundary was generalized. The *General Plan 2025* boundary is parcel-based and specific. In addition, minor changes were made to the 1989 planning area boundary to better protect open spaces at the city's edge.[7]

[5] Government Code §65302(b).

[6] Government Code §65301.

[7] Two parcels in, and owned by, the City of Concord are part of the Lime Ridge Open Space, which Walnut Creek manages in cooperation with Concord. These two parcels and two parcels in the City of Lafayette adjacent to Acalanes Ridge Open Space are included in the Planning Area because they are "lands of interest" to the City.

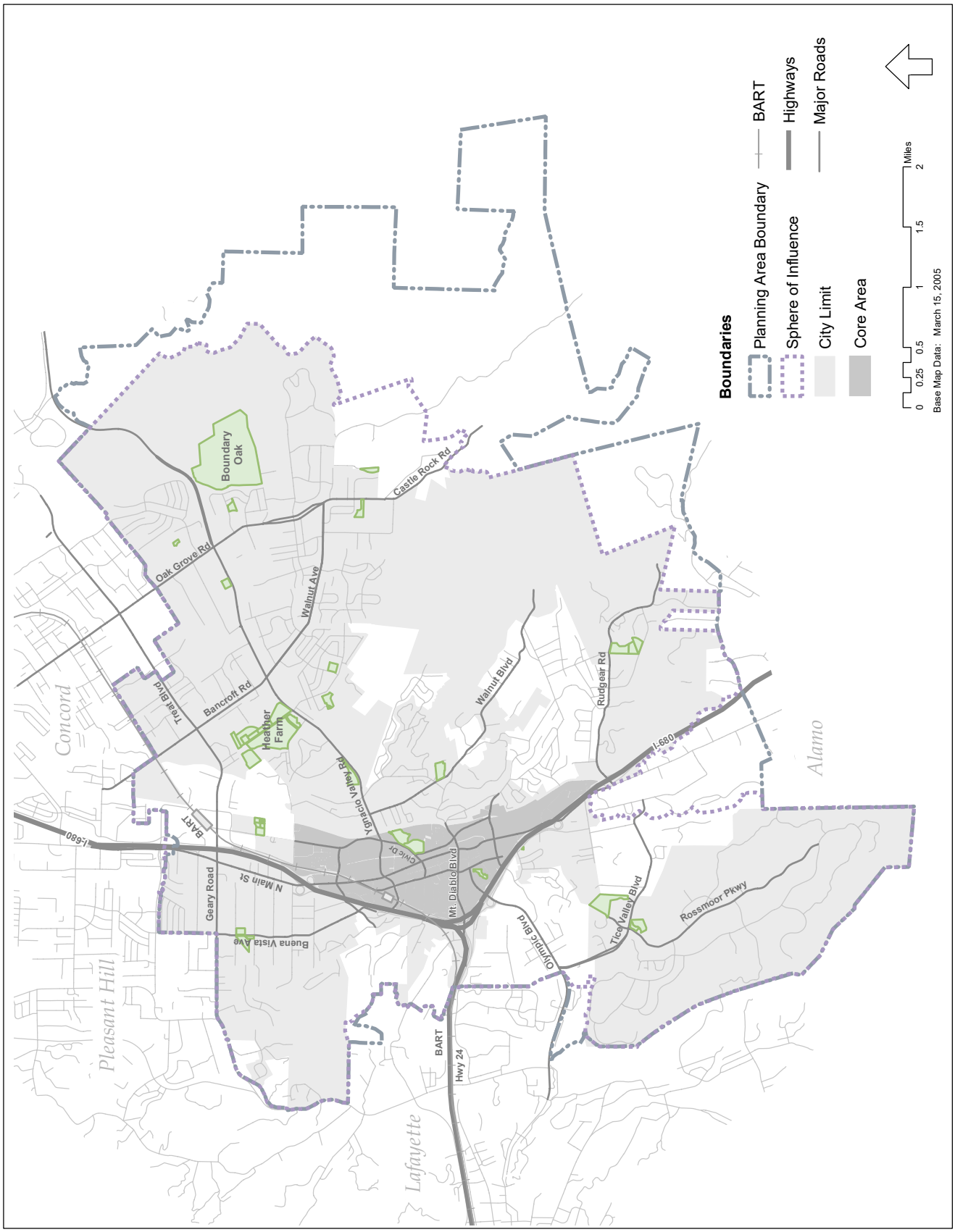


Figure 2. Planning Boundaries

WALNUT CREEK GENERAL PLAN HISTORY

The City adopted its first general plan in 1961. After a series of general plan land use studies, specific plans and amendments, a new general plan was adopted in 1971. The 1971 General Plan emphasized developing the city as a subregional retail and employment center. Between 1973 and 1975, four elements were added to the plan: Open Space (1973), Safety/Seismic Safety (1974), Scenic Highways (1975), and Noise (1975). Shortly after adoption of the open space element, a 30-year bond was passed (1974) to purchase the majority of the City's 2,700 acres of open space. The bond was retired in 2004.

The City adopted Core Area amendments to the general plan in 1975 and 1980. These amendments:

- Envisioned the Core Area as a pedestrian-friendly central shopping district
- Encouraged a strong urban design image through height and bulk guidelines
- Limited high-rise development to the area near the BART station
- Encouraged a mix of uses downtown

The 1989 General Plan focused on developing and reinvigorating the Core Area and the Traditional +Downtown as well as developing specific or precise plans for areas such as North Gate, East Mt. Diablo Boulevard, Geary Road/North Main Street, the Locust Street extension, North Main Street/Ygnacio Valley Road, and Locust Street/Mt. Diablo Boulevard.

In 1985, Walnut Creek voters approved Measure H—a citizens' growth limitation initiative. Measure H was later ruled invalid by the California Supreme Court. However, in response to the community's interests in growth, the City Council in 1993 amended the general plan to limit commercial growth to 75,000 square feet annually, metered in two-year increments of 150,000 square feet over 10 years. The Transportation Element also was amended.

In addition, Walnut Creek voters in 1985 approved Measure A, a building-height initiative that froze the maximum height permitted on each parcel.

The Housing Element—updated, adopted, and State-certified in October 2002 —is part of the general plan, but is found in a separate document and is not reprinted here. With the exception of the Housing Element, the 1989 General Plan has remained relatively unchanged since 1993—although it has been amended in lesser ways from time to time.

THE GENERAL PLAN PROCESS

The City provided a number of significant and continuing opportunities for the community to participate in creating *General Plan 2025*.

COMMUNITY CONVERSATIONS

From March through September 2001, the City engaged 300 residents in a series of focused and comprehensive "Community Conversations." The conversations were designed to educate the public about future development issues, build relationships between citizens and City staff, and solicit resident and stakeholder views about the City and its future.

Participants were told that the City was required by State law to update its Housing Element by January 2002. The City also noted it likely would begin a comprehensive general plan update by 2005. Community Conversations then set out to focus on and prioritize citizens' desires for future development and preservation.

HOUSING ELEMENT UPDATE PROCESS

What began with Community Conversations continued with discussions regarding growth limitation and revising the housing element.

In August 2001, the City held a housing forum for residents regarding area housing needs, the City's existing housing programs, and what could be done to address unmet needs. The City also convened a separate discussion with housing professionals. Staff then held four study sessions with the Planning Commission and City Council in August, September, and November 2001.

Staff prepared three successive drafts of the Housing Element and made each available for public review and comment between January and June 2002. Formal public hearings were held in March 2002, and the City Council adopted the Housing Element on October 1, 2002.

General Plan 2025 does not change the Housing Element and incorporates it by reference. The Housing Element will be updated in 2007 in accordance with a schedule established by the State.

OTHER COUNCIL ACTIONS

In August 2002, the City Council indicated interest in updating the general plan. The Council defined the general focus and content for the update, an approach to public participation, a list of technical studies needed, staffing requirements, consultant costs, and a work schedule. In June 2003, the City Council approved a general plan work program and schedule and appropriated funds for the project.

STEERING COMMITTEE

To guide the process from the outset and prepare and recommend a plan to the Planning Commission for review and elaboration, the City Council formed a General Plan Steering Committee of seven members—the city treasurer, two planning commissioners, and one commissioner each from the Transportation; Parks, Recreation, and Open Space; Arts; and Design Review commissions. Each commission was responsible for appointing its representative and an alternate.

The Steering Committee members and alternates met 29 times from June 2003 through February 2005. Meetings were open to the public, and each meeting included a time for public comment. Information prepared for each meeting was posted in advance on the City website. Meetings were structured to allow in-depth committee and public discussion of issues identified through various sources, including Community Conversations, a December 2003 communitywide survey, and other public comment.

The committee was a knowledgeable and broadly representative body, and its members brought insights based on their experience as residents and commissioners. The committee:

- Represented a broad segment of diverse interests.
- Functioned as a conduit and liaison to the City's several commissions.
- Evaluated the 1989 General Plan, especially the continued relevance of its goals and policies.
- Identified new issues and opportunities facing the community.
- Drafted a vision for the future of Walnut Creek.
- Drafted a set of key principles to underlie the plan.
- Reviewed and commented on 12 back-

ground reports produced by staff and consultants between January and May 2004. (The background reports described conditions existing in 2003, trends, and community issues to be addressed.[8])

- Helped formulate, review, and revise a citywide set of goals, policies, and actions for the new plan.
- Examined, assessed, and chose among three land use alternatives, each covering 18 "potential change areas."
- Recommended a set of land use changes to the Planning Commission.
- Hosted three of the four sets of community workshops (October 2003 and March and November 2004).

ECONOMIC DEVELOPMENT PLAN

In July 2003, the City engaged a consultant to prepare an economic development strategy and appointed a 17-member advisory group for review and oversight. The advisory group included two members of the general plan steering committee. The Economic Development Plan—approved by the City Council in May 2004—influenced the drafting and selection of alternative land use plans and a number of general plan goals and policies.

PUBLIC INVOLVEMENT

Early in the general plan update process, the City sought the opinions of those who live, work, and operate businesses in Walnut Creek. All Steering Committee, Planning Commission, and City Council meetings on the general plan were widely advertised to the public and to community and business organizations. More information on the specific efforts to promote community participation follows.

COMMUNITY WORKSHOPS

To reach a broad segment of the community, each of the four sets of community workshops was held on both a Wednesday evening and a Saturday morning.

Outreach for the workshops was extensive.

- The City mailed postcards to over 1,000 people, including those on a general plan mailing list, downtown businesses, and addresses provided by the Walnut Creek Historical Society and the Walnut Creek Homeowners Council.
- Flyers were left at the Rossmoor administration building and social center and at the libraries, the Chamber of Commerce, the Downtown Business Association, and city community centers.
- Information was sent through weekly packets to families with children in public schools in the planning area.
- The City placed quarter- and half-page display ads in the *Walnut Creek Journal.*
- City staff contacted area newspapers and the *San Francisco Chronicle* to write about the plan, its progress, and upcoming meetings.
- The Walnut Creek Youth Council was invited to participate in all of the workshops.

[8] List *of General Plan 2025* Background Reports: *Survey of Residents,* December 29, 2003. *Economic Development,* January 2004. *Transportation,* January 30, 2004. *Land Use,* March 1, 2004. *Noise and Air Quality,* March 23, 2004. *Biological and Wetland Resources,* April 6, 2004. *Hazardous Materials,* April 6, 2004. *Cultural Resources,* April 7, 2004. *Hydrology and Water Quality,* April 26, 2004. *Community Facilities & Services,* May 4, 2004. *Geologic Hazards,* May 4, 2004. *Parks, Recreation, & Open Space Resources,* May 17, 2004. *Urban Design,* May 27, 2004.

- A 24-foot-long banner announcing the workshop dates was hung at various high traffic locations.

Banner on Ygnacio Valley Road

At the first community workshops (October 2003), participants saw a slide presentation and heard an overview of the general plan process, and the demographic and land use changes since adoption of the 1989 General Plan. They then broke into small groups, raised issues to be addressed in the plan, discussed the draft vision and principles, and reported their conclusions to the full assembly.

The second round of workshops (March 2004) focused on land use, economic, and transportation issues. Participants saw a slide overview of selected land use and transportation issues. They broke into small groups, focused on specifics, and reported to the full assembly.

The third round of workshops (November 2004) focused on land use alternatives for 18 "potential change areas." The staff provided the workshop results to the Steering Committee in December 2004 and January 2005, along with traffic, economic, and visual analyses for each of the change areas.

The City convened the fourth set of workshops in August 2005, after the Public Review Draft *General Plan 2025* had been published (June 3, 2005). The planning commissioners also attended these workshops and heard public comment on the draft general plan and update process.

GENERAL PLAN SURVEY

In December 2003, a consulting firm conducted a random-digit-dial telephone survey to ascertain residents' feelings about community planning issues.[9] Polltakers contacted 423 residents living in the Walnut Creek planning area. Eleven questions asked at the end for statistical purposes showed the sample population closely matched Walnut Creek's census profile.

The survey's primary purposes were to assure that the information the Steering Committee had been receiving was an accurate reflection of broad community opinion, and to identify any new issues needing study in the general plan.

In general, survey respondents were satisfied with things as they were in 2003, and said they wanted Walnut Creek to stay largely as it was.

STAKEHOLDER OUTREACH

Beginning in August 2003, City staff began contacting organizations and stakeholders to discuss the general plan update. A slide show explained the general plan, how it is used, and how it affects City decisions. Staff engaged each group in a discussion of where they felt the City should be heading and what issues should be addressed.

In total, staff met with 12 groups between August 2003 and May 2005:

- Chamber of Commerce
- Downtown Business Association
- Walnut Creek Kiwanis Club
- Rancho San Miguel Homeowners' Association
- Rossmoor Community Club
- Walnut Creek School District

[9] Survey of Residents, December 29, 2003, Technical Appendix.

Community Coordinating Council

- Area equestrians
- Shadelands Major Employers Association
- City interns
- Residents of the Almond/Shuey neighborhood
- Residents of the Walden/Walnut neighborhood
- Rotary Club of Walnut Creek

Staff also worked with the Walnut Creek Youth Council, providing the teens with cameras to take photos of what they liked and didn't like around the city. The photos were made into posters showing the teens' visions for the city's future. The Youth Council presented the posters to the Steering Committee, and they were displayed at City Hall and on the City's website.

FOCUS GROUPS

The City held four focus groups in summer 2004 to get feedback on the future of the Core Area and the North Main Street commercial area. Three of the groups included business owners and managers; the other included Core Area residents.

"IN A NUTSHELL"

Throughout the process, the official City bimonthly newsletter, *In a Nutshell*, carried informative articles about the general plan update. Topics covered included what is a general plan, how can people get involved in the update process, and specific issues that came out of Steering Committee meetings. The *Nutshell* is delivered to every home and business with a Walnut Creek address six times per year.

WEBSITE

A general plan website was created within the City's website to provide detailed information throughout the update process. Website content included meeting schedules, agendas, staff reports, background reports, and drafts of the plan at various stages.

PHONE LINE

To promote public contact with the City regarding the general plan, a dedicated phone line was installed. It answered with a recorded message on the update process and allowed calls regarding the general plan to be answered quickly. The City also prepared and distributed general plan business cards with the direct phone line number and webpage address.

VISION AND PRINCIPLE PROCESS

One of the initial efforts of the steering committee was to define the community's vision for the future and shared community values. A brief discussion of what committee members and the public liked and did not like about living in Walnut Creek led to a draft vision statement and set of principles. The draft was refined by the committee over a few meetings and reviewed by the public at the first set of community workshops. The committee then recommended the resulting document to the Planning Commission for input. After review by both the Planning Commission and City Council, the vision and principles were accepted as a working draft, guiding development of the new general plan.

VISION AND PRINCIPLES

VISION

The 2025 Walnut Creek Vision emphasizes the quality of life in the community. The vision sees Walnut Creek as a city that:

- Maintains and enhances a high quality of life for the diverse members of the community by promoting safety, public health, a rich variety of active and passive cultural, recreational, and educational opportunities, and support facilities.
- Supports a vital and diverse economy, which fosters entrepreneurship, economic opportunity, and a healthy mix of employment opportunities.
- Preserves and manages the integrity of the natural environment and vistas, including vistas of and from the hills, and protects and expands access to natural resources, including the open spaces, trails, parks, and creeks that surround and connect the community.
- Creates and sustains a highly livable built environment that maintains its traditional downtown and combines retail, restaurants, arts, entertainment, and housing in an environment that is vibrant, active, and accessible.
- Supports a variety of neighborhoods with housing of various types, densities, and prices that accommodates all income levels and ages, and where new development blends successfully into existing neighborhoods.
- Preserves its cultural heritage.
- Provides sensitive transitions between different land uses and building types.
- Provides transportation options that allow people to move easily around the community and region.
- Ensures that City government interacts positively and consistently with the community, is fiscally responsible, provides regional leadership, and continues to forge cooperative regional relationships.

PRINCIPLES

Five categories of principles were drafted early in the planning process and guided development of the general plan goals, policies, and actions: Quality of Life, Natural Environment, Built Environment, Transportation, and Governance. The principles underlie five of the general plan's eight chapters.

QUALITY OF LIFE

Principle: Community

Walnut Creek values the uniqueness of each individual and works to create a strong community by identifying and achieving common goals. The City fosters a sense of belonging to neighborhood and community.

Principle: Arts and Culture

Walnut Creek will continue to be a leading regional center for the arts in the Bay Area; will expand its role in providing arts, arts education, and theater venues; and will promote participation in, and an understanding, appreciation, and enjoyment of, a wide variety of arts and cultural activities.

Principle: Recreation Services

The City promotes a wide and expanding variety of recreation activities for all interests, ages, and abilities, as a way to encourage healthy and active lifestyles.

Principle: Education

Walnut Creek recognizes that schools are an important part of the community and contribute to its socioeconomic health. The City supports the continued excellence of the schools, school programs, and the opportunities they provide for lifelong learning. The City seeks to facilitate cooperative and productive relationships among the schools, City government, and the community in such areas as after-school programs, adult and vocational education, and joint use of City and school facilities.

Principle: Libraries

Walnut Creek understands that excellent libraries are essential to a vibrant community, serving families and children, small business, and the continuing education needs of a diverse population. The City supports partnerships with other public agencies and support organizations to ensure the provision of library facilities and services that meet the needs of a growing community.

Principle: Economic Development

The City's economic vitality is essential. Walnut Creek requires a strong sales tax base if the City is to continue to provide a broad range of community services. Walnut Creek strives for a diverse economy that supports a high quality of life and provides a supportive environment for businesses, small and large. The City works to encourage a strong local employment market and a balanced mix of jobs and housing.

Principle: Public Safety

The City promotes the real and perceived security of persons and property by facilitating timely delivery of professional police, fire, and emergency services appropriate to the need.

NATURAL ENVIRONMENT

Principle: Parks, Trails, Creeks, Vistas and Open Spaces

Walnut Creek believes the parks, trails, creeks, vistas, and open spaces that surround and traverse the city contribute substantially to quality of life. In concert with other public agencies, organizations, and people, these assets will be expanded, connected, made accessible, protected, maintained, and enhanced for current and future generations.

BUILT ENVIRONMENT

Principle: Urban Design

The City promotes diversity, creativity, and quality through urban design and landscaping standards and provides opportunities for public art and open spaces. Excellence in urban design, architecture, and landscape architecture will mitigate impacts and strengthen interrelationships at the boundaries between land uses and building types and at transitions between the natural and built environments.

Principle: Environmental Integrity

The City is committed to reducing negative impacts on the environment through education; the efficient use of energy and water; minimizing air and water pollution; reducing noise, sound and light pollution; tree planting and preservation; reducing litter; and recycling programs.

Principle: Growth

Walnut Creek will carefully plan and phase growth of the built environment to provide residents and businesses with opportunities and choices that enhance livability. Growth will be concentrated in specific, designated areas. New development will be pedestrian-friendly, will use land efficiently, and will promote transportation alternatives.

Principle: Downtown

Walnut Creek will provide for a vibrant downtown community that encourages people to gather in a compact, pedestrian-friendly environment and successfully combines a unique mix of businesses, culture, and a variety of housing. Walnut Creek will continue to support development that adds positively to this mix. Additionally, the City will promote an accessible downtown that provides parking near stores and services and is connected both to transit and to safe, friendly pedestrian and bicycle routes.

Principle: Neighborhoods

Walnut Creek values the identities of, and will protect the safety, privacy, and character of, its neighborhoods. Walnut Creek will work to make and keep its neighborhoods safe and accessible to pedestrians of all ages.

Principle: Housing

Walnut Creek supports housing of various types, densities, and prices to meet the needs of current and prospective residents of all income levels and ages. The City will promote opportunities for housing and will strive to meet the State-mandated regional fair-share numbers. The City encourages housing along transit corridors, housing for the local workforce, and housing that is attainable by and suitable for the diverse populations that call Walnut Creek home.

Principle: Historic Preservation

The City encourages the preservation of its cultural heritage.

TRANSPORTATION

Principle: Circulation

The City seeks to provide for a convenient flow of people, goods, and services by managing traffic congestion and by working with regional agencies to address regional transportation issues. The City encourages housing opportunities near jobs, businesses oriented to the street, and the creation of a pleasant walking environment.

Principle: Accessibility

The City recognizes the importance of accessibility to various destinations in and around the city, including for those who don't drive. The City will look at ways to improve accessibility and transit alternatives.

Civic Park Master Plan Hearing

GOVERNANCE

Principle: Involving the Community

City government will proactively communicate with the community and will encourage a high level of citizen involvement and participation. The City will use technology to achieve these communication objectives, where appropriate.

Principle: Fiscal Responsibility

City government will continue to be fiscally responsible and will work to creatively use existing revenue sources and to promote a diverse and stable economic base.

Principle: Regional Leadership

Walnut Creek will continue to be a regional leader, working closely with other governments and agencies to forge regional alliances, cooperative solutions, and decisions that work for both the city and the region.

ORGANIZATION OF THE PLAN

GOALS, POLICIES, AND ACTIONS

General Plan 2025 is built around a series of goals, policies, and actions. "Goals" are end-state; they are the long-range answers to what the community wants to accomplish to resolve a particular issue or problem. "Policies" and "actions" are medium-range or short-range. Policies and actions guide day-to-day decision-making so there is continuing progress toward the attainment of goals. Goal, policy, and action are defined below.

Goal: A general, overall, and ultimate purpose, aim, or end toward which the City will direct effort during the 20-year timeframe of the general plan.

Policy: A specific statement of principle or guidance that implies clear commitment; the direction the City elects to follow in order to meet its goals.

Action: A program, activity, or strategy carried out in response to adopted policy to achieve a specific goal.

Goals determine what should be done and where. Policies and actions together establish who will do the work and how and when the goals will be carried out. The text explains why.

The plan is purposely brief. It is meant to be a useful, everyday guide for what to do where and when. Explanatory text is provided where needed, as in this chapter and wherever the concise goal, policy, and action statements need augmentation.

Every action is listed and numbered under a specific policy; however, an action often can implement more than one policy. Therefore, there are places in this plan where two or more related policies are listed in sequence, followed by one or more action programs.

Most actions in this plan continue programs already in effect in Walnut Creek.

STRUCTURE

General Plan 2025 has eight chapters, a glossary, and appendices.

1. Introduction
2. Quality of Life - Neighborhoods, local economy, community services, arts and culture, and recreation
3. Natural Environment and Public Spaces - Open space, creeks, trails, and parks and plazas
4. Built Environment - Land use, growth management, urban design, environmental integrity (including air and water quality), housing, and community facilities

5. Transportation - Regional networks, local networks, transit, transportation demand management (TDM), and downtown mobility
6. Safety and Noise
7. Governance - City government framework, regional leadership, local leadership, fiscal responsibility, and public information and education
8. Implementation - Information in tabular form on the timeframe and responsibility for implementation

Chapters 2 - 5 and Chapter 7 take their titles from, and build on, the five categories of principles.

The Technical Appendix contains background material—the opinion survey and several of the background reports—used in preparing the general plan and to provide information to the Steering Committee and the public.[10] All the reports were employed to identify issues and formulate goals, policies, and actions.

The Technical Appendix is bound separately from the adopted plan. It is not essential to the day-to-day use and implementation of the plan and, like the glossary, is not adopted as City policy. Anyone wishing to review the Technical Appendix may do so at the Community Development Department in City Hall or at the public libraries.

Figure 3 at the end of this chapter shows where the major components of the State-required general plan elements are found in *General Plan 2025.* Topics like local economy and governance are not required by State law and do not appear in the Figure 3 table. However, the table shows where to find Growth Management, an element required for compliance with Contra Costa County Measures C (1988) and J (2004).

[10] The following background reports are in the Technical Appendix: *Survey of Residents,* December 29, 2003. *Economic Development,* January 2004. *Transportation,* January 30, 2004. *Land Use,* March 1, 2004. *Noise and Air Quality,* March 23, 2004. *Biological and Wetland Resources,* April 6, 2004. *Hazardous Materials,* April 6, 2004. *Hydrology and Water Quality,* April 26, 2004. *Community Facilities & Services,* May 4, 2004. *Parks, Recreation, & Open Space Resources,* May 17, 2004.

Figure 3: Relation of General Plan Chapters to State-mandated Elements

MANDATED ELEMENTS		GENERAL PLAN Chapter	GENERAL PLAN Pages
LAND USE	Population Density & Building Intensity	4	4-2 to 4-6
	Land Use Map	Appendix C	
	Distribution of Housing, Business, Industry, and Open Space	Appendix C	
	Distribution of Recreation Facilities, Educational Facilities, & Public Buildings	Appendix C	
	Flood Areas	6	6-4, 6-7,6-8
	Implementation	8	8-1 to 8-29
CIRCULATION	Description of Existing System	5	5-1 to 5-24
	Map of Existing System	5	5-8, 5-9, 5-18
	Description of Proposed System	5	5-1 to 5-24
	Map of Proposed System	5	5-8, 5-9, 5-18
	Utilities	6	6-2 to 6-16
	Implementation	8	8-1 to 8-29
HOUSING	Needs Assessment, Existing	Separate volume	II-31 to II-33
	Needs, Future	Separate volume	II-34
	Existing & Potential Housing Sites	Separate volume	IV-3 to IV-9
	Governmental Constraints	Separate volume	III-4 to III-5
	Non-Governmental Constraints	Separate volume	III-1 to III-3
	Energy Conservation	Separate volume	IV-17
	Quantified Objectives	Separate volume	VI-25
	Implementation	Separate volume	VI-26 to VI-28
	Progress on Housing Programs	Separate volume	V-1 to V-2
	Public Participation	Separate volume	I-3 to I-4

MANDATED ELEMENTS		GENERAL PLAN Chapter	GENERAL PLAN Pages
CONSERVATION	Water, Rivers	3, 4	3-8to 3-10
	Forests	3, 4	3-1 to 3-3, 4-29
	Soils	3	3-1 to 3-3
	Mineral Resources	3	N/A
	Flood Control	6	6-4, 6-7, 6-8
OPEN SPACE	Description	3	3-1 to 3-20
	Trails	3, 5	3-10 to 3-14, 5-13 to 5-15
	Implementation	8	8-1 to 8-29
SAFETY	Seismic Risk	6	6-15 to 6-16
	Slope Instability	6	6-6
	Flooding	6	6-4, 6-7, 6-9
	Fire Hazard	6	6-10 to 6-13
	Emergency Response	6	6-15 to 6-16
	Hazardous Materials	6	6-9 to 6-10
	Implementation	8	8-1 to 8-29
NOISE	Noise Sources	6	6-17
	Noise Contours	GP 2025 EIR	Chapter 4.13
	Implementation	8	8-1 to 8-29
GROWTH MANAGEMENT*		4	4-13 to 4-16

* A Growth Management Element is required for compliance with Contra Costa County Measures C (1988) and J (2004).

ANNUAL REVIEW BY PLANNING COMMISSION

State law provides direction on how cities can maintain the plan as an up-to-date policy guide. California requires the Planning Commission to report on the following, by October 1 of each year, to the City Council, the State Office of Planning and Research, and to the California Department of Housing and Community Development (HCD)[11]:

- The status of the plan and progress in implementing it
- The City's progress in meeting its share of regional housing needs pursuant to §65584
- Local efforts to remove governmental constraints to the maintenance, improvement, and development of housing pursuant to §65583(c)(3)[12]
- The degree to which the plan complies with the general plan guidelines developed and adopted pursuant to §65040.2
- The date of the last revision to the general plan

In addition, the State expects the Planning Commission to review the City's capital improvements program annually for consistency with the general plan.[13]

AMENDING THE PLAN

The adopted general plan is a dynamic, not static, document. State law allows up to four general plan amendments *per mandatory element* per year.[14] Most amendments propose a change in the land use designation of a particular property (and thus propose a change to the land use element).

As time passes after a number of such amendments, the City may find it desirable to revise portions of the general plan text to reflect the land use map changes or other changing circumstances or philosophy. It generally is recommended that the City comprehensively review the plan every five years to determine whether it is still in step with community values and physical and economic conditions. State law requires California's Office of Planning Research to publish the names of jurisdictions with general plans older than 10 years and to notify the respective city councils of these jurisdictions.

[11] Government Code §65400(b).

[12] The housing element portion of the annual report is to be prepared using forms and definitions adopted by HCD.

[13] Government Code §65103(c).

[14] Government Code §65358(b).

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CHAPTER 2

Quality of Life

Residents of Walnut Creek appreciate the community for its high quality of life. *General Plan 2025* aims to maintain and enhance that experience. This chapter looks at how Walnut Creek's wide variety of neighborhoods and the array of economic, educational, cultural, and recreational resources contribute to quality of life in the community.

Other essential quality-of-life issues in Walnut Creek are covered in other chapters. Open space and parks are in Chapter 3, Natural Environment and Public Spaces. Transit and traffic can be found in Chapter 4, Built Environment and Chapter 5, Transportation.

This chapter comprises five sections—Neighborhoods and Residential Areas, Local Economy, Community Services, Culture and Arts, and Recreation.

NEIGHBORHOODS AND RESIDENTIAL AREAS

Walnut Creek's neighborhoods play a major role in what makes the city an attractive place to live and work. Residents are proud of their neighborhoods and seek their protection and enhancement.

Each residential area in the community has a unique character. That character is the product of natural features (e.g., topography, creeks, and open space), the physical arrangement of manmade features (e.g., major roadways, schools, parks, playgrounds, and local shops), and the architectural styles of the homes and apartment buildings.

Two neighborhoods to note are the Almond-Shuey district and Rancho San Miguel. Almond-Shuey is a concentration of older single-family homes within walking distance of downtown. Many of the homes in the Rancho San Miguel area are modernist-style homes designed in the 1950s by noted architect Joseph Eichler. The residents of both of these areas have expressed interest in protecting the character of their neighborhoods, and the City will work with them towards that end.

GOAL 1

Protect and enhance the quality of life in the city's residential neighborhoods.

Policy 1.1. **Protect and enhance the distinctive characteristics of each neighborhood.**

Action 1.1.1. Through the City's review processes, and consistent with existing neighborhood character, encourage high-quality residential design.

Action 1.1.2. Consider strengthening the development regulations established under the Oversize Home Ordinance so that new homes and major additions in existing single-family neighborhoods are compatible with surrounding homes.

Action 1.1.3. Through the City's review processes, address issues of privacy, proximity, orientation, and view.

Policy 1.2. Protect and enhance neighborhood amenities and services including parks and shopping.

Action 1.2.1. As demographic changes occur in specific neighborhoods, adjust community services and facilitate appropriate retail services.

Policy 1.3. Work in cooperation with other agencies that provide neighborhood amenities and services.

Action 1.3.1. Coordinate with other responsible agencies such as school districts and County libraries for review and comment on City or agency plans and development projects in the city that may affect demand for service.

Policy 1.4. Require that development is compatible with surrounding uses.

Action 1.4.1. Determine appropriate transitional tools, such as design guidelines and zoning overlay districts, where the General Plan Land Use designation differs on adjacent properties.

Policy 1.5. Support neighborhood efforts that strengthen identity and protect or enhance neighborhood character.

Action 1.5.1. For the Almond-Shuey neighborhood, promote compatibility of new development or redevelopment within the neighborhood and along its perimeter. (See Figure 1, this page.)

Action 1.5.2. Study ways to preserve the character of the Eichler homes in Rancho San Miguel. (See Figure 2, this page.)

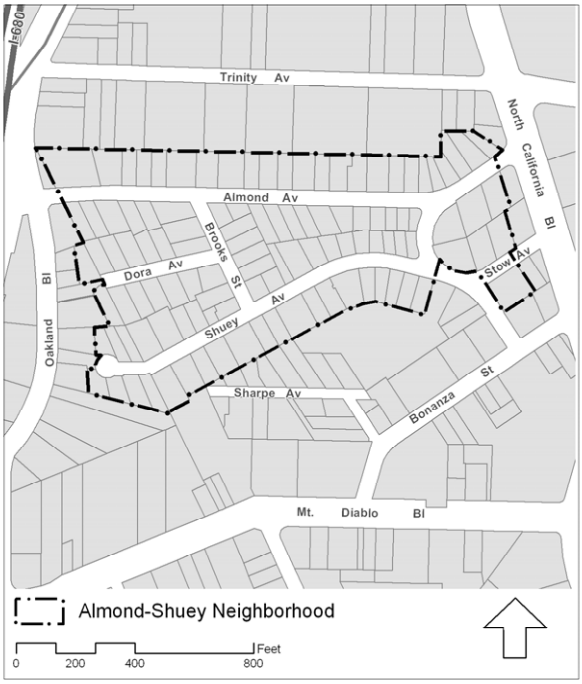

Figure 1. Almond-Shuey Neighborhood

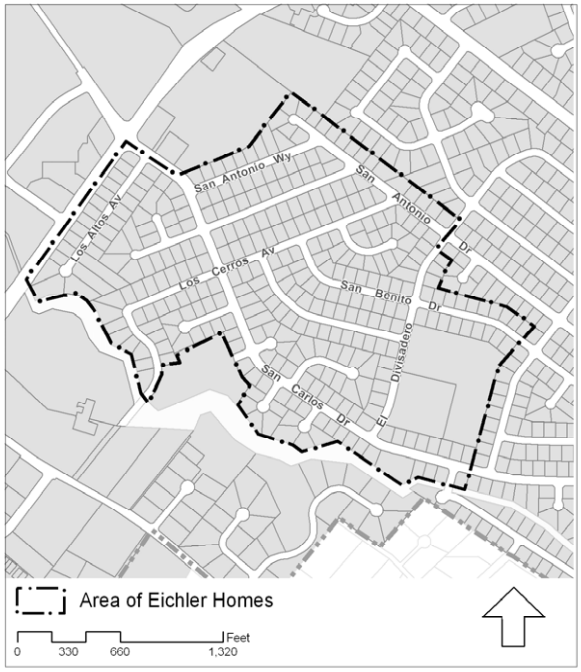

Figure 2. Eichler Tract, Rancho San Miguel

LOCAL ECONOMY

Walnut Creek's fiscal health and quality of life depend to a significant extent on economic development.

Well served by major freeways and rapid transit, and with a dense urban core, the city is the regional "downtown" for much of Contra Costa and eastern Alameda counties. Major regional retailers, as well as arts and entertainment venues, are located alongside locally owned specialty stores and restaurants.

Walnut Creek also is home to many successful auto dealerships. Tax on their sales accounts for more than 25 percent of the City's annual revenues.

The city serves as a medical and health services center for the region. Two major hospitals are located in Walnut Creek: John Muir Medical Center and Kaiser Hospital.

A highly educated and skilled resident workforce attracts entrepreneurs and nurtures growing companies. Because of these attributes, the city experiences low unemployment, even during economic downturns.

The emphasis on economic development in the City's Economic Development Plan (2004) is expressed in *General Plan 2025*. Two-thirds of the goals, policies, and actions in this section come from the Economic Development Plan and aim at maintaining Walnut Creek's competitive advantages and mitigating its economic weaknesses.

Over the long term, Walnut Creek expects to maintain its vibrant economic position in the region. Goals 2 through 4 apply to Walnut Creek as a whole. Goals 5 and 6 focus on specific locations with opportunities to enhance the city's economic vitality. The City continually works to improve its development review and permitting processes to be customer-friendly and to facilitate high-quality development.

DOWNTOWN

In the Bay Area, Walnut Creek's downtown is rivaled only by San Francisco and Palo Alto in offering a diverse array of value-oriented, specialty, and upscale goods and services. The City works with downtown property owners and retail developers to continue the expansion of Walnut Creek's local-serving, region-serving, and specialty retail. This effort will support small, independently owned businesses in Walnut Creek's Traditional Downtown as well as the larger national retailers in Broadway Plaza and elsewhere.

The city isn't yet—but can evolve into—a full-service overnight lodging destination. That fact presents both a current challenge to further economic development and a long-term opportunity to bring a broader range of overnight visitors and daytime business services to downtown Walnut Creek.

A Broadway Pointe store, downtown Walnut Creek

Walnut Creek's high quality of life, educated and seasoned labor force, and strong economic base offer a major competitive advantage that both fosters the expansion of existing businesses and attracts new businesses.

The City hopes to maintain its economic position in the region—and the revenues the City receives as a result—even as changes occur in

national retail markets and retailing concepts (e.g., new retail developments in competing locations and the growth of on-line retailing).

Recognizing the importance of auto sales tax revenues to the City's continued fiscal stability, the City established an Automobile Dealership Owners' Working Group. The group meets to develop strategies for continued success.

In the healthcare and medical fields, the City wants to encourage the growth of local research institutions—especially those connected to biotech and genetics. The City also hopes to spur workforce-training organizations to expand their medical and healthcare education pathways to meet local business needs.

More professional office space is needed to attract, retain, and allow the expansion of small businesses, medical and health services offices, law offices, and similar firms.

Access to affordable housing is important to retaining the workforce on which the local economy depends. Rising housing costs pose a long-term challenge to the city's attractiveness as a place to live, work, and shop. Housing policies are detailed in the Housing Element of the general plan (see separate document).

North Main Street and BART, looking west from Pine Street

GOAL 2

Sustain the community's quality of life with a vigorous and diverse economy.

Policy 2.1. **Promote Walnut Creek as a regional destination.**

Action 2.1.1. Work with the Downtown Business Association, Chamber of Commerce, and other business organizations to enhance the success of downtown businesses.

Action 2.1.2. Support a balanced expansion of specialty retail in the downtown.

Action 2.1.3. Work with owners, managers, and employers in the shopping, entertainment, arts, dining, hotel, recreation, and nightlife sectors in promoting cooperative ways of marketing and doing business.

Action 2.1.4. Promote tourism and day visits to the city.

Action 2.1.5. Attract a small, fashionable hotel and conference facility to the downtown.

Policy 2.2. **Support organizations that offer workforce training geared to emerging economic sectors.**

Policy 2.3. **Maintain and enhance the City's position as a major regional center for automobile sales.**

Policy 2.4. **Support local research institutions, especially those connected to biotech and genetics.**

Policy 2.5. **Retain and encourage the revitalization of local-serving neighborhood shopping centers.**

Policy 2.6. **For areas designated for commercial or business use, plan for adequate sites that allow for expansion of local businesses.**

Action 2.6.1. Encourage the development of high-quality small professional office spaces, including those in a mixed-use setting.

Policy 2.7. **Provide the means for early detection of possible challenges to Walnut Creek's retail position and the City's economic and fiscal vitality.**

Action 2.7.1. Monitor retail sales tax within the city.

Policy 2.8. **Maintain a range of high-quality housing and affordable workforce housing options.**

GOAL 3

Maintain a strong working relationship with the business community.

Policy 3.1. **Work with the business community to identify and work toward common goals.**

Action 3.1.1. Encourage public/private partnerships.

Action 3.1.2. Cooperate with the business community on promotional activities.

Action 3.1.3. Involve the business community when developing area plans, specific plans, and precise plans.

Action 3.1.4. Work in cooperation with the Downtown Business Association, Chamber of Commerce, and other business organizations.

Action 3.1.5. Encourage the formation of business organizations to represent businesses at the Shadelands Business Park and those along North Main Street north of Ygnacio Valley Road.

THE ARTS

According to a 2002 report by Americans for the Arts, arts events in Walnut Creek drew 900,000 attendees annually and contributed millions of dollars to the local economy. The city's arts and entertainment make Walnut Creek an attractive place to live and do business. That, in turn, supports the City's general fund through higher property taxes and taxable retail sales. However, the city can do more to support the economic value of the arts.

GOAL 4

Strengthen Walnut Creek's position as the regional destination for arts and entertainment.

Policy 4.1. **Enhance existing and develop new complementary arts facilities to serve as economic anchors for the downtown.**

Action 4.1.1. Consider creating an arts district downtown.

SHADELANDS BUSINESS PARK

As it continues to evolve, the Shadelands Business Park faces two challenges: traffic congestion along Ygnacio Valley Road, and land and buildings owned by multiple parties. Portions of the business park house out-of-date structures, while other parcels are vacant or underutilized. As of 2004, the average floor area ratio in the business park was 0.24, and 25 percent of the park was underutilized (as determined by comparing land value to built improvement value). Approximately 24 acres were vacant.

The City hopes to facilitate future employment opportunities at Shadelands and to encourage the development of high-quality space for small businesses and local professionals. The presence of the Joint Genome Institute—and the lack of available commercial land elsewhere in the city—point to the Shadelands as a strong location for a mix of office uses and R&D.

Shadelands Business Park

GOAL 5

Encourage development of the Shadelands Business Park as a premier business and employment center. (See Chapter 4, Policy 7.3.)

Policy 5.1. **Support feasible transit improvements and innovative traffic solutions along Ygnacio Valley Road that serve the Shadelands Business Park.**

Policy 5.2. **Give small employment-based businesses greater development flexibility in the Shadelands Business Park.**

UPPER NORTH MAIN STREET

As of 2005, several buildings and sites along upper North Main Street[1] are underused or inadequately maintained. Several sites have the potential to add commercial space, or to accommodate mixed-use commercial and residential development. Many auto-related businesses are located along this corridor, and improvements on these properties could do much to improve the appearance of this area.

West side of North Main Street at San Luis Road

GOAL 6

Develop upper North Main Street as a key economic corridor.

Policy 6.1. **Encourage reuse or redevelopment of underutilized sites on upper North Main Street.**

Action 6.1.1. Along upper North Main Street, work collaboratively with auto dealers, business owners, and property owners to facilitate property improvements that support City goals.

[1] That part of North Main Street north of I-680.

COMMUNITY SERVICES

A wide range of City-sponsored and other community services are available to area residents. More than 80 nonprofit groups and community organizations are based in the city, and 75 percent of Walnut Creek's adult residents volunteer in some type of community organization.[2] The nonprofits and community organizations offer a wide variety of inclusive and community-building opportunities.

The City uses Federal Community Development Block Grants (CDBG) to support service providers and a variety of activities for persons of lower income or with special needs. The City also provides Civic Pride and Community Service grants to promote projects that improve the quality of life in areas such as housing, education, or cultural arts.

As of the 2000 Census, an unusually high 25 percent of Walnut Creek residents were 65 or older. As the population ages, more people will be living with physical limitations. *General Plan 2025* considers ways to ensure that all persons can live as independently as possible, and to encourage living environments suited to persons at all stages of life.

Youth, too, have specific needs. The Youth Council, RealWC, and the City's summer interns actively contributed in providing ideas for *General Plan 2025*. A key idea that emerged, for both youth and seniors, was the need for activities that can be reached by public transportation. That issue is addressed in policies in Chapter 5, Transportation and in subsequent sections of this chapter.

Many community services are provided in City facilities. Figure 3 shows the location of community facilities in the Planning Area.

[2] City of Walnut Creek, *Community Library Needs Assessment: New Downtown Walnut Creek Library*, revised December 2003, page 25.

GOAL 7

Promote strong community support systems for families and individuals of all ages.

Policy 7.1. **Use Community Development Block Grants and Community Service grants to support projects that meet the needs of lower-income community members and those with special needs.**

Policy 7.2. **Use Civic Pride grants for projects that improve the quality of life in Walnut Creek.**

Policy 7.3. **Facilitate the provision of safe, affordable, high-quality childcare facilities and services to families who reside or work in Walnut Creek.**

Action 7.3.1. Encourage and assist the development of adequate, affordable, and high-quality childcare throughout Walnut Creek.

Action 7.3.2. Help extended-day childcare providers obtain additional space on or near elementary and middle school facilities serving Walnut Creek students.

Action 7.3.3. Consider establishing City-operated childcare programs and facilities.

Action 7.3.4. Encourage developers to include childcare programs and/or facilities in large commercial and residential developments.

Action 7.3.5. Encourage the establishment of childcare centers near the Walnut Creek and Pleasant Hill BART stations.

Policy 7.4. **Facilitate the provision of safe, accessible youth activities, facilities, and services.**

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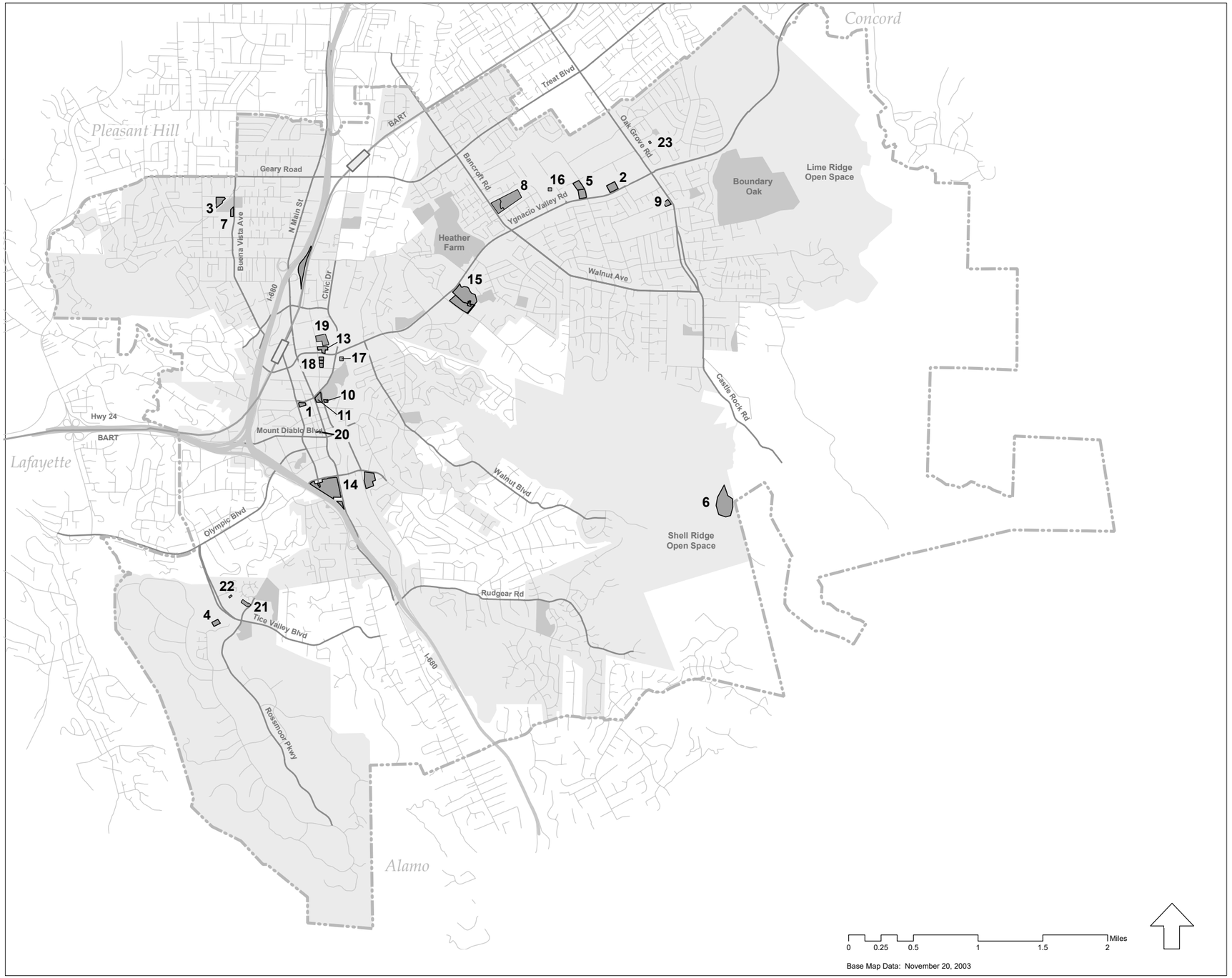

BART Stations

Community Facilities

Museums and Art Facilities

1. Dean Lesher Regional Center for the Arts
2. Shadelands Ranch Historical Museum
3. Lindsay Wildlife Museum
4. Del Valle Theater
5. Shadelands Civic Arts Center
6. Borges Ranch
7. Walnut Creek Model Railroad Society
8. Bancroft Gardens

Libraries

9. Library, Ygnacio Valley (Thurman G. Casey Memorial) Branch
10. Library, Downtown Branch

Civic Facilities

11. City Hall and Police Department
12. City Corporation Yard
13. Contra Costa County Superior Court - Walnut Creek

Hospitals

14. Kaiser Permanente Walnut Creek Medical Center and Medical Offices
15. John Muir Medical Center

Other Government Offices

16. Internal Revenue Service, Taxpayer Assistance Center
17. Social Security Administration Office
18. State Department of Motor Vehicles
19. US Postal Service, Main Branch
20. US Postal Service, Station A
21. US Postal Service, Dollar Ranch
22. US Postal Service, Rossmoor Postal Store
23. US Postal Service, Ygnacio Valley

Highways

Major Roads

City Limit

Planning Area Boundary

Figure 3. Community Facilities in the Walnut Creek Planning Area

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Action 7.4.1. Involve youth in planning for youth services and programs.

Action 7.4.2. Plan youth facilities and programs in locations accessible by transit or close to schools and bicycle trails.

Action 7.4.3. Encourage youth involvement in such programs as the Youth Council, RealWC, and Police Explorer.

Action 7.4.4. Work with businesses to make available safe, youth-oriented venues.

Action 7.4.5. Work with businesses to make jobs available for area youth.

Action 7.4.6 Serve as a role model for local businesses by providing summer jobs for local youth.

Action 7.4.7. When events advance City goals, look for areas where the City can co-sponsor programs and share resources with schools and nonprofits.

Action 7.4.8. Support the availability of affordable youth activities.

Policy 7.5. Facilitate the provision of safe, accessible senior activities, facilities, and services.

Action 7.5.1. Pursue partnerships with local healthcare and service organizations to provide health, leisure, recreational, and other programs and services to meet the needs of Walnut Creek's seniors.

Action 7.5.2 Promote the provision of safe, affordable, high-quality adult care facilities and services to families who live or work in Walnut Creek.

Policy 7.6. Promote multigenerational programming where appropriate.

Action 7.6.1 Co-sponsor multigenerational programs between schools, youth organizations, the Senior Center, senior living facilities and Rossmoor.

GOAL 8

Make Walnut Creek a community accessible to all.

Policy 8.1. Partner with community organizations to help remove barriers to mobility and access to public and private facilities and services.

(For policy and actions related to public sidewalks, see Chapter 5, Transportation Goal 6.)

Action 8.1.1. Consider developing a "universal design" program that encourages new residential development to go beyond federal and State accessibility requirements.

Action 8.1.2. As part of the City's project review processes, consider the needs of persons of all abilities.

SCHOOLS

Five public school districts and several private and post-secondary schools provide a high quality of education to Walnut Creek residents of all ages. (See Figures 4, 5, and 6 on pages 2-14, 2-15, and 2-16.) The schools' excellence draws families to Walnut Creek. At the same time, employers locate in Walnut Creek to access the highly educated workforce.

Schools have been evolving into vital neighborhood centers—providing space for meetings, workshops, and extracurricular activities for all ages. The City will continue to work with the schools to encourage this role.

GOAL 9

Facilitate lifelong educational opportunities for all ages, and support the success of schools.

Policy 9.1. **Encourage excellent educational opportunities for all ages.**

Action 9.1.1. Partner with organizations that provide educational opportunities for all ages and interests.

Action 9.1.2. Support partnerships between the City and the business community that promote an educated workforce.

Action 9.1.3. Encourage development of facilities to house educational opportunity programs.

Action 9.1.4. Maintain cooperative and productive relationships with private schools.

Policy 9.2. **Promote post-secondary and online learning opportunities, including vocational training.**

Policy 9.3. **Cooperate with the five local public school districts to improve the success of the public schools.**

Action 9.3.1. Facilitate a working relationship among the five separate public school districts in the planning area, and the public and private organizations that partner with them.

Action 9.3.2. Partner with school districts and other community groups to use schools as neighborhood centers offering a wide range of services and programs.

Action 9.3.3. Work with the schools on programs, such as Every 15 Minutes and Character Counts.

See Chapter 5, Transportation Goal 6, Policy 6.1, Action 6.1.1, and Action 6.1.2 regarding safe routes to school.

PUBLIC LIBRARIES

The 21st century library serves as more than a book repository. It provides a central place where people gather for a wide variety of activities, including meetings, forums, and education.

Contra Costa County operates Walnut Creek's two public libraries. The primary branch in Walnut Creek is the downtown library, located at the southern edge of Civic Park. Built in 1961, the downtown branch has not been renovated in 45 years and is outdated and undersized. The Ygnacio Valley branch, located at Oak Grove Boulevard, was built in 1975 and updated in 2004 with private funds. The Walnut Creek Library Foundation raises private funds to support the libraries. Friends of the Walnut Creek Library and Friends of the Ygnacio Valley Library also raise funds and provide children's and cultural programs.

Since 1991, Walnut Creek has been planning for a new downtown library that would also serve as a community center with more space and enhanced programs, collections, and services.

Downtown library, 2005

GOAL 10

Enhance and maintain the quality of the libraries in Walnut Creek.

Policy 10.1. Partner with the County, other agencies, and library support organizations to provide high-quality library facilities and services.

Action 10.1.1. Build a new downtown library.

Action 10.1.2. Promote the multifunctional use of Walnut Creek's libraries as centers for lifelong learning and as community centers.

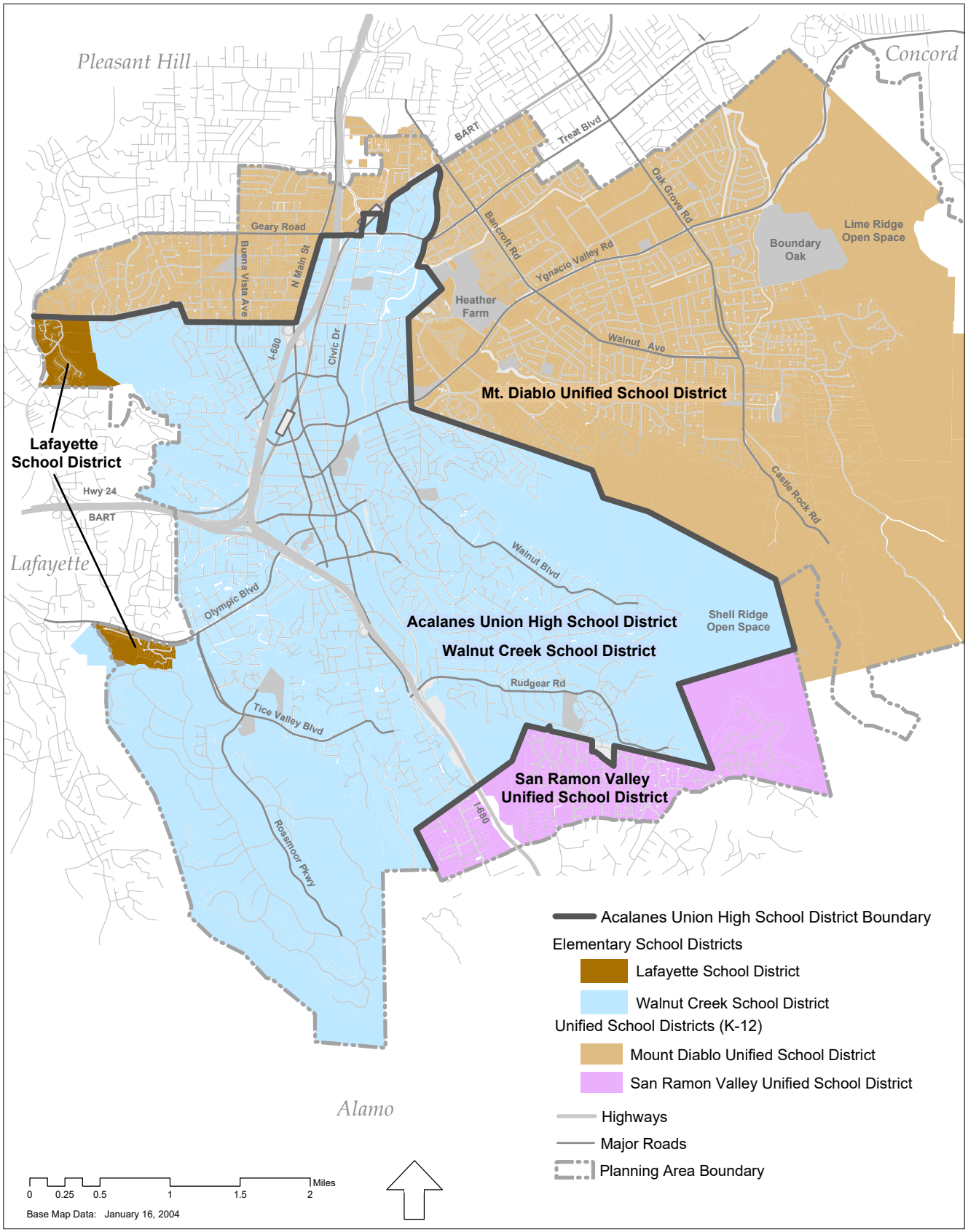


Figure 4. School District Boundaries within Planning Area

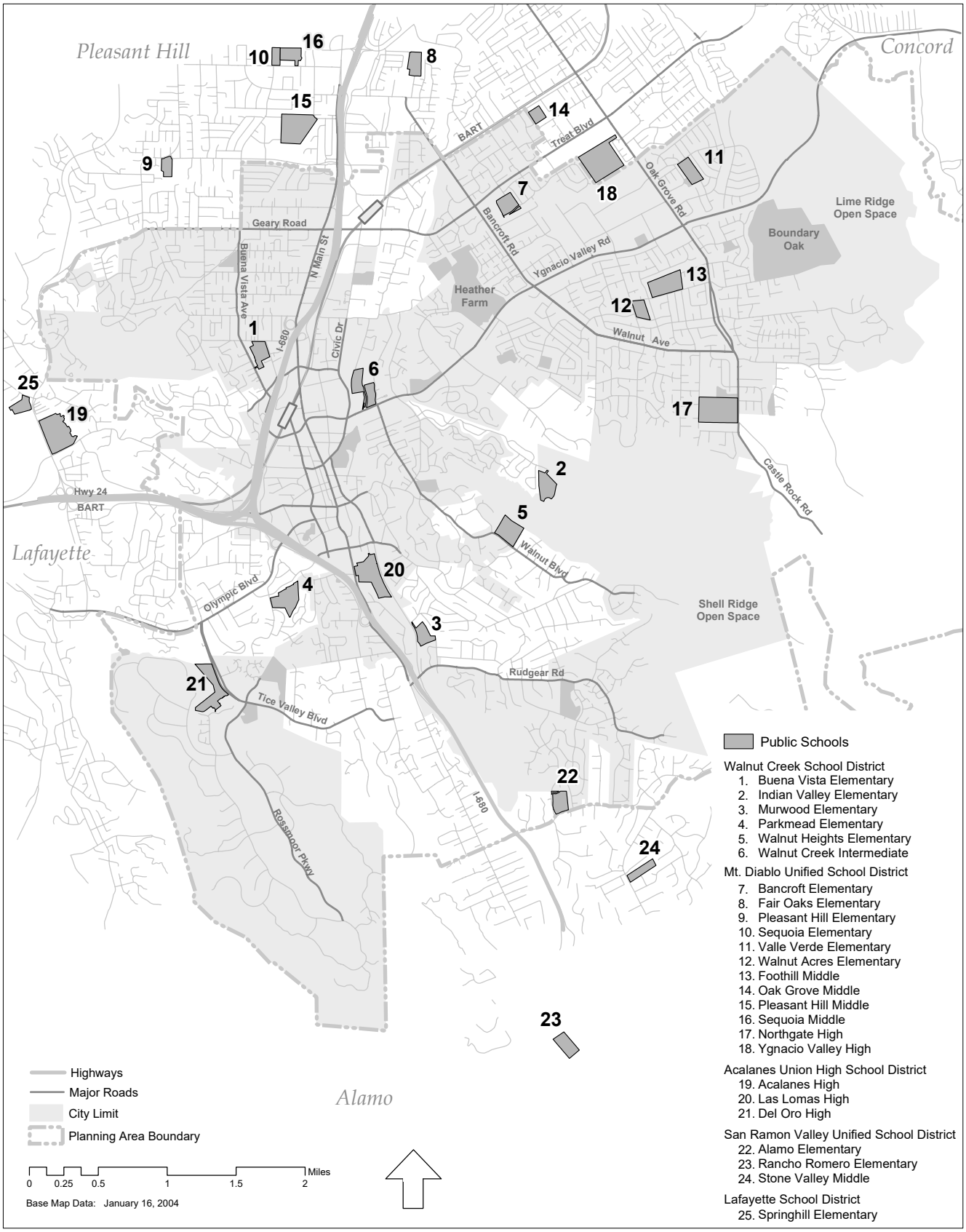


Figure 5. Public Schools (K-12) Attended By Walnut Creek Residents

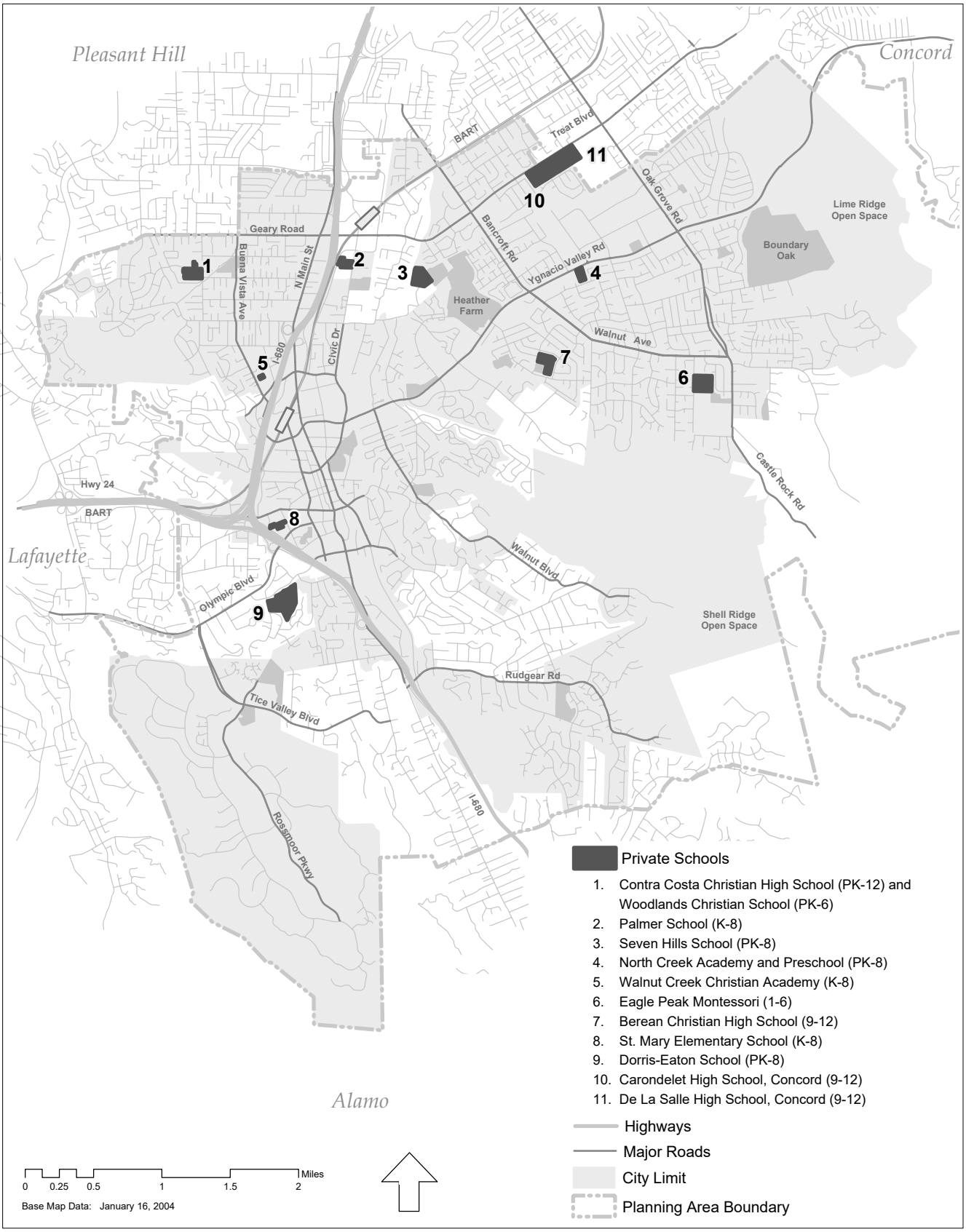


Figure 6. Private Schools

COMMUNITY HEALTH

Walnut Creek is home to important health care facilities, including John Muir Medical Center, John Muir Trauma Center, and Kaiser Hospital. These facilities provide high-quality health services and programs that benefit the community and region.

There is a growing understanding that good health can be promoted through community design. Past practice of relegating schools, stores, employment, recreation, and homes to scattered locations accessible only by automobile has had some unintended community health consequences, including obesity and frailty.

Providing comfortable walking and bicycling environments and destinations can be an effective and natural method of ensuring that people are active—a first step toward improved public health.

An active lifestyle is also encouraged by the provision of a variety of easily accessible, passive and active recreation programs and facilities.

GOAL 11

Promote a healthy community.

Policy 11.1. Strive to retain vital health care providers within the city.

Action 11.1.1. Facilitate the availability of high-quality health care—routine and advanced—including trauma and other clinical services in appropriate locations close to Walnut Creek residents.

Action 11.1.2. Working cooperatively with local health care and civic organizations, promote community health care programs.

Policy 11.2. Promote health and fitness for all members of the community through healthy community design.

Action 11.2.1. Encourage pedestrian- and bike-friendly development and redevelopment that encourages physical activity.

See the Chapter 2, Recreation subsection and Chapter 3, Natural Areas and Public Spaces, for additional information on parks and recreation opportunities. See Chapter 5, Transportation, for more information on trails and walkways.

CULTURE AND ARTS

The City provides a wide variety of cultural and arts facilities and activities for all ages and interests. The cultural arts have been a powerful stimulus for the local economy, helping transform downtown from a daytime success into an 18-hour-a-day, 7-day-a-week regional center.

CULTURE

The city boasts two museums: the Lindsay Wildlife Museum in Larkey Park and the Shadelands Ranch Historical Museum on Ygnacio Valley Road.

Founded in 1955, the Lindsay Wildlife Museum displays live native California wildlife and operates the oldest and one of the largest wildlife rehabilitation hospitals in the United States, treating more than 6,000 injured and orphaned wild animals each year. The City operated the wildlife museum from 1965 to 1986, after which it became an independent nonprofit organization. The wildlife museum boasts a pet education program and children's discovery room and offers hands-on activities, classes, trips, and tours.

The Lindsay Wildlife Museum

The Shadelands Ranch Historical Museum houses historical artifacts, old newspapers, photographs, and government records. Housed in the 1903 redwood-framed home built by Walnut Creek pioneer Hiram Penniman, the museum showcases a rich archive of Contra Costa and Walnut Creek history. The City-owned building is on the National Register of Historic Places. The Walnut Creek Historical Society operates the museum.

Walnut Creek has two gardens open to the public. The Gardens at Heather Farm—a nonprofit education center established in 1968—is a public garden on Marchbanks Drive in Heather Farm Park. It accommodates a broad range of plants in 20 demonstration gardens and learning sites. The private Ruth Bancroft Garden is sponsored by the Garden Conservancy and is known for its rare and diverse plants.

Other cultural facilities open to the public include the following:

- The City's historic Borges Ranch
- Diablo Valley Lines, a permanent, 1,800 square-foot model train layout maintained by the Walnut Creek Model Railway Society

In addition to facilities, there are numerous events, such as the Walnut Festival, the Art and Wine Festival, the annual Borges Ranch days and various street fairs that enrich the community.

For Winter 2005, a seasonal ice rink was co-sponsored in Civic Park by the City, Chamber of Commerce, and Downtown Business Association.

THE ARTS

Bay Area regional arts conditions have changed substantially since adoption of the 1989 General Plan. The City's Arts Vision Master Plan (June 2004) concluded that Walnut Creek should continue to strengthen all of the City's arts programs, while filling programmatic gaps with new facilities over the life of *General Plan 2025*.

The city is home to several art centers and galleries. The Dean Lesher Regional Center for the Arts (the DLRCA) opened in 1990 on Civic Drive between North Main Street and California Boulevard. It houses three theaters with 800, 300, and 130 seats respectively; the Bedford Gallery; offices; and rehearsal space.

Dean Lesher Regional Center for the Arts

The Shadelands Arts Facility and the Civic Park Community Center provide space for arts classes of all types. The Civic Arts Education program provides extensive art, music, dance, and drama activities for individuals, educators, artists, and schools. The Civic Arts offerings include model arts education programs in schools throughout the county, exceptional performing and visual arts training, and a wide range of classes and workshops. For

adults, Civic Arts offers classes in calligraphy, printmaking, computer arts, interior design, ceramics, glass, and more. Children's classes focus on dance, music, drama, and art. Civic Arts Education operates a fine arts preschool for children ages 2-5; early childhood art education classes for children ages 18 months to 5 years; and a community music school that offers lessons, classes, and programs.

GOAL 12

Maintain and enhance Walnut Creek's position as a leading regional cultural and arts center.

Policy 12.1. Provide diverse, high-quality experiences for cultural activities and the arts.

Action 12.1.1. Provide for temporary and permanent public art displays and cultural programs on City properties and facilities, in accordance with the Public Art Master Plan.

Action 12.1.2. Require installation of easily viewable public art on private properties or payment of an in lieu fee in accordance with the Public Art Master Plan.

Action 12.1.3. Encourage art fairs and other cultural events downtown and elsewhere in the community.

Policy 12.2. Provide functionally well-designed, conveniently located facilities for cultural activities and the arts, including arts education programs.

Action 12.2.1. Study the potential for an affordable venue for diverse professional and community companies (drama, music, opera, dance).

Action 12.2.2. Undertake a feasibility study, including preliminary programming and site identification, for a large performing arts center (with a theater of 1,500 to 2,500 seats) within walking distance of the BART station.

Action 12.2.3. Study alternatives for providing expanded, climate-controlled gallery space capable of hosting major exhibitions and display space for artists.

Action 12.2.4. Complete construction of facilities for Arts Education programs at the Shadelands Arts Facility in accordance with the Shadelands Campus Master Plan.

Action 12.2.5. In collaboration with others, provide appropriate space and equipment around the community for City Arts Education programs.

Action 12.2.6. Build on the availability of performing arts facilities and programs at local schools.

Action 12.2.7. Identify sites for, and study the feasibility of, outdoor performing arts spaces.

Action 12.2.8. Maximize the accessibility of all arts facilities with convenient access, drop-off, pickup, parking, and delivery.

Policy 12.3. Encourage the attraction of galleries and artists' studios.

Action 12.3.1. Look for opportunities to develop a live/work center affordable to artists.

RECREATION

Walnut Creek has over 3,000 acres of parks, open space, and recreational areas - about 45.5 acres per 1,000 population - on which it offers a variety of recreational programs and opportunities for all ages. Churches, sports leagues, and not-for-profit organizations provide addi-

tional opportunities for youth, families, and seniors. Additionally, Walnut Creek is located near a major state park and several regional parks that provide recreational, educational, and leisure opportunities for the city's residents.

"Active recreation" is recreation or activity that requires the use of organized play areas including, but not limited to, fields and courts for baseball, basketball, golf, soccer, softball, tennis and volleyball; swimming pools; and designated areas for various forms of children's play equipment. Different levels of activity may occur within these areas—for example, pickup sports, organized sports, or no activity.

"Passive recreation" is recreation or activity that does *not* require the use of organized play areas. It includes, but is not limited to, bicycling, dogs off-leash, hiking, horseback riding, and picnicking.

The City's Recreation Division offers a variety of programs for all ages at various locations throughout the city. (See Chapter 3, Figure 4, Parks and Recreational Facilities) Fee and free programs are offered year-round in aquatics, sports, therapeutic recreation, special events, and leisure activities.

Community groups or organizations—for example, the Girls VIP/Odyssey Volleyball Camps, Little League, Movies Under the Stars, and Walnut Creek Soccer Club—run many of the programs at City facilities.

Several private facilities in Walnut Creek also provide recreational opportunities. They include Diablo Hills Golf Course (privately-owned public course), Rossmoor Golf Course (private), gyms and fitness centers, martial arts academies, and dance and yoga studios.

Chapter 3, Natural Environment and Public Spaces provides policies related to open space, creeks, trails, and parks and plazas.

Passive recreation, Heather Farm Park

GOAL 13

Provide facilities and programs that meet the recreation needs of people of all ages, physical abilities, and economic means.

Policy 13.1. Work with other agencies and partners to plan for and provide a rich diversity of recreation programs.

Action 13.1.1. Regularly assess existing and potential recreational facilities, activities, programs, and needs.

Action 13.1.2. Identify partnering opportunities for recreation facility development, management, and use.

Action 13.1.3. Seek grants and other funds for recreation facility development and maintenance.

Action 13.1.4. Strive for highest quality sports facilities.

Action 13.1.5. Include seniors, youth, and members of the community with disabilities in planning for recreational and leisure programming, siting, and access.

CHAPTER 4

Built Environment

This chapter comprises four sections—Land Use, Growth Management, Urban Design, and Environmental Integrity.

LAND USE

CITYWIDE

The City of Walnut Creek, which lies some 23 miles east of San Francisco at the foot of Mount Diablo, is a regional economic and cultural center. Its 2004 population was approximately 66,500. [1]

Residential Development

The city's growth in the 1960s and 1970s was predominately residential. Since the adoption of the 1989 General Plan, Walnut Creek has grown more slowly than the county or region, increasing from 61,446 residents in 1990 to 64,296 in 2000 and to an estimated 66,500 residents in 2004—an annual average growth rate of 0.5 percent. By comparison, Contra Costa County and the Bay Area have grown more rapidly during the same period, at annual average growth rates of 1.6 and 1.2 percent, respectively.[2]

Since 1990, two trends have exerted a strong and continuing influence on the housing market in Walnut Creek: a decline in average household size and an increase in the proportion of non-family households.

Between 1990 and 2000, the number of housing units in Walnut Creek increased by approximately 5 percent from 29,969 to 31,480 units.[3] Of these housing units, only 3.58 percent were vacant. From 2000 to 2004, the total number of housing units increased to an estimated 32,606, a relatively modest 3 percent increase when compared to Contra Costa County as a whole, where the total number of housing units increased by about 11 percent between 1990 and 2000 and by another 6 percent from 2000 to 2004.

Just over half (53 percent) of all housing units in the city in 2000 were single-family homes. From 1990 to 2000, the number of single-family homes increased by 3 percent while the number of multifamily housing units in buildings of five or more units increased 10 percent. This trend continued between 2000 and 2004. Of the 561 new housing units constructed in Walnut Creek, 63 percent are multifamily residences.

Although residential development has had a multifamily focus in recent years, the trend has been to construct ownership rather than rental units. In 2000, more than two-thirds (68.3 percent) of Walnut Creek's households were homeowner occupied, up slightly from 1990 and significantly more than the homeownership rate for the region (57.8 percent).

By 2000, seniors (those 65 and older) represented 25 percent of Walnut Creek's population and this percentage is growing.

Nonresidential Development

Concerns about growth and urbanization dominated the public debate in Walnut Creek in the 1980s. The city's growth in the 1960s and

[1] California Department of Finance, January 2005

[2] *Projections 2005*, Association of Bay Area Governments, December 2004

[3] Source: Census 2000

1970s had been predominantly residential; however, the opening of the Walnut Creek BART station in May 1973 and economic growth at the time served as a catalyst for the construction of six million square feet of commercial space in Walnut Creek from the late 1970s to the mid-1980s. The response from local voters was to pass a growth-limitation initiative in 1985. Then, in the 10 years from 1993 to 2003—after adoption of a Growth Limitation Plan—only 620,000 square feet of commercial space was built.

Shaping Our Future
In 2002, Contra Costa County and its cities undertook a joint effort to develop a "smart growth" response to future planning and growth. Called Shaping Our Future, the project outcomes were to encourage cities to:

- Preserve open space
- Preserve and reinvest in existing urban areas and neighborhoods
- Focus on mixed-use development to bring shops, services, and entertainment close to residential areas and encourage access by walking, biking, and transit (vs. automobiles)

Economic Development
The City's Economic Development Plan (2004) called on the city to foster a vigorous and diverse economy, encourage development of premier business and employment locations, and strengthen Walnut Creek as the region's primary destination for arts and entertainment.

Land Use Map
The *General Plan 2025* Land Use Map shows the City's vision for the development, redevelopment, and preservation of public and private properties in the Walnut Creek Planning Area over the next 20 years (from 2005 to 2025). The map designates the distribution and location of land to be used for housing, business, open space, public facilities, and other uses.

The land use map is different from a zoning map. First, it is not as specific as a zoning map. Each land-use category on the land use map typically has more than one consistent zoning district. Second, the City's practice is to delineate boundaries between land-use categories on the land use map as specifically as possible. In most cases, the boundaries follow parcel lines.

Population Density and Building Intensity
California Government Code §65302(a) requires that a general plan include standards for population density and/or building intensity for each land use category on a land use map. Together, the map and text define the allowable *population density* for residential districts and the allowable *building intensity* for nonresidential development.

Population density is defined as the number of people and the number of dwelling units per net acre of land and is expressed in terms of *dwelling units per net acre (du/ac)*. To develop the general plan's residential population-density standards, the allowable number of dwelling units per net acre was multiplied by an assumed average number of persons per dwelling unit – in this case, 2.54 persons for single-family homes and 1.59 persons for multifamily units based on U.S. Census 2000.

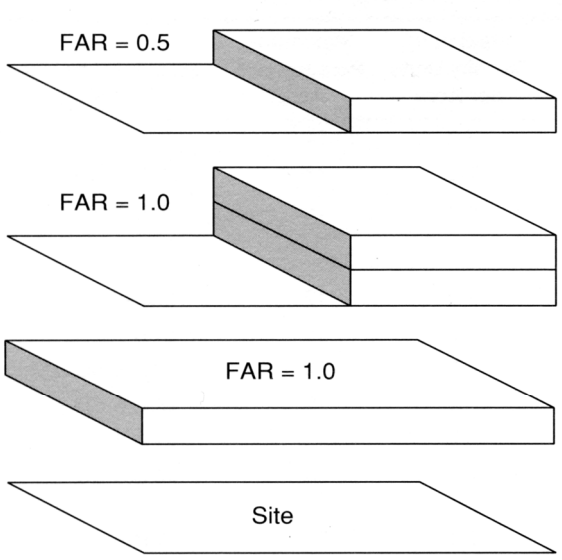
The population-density ranges apply to a project or development as a whole and are used as a guide in planning for public services and facilities. The ranges are not intended to serve as a limit on population for a given area, and they cannot be used to restrict the number of people who may live in a given home or multifamily unit or to deny a permit to remodel or expand a residential dwelling unit.

A residential project or development must meet two standards. First, it cannot exceed the maximum densities established in the general plan. At the same time, a project must meet the required minimum density level. Existing building sites that do not meet the minimum or maximum density standards set forth for the various residential categories will remain legal nonconforming lots.

Building intensity is expressed in terms of floor area ratio (FAR) -- the ratio of gross building floor area (excluding areas designated for parking, etc.) to net lot area, both expressed in square feet. (See Figure 1.) Development projects that incorporate several parcels can have individual parcel FARs that exceed the general plan FAR, if the parcels are all located within the same Planned Development (PD) zoning district and if the total of the actual gross building floor area in the PD district does not exceed the total allowable FAR for the district.

The pages that follow list the definitions of each land use category on the *General Plan 2025* land use map.

The population density or building intensity maximums assigned to the various land use categories do not constitute entitlements, nor are property owners or developers guaranteed that an individual project, when tested against the general plan's policies, will be able or permitted to achieve these maximums.



Source: Naphtali H. Knox & Associates, Inc.

Figure 1. Diagrammatic Examples of Floor Area Ratios

Permitted Uses for Residential and Commercial Land Use Categories

Single-family residential units, churches, schools, parks, public/semi-public buildings, accessory uses, and day-care facilities are permitted in all residential land use districts provided they meet the requirements of the underlying zone and applicable general plan policies.

Private clubs, lodges, congregate-living facilities, residential-care facilities, and skilled nursing facilities are permitted in multifamily medium and higher-density land use districts (14.1+ du/ac) provided they meet the requirements of the underlying zone and applicable general plan policies.

Under certain conditions, residential-care facilities may be allowed in single-family districts.

Multifamily residential uses are allowed in all commercial districts except Business Park and Auto Sales and Service, provided they comply with applicable city codes, zoning requirements, and general plan policies. Under the same conditions, day-care facilities are allowed in residential and most commercial districts.

LAND USE CATEGORIES

Residential

Single-family Very Low (SFVL), 0.1-1.0 du/ac. Located in outlying areas; intended as a transition between the Open Space (OS/A and OS/R) areas and low-density single-family development. Also intended to preserve hillside areas, as those are defined in the City's Hillside/Ridgeline Ordinance. Typical development is large-lot, single-family homes. Clustering is encouraged in hillside/ridgeline areas. The allowable density of 0.1-1.0 units per net acre translates to a population of 0.25 to 2.5 persons per acre.

Single-family Low (SFL), 1.1-3.0 du/ac. Intended as a transition between the typical suburban single-family neighborhood and outlying rural residential areas. Rural activities such as stables, livestock, and the growing of crops are permitted only on a noncommercial, resident-use basis. The allowable density of 1.1-3.0 units per net acre translates to a population of 2.8 to 7.6 persons per acre.

Single-family Medium (SFM), 3.1-6.0 du/ac. Provides for the typical single-family neighborhood in Walnut Creek. Average lot size is 10,000 square feet. Dwellings are generally detached with ample front, side, and rear yards. Clustering and zero side yards (zero lot lines) may be appropriate where they can be visually integrated with existing neighborhoods. The allowable density of 3.1-6.0 units per net acre translates to a population of 7.9 to 15.25 persons per acre.

Single-family High (SFH), 6.1-9.0 du/ac. Development in this land use category is allowed only under a Planned Development Zoning District. A land use change to this category requires specific findings that the character and integrity of established residential neighborhoods will be preserved. Lot sizes will typically range from 4,840 to 7,260 square feet. Clustering and zero lot lines may be appropriate where they can be visually integrated with existing neighborhoods. The allowable density of 6.1-9.0 units per net acre translates to a population of 15.5 to 22.9 persons per acre.

Multifamily Low (MFL), 6.1-14.0 du/ac. This category accommodates moderately higher densities and is intended to serve as a transition between single-family neighborhoods and commercial or higher density residential areas. Cluster housing, zero lot line and patio homes, and attached townhomes are permitted. The allowable density of 6.1-14.0 units per net acre translates to a population of 9.7 to 22.25 persons per acre.

Multifamily Medium (MFM), 14.1-22.0 du/ac. This category is intended to provide for developments of condominiums and/or low-rise apartments with substantial amounts of open space, landscaping, and on-site recreational facilities. The visual character (height, massing, materials, color, landscaping) should look more like a single-family neighborhood than an apartment complex. The allowable density of 14.1-22.0 units per net acre translates to a population of 22.4 to 35 persons per acre.

Multifamily Medium High (MFMH), 22.1-30.0 du/ac. This density accommodates areas more urban in character than MFM. Typical development in this category is two-story (or higher) apartments or condominiums. The intent is to provide opportunities to live within walking distance of downtown and major transit centers. Maintaining a human scale through quality design and landscaping is a high priority in this district. The allowable density of 22.1-30.0 units per net acre translates to a population of 35.1 to 47.7 persons per acre.

Multifamily Very High (MFVH), 30.1-50.0 du/ac. This category accommodates most of the city's conventional apartment complexes. Structures generally exceed two stories and include onsite amenities such as recreational facilities, private balconies or patios, and common open space. The allowable density of 30.1-50.0 units per net acre translates to a population of 47.9 to 79.5 persons per acre.

Multifamily Special High (MFSH), 50.1-100.0 du/ac. This district occurs only in the Core Area around Alma Avenue, where the Alma Avenue Specific Plan governs development. Its primary intent is to expand the potential for downtown living. The allowable density of 50.1-100.0 units per net acre translates to a population of 79.7 to 159 persons per acre.

Mixed Use–Residential Emphasis (MU-R), FAR 1.5 to 2.5. Intended to encourage a combination of ground floor retail with office and/or residential uses above the ground floor. However, residential must be the primary use, with commercial uses allowed only to a maximum FAR of 0.3. The allowable FAR of 1.5-2.5 can translate to a population of approximately 47.9 to 79.5 persons per net acre.

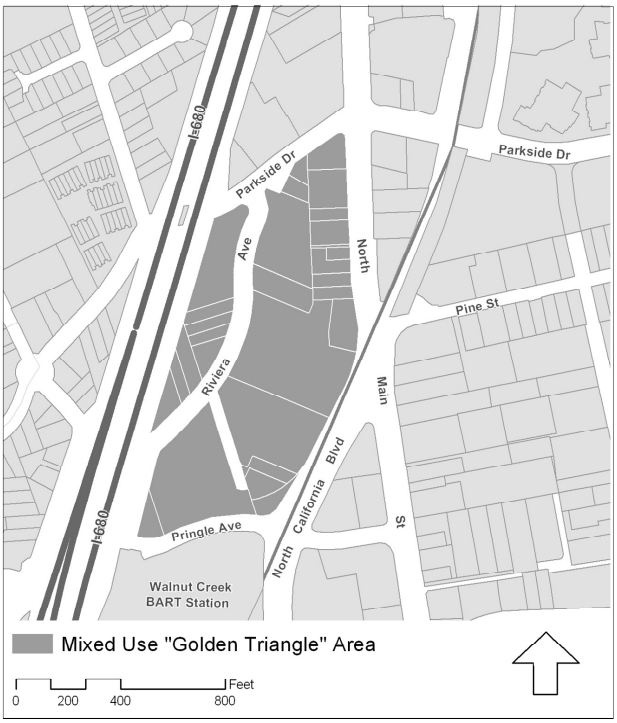


Figure 2. The Golden Triangle Area

<u>Commercial</u>

Mixed Use–Commercial Emphasis (MU-C), FAR 1.0 to 2.0. Intended to encourage a combination of commercial and residential uses. Commercial (office or retail) must be the primary use, but will be allowed only to a maximum FAR of 0.85. The allowable FAR of 1.0 to 2.0 can translate to a population of approximately 22.4 to 35 persons per acre. This type of development and density is encouraged around the west Mt. Diablo Blvd. corridor, and in the Newell Ave./S. California Blvd. area, for example.

Mixed Use – Golden Triangle (MU-GT), FAR 1.5 to 2.5. Intended to encourage a combination of ground-floor retail, high-intensity office and/or high-density residential development near the Walnut Creek BART station. The appropriate density for new residential projects will be determined with the approval of a Planned Development Permit. The FAR associated with this district is applied to commercial (office or retail) development only. (See Figure 2.)

Pedestrian Retail (PR), FAR 0.75 to 2.0. Intended to provide for a range of retail and personal service uses that are accessed by pedestrians. This type of development will occur where central parking lots and on-street parking are available. With minor exceptions, ground floor uses should be retail, with non-retail uses only on the second floor or above. Typical uses include salons, spas, bookstores, clothing stores, framing galleries, gourmet food shops, greeting card stores, restaurants, and travel agencies.

General Retail (GR), FAR 0.3 to 1.0. Intended for one-stop-shop businesses that rely on customers arriving by auto and provide on-site parking. Uses include discount merchandise stores, financial institutions, hardware stores, hotels, nurseries, restaurants, and shopping centers. Ground floor retail is encouraged; offices may be allowed on the second floor or above.

Service Commercial (SC), FAR 0.1 to 0.3. Provides for service businesses that rely on customers who arrive by auto but do not require a central location. Examples of permitted uses include auto sales and service, cabinetmakers, car washes, drive-in warehousing, glass shops, incubator businesses, laundromats, mini-marts, restaurants, self- and mini-storage, service stations, and sculptors. Office uses are permitted on the second floor and above, but not on the ground floor.

Auto Sales and Service (AS), FAR 0.1 to 0.6. Primarily intended for auto dealers, auto service and repair, and other auto-related and auto-oriented retail sales. Businesses not associated with auto sales, service, or repair are allowed only if they demonstrate their presence will have no adverse effect on the long-term viability of the auto sales and service district.

Office (OF), FAR 0.5 to 1.5. Primarily high-quality administrative, professional, and general business offices that meet local and regional office space demands. Cultural facilities, restaurants, and retail stores are encouraged on the ground floor.

Business Park (BP), FAR 0.1 to 0.5. Intended primarily to facilitate higher-quality, employment-based businesses including administrative, professional office, and research uses. This category is only applicable to the Shadelands Business Park. A mix of lot sizes is encouraged to accommodate small businesses as well as larger campus-style uses. Parcels adjacent to single-family residential areas are required to have larger setbacks, more extensive landscaping, and are limited to a maximum 0.3 FAR.

Other

Hospital (HO), FAR 0.6 to 0.85 outside the Core Area; FAR 1.05 inside the Core Area. For facilities providing primarily in-patient medical, surgical, psychiatric, or emergency medical services. This classification also includes out-patient treatment facilities; facilities providing training, research, and administrative services for patients and employees; and offices associated with hospital use.

Public/Semi public (PU), FAR 0.1 to 2.0, determined on a case-by-case basis. This category encompasses facilities serving the public and the larger community good, including BART stations, the civic center, fire stations, government buildings, libraries, public utility stations and yards (but not their offices), public schools, and large, privately owned community-serving recreational facilities.

Open Space/Agriculture, OS/A, 0.1 du/ac. Designates areas currently undeveloped or used for grazing, equestrian, or agricultural pursuits. Intent is to maintain open space/agricultural character. The allowable density of 0.1 units per net acre translates to a population of one person per 4 acres. *(Measure P Ordinance 1781. Adopted 11/5/91)*

Open Space/Recreation (OS/R), not to exceed 0.1 du/ac or an FAR of 0.1, density to be determined on a case-by-case basis. Designates existing publicly owned open space, parks, and golf course. Includes some County-owned land designated for open space use.

CITYWIDE GOALS, POLICIES, AND ACTIONS

Goals 1 through 5 set citywide land use policy and, in large measure, determine the overall framework for the land use map in *General Plan 2025*. Because the city is almost fully developed, the map closely reflects the city's existing land uses and zoning and only calls for minor changes in distribution and intensity of land use.

Of critical importance is the availability of an adequate and varied supply of housing for the workforce on which the local economy depends. Walnut Creek's high housing costs reflect increasing demand and limited supply and pose a long-term challenge to the city's attractiveness as a place to live, work, and shop. Providing affordable housing close to jobs and transit is a major component of Walnut Creek's land use planning.

Several areas in the city could benefit from coordinated public and private improvement plans at scales smaller than the general plan. These areas include the west Mt. Diablo Boulevard area; the area bounded by Botelho Drive, South Main Street, Newell Avenue, and I-680; underutilized sites between the North

Locust Street parking garage and Bonanza Street; and the Locust Street/Mt. Diablo Boulevard precise plan area.

GOAL 1

Maintain the balance of open space and public and private land uses existing in Walnut Creek in 2005.

Policy 1.1. **Strive to maintain the balance of housing, commerce, and open space in the community.**

Action 1.1.1. Adopt a land use map for the Walnut Creek Planning Area.

Policy 1.2. **Work to balance the number and types of jobs and the amount and kind of housing available in Walnut Creek.**

Policy 1.3. **Provide for public lands to accommodate community services, including recreational, arts, and cultural programs and activities.**

GOAL 2

Encourage housing development that helps to reduce the increase in traffic congestion.

Policy 2.1. **Develop flexible policies and regulations that facilitate new housing development.**

Action 2.1.1. Permit multifamily housing in all commercial districts (except the Shadelands Business Park and Auto Sales and Service) through a conditional use permit, subject to project density and development regulations to protect existing urban form.

GOAL 3

Encourage housing and commercial mixed-use development in selected locations that enhances pedestrian access and reduces traffic.

Policy 3.1. **Create opportunities for mixed-use developments.**

Action 3.1.1. Encourage mixed-use development at and near the Walnut Creek and Pleasant Hill BART Stations.

Action 3.1.2. Require that office development in the Golden Triangle (see Figure 2, page 4-5) and new development in the Mixed Use – Residential land use categories provide housing components.

GOAL 4

Promote and facilitate development that reflects the City's long-term vision.

Policy 4.1. **Develop specific plans, precise plans, concept plans, or area plans for underdeveloped or underutilized areas of the city that are changing or have the potential to change significantly.**

Action 4.1.1. Prepare a specific plan for the two-block Newell Ave./S. California Blvd. area that would support mixed-use development that combines residential, retail, and office uses in a pedestrian-oriented environment that takes advantage of the creek location. The specific plan should address the following issues: preservation of visual corridors, a circulation plan that considers and mitigates additional traffic impact on the Parkmead and other surrounding neighborhoods, bike and pedestrian access to and through the site, and improved pedestrian and visual access to the creek amenities. (See Figure 3.)

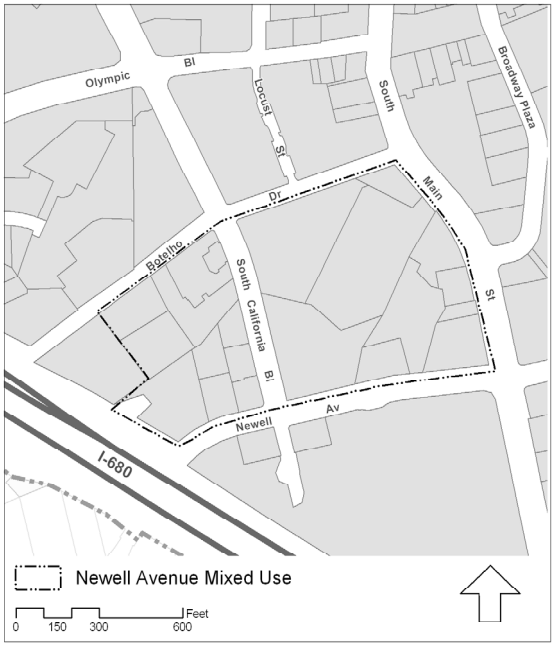


Figure 3. Future Specific Plan Area

Action 4.1.2. Establish an overlay zone for all properties that abut the Almond/Shuey neighborhood that acknowledges the potential height disparity between adjoining land uses and requires site plans and architectural designs to minimize visual, noise, shadowing, and privacy impacts on the Almond/Shuey neighborhood. Solutions may include, but are not limited to, maintaining a 10-foot setback for all new buildings from the Almond/Shuey neighborhood line, controlling the height of new buildings so that taller portions are located more distant from the neighborhood line in a manner that minimizes the visual impact from new buildings on the Almond/Shuey neighborhood, and incorporation of landscaping to screen new buildings. (See Chapter 2, Figure 1)

Action 4.1.3. Establish an overlay zone for the parcels along the south side of Mt. Diablo Blvd. between Alpine Dr. and S. California Blvd. to protect important views of Mount Diablo and the foothills.

Policy 4.2. **Implement approved specific plans and redevelopment plans.**

GOAL 5

Require that infill development is compatible with its surroundings.

Policy 5.1. **Require infill development to be compatible with adjacent and nearby uses.**

Action 5.1.1. Where new development occurs, study surrounding properties and uses for potential conflicts, and address those conflicts within the City's review processes.

Policy 5.2. **Do not authorize the development of new flag lots when alternative lot patterns are feasible.**

Policy 5.3. **Require that all new parcels have permanent access to a public street.**

CORE AREA

Walnut Creek's Core Area is a 1.2-square-mile (768-acre) central district with higher densities than other parts of the city. (See Figure 2, Planning Area Boundaries, page 1-6.) The land uses in the Core Area are primarily commercial, with some residential infill as well as many public and civic facilities, parks, and Las Lomas High School.

The Pedestrian Retail District is the civic and retail center of downtown Walnut Creek. (See Figure 4, page 4-10.) With its large street trees, outdoor dining opportunities, and dense-but-small-scale development pattern, this area is a thriving shopping, dining, and entertainment district unique in central Contra Costa County. The City has built three parking structures in the Pedestrian Retail District to encourage people to come downtown and "park once and walk."

At the center of the Core Area is the Traditional Downtown —located generally along Locust and North Main Streets, south of Civic Drive and north of Mt. Diablo Boulevard. (See Figure 5, page 4-11.) Small parcels and a modified grid street pattern characterize the Traditional Downtown. Buildings are primarily one and two story, built close together, and inviting to pedestrians. Many of the older buildings were constructed before on-site parking was required, so the area has only a few surface parking lots.

GOAL 6

Maintain and enhance Walnut Creek's thriving Core Area, while keeping the Pedestrian Retail District lively and walkable.

Policy 6.1. **Retain and encourage a balance of local- and regional-serving retail businesses in the Core Area.**

Policy 6.2. Focus development in the Pedestrian Retail District on retail and restaurants, and expand the area's potential to host arts and cultural events.

Action 6.2.1. In the Pedestrian Retail District, require pedestrian-oriented uses at street level.

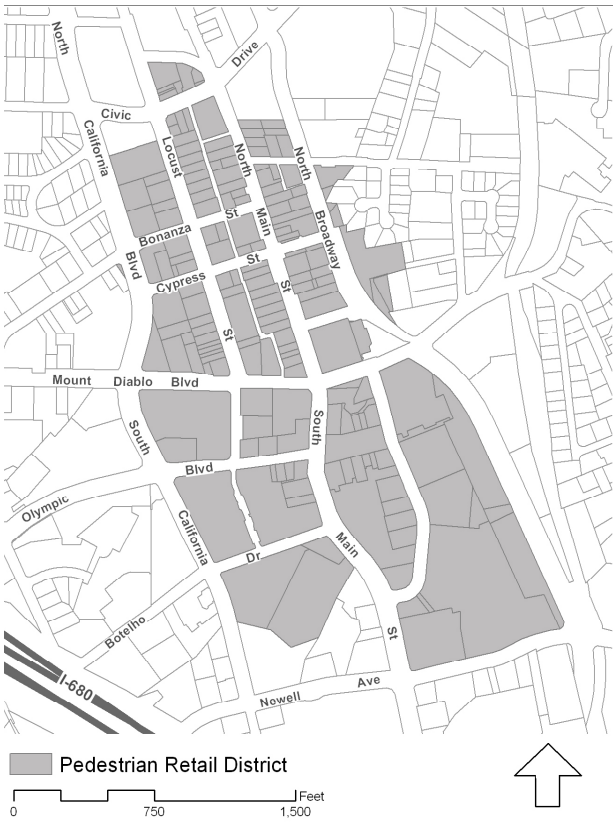


Figure 4. Pedestrian Retail District

Action 6.2.2. Promote building layouts and designs that create pedestrian interest and encourage people to "park once and walk".

Action 6.2.3. Create flexible development policies and regulations that encourage owners and developers to provide parkland or other public spaces or plazas, beyond the amount of open space and/or landscaping already required. (See Chapter 3, Policy 7.3.)

Action 6.2.4. Require new development with creek frontage to incorporate pedestrian access to the creeks and to enhance the appearance of creek frontages.

Policy 6.3. Retain and encourage a variety of small stores and businesses in the Traditional Downtown.

Action 6.3.1. Review permitted uses and revise development regulations to maintain the smaller-scale commercial buildings and fine-grain character of the Traditional Downtown.[4]

Action 6.3.2. Study an amendment to the Pedestrian Retail Zoning District to allow business entrances off service alleys in the Traditional Downtown (e.g., Commercial Lane and Wilson Lane).

Action 6.3.3. Review and consider expansion of the City's Design Review Guidelines for development in the Traditional Downtown to preserve the special character of that area.

Action 6.3.4. Discourage new residential development in the Traditional Downtown area.

[4] This policy does not preclude expansion of arts facilities or locating a hotel downtown.

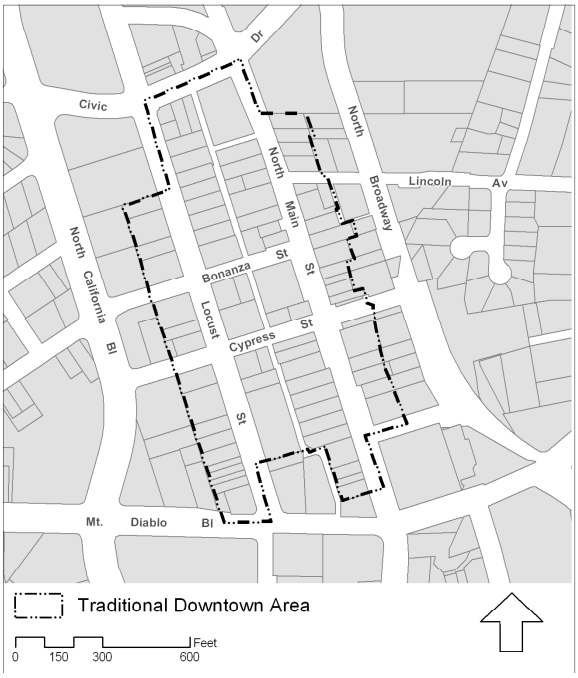


Figure 5. Traditional Downtown

Policy 6.4. **Enhance the overall vitality of the Core Area south of Mt. Diablo Boulevard.**

Action 6.4.1. Encourage diverse housing options, including mixed-use, higher-density developments.

COMMERCIAL AREAS OUTSIDE THE CORE

GOAL 7

Provide adequate location and expansion opportunities for businesses that serve and employ Walnut Creek residents.

Policy 7.1. **Maintain and enhance shopping centers in neighborhood areas as local-serving retail centers.**

Action 7.1.1. Study zoning amendments at existing shopping centers in neighborhood areas with Mixed Use-Commercial Emphasis land use designations to allow residential infill.

Policy 7.2. **Protect and enhance service commercial and auto sales and service uses along upper North Main Street.**

Policy 7.3. **Maintain the Shadelands Business Park primarily as an employment center, while allowing some retail and restaurant use that will serve the Shadelands business community.**

Action 7.3.1. Review and revise development regulations—such as minimum lot sizes and setbacks—for the Shadelands Business Park.

Policy 7.4. **For the five properties that abut Ygnacio Valley Road at Ygnacio Court, allow office use in existing structures while providing adequate access and compatibility with the surrounding residential neighborhood.** (See Figure 6.)

Action 7.4.1. Establish stringent use and development regulations for the five properties.

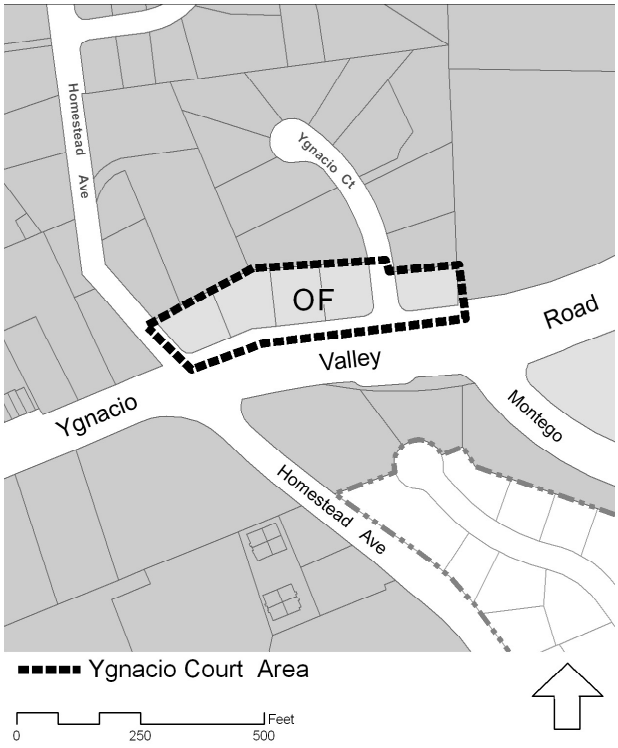


Figure 6. Five Ygnacio Valley Road Properties, Policy 7.4

GOAL 8

Allow development consistent with the density ranges of the *General Plan 2025* land use map.

Policy 8.1 **Require that residential projects be developed within the established minimum and maximum density ranges.**

Policy 8.2. **Provide property owners and developers with information that clearly communicates the City's density policies (i.e., that development at the high end of the density range in any land use designation or zoning district is not guaranteed; rather, it is contingent on site conditions, zoning requirements, other general plan policies, and project design).**

GROWTH MANAGEMENT

BALANCING LAND USES; PRECLUDING IMPACTS

Walnut Creek has had commercial growth management regulations —in various forms— since 1985, when voters adopted Measure H, a growth-limitation initiative. Measure H was proposed in response to resident concerns about excessive traffic congestion and the construction, in the late 1970s and early 1980s, of a number of large commercial office buildings in downtown Walnut Creek, primarily around the Walnut Creek BART station. The scale of these buildings was substantially different from most previous development in the city's Core Area.

Although the California Supreme Court ruled Measure H invalid in 1990, the City continued to regulate the amount of commercial and residential development allowed each year, acknowledging the residents' desire to meter growth in Walnut Creek.

In 1993, the City Council amended General Plan 1989 to include specific growth-management policies. This Growth Limitation Program limited new commercial growth to 75,000 square feet per year, metered in increments of 150,000 square feet every 2 years, and was adopted for 10 years. The program helped the City to limit growth to 620,000 square feet of new commercial development in the first 10 years (1993-2003).

In 2003, when work began on *General Plan 2025,* the City Council extended the program through August 2005. In August 2005, the council again extended the program through to the adoption of *General Plan 2025*.

General Plan 2025 continues the methodology of the growth management program for commercial development through 2015, limiting new commercial development exclusive of the Shadelands Business Park to 75,000 square feet per year, metered in 2-year periods. This will result in a maximum allowable commercial development of 750,000 square feet over 10 years.

The growth management policies do not restrict the rate or amount of residential development. The generally built-out character of the city's residential areas, particularly in the lower-density single-family districts on the city's perimeter, limit housing development more severely than would a continuation of the previous controls.

In addition, the growth controls do not regulate the development of community facilities as their benefits override any drawbacks they may create, such as additional traffic.

Other Growth Management Regulations

In 1988, Contra Costa County voters approved Measure C, which established a countywide half-cent sales tax for 20 years (through 2008). Measure C was designed to require cooperation among the various cities and the county on transportation and growth issues that cross city boundaries. The half-cent sales tax provided revenues to complying jurisdictions for roadway and other transportation system improvements.

The Contra Costa County Transportation Authority distributes the revenues to jurisdictions that implement the required growth management goals, policies, and actions adopted as part of their general plans. In 2004, County voters approved Measure J, extending the growth management requirements of Measure C through 2034.

This section of *General Plan 2025* includes the goals, policies, and actions required by Measure C through 2008 and by Measure J from 2009 through 2025 -- the horizon year for this plan. These same goals, policies, and actions create the framework for the City's commercial growth management program through 2015.

GOAL 9

Manage the community's orderly growth.

Policy 9.1. **Mete out the amount of commercial development allowed annually.**

Action 9.1.1. Limit the amount of commercial development permitted citywide, outside of the Shadelands Business Park, to no more than 75,000 square feet per year from 2006 through 2015, allotting no more than 150,000 square feet in any 2-year period.

Action 9.1.2. Allow un-allocated commercial development square footage to be carried over to the next development cycle.

Policy 9.2. **Exclude Community Facilities[5] from growth management limits.**

Policy 9.3 **Establish a housing cap consistent with the Regional Housing Needs Determination allocation assigned to the City of Walnut Creek and exempt affordable units and density bonus units from the cap. Review the cap every 5 years for it's adequacy in meeting the City's regional housing needs allocation.**

Policy 9.4. **Support annexation of properties where existing condition or development potential promises positive fiscal, economic, or social impacts.**

Action 9.4.1. Provide information on the annexation process to County residents within the city's Sphere of Influence.

GOAL 10

Coordinate the location, intensity, and mix of land uses with transportation resources.

Policy 10.1. **Support the development of medium- and high-density office, residential, and local-serving retail near and around the Walnut Creek and Pleasant Hill BART stations (Core Area).** (See Transportation Goal 7 and its supporting policies and action programs.)

Action 10.1.1. Apply land use designations that encourage transit-oriented development around the BART stations and in the Core Area.

Policy 10.2 **For specific sites where traffic congestion could be significantly improved and view corridors would not be adversely impacted, consider supporting a change to Measure A height limits.**

[5] Community Facilities serving the public and the larger community good, including the following zoning use classifications: Adult Day Care Facilities, Child Day Care Facilities, Clubs and Lodges, Colleges, Cultural Institutions, Emergency Medical Care, Government Offices, Heliports, Hospitals, Housing for the Homeless, Maintenance & Service Facilities, Park & Recreation Facilities, Public Parking Facilities, Public Safety Facilities, Public Transit Terminals, including BART stations, Recycling Facilities, Religious Assembly, Residential Care Facilities, Schools, public or private, Skilled Nursing Facilities, Utilities Major and Minor.

MEASURE C (1988) AND MEASURE J (2004)

Goals 11 and 12 fulfill the Measure C and Measure J requirements for local general plans, through 2025.

GOAL 11

Create a balanced, safe, and efficient regional and subregional transportation system.

Policy 11.1. Require that commercial projects comply with the City's performance standards for fire, police, parks, water, flood control, and sanitary sewer facilities.

Policy 11.2. Implement Measure C and plan for the implementation of Measure J.

Action 11.2.1. Demonstrate compliance with all components of the Measure C (1988) and Measure J (2004) Growth Management Program.

Action 11.2.2. At a minimum, comply with the Measure C adopted standards for Level of Service at intersections along Basic Routes.[6]

Action 11.2.3. Work with TRANSPAC in implementing the Central County Action Plan for Routes of Regional Significance.

Action 11.2.4. Participate with TRANSPAC and the Contra Costa Transportation Authority and other jurisdictions and agencies in a continuing planning process.

Action 11.2.5. Demonstrate reasonable progress in providing housing opportunities for all income levels.

Policy 11.3. Require that new development pay its share of costs associated with growth.

Action 11.3.1. Implement TRANSPAC's Regional Transportation Mitigation Program with respect to new regional development and its impacts on Walnut Creek roadways.

Action 11.3.2. Assess a traffic impact fee on new development.

Action 11.3.3. Apply the Transportation Authority's travel demand model (as updated from time to time) in analyzing developments that exceed Measure J thresholds.

Policy 11.4. Do not allow revenue provided from Measure J to be used to replace private developer funding that has or would have been committed to any transportation project.

Action 11.4.1. Prepare a Capital Improvement Plan that identifies roadway and transportation improvements needed to implement the general plan goals and policies for each five-year planning period.

[6] Basic Routes are defined in Measure C.

GOAL 12

Make more efficient use of the regional and subregional transportation system.

Policy 12.1. Promote the use of carpools and vanpools.

Action 12.1.1. Review the use of park-and-ride lots to maximize use.

Action 12.1.2. Update the transportation systems management (TSM) ordinance or resolution, as needed.

Action 12.1.3. Encourage transportation demand management (TDM) programs in new development.

Policy 12.2. Support infill and redevelopment in existing urban areas.

Action 12.2.1. Adopt a voter approved Urban Limit Line, either as mutually voted on countywide or relating solely to Walnut Creek.

URBAN DESIGN

A wide variety of built and natural features contribute to Walnut Creek's rich and complex character. The pedestrian-scaled downtown, attractive residential areas, commercial corridors, neighborhood-serving shopping areas, regional employment centers, and extensive open space areas each contribute to the mosaic of places and experiences that make the city unique.

This section of the plan:

- Presents information on how the city's urban form and visible features contribute to Walnut Creek's identity and unique character.
- Sets forth goals, policies, and actions to reinforce that identity and character, and to influence the form of the city over the next 20 years.
- Provides guidance to help new development achieve a desired quality.
- Includes policies for city design and building design, for compatibility of infill development, and for specific areas of the city.

The policies focus on both the design of buildings and the design of spaces between buildings—plazas, parks, courtyards, walkways, street corridors, and intersections. These spaces, which create the "public realm," contribute as much or more than individual buildings to creating a vital and memorable city.

C I T Y W I D E

A city's setting is perhaps the most important determinant of its urban form. Walnut Creek takes its form and visual identity from the interplay of the built and natural environments. The combination of built and natural features gives the city a specific "sense of place."

In general, the majority of Walnut Creek's built areas are residential, while the city's Core Area hosts varying types of development. The residential development predominantly comprises suburban one- and two-story single-family detached houses. Multifamily residences are located along some arterials and dispersed in some neighborhoods. Rossmoor, the gated senior community, is somewhat self-contained within its large valley setting.

Scale of Development

The policies guiding urban design are meant to shape the physical form of the city. They do so with four components that regulate and shape buildings: development intensity, building height, building setback (distance) from the public right-of-way, and building step-backs (additional setbacks at upper floors).

1. Development Intensity

Development intensity is regulated by floor area ratio (FAR) (see pages 4-20 and 4-21). FAR determines the amount of gross floor area permitted on a site, but does not specify how that mass is arranged. Because parking structures are excluded from the FAR calculation, the built mass of a development project with a large parking structure can substantially exceed the allowable FAR. (See Figure 1 on page 4-3 and Figures 8 and 9.)

2. Height Limits

The City regulates building height. While FAR determines intensity of use and affects the amount of traffic generated, building height affects the city's appearance and identity, particularly in the pedestrian-scaled areas that comprise the Core Area and the Traditional Downtown. (See Figure 10 on page 4-22.) By regulating building heights, the City can protect view corridors, regulate building scale, and ensure consistency and compatibility within an area or along a street.

Measure A (1985 voter initiative) established height limits for the entire city. Basically, Measure A froze building height limits for new development based on the applicable zoning ordinance on the date the initiative was approved. As a result, height limits throughout the city vary widely, from 89 feet (and no more than 6 stories) to 20 feet. The Measure A height limits can be modified only with voter approval.

Areas where Measure A height limits have discouraged or could preclude reasonable redevelopment are the Palos Verde Mall, 1510 Geary Road (former Co-op site), and City properties on Lawrence Way, which includes the city corporation yard, the traffic operations site, and the land used by the recycling center.

3. Building Setbacks

Along specifically designated streets, setbacks regulate the placement of buildings with respect to their front (street-side) property lines and right-of-way boundaries. These regulations provide for a required minimum setback distance from the right-of-way and a required minimum amount of open area between the building and the right-of-way. Building setbacks in the Core Area are illustrated in Figure 11 on page 4-26. Figure 12 on page 4-27, Setback Averaging Principle, shows how a building façade may protrude into the required average setback so long as the open area between the building and the right-of-way is no less than the area required for a building constructed to the average required setback.

With the exception of the Almond/Shuey residential district, the required minimum dedicated sidewalk width in the Core Area is 10 feet. In the Core Area where more than a minor (0-10 foot) building setback is required, the additional setback area may be provided as additional sidewalk width, pedestrian plazas, or landscaping. The actual design and use of the additional setback area will be determined on a case-by-case basis as new developments are proposed.

The Setback Averaging Principle (Figure 12 on page 4-27) is designed to encourage new buildings that have public plazas, courtyards, significant landscaping, or other public amenities that are visible and accessible from the street. Under this principle, the building setback may vary along the "principle building frontage" so long as the average distance between the required public right-of-way and the building edge is at least as great as the prescribed average setback.

4. Building Stepbacks

Regulating both building height and building setbacks is needed in some areas to preserve views to Mt. Diablo and surrounding open space areas. Most view loss occurs at the street edge when excessive building height is permitted at or near the street frontage.

Maintaining a lower building height is also desirable in areas such as the Traditional Downtown, where smaller, pedestrian-scale development is preferred at the street level. In most areas within the Pedestrian Retail District, building heights cannot exceed 50 feet. For most parcels in that district, a building stepback is also required for upper floors, any part of which is 35 feet or more above street level. The required depth of this stepback will be decided on a case-by-case basis, but must be at least 10 feet. The building stepback is illustrated in Figure 7, this page.

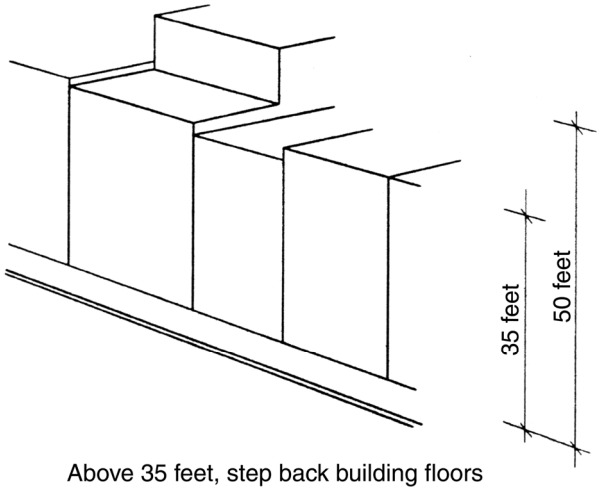


Figure 7. Building Stepback

Neighborhoods

Neighborhoods are residential areas of varying size and character. A typical *suburban* neighborhood in Walnut Creek has wide tree-lined streets and one- and two-story homes with well-landscaped front yards.

Walnut Creek's *urban* neighborhoods are primarily found in the Core Area. Urban neighborhoods have a higher density than typical suburban neighborhoods and comprise single-family homes on small lots and/or multifamily developments.

The Almond/Shuey neighborhood is located in the urbanized downtown district. It is a unique living environment due to the concentration of single-family homes located within walking distance of downtown shops, offices, and BART. The character of this area is a mixture of older-style, detached and duplex homes, many with gracious front yards and mature trees. It is the City's goal to maintain the Almond/Shuey neighborhood in much the same way as it currently exists. The General Plan designates the area as 6-14 dwelling units/acre category (Multifamily Low), but this simply reflects the density of the existing area. No major intensification is contemplated for the area, although some additional duplex units may be built.

Rural character neighborhoods are usually found in the hillside areas of the city and the unincorporated parts of the planning area. Parcels in these areas are often larger than elsewhere in the planning area and have building constraints because of slopes or other natural features. Roads in rural–character areas can be narrow and winding and often lack sidewalks, curbs, gutters, and streetlights, all of which makes on-street parking limited or, in some cases, hazardous.

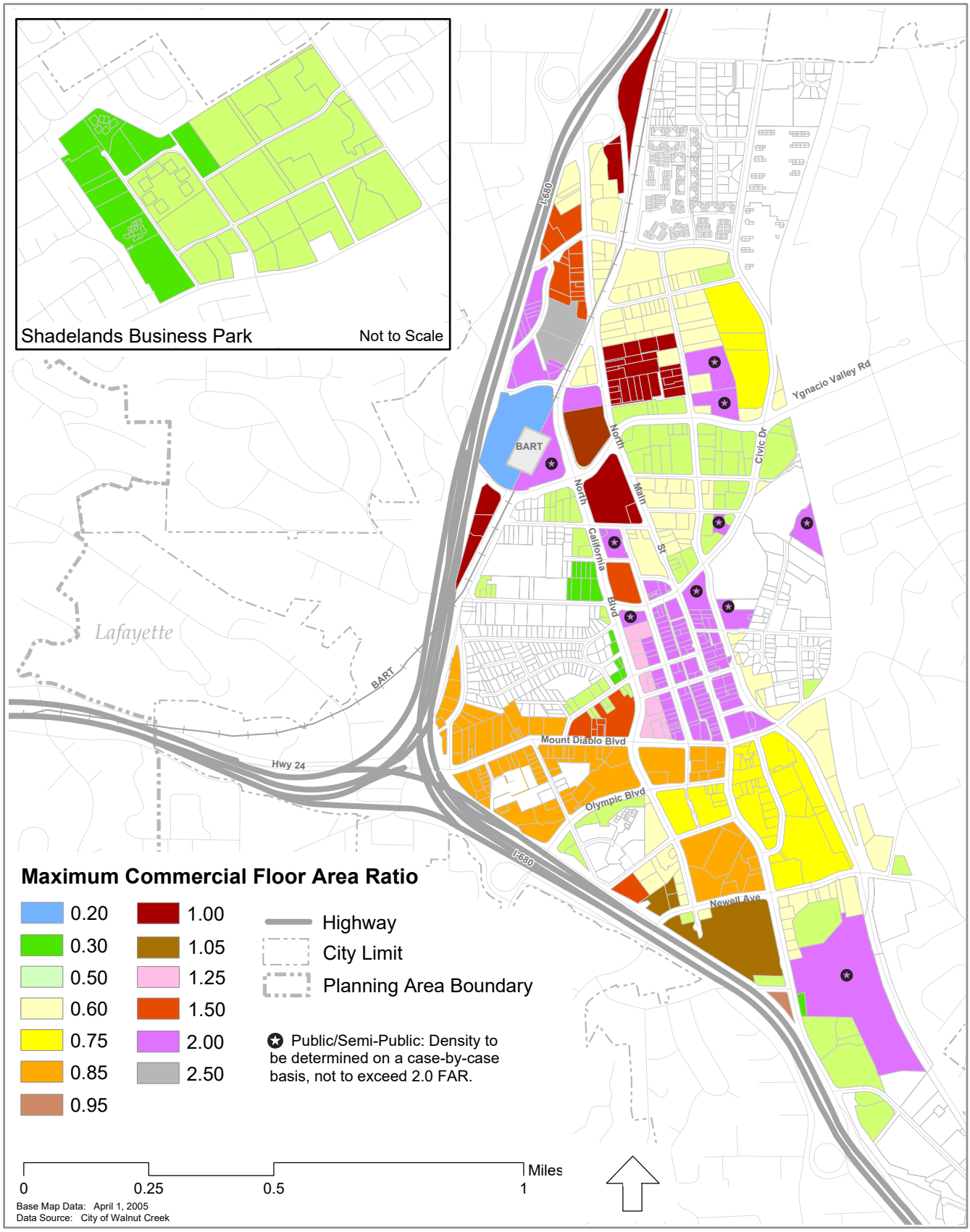


Figure 8. Core Area Commercial Floor Area Ratios

THE FLOOR AREA RATIOS SHOWN IN THIS FIGURE ONLY APPLY TO THE CORE AREA. REFER TO THE ZONING ORDINANCE FOR AREAS OUTSIDE THE CORE AREA.

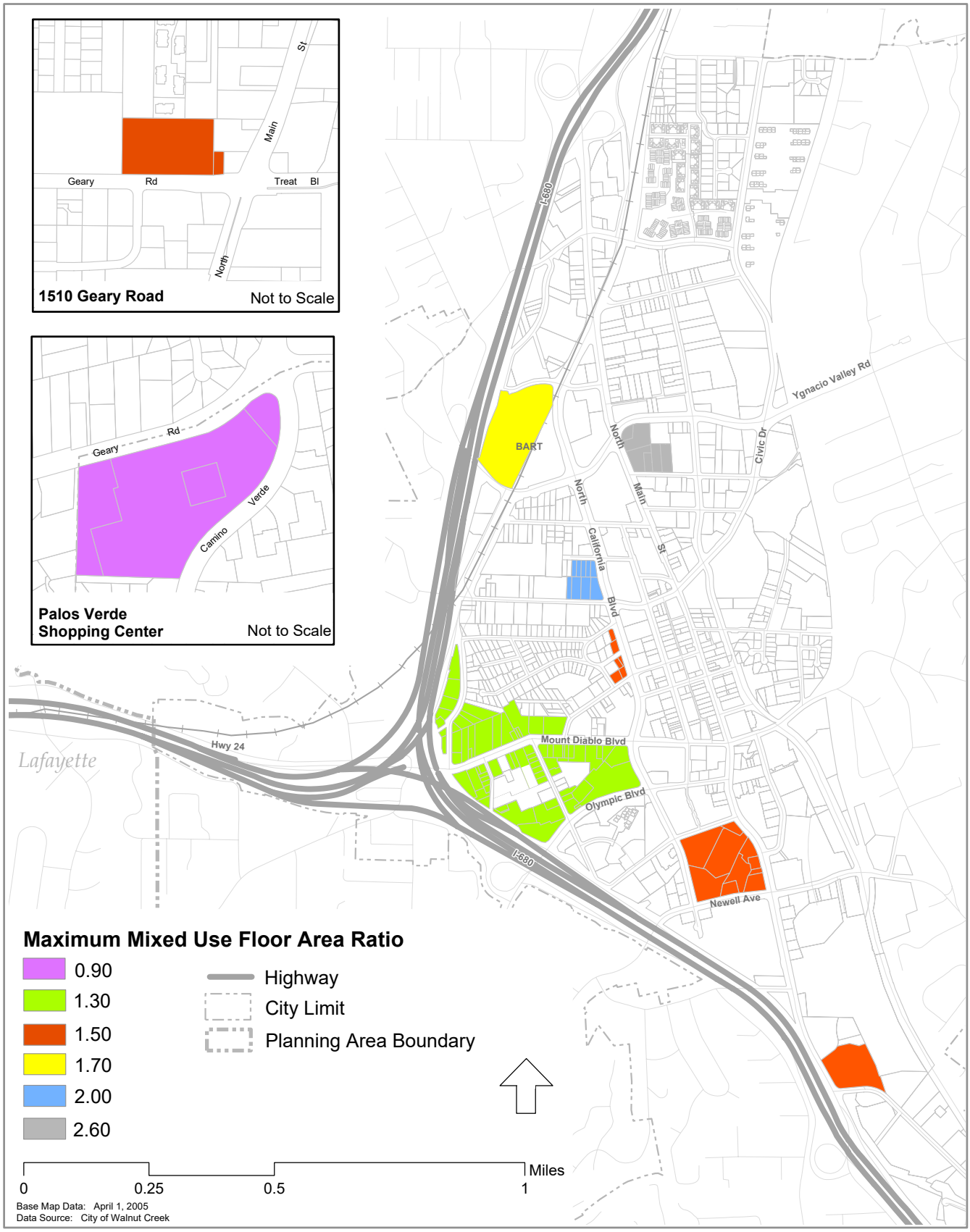


Figure 9. Mixed Use Floor Area Ratios

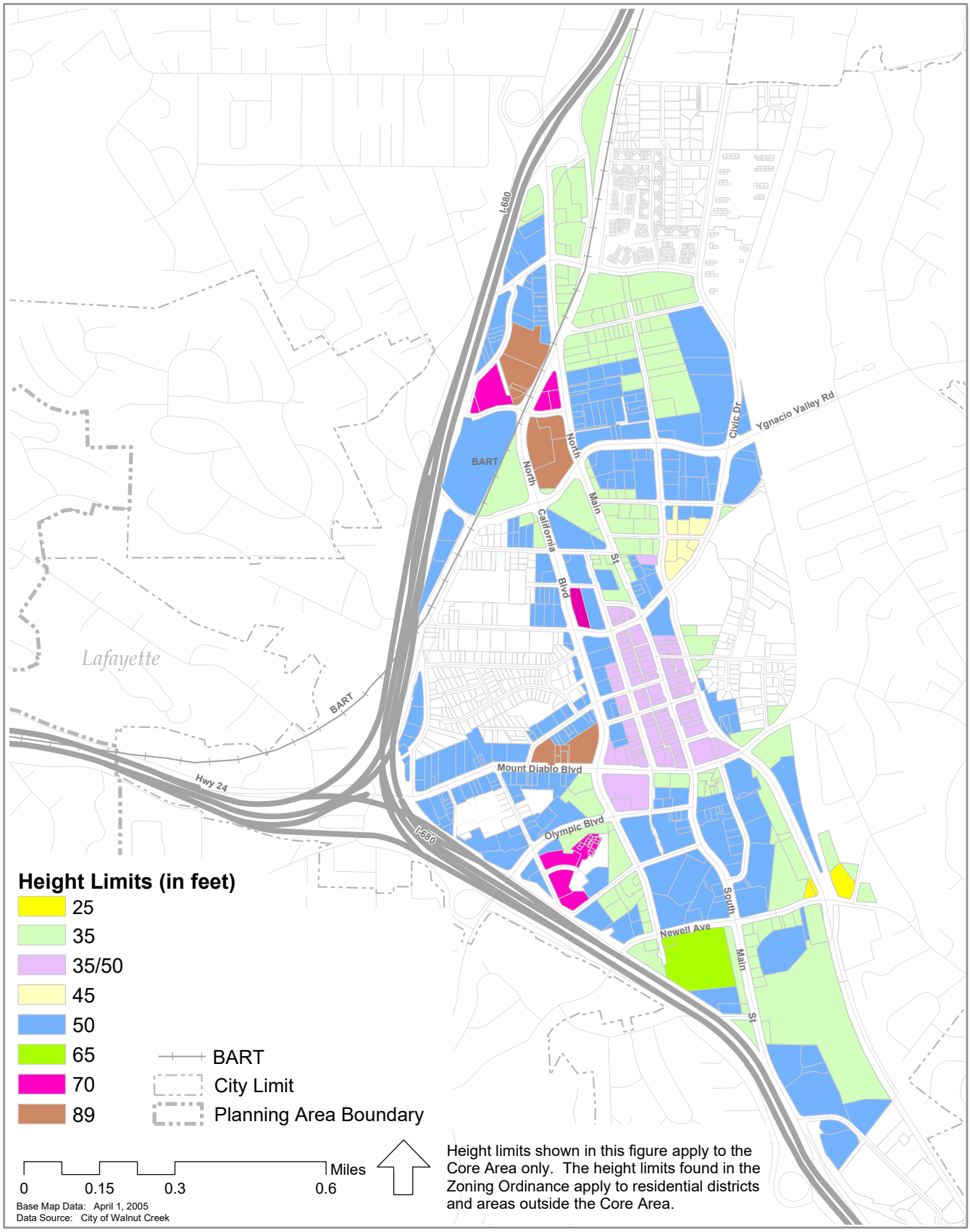
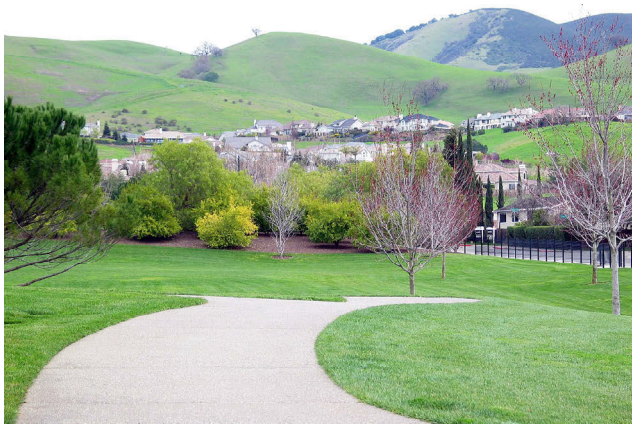


Figure 10. Core Area Height Limits

A single-family home outside the Core Area

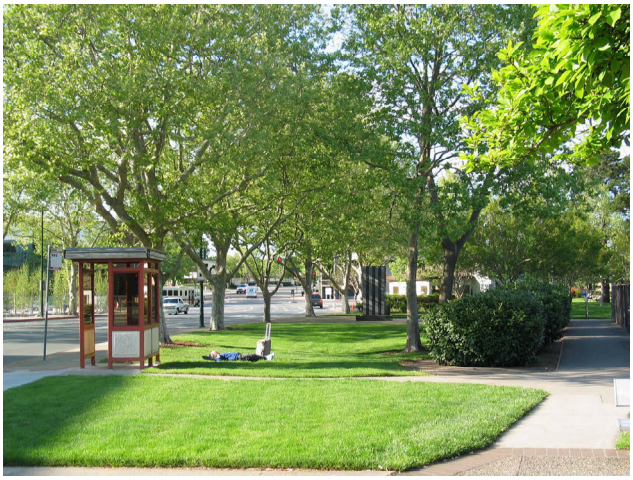
Open Space
Walnut Creek's open spaces are critical components of the city's identity. They provide physical orientation, boundaries for urban development, and a sense of place. The views from the city to the surrounding open spaces and hills are extremely important to the residents and to patrons of many businesses.



Lime Ridge Open Space Area from the Arbolado area

Connectivity
Walnut Creek's irregular street patterns also contribute to the community's sense of place. They differentiate neighborhoods from each other, and the city from surrounding communities. The streets, street patterns, and a system of trails all influence connectivity—the ease or difficulty of travel between neighborhoods and commercial areas.

Landmarks and Nodes
Landmarks and nodes are reference points that help people orient themselves in the community. Landmarks are prominent physical objects that serve as visual focal points. Nodes are gathering places and significant points of activity. The locations of a number of city landmarks are shown in Figure 13, page 4-28.



Civic Park

Mt. Diablo from Marchbanks Drive

Gateways
Gateways are landmarks, nodes, or views that define an arrival point. They promote community identity by providing unique reference points and orientation. Several goals, policies, and actions address gateways and their de-

sign. The locations of Walnut Creek's vehicular gateways are shown in Figure 13, page 4-28:

- North Main Street at Geary Road/Treat Boulevard
- Ygnacio Valley Road at North California Boulevard
- Mt. Diablo Boulevard at Oakland Boulevard
- Olympic Boulevard at I-680
- South Main Street at I-680
- South Broadway at Rudgear Road
- Ygnacio Valley Road at Oak Grove Road

Scenic Corridors and Views
The views from Walnut Creek to surrounding open spaces, hills, and Mount Diablo are integral to the city's identity, sense of place, and character. Figure 14, page 4-29, shows the city's scenic corridors and significant views.

GOAL 13

Maintain and enhance high-quality building design and urban design.

Policy 13.1. Maintain urban design and architectural standards for evaluating the scale, appearance, and compatibility of new development proposals.

Action 13.1.1. During the City's review processes, confirm that the project design will be compatible with adjacent uses.

Action 13.1.2. Consistently apply the City's Design Review Guidelines and periodically examine and revise as needed.

Action 13.1.3. Review and maintain the building setback map for the Core Area, and amend the zoning ordinance as necessary.

Policy 13.2. Regulate building placement and upper-floor stepbacks along important streets in the Core Area.

Action 13.2.1. Establish building setbacks along specifically designated streets. (See Figure 9, page 4-21.)

Action 13.2.2. Use policies to encourage developers of new buildings to include public plazas, courtyards, significant landscaping, or other public amenities that are visible and accessible from the street. (See Figure 12, page 4-27.)

Action 13.2.3. Develop a comprehensive plan for siting and developing public and publicly accessible spaces and plazas in the Core Area.

Action 13.2.4. Use policies to encourage new and existing commercial development to incorporate accessible roof gardens, ground-level public plazas, public courtyards and passageways, landscaping, public art, and other desired public amenities beyond those specified during the normal City review process.

Policy 13.3. Coordinate the building heights allowed under the general plan, zoning ordinance, and Measure A.

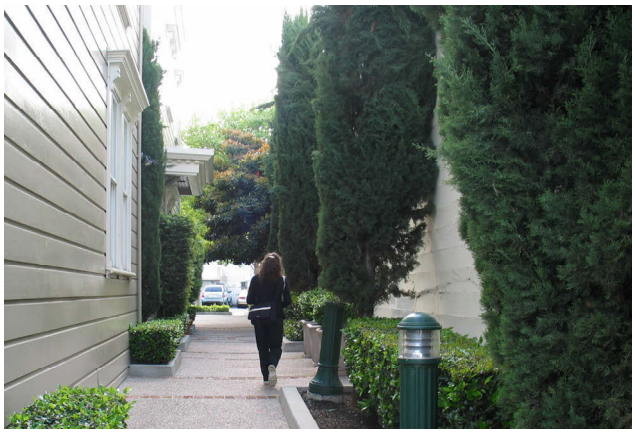
Action 13.3.1. Through the City's review processes, permit architectural elements, mechanical equipment, alternative-energy devices, and other structures to be

placed above the roofline and above the height limit—as permitted in the zoning ordinance.

Action 13.3.2. Allow increases in height, up to the Measure A height limits, for developments that provide exceptional public amenities such as accessible roof gardens, ground-level public plazas, creek orientations, public courtyards and passageways, landscaping, public art, and other desired public amenities beyond those specified during the normal City review process.

Action 13.3.3. For specific sites that offer good potential for mixed-use development (e.g., former Co-op site [1510 Geary Road] or the Palos Verde Mall), facilitate community discussion about increasing the Measure A height limits.

Plaza and fountain at Plaza Escuela



Pedestrian path connecting Main Street and Commercial Lane

Action 13.3.4. For important civic buildings, allow exceptions to the Measure A height limit, not to exceed 89 feet.

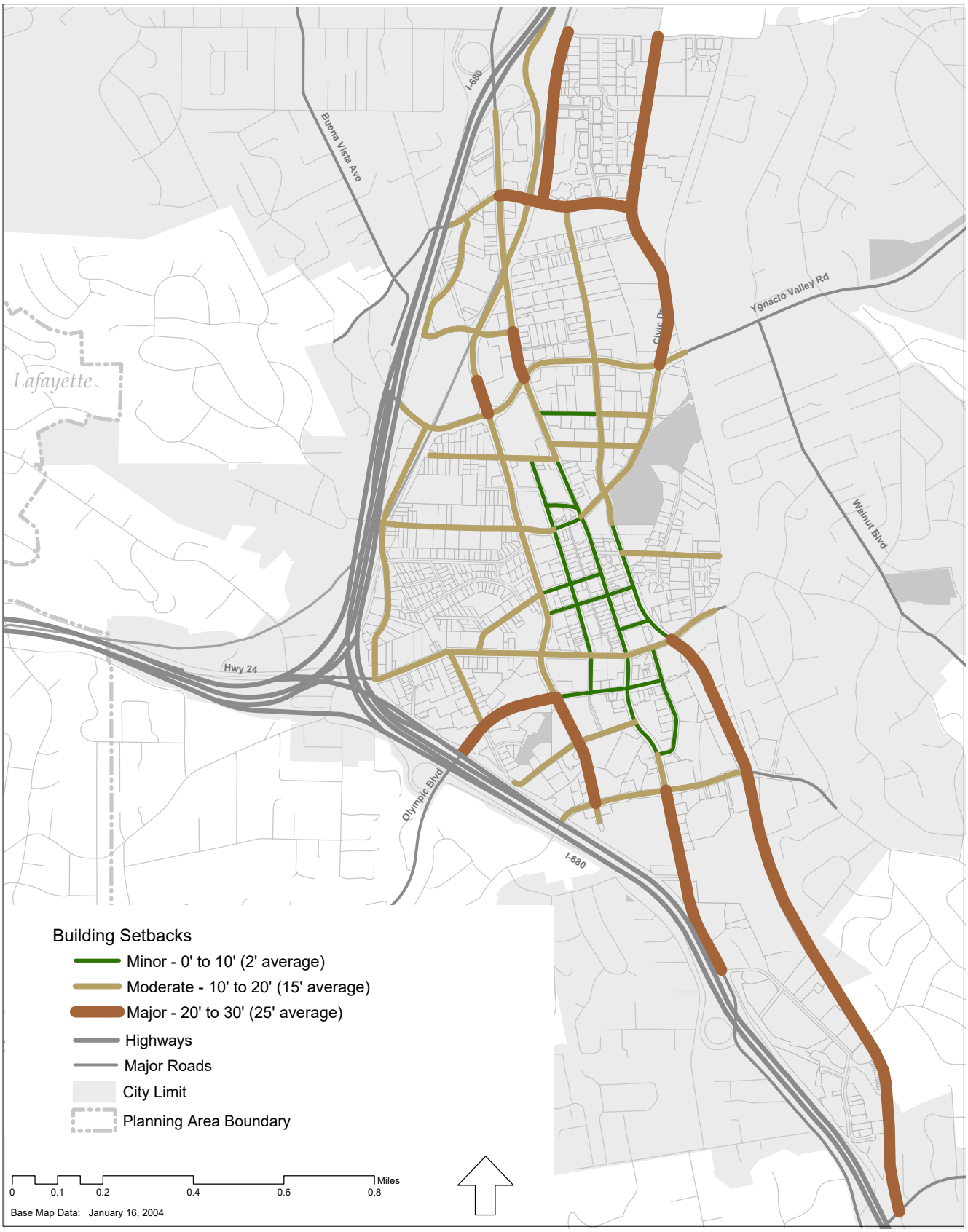


Figure 11. Building Setbacks

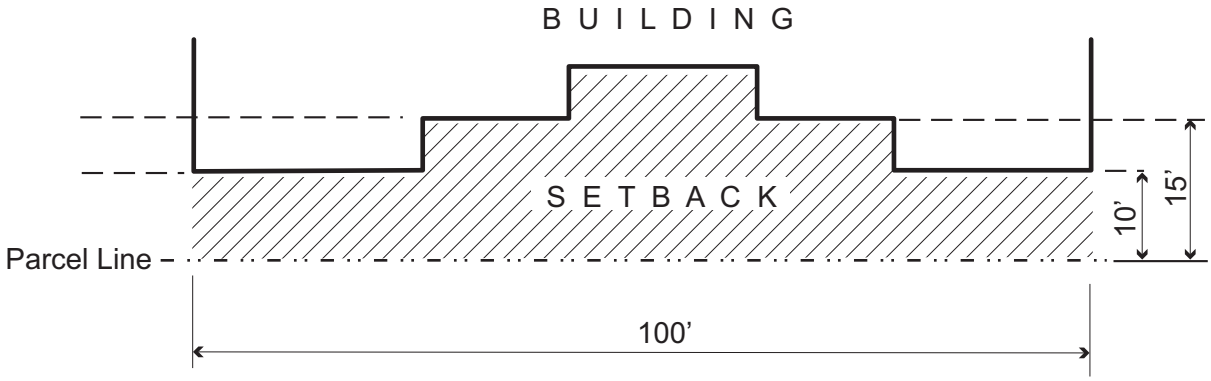
Example A

Moderate Setback: 10 feet minimum setback / 15 feet average setback

Minimum Required Setback: 10 feet from parcel line
Average Required Setback: 15 feet from parcel line
Length of Principle Building Frontage: 100 feet

Calculated Average Setback
15 feet (Average Setback) X 100 feet (Building Frontage) = Minimum 1,500 square feet

Shaded Setback Area = 1,500 square feet



Example B

Minor Setback: 0 feet minimum setback / 2 feet average setback

Minimum Required Setback: 0 feet from parcel line
Average Required Setback: 2 feet from parcel line
Length of Principle Building Frontage: 50 feet

Calculated Average Setback
2 feet (Average Setback) X 50 feet (Building Frontage) = Minimum 100 square feet

Shaded Setback Area = 120 square feet

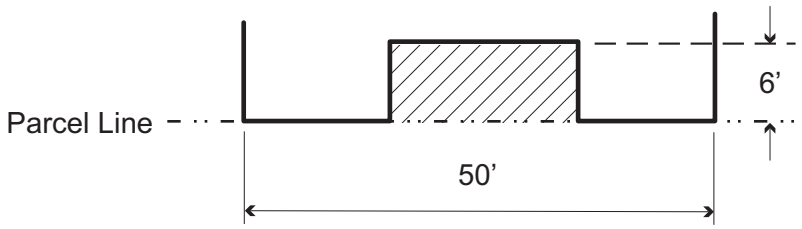


Figure 12. Demonstration of Setback Averaging Principle

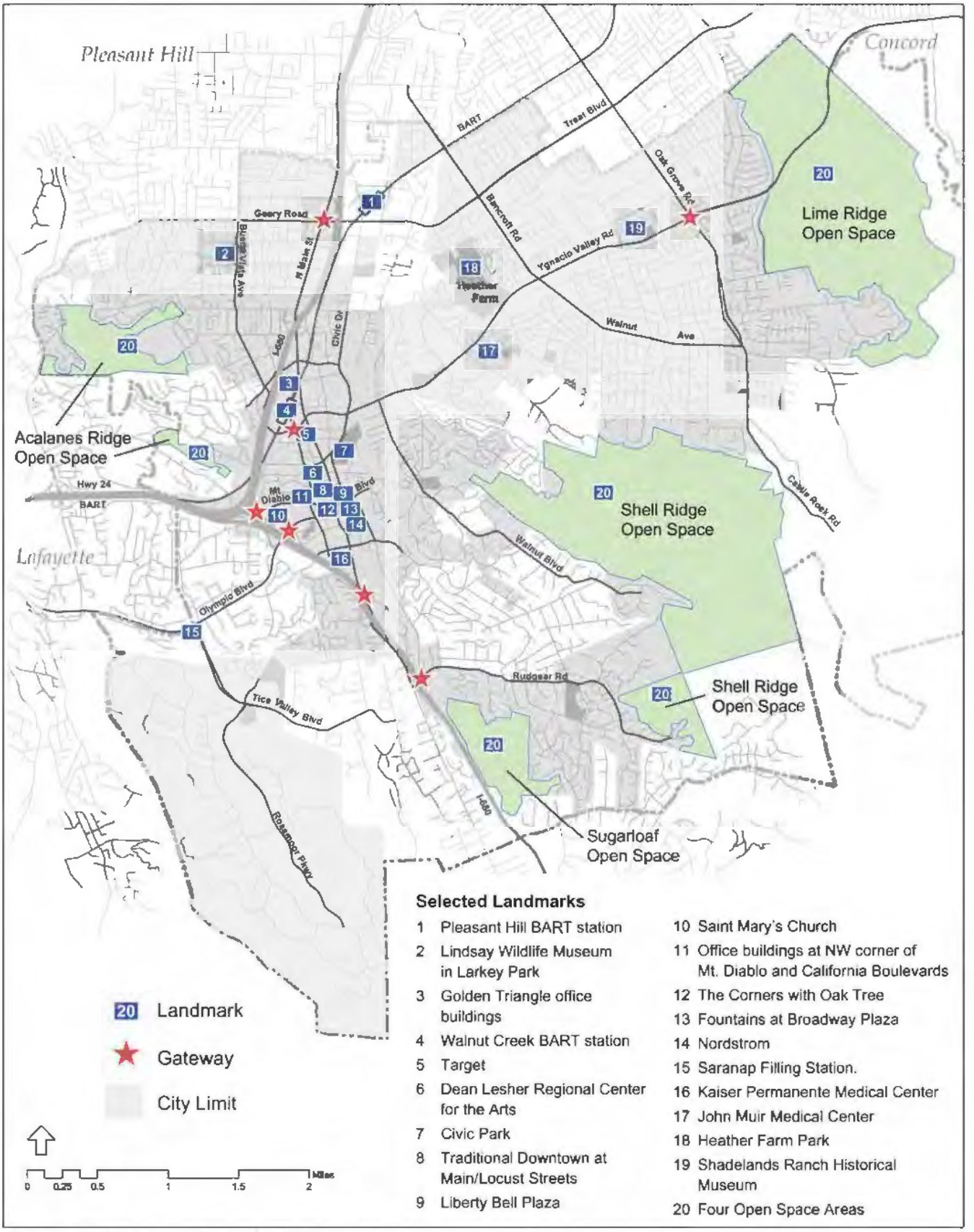


Figure 13. Landmarks and Gateways

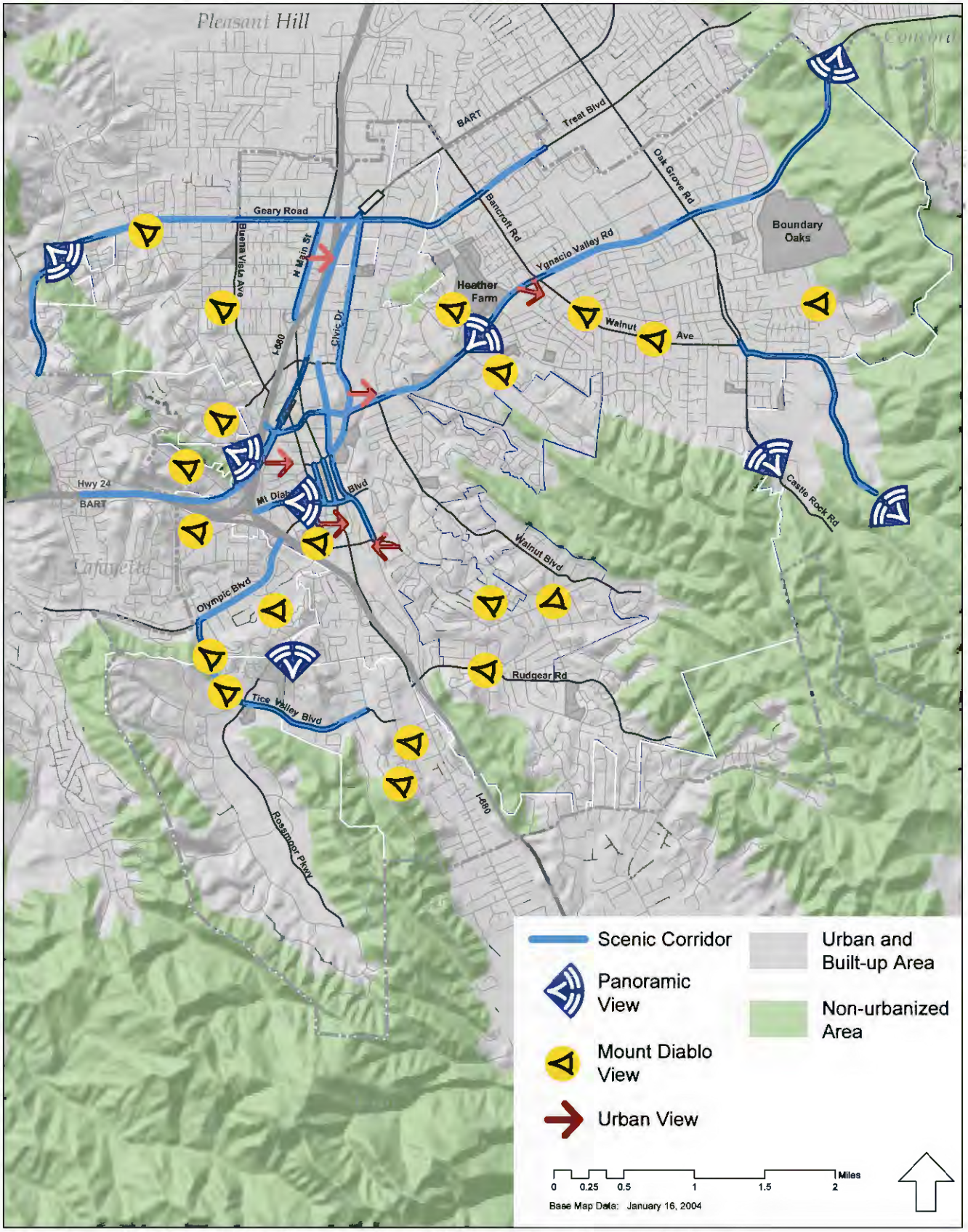


Figure 14. Urban and Non-Urban Areas with Scenic Corridors and Views

GOAL 14

Create livable, well-designed, mixed-use communities.

Policy 14.1. Improve transitions between land uses, as opportunities arise, with new development or redevelopment.

Action 14.1.1. Require mixed-use development to address issues that arise from the proximity of residences to commercial uses.

Action 14.1.2. Supplement the City's Design Review Guidelines and other construction standards to address, for mixed-use projects, noise and security of entrances, open spaces, and parking areas.

GOAL 15

Enhance connectivity and mobility throughout the city.

Policy 15.1. Encourage new development that optimizes both interconnecting street layouts within a neighborhood or residential subdivision and street and walkway/bikeway connections to surrounding neighborhoods and nearby commercial areas.

Action 15.1.1. In new development where street connections are possible, encourage both street and walkway/bikeway connections and discourage use of cul-de-sacs.

Policy 15.2. Discourage the establishment of gated communities, while allowing for the security of resident parking together with required visitor access to visitor parking.

Action 15.2.1. Establish specific design guidelines for security gates in multi-family developments.

GOAL 16

Maintain and enhance Walnut Creek's identity and sense of place.

Policy 16.1. Foster the preservation, restoration, and compatible reuse of architecturally significant structures and sites.

Action 16.1.1. Develop an inventory and map of architecturally significant properties and landmarks.

North Main Street office building and restaurant

Fountain at Broadway Plaza

Policy 16.2. **Use public art to enliven and beautify the public realm.**

Action 16.2.1. Implement the Public Art Master Plan

GOAL 17

Enhance the entrances to the city.

Policy 17.1. **At all major entry points to the city develop welcoming gateways that emphasize the unique qualities of Walnut Creek.**

Action 17.1.1. At each gateway (See Figure 13), install similarly themed gateway designs.

Action 17.1.2. Prepare design guidelines for areas and properties adjacent to the gateways to the city.

Action 17.1.3. Consider mural projects on freeway overpasses and streetscape improvements such as landscaping and medians, and coordinate with Caltrans where necessary.

GOAL 18

Preserve and enhance the visual amenity provided by the open spaces, hills, and creeks.

Policy 18.1. **Preserve and enhance the urban connections to scenic views that are important to residents and visitors.**

Mt. Diablo from upper North Main Street

Action 18.1.1. Identify and map specific public vistas and views (See Figure 14 and Actions 4.1.1 and 4.1.3.).

Action 18.1.2. Develop guidelines to preserve and enhance notable public view corridors.

Action 18.1.3. Preserve and enhance the off-site visual appearance of open space lands, particularly the views from other vantage points in the city.

Action 18.1.4. Keep and, where possible, expand the public visual buffers between developed areas.

Policy 18.2. **Improve the appearance and prominence of designated scenic corridors.**

Eastward view along Mt. Diablo Boulevard

Action 18.2.1. Review and, if necessary, update the designations of the city's scenic corridors.

Action 18.2.2. Require a 35-foot landscaped setback along Ygnacio Valley Road between Walnut Avenue and Oak Grove Road.

Policy 18.3. Mitigate the visual impacts of walls and fences.

Action 18.3.1. Regulate the use, scale, and appearance of walls and fences.

Action 18.3.2. Allow soundwalls along streets other than arterials and freeways only where no other design solutions exist for reducing the impact of roadway noise on residential areas.

Action 18.3.3. Along publicly traveled ways, require that all new soundwalls, masonry walls, or fences, 50 feet in length or longer, be designed to be visually attractive.

Policy 18.4. Eliminate all billboards (as defined by State law) within the city.

Action 18.4.1. Do not allow any new billboards within the city.

Action 18.4.2. Require removal of existing billboards as sites develop or redevelop.

Policy 18.5. Place utility lines, electrical transformers, and similar utility structures underground along identified corridors, at designated gateways, and in other strategic areas.

Action 18.5.1. Maintain a priority list of areas where undergrounding of utility lines is desired.

Action 18.5.2. Incorporate undergrounding projects into the Capital Improvement Program (CIP) budget.

Action 18.5.3. Require new development to underground utilities where feasible, or to pay an in-lieu fee where the affected utility serves more than the new development, or to provide adequate screening or consider art and landscaping opportunities.

Action 18.5.4. Require electrical transformers and similar utility structures to be undergrounded or to provide adequate screening or consider art and landscaping opportunities.

Action 18.5.5. If pre-existing site conditions such as a high water table make undergrounding unfeasible, require the enclosure of the utility facility within the building or provide adequate screening from any public right-of-way or consider art and landscaping opportunities.

CORE AREA

The Core Area (see Figure 8 on page 4-20) is both the economic and cultural center of the city and the region. The area is more urban in character than the rest of the city, comprising a number of commercial, mixed-use, and residential areas. The area's unique character comes from the way the somewhat higher density residential areas mix with intensive regional- and local-serving commercial development.

At the center of the Core Area is an 18-block area designated as the Pedestrian Retail District (see Figure 4 on page 4-10). Residents refer to this area as "downtown."

GOAL 19

Enhance the urban design quality of the Core Area and its subareas.

Policy 19.1. **Use specific plans and precise plans for subareas within the Core Area.** (Figures 15 and 16 show specific plan and precise plan areas as of 2005.)

Action 19.1.1. Prepare and implement a design plan for a stronger visual and pedestrian connection between City Hall, Civic Park, and the library, including streetscape improvements, a safer crossing of Broadway, orientation of Civic Park to City Hall, and the integration of an expanded or new community center with a new library.

Policy 19.2. **Improve directional signage for pedestrians and vehicles in the Core Area.**

Action 19.2.1. Design and implement a comprehensive Core Area directional sign program that shows shuttle stops; parking garage locations, capacities, and availability; orients residents and visitors; and shows optimal routes for getting to key cultural, shopping and civic destinations in the city.

Policy 19.3. **Establish design guidelines for retaining and enhancing the identity of the Auto Sales and Service district.**

GOAL 20

Reinforce the urban design and character of the Pedestrian Retail District as a gathering place for local residents as well as a regional retail destination.

Policy 20.1. **Strengthen the identity of the Pedestrian Retail District as a pedestrian-oriented shopping destination for local residents and regional shoppers.** (See Figure 4, page 4-10.)

Action 20.1.1. Develop specific design guidelines aimed at maintaining and enhancing the area's urban, pedestrian-oriented character.

Action 20.1.2. Develop a comprehensive "park once and walk" program aimed at encouraging people to park their cars in public garages at the periphery of the downtown.

Policy 20.2. Maintain the special "small town" character, fine-grain development (narrow lots, slender buildings, many different uses in proximity), and pedestrian orientation of the Traditional Downtown.

Sidewalk activity at Plaza Escuela

Action 20.1.3. Conduct studies to:

- Evaluate the free downtown shuttle and ways to enhance its service
- Explore ways to enhance existing pedestrian connections and corridors with new signage, graphics, landscaping, and lighting
- Evaluate ways to enhance the appearance and use of alleys and mid-block pedestrian-ways
- Investigate narrowing streets and/or converting some streets to one-way to provide public spaces
- Identify and establish a permanent location for a farmers' market

Action 20.1.4. Provide a high level of pedestrian amenities in the downtown, including landscaping, trash containers, and special lighting.

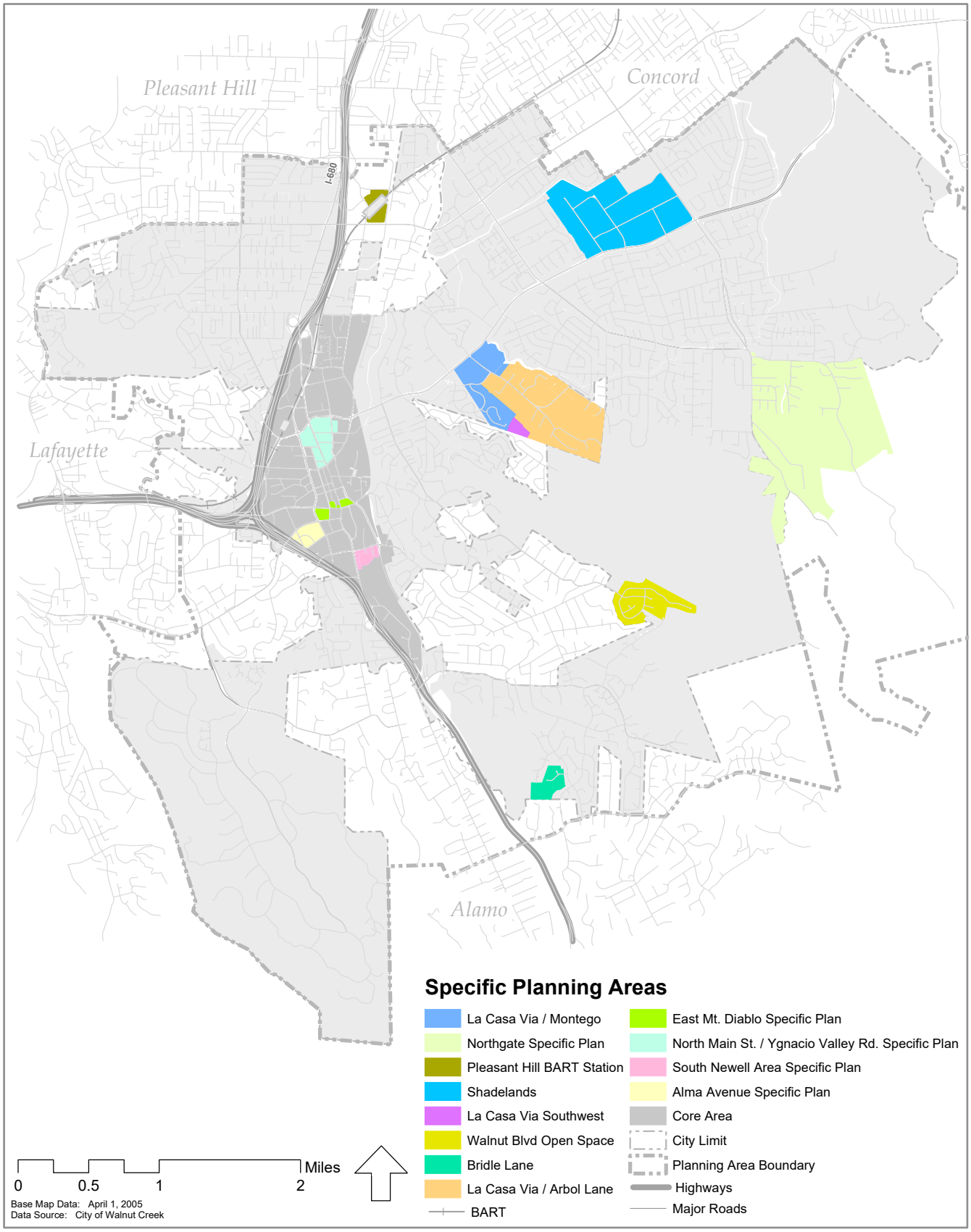


Figure 15. Specific Plan Boundaries

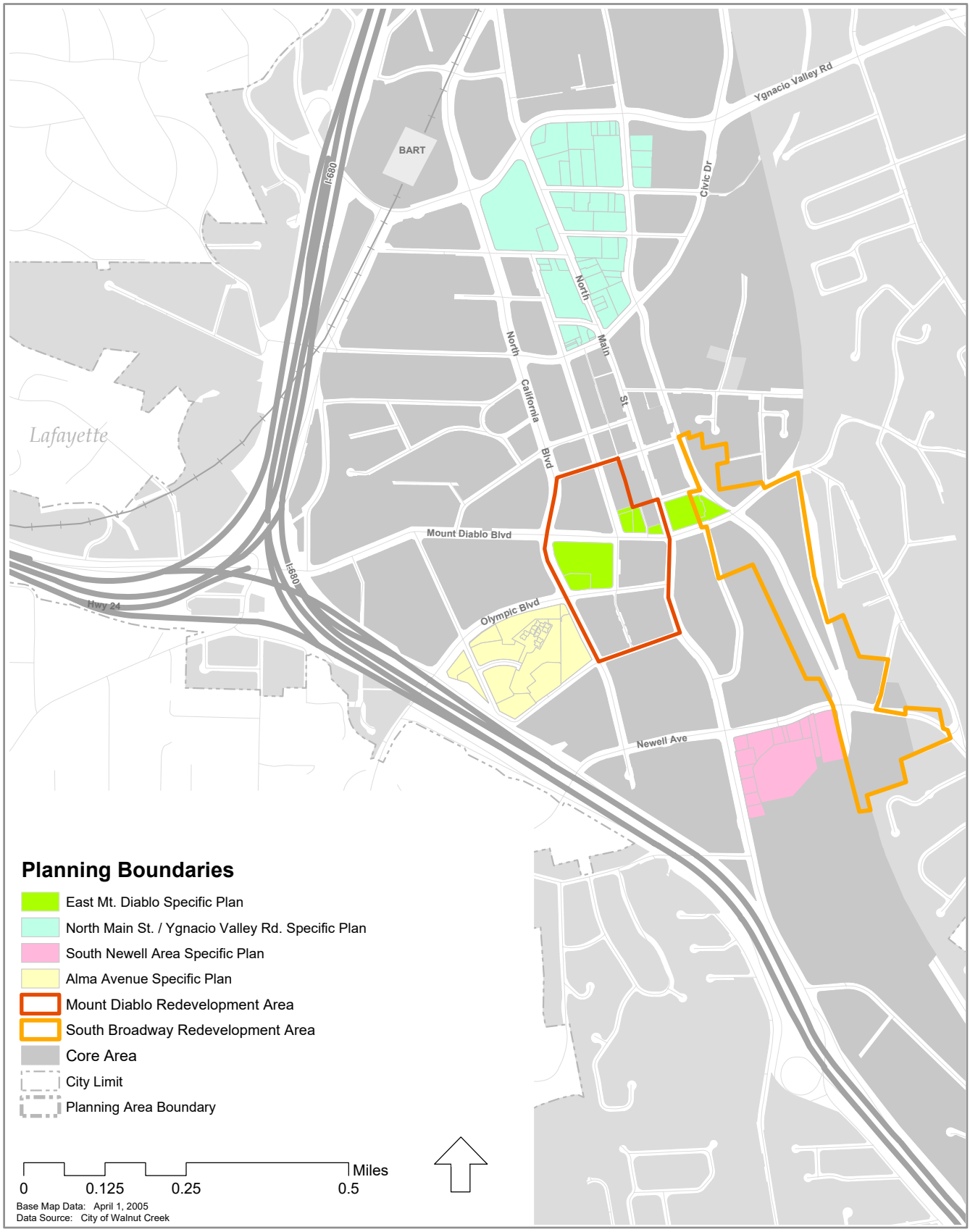


Figure 16. Core Area Specific Plan and Redevelopment Areas

Shops along Locust Street

COMMERCIAL AREAS OUTSIDE THE CORE

Outside the Core Area, the city's commercial activity takes place in neighborhood shopping centers, along commercial corridors, and in employment districts.

Neighborhood Shopping Centers
As in most communities, Walnut Creek's neighborhood shopping centers are located on arterial streets and serve adjacent and nearby residential neighborhoods. More often than not, these shopping centers have a "strip commercial" character, with buildings at the back of the property and large parking areas between the storefronts and the arterial street.

Commercial Corridors
Commercial corridors are commercial areas that border residential areas, creating edges or transitions that require care in both land use and design. Commercial corridors tend to be underutilized and, thus, offer opportunities for redevelopment or intensification that can create more successful and vibrant places.

Employment Districts
Areas such as the Shadelands Business Park, John Muir Medical Center and office area, and the Pleasant Hill BART station area are outlying employment districts that are connected to other commercial areas and to residential areas via arterials, collector streets, and pedestrian paths. Future development should provide for appropriate transitions in scale, architectural design, and land use between nonresidential and residential areas.

Medical offices in Shadelands Business Park

GOAL 21

Enhance the attractiveness and character of the city's neighborhood shopping centers and integrate them with surrounding development.

Policy 21.1. **Encourage new shopping center development and redevelopment to incorporate pedestrian-oriented mixed-use, and to make pedestrian and bicycle connections to surrounding residential areas.**

Palos Verde Shopping Center

Action 21.1.1. Revise City Design Review Guidelines to encourage developers to include the following features in the development of new and the redevelopment of existing shopping centers:

- Pedestrian amenities such as landscaping, benches, and attractive lighting
- Pedestrian walkways and bikeway connections that create safe paths of travel through the shopping center and parking, and to transit and nearby sidewalks
- Outdoor and sidewalk seating
- Orientation of buildings to transit facilities, where applicable
- Orientation of the businesses to adjacent creeks, where applicable
- Shared parking
- Attractive and convenient bicycle parking

GOAL 22

Enhance the urban design character of the city's commercial corridors.

Policy 22.1. **Protect and enhance the streetscape and service commercial uses along upper North Main Street (north of I-680).**

Action 22.1.1. Implement the Geary Road/North Main Street Area Plan.

Policy 22.2. **Encourage beautification and intensification of development along West Mt. Diablo Boulevard and Boulevard Way (see Action 4.1.3. regarding an overlay zone).**

Action 22.2.1. Working with the County, study narrowing Boulevard Way to improve the pedestrian character and to provide land for intensification of development and pedestrian amenities.

Action 22.2.2. Develop design guidelines for the West Mt. Diablo Boulevard area.

GOAL 23

Encourage well-designed development and redevelopment of employment districts such as the Shadelands Business Park and at Pleasant Hill BART.

Policy 23.1. Encourage development of region-serving employment districts that promote transit, pedestrian and bicycle travel and reduces auto trips.

BART and commercial development near Treat Boulevard

Policy 23.2. Improve the image and functionality of the Shadelands Business Park.

Action 23.2.1. Develop a comprehensive walkways and bikeways plan for the Shadelands Business Park.

Action 23.2.2. Require streetlights and sidewalks in new development and redevelopment in the Shadelands Business Park.

Policy 23.3. Encourage development around the Pleasant Hill BART station that supports the County's specific plan goals for well-designed, transit-, pedestrian-, and bicycle-oriented development.

Action 23.3.1. Work with the County toward ensuring that development of the Pleasant Hill BART station area is compatible with and accessible to adjacent areas within the incorporated city.

ARCHAEOLOGICAL RESOURCES

The city's open space areas and creeks harbor evidence of territories occupied by the Planning Area's first known inhabitants—two small Native American (Bay Miwok) tribelets, the *Tatcan* and *Saclan*. Most of the Planning Area is considered highly sensitive with respect to Native American resources. Three levels of archaeological sensitivity are shown in Figure 17 on page 4-41.

The California Archaeological Inventory identified 11 specific cultural resource sites within the Planning Area. The sites contain either Native American artifacts or burial deposits. These locations were recorded but are kept confidential to prevent their disturbance. (California Government Code §6254.10, exempts archaeological site information from public inspection under the California Public Records Act.) A confidential map locating the 11 sites is maintained by the Community Development Department solely for City staff use in determining the degree of professional archaeological involvement required on projects proposed near the sites. Professional archaeological examination may require appropriate reburial of any Native American remains discovered during construction.

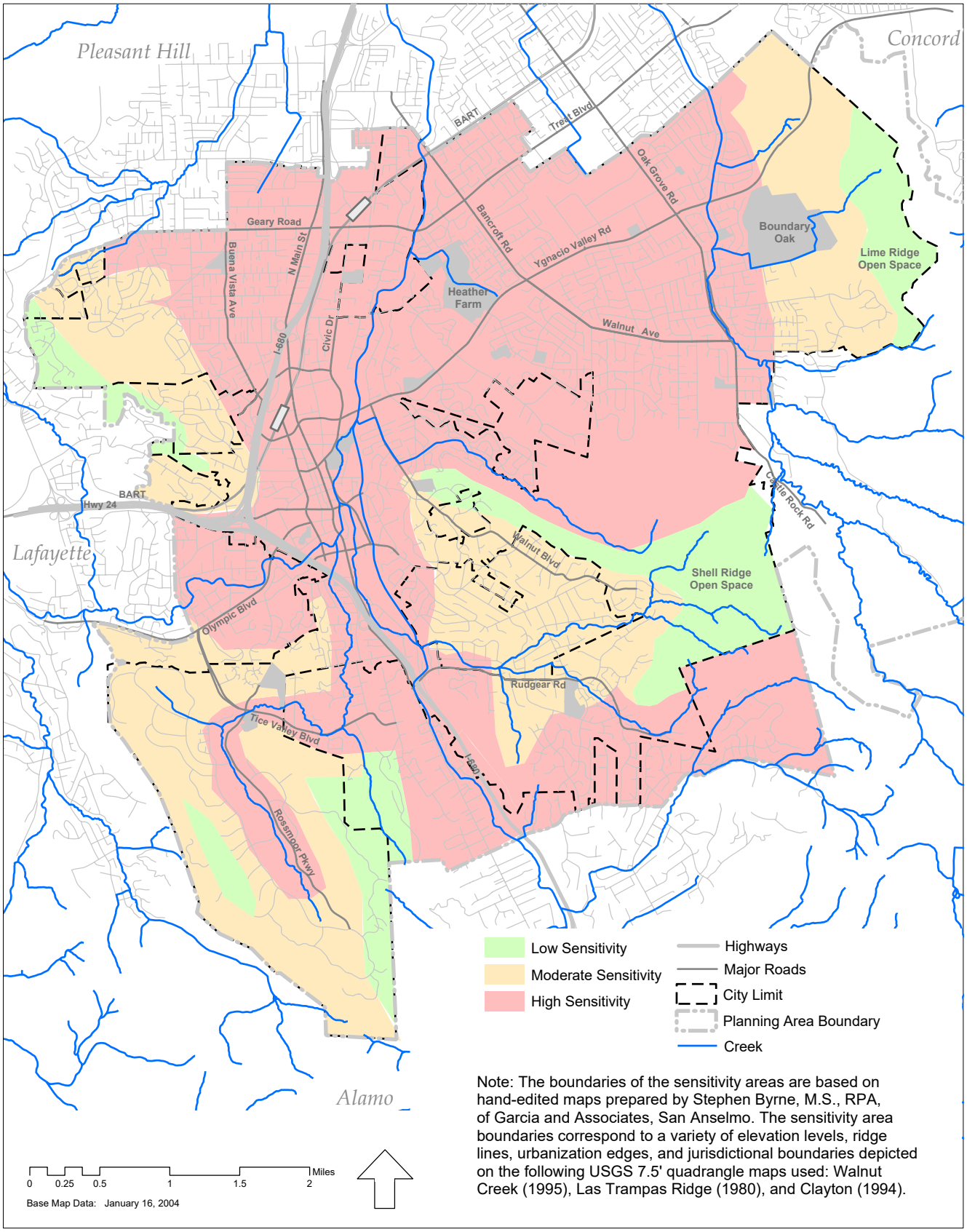
GOAL 24

Protect and conserve archaeological and paleontological resources.

Policy 24.1. Review the potential for the presence of archaeological and paleontological resources and remains in or near identified archaeological sites.

Action 24.1.1. Require (a) review by the California Archaeological Inventory, Northeast Information Center, Sonoma State University, of all major new projects and all projects of any size within 660 feet of a site identified on the City's map of sensitive archaeological sites and (b) add appropriate mitigations as conditions of project approval as may be recommended by the California Archaeological Inventory.

Action 24.1.2. Require developers to halt all work if cultural resources are encountered during a project, and to retain a qualified archaeologist to evaluate and make recommendations for conservation and mitigation.



Note: The boundaries of the sensitivity areas are based on hand-edited maps prepared by Stephen Byrne, M.S., RPA, of Garcia and Associates, San Anselmo. The sensitivity area boundaries correspond to a variety of elevation levels, ridge lines, urbanization edges, and jurisdictional boundaries depicted on the following USGS 7.5' quadrangle maps used: Walnut Creek (1995), Las Trampas Ridge (1980), and Clayton (1994).

Figure 17. Archaeologically Sensitive Areas

HISTORICAL RESOURCES

In 1849, William Slusher built a roofed cabin on the banks of what was then called "Nuts Creek" near what today is downtown Walnut Creek. He and his family became the first American settlers in what became known simply as "The Corners" – so named because it was the crossing of the two dirt roads leading from Pacheco to the north and Oakland to the west. Milo Hough of Lafayette came to The Corners in 1855 and built a hotel and store called the Walnut Creek House, at the present day intersection of S. Main Street and Botelho Drive. It is believed that Walnut Creek got its name from The Walnut Creek House.[7]

Hiram Penniman, whose 1903 ranch house in Ygnacio Valley serves today as the Shadelands Ranch Historical Museum, laid out the town site of The Corners in 1856. He was also responsible for realigning the north-south road away from the creek, creating Main Street in the process. In 1862, a U.S. Post Office was established in the village, which was then named Walnut Creek. Homer Stow Shuey arrived in 1869, buying 57 acres in an area near the junction of N. Main St. and Mt. Diablo Blvd. He was the first to file a subdivision map in 1871 and began selling off lots.

By 1871, a two –room school had been established in Walnut Creek. In 1880, the U.S. census established that Walnut Creek had a population of 300, and the *Walnut Creek Independent* newspaper was first published in the growing village in 1882. Ten years later, the town had grown to a population of 400, and the Southern Pacific began train service to Walnut Creek. The train depot was constructed in 1891 on donated land, and it still exists as a restaurant, although relocated from its original location.

By 1914, the population of Walnut Creek had grown to 500, and it was incorporated as a City, primarily as a way to raise the funds needed to finally pave Main Street.

Since the 1920s, Walnut Creek has grown and changed. Most of the structures that were built within the original city limits have been demolished and replaced, some several times over. In spite of this, Walnut Creek retains a number of historic and potentially historic buildings, both commercial and residential.

Policies and actions in *General Plan 2025* are directed at protecting Walnut Creek's historic resources. The general plan envisions that the Traditional Downtown would retain its smaller scale buildings and character, and that infill development would be done in a manner that is sensitive to and compatible with the existing area.

As of 2005, the city's historic built environment had been only partially inventoried. These buildings and sites are listed in Figure 20, Potentially Historic Resources. The location of many of these buildings and sites is shown in Figures 18 and 19. Actions 25.1.1. and 25.1.2. require the City to develop an inventory of historically significant properties and develop a Historic Preservation Plan and supporting ordinance.

Until the historical inventory is completed, proposed development projects which would involve buildings constructed prior to 1946 will require evaluation for environmental significance by a qualified architectural historian. In this way, the City has a means to identify historic properties and to intervene if such a property or landmark becomes seriously deteriorated or threatened with demolition.

[7] From *150 years in Pictures: An Illustrated History of Walnut Creek*, by Brad Rovanpera, published by Heritage Media, 1999

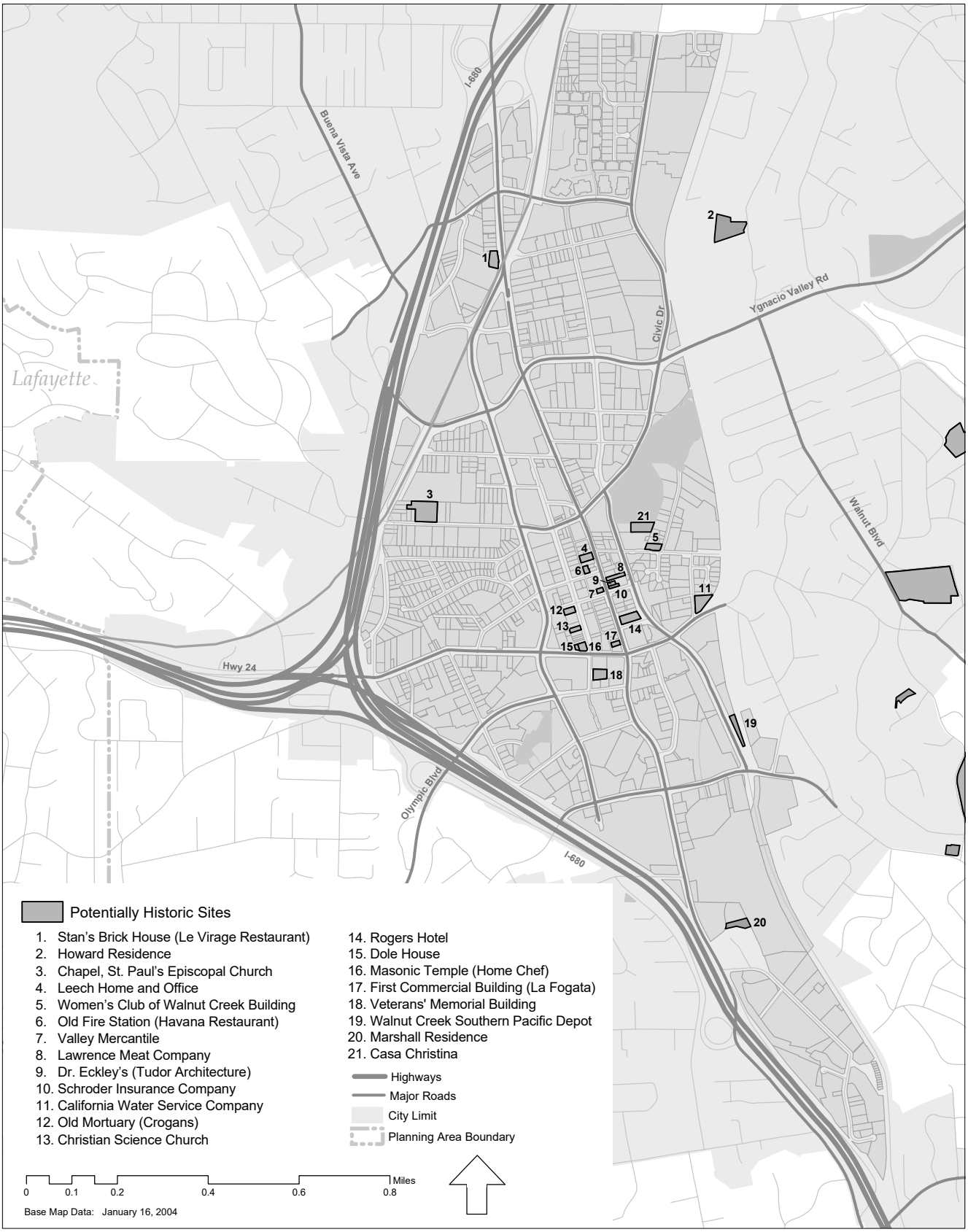


Figure 18. Potentially Historic Resources

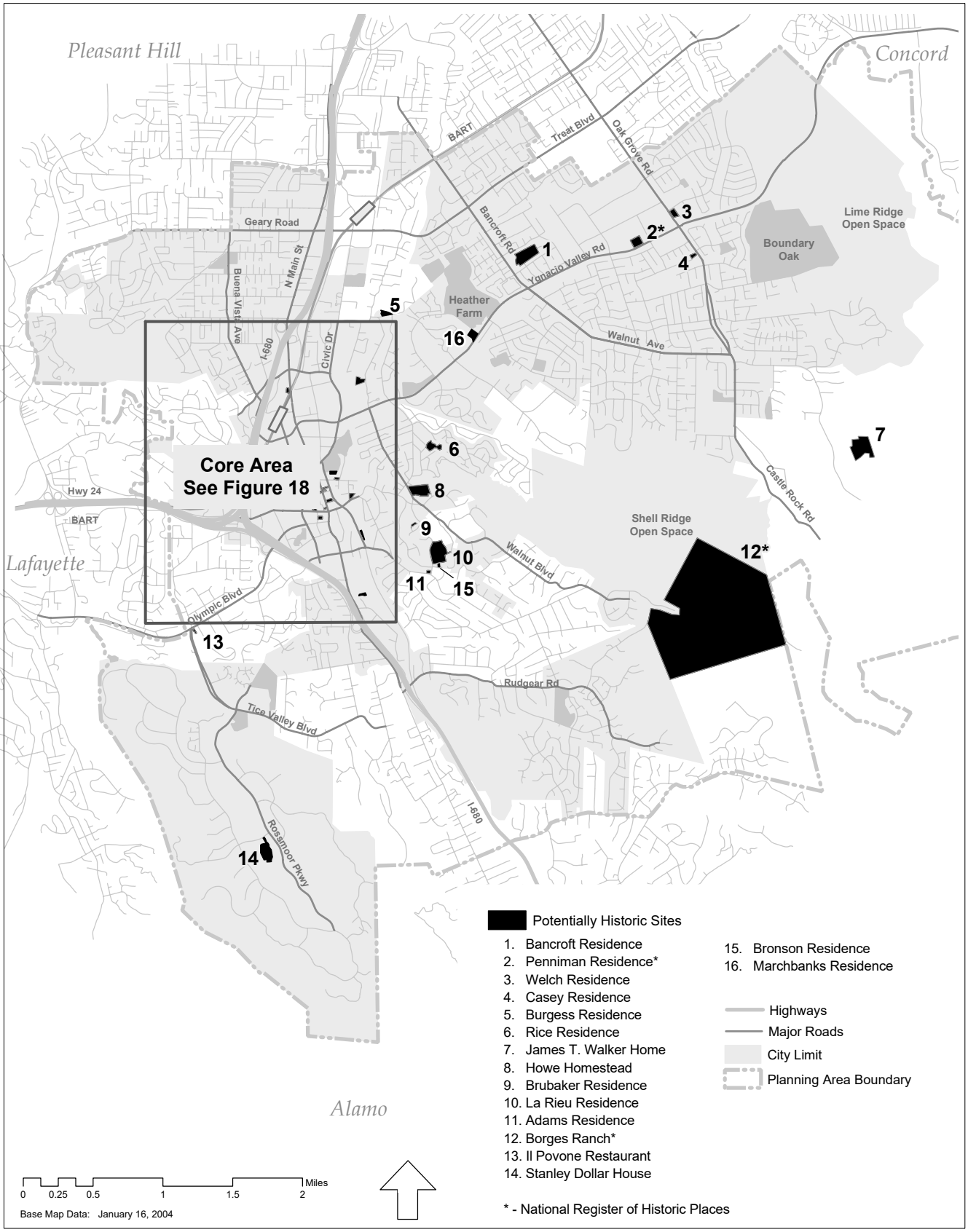


Figure 19. Potentially Historic Resources, City-Wide

GOAL 25

Maintain and enhance Walnut Creek's historic resources.

Policy 25.1. Foster the preservation, restoration, and compatible reuse of historically significant structures and sites.

Action 25.1.1. Develop an inventory and map of historically significant properties.

Action 25.1.2. Develop an historic preservation plan and supporting ordinances.

Figure 20. Potentially Historic Resources

Parcel Number	Address	Name Historic Use - Current Occupant	Year Built
178300022	1632 Live Oak Way	Casa Christina -Elizabeth Heidt and family	1932
134460015	2278 Oak Grove Rd.	Site of Welch Residence	ca 1880
139180003	1035 Castle Rock Rd.*	Borges Ranch -Shell Ridge Open Space	1937
142222032	2651 Oak Grove Rd.	Casey Residence -Dental Office & Lab	1923
143030029 143030030	1500 Bancroft Rd.	Bancroft Gardens – Home	1937
143040069	2680 Ygnacio Valley Rd.*	Penniman Residence -Shadelands Ranch Historical Museum	1903
144230001	1650 Ygnacio Valley Rd.	Marchbanks Residence – St. John Vianney Rectory	1921
172150009	962 Seven Hills Ranch Rd.	Rabbit Cannery – Home	1923
173161002	2373 Walnut Blvd.	Howard Residence	1930
174150044	2211 N. Main St.	Stan's Brickhouse - Le Virage Restaurant	1934
178071001	1924 Trinity Ave.	St. Paul's Episcopal Church	1889
178160001	1387 Locust St.	Burpee Residence - Crogan's	ca 1880
178160005	1347 Locust St.	Christian Science Society - Paint Pallette	ca 1920
178160008	1604 Mt. Diablo Blvd.	Masonic Lodge - Home Chef	1917
178160030	1614 Mt. Diablo Blvd.	Dole House -Real Estate Agency	ca 1883
178172003	1403 N. Main St.	Valley Mercantile, Dress Barn	1916
178220007	1533 N. Main St.	Leech House -Restaurant/ Offices	1860
178220011	1514 Bonanza St.	Old Fire House – Havana Restaurant	1927
178230012	1315 N. Main St.	Sherburne Store -La Fogata Restaurant	1880
178240019	1350 N. Main St.	Site of Rodgers Hotel - Mechanics Bank	1880
178250029	1432 N. Main St.	Walnut Creek Meat -Crepes A Go-Go Restaurant	1910
178250039	1410 N. Main St.	Post Office -Schroder Insurance	1928
178250044	1412 N. Main St.	Retail Building - Mai Thai + other retail	ca 1890
178262020	1200 Mt. Pisgah Rd.	California Water Service Pumping Plant -Office Building	1937
178290001	1224 Lincoln Ave.	Women's Club - Business Offices	1938
179091009	2950 Walnut Blvd.	Howe Homestead Park	1920
179131020	1056 Hacienda Dr.	William Rice Residence	1861
180030019	2030 San Miguel Dr.	Adams Residence	1937
180060034	30 Brubaker Dr.	Brubaker Residence – Heritage Tree	1937
180080001	196 El Camino Corto	Lar Rieu Estate	1936
180090015	876 Bronson Ln.	Bronson Residence	1933
183050021	45 Quail Ct.	Site of Marshall Residence - Office	N/a
183270052	850 S. Broadway	Southern Pacific Railroad Depot	1891
184060013	1250 Locust St.	American Legion Veterans Hall	1925
138210011	1200 North Gate Rd.	James T. Walker Residence	1869
184311018	2291 Olympic Blvd.	Il Pavone Restaurant	Unknown
189170011	1015 Stanley Dollar Dr.	Stanley Dollar House	1930

* = Listed with the National Register of Historic Places

ENVIRONMENTAL INTEGRITY

The impacts of human development on the natural environment are complex and constantly changing. A number of specific policies in Chapter 3, Natural Environment and Public Spaces, focus on preserving and expanding Walnut Creek's open space lands. This chapter promotes the integrity of the environment with policies to reduce or mitigate the negative impacts of development in order to make today's health, economic, and aesthetic benefits available to future generations.

PROTECTING NATURE IN DEVELOPMENT

The Walnut Creek community has long recognized the value of protecting hillsides, ridgelines, and native trees. The City's Hillside/Ridgeline Ordinance (See Appendix B, *Measure P Ordinance 1781*, 11/5/91) grew out of citizen concern over the potential loss of hillside open space to development.

To implement Measure P, a voter initiative adopted in 1991, the City enacted a Hillside Zoning Ordinance and modified the Tree Preservation Ordinance. Policy 26.1. contains general plan text required by Measure P.

The policies that follow are intended to encourage development that retains important natural elements and harmonizes with, rather than dominates, the environment. For example, retaining a high percentage of vegetation will generate oxygen, cool the air, offer needed shade, and provide food and habitat for wildlife.

GOAL 26

Develop a comprehensive, integrated plan to preserve the natural environment in the built environment.

Policy 26.1. "Preserve Open Space/ Agricultural Lands, as defined in this Ordinance"[8] by:

(1) "prohibiting Development on existing slopes with grades of twenty percent (20%) or greater, or within 75 vertical feet of any Ridgeline, or within the area surrounding any Native Tree for a distance of one and one-half times the distance from the trunk to the drip-line, which slopes and areas shall be preserved in their natural state;
(2) limiting Development to detached, single-family residential housing and normal appurtenances, with a maximum density of one (1) dwelling unit per ten (10) acres;
(3) requiring that any permitted Development be located and constructed in such a manner as to prevent visual impacts on scenic vistas and existing neighborhoods; and
(4) prohibiting the cutting of and damage to any Native Tree."

Policy 26.2. Incorporate natural features such as trees, hillsides, and rock outcroppings into new development.

Policy 26.3. Preserve and add to the city's tree canopy.

Policy 26.4. Protect tree resources on public and private property.

[8] Measure P, Ord. 1781, 11/5/91, Section 3.f. See Appendix B for the complete "Walnut Creek Hillside/Open Space Protection Ordinance," Measure P.)

Policy 26.5. Protect tree groves (especially oaks) and their understories.

Action 26.5.1. Assess the effectiveness and efficiency of and, if necessary, modify the City's Tree Preservation Ordinance. (Walnut Creek Municipal Code, Title 3, Chapter 8.)

Action 26.5.2. Plan for the replacement of trees that have been removed.

Action 26.5.3. Set standards for—and require new developments to have—adequate tree canopy.

Policy 26.6. Recognize the benefit of urban wildlife and their habitat.

Action 26.6.1. Work with the Lindsay Wildlife Museum to promote humane interaction between people and urban wildlife.

Action 26.6.2. Create an urban wildlife advisory committee to explore an urban wildlife preservation ordinance.

Action 26.6.3. Identify wildlife corridors and encourage their preservation.

Policy 26.7. Study the impacts of light pollution and develop actions to reduce its effects.

Action 26.7.1. Consider adopting a "dark sky ordinance" aimed at reducing light spillage both upward and onto adjoining properties.

SUSTAINABILITY

The California Building Codes, Title 24, have for decades set the standards and regulations for energy conservation in California. In 2004, the U.S. Green Building Council initiated a more comprehensive and voluntary set of national standards for "green building" through its Leadership in Energy and Environmental Design (LEED) program. ("Green" is a term that describes environmental practices and buildings that are highly energy efficient and have a minimal impact on the environment.[9]) The LEED Green Building Rating System ranks developments and awards points in such additional areas as water-use reduction and ventilation-system effectiveness. Projects are certified at one of four levels (standard, silver, gold, platinum) based on the total number of points.

GOAL 27

Promote "green" development and redevelopment.

Policy 27.1. Encourage resource-efficient building techniques, materials, and technologies in new construction and renovation.

Action 27.1.1. Explore incentives to use green building techniques.

Action 27.1.2. Consider adding an energy-audit requirement to the City's review processes.

CONSERVATION

Conservation is the management of natural resources to prevent waste, destruction, or neglect. Limiting the use of a resource, such as energy or water, can promote conservation. For example, water is conserved with drought tolerant landscaping.

Reuse is another way to conserve resources (e.g., donating a computer to a nonprofit agency or reusing old bricks to build a new home). Products also can be recycled by providing a new and different use for an existing

[9] GreenBiz.com, November 9, 2004.

waste product, such as converting auto tires into pavement.

The City proposes to set an example of environmental stewardship by employing conservation policies on City property and in City buildings. Researching and employing environmentally sustainable methods of doing business can provide valuable information on what works. The information learned can then be communicated to the wider community.

GOAL 28

Promote energy conservation.

Policy 28.1. Implement energy conservation measures in City facilities and operations.

Action 28.1.1. Conduct an energy audit of all City activities and functions.

Action 28.1.2. Provide City departments with incentives to conserve energy.

Policy 28.2. Promote energy conservation throughout the city.

Action 28.2.1. Adopt residential and commercial energy-conservation ordinances.

Action 28.2.2. Adopt a solar-access ordinance.

Action 28.2.3. Develop incentives to help small businesses become more energy efficient.

Action 28.2.4. Develop incentives for new development or substantial redevelopment to incorporate energy conservation.

Action 28.2.5. Where appropriate, include energy-conservation projects in the City's Capital Improvement Plan.

GOAL 29

Promote water conservation.

Policy 29.1. Implement water conservation measures in City facilities and operations.

Action 29.1.1. Study the feasibility of applying water conservation techniques, including the use of drought-tolerant plants, in city parks.

Policy 29.2. Promote water conservation throughout the community.

Action 29.2.1. Explore possibilities for safe and effective use of reclaimed or recycled water consistent with State law (e.g., for landscape irrigation and toilet flushing in commercial buildings).

Action 29.2.2. Work with local water agencies on water conservation efforts, education, and promotion.

Action 29.2.3. Encourage water use consistent with the City's adopted water-conservation guidelines.

Action 29.2.4. Follow existing standards and guidelines for water-conserving landscaping, and encourage the planting of native and drought-tolerant plants.

WASTE REDUCTION

Reducing waste provides direct and indirect environmental benefits including cleaner air and water, reduced resource and energy use, and a reduction in greenhouse gas emissions. California's Integrated Waste Management Act of 1989 set an ambitious goal for cities to divert 50 percent of all solid waste from landfills by 2000 through source reduction, recycling, and composting. In 2003, the Central Contra Costa Solid Waste Authority (CCCSWA) calculated the diversion rate for Walnut Creek at 55 percent.

GOAL 30

Meet or exceed State goals for source reduction and waste diversion.

Policy 30.1. Implement source reduction and recycling in City facilities and operations.

Action 30.1.1. Implement source-reduction and waste-diversion programs within City government.

Action 30.1.2. Give preference to recycled content and environmentally friendly products in City procurement.

Policy 30.2. Promote source reduction and recycling throughout the community.

Action 30.2.1. Locally implement the State's 1993 Source Reduction and Recycling Element.

Action 30.2.2. Consider adopting a comprehensive source-reduction and recycling plan specific to Walnut Creek.

Action 30.2.3. Promote and participate in residential and commercial waste-prevention and diversion programs.

Action 30.2.4. Make recycling convenient for small businesses.

Action 30.2.5. Develop size, location, and design standards for commercial and multifamily trash and recycling facilities and enclosures.

Action 30.2.6. Consider an ordinance requiring businesses and multifamily dwellings to participate in recycling and waste-reduction programs.

Action 30.2.7. Require the recycling of construction waste for all City and private projects.

Action 30.2.8. Encourage shared recycling facilities among businesses, especially those with limited space, for example, within the Core Area.

Action 30.2.9. Provide accessible disposal containers, including recycling containers, at appropriate locations downtown and at City public facilities and parks.

Policy 30.3. Provide opportunities for residents and businesses to divert organic waste from landfill disposal.

Action 30.3.1. Work with the waste management companies to institute curbside residential organic waste-collection programs.

Action 30.3.2. Encourage restaurants to recycle organic waste.

AIR AND WATER QUALITY

Water and air are easily damaged by unregulated development. Although these issues are best handled on a regional or national basis, the City can take actions to improve air and water quality and reduce negative impacts from development.

Air Quality

The San Francisco Bay Area is among major U.S. metropolitan areas with the cleanest air, yet the area doesn't meet air-quality standards for particulate matter or ground-level ozone. Light winds—combined with strong temperature inversions—trap pollutants, leading to locally high pollutant concentrations.

The air pollution potential in Walnut Creek is relatively high because of hot summer weather conditions and the city's location in a large urban area. The city is particularly prone to high ozone levels in the summer, when ozone and its precursors drift into Walnut Creek from the more densely urbanized parts of the Bay Area.

In winter, light winds combine with strong temperature inversions to trap wood smoke and carbon monoxide, both of which can appear in locally high concentrations.

Although federal and State laws establish regulations for major sources of pollution, air quality is regulated at a regional level –- with primary focus on reducing emissions.

The Bay Area Air Quality Management District (BAAQMD) regulates air quality in the nine-county Bay Area. It prepares regional air-quality plans every three years. These plans include implementation strategies, some of which rely on local governments for implementation.

A key element in regional air-quality planning is the accurate projection of future human activity, including population and vehicle-use

data.[10] Local general plans are important sources of this data.

As a cooperating regional entity, Walnut Creek can promote better air quality by recognizing the bottom-up nature of pollution—that the cumulative results of transportation and land use policies can assist or negate regional air quality planning and accomplishments.

GOAL 31

Strive to meet State and federal air-quality standards for the region.

Policy 31.1. Work with the Bay Area Air Quality Management District (BAAQMD) and the County in promoting better air quality.

Action 31.1.1. Support local transportation control measures (TCMs) and other ideas in the latest Bay Area Clean Air Plan.

Action 31.1.2. Develop a local, voluntary Clean Air Plan.

Action 31.1.3. Participate in the BAAQMD Spare the Air program.

Policy 31.2. Consider additional land use and development criteria, standards, and decisions that have positive impacts on air quality and quality of life in general.

Action 31.2.1. Review parking lot landscaping requirements to ensure adequate width and depth to allow for appropriate tree canopy.

Action 31.2.2. Investigate policies that promote cleaner air, such as commercial reflective roofing ordinances.

Action 31.2.3. Promote residential development and redevelopment opportunities near transit and commercial centers, and encourage walking, bicycling, and transit use.

Policy 31.3. Proactively manage local air-quality issues.

Action 31.3.1. Control emission of dust from construction sites.

Action 31.3.2. Adopt a wood smoke ordinance.

Action 31.3.3. Provide buffers between identified stationary sources of odors and sensitive land uses.

Action 31.3.4. Projects that locate new sensitive receptors (facilities or land uses such as hospitals, day care centers, schools and residences that are occupied for substantial amounts of time by members of the population particularly sensitive to the effects of air pollutants, such as children, the elderly and people with illnesses) proposed within 500 feet from the edge of the closest travel lane of Interstate 680 or Highway 24 should include an analysis of mobile source toxic air contaminant health risks, based on appropriate air dispersion modeling. Project review should include an evaluation of the adequacy of the setback from the highway, and, if necessary, identify design miti-

[10] BAAQMD uses population data provided by the Association of Bay Area Governments (ABAG) and vehicle-use trends from the Metropolitan Transportation Commission (MTC).

gation measures to reduce health risks to acceptable levels.

Water Quality

Federal and State laws govern water quality and regulate the major sources of water pollution. The laws are implemented regionally through the San Francisco Bay Regional Water Quality Control Board (RWQCB).

Four major watersheds drain the Walnut Creek Planning Area. The quality of surface and groundwater is affected by land uses and activities within the watersheds, as well as the underlying geology.

Walnut Creek gets its water from two water districts: The Contra Costa Water District (CCWD) serves primarily the northern and eastern third of the city. The East Bay Municipal Utility District (EBMUD) serves the remaining two-thirds of the city.

EBMUD and CCWD own all water distribution and treatment facilities in Walnut Creek. The largest distribution, treatment, pumping, and storage facilities are outside the city limits.

EBMUD customers in Walnut Creek used more than 9 million gallons per day (mgd) in 2003. CCWD's Walnut Creek customers used 2.4 mgd. Residential users consumed 75 percent of the combined 2003 total of 11.4 mgd. Commercial customers used 18 percent, and 7 percent was consumed by others.

EBMUD's *2000 Demand Study* estimated customer demand would rise 20 percent by 2020. Both EBMUD and CCWD are looking for new and increased water supply and sources. As of 2005, both had large system improvement projects underway to seismically retrofit and increase reservoir capacity. Both have extensive conservation and recycling programs.

Cities are required to implement Stormwater Management Plans (SWMP) with performance standards and controls to reduce pollutants in stormwater discharge. "Best management practices" refer to any procedure or device designated to minimize the quantity of pollutants that enter the storm drain system. Recent changes strengthen the regulations for projects that replace or create new impervious surface.

The policies that follow meet the State's requirements that general plans must include water-quality and watershed protection principles. The Creeks and Trails subsection of Chapter 3, Natural Environment and Public Spaces also addresses some of the State requirements.

GOAL 32

Meet or exceed State and federal water-quality standards.

Policy 32.1. Support regional, State, and federal clean water efforts.

Action 32.1.1. Implement the Stormwater Management Plan.

Action 32.1.2. Enforce the National Pollution Discharge Elimination System (NPDES) permit regulations.

Action 32.1.3. Seek Regional Water Quality Control Board NPDES exemptions for low- and moderate-income housing and transit village projects.

Action 32.1.4. Prohibit development in areas particularly susceptible to erosion and sediment loss.

Action 32.1.5. Prepare information-and-action handouts on water-quality best-management practices and provide this information with project application packets.

Policy 32.2. In redevelopment projects in the Core Area, evaluate the desirability of specific, off-site, source-control measures.

Policy 32.3. Maximize infiltration of rainwater into the soil, where appropriate.

Action 32.3.1. Reduce the amount of impervious surfaces in new development and redevelopment. (See Safety and Noise Action 2.1.1.)

Action 32.3.2. Require that impervious surfaces not drain directly into storm drains. (See Safety and Noise Action 2.1.1.)

Policy 32.4. Reduce the transport of urban runoff and surface pollutants offsite.

Action 32.4.1. Verify the effectiveness of stormwater treatment facilities.

Action 32.4.2. Verify, through the commercial, industrial, and illicit discharge inspection programs, that interior floor drains are connected to the sanitary sewer system.

Policy 32.5. Encourage preservation of natural water bodies and drainage systems.

Action 32.5.1. Retain natural water bodies and leave drainage systems undisturbed while allowing construction of adjacent creek walks.

Action 32.5.2. Prioritize onsite impacts and their mitigations.

Action 32.5.3. Require participation in offsite or regional programs—including stream restoration—that provide water-quality benefits within the same watershed, wherever development and/or redevelopment projects disturb natural water bodies or drainage systems.

Policy 32.6. Reduce pollutant loading in the wastewater system.

Action 32.6.1. Apply best-management practices to discharges to the sanitary sewer system.

Action 32.6.2. Establish a pesticide-reducing protocol for city parks.

Locust Street / Mt. Diablo Boulevard Specific Plan

CITY OF WALNUT CREEK

ADOPTED: JULY 20,2010

Locust Street / Mt. Diablo Boulevard Specific Plan

CITY OF WALNUT CREEK

ROMA Design Group

In association with:

Baldauf Catton Von Eckartsberg Architects • Environmental Science Associates
Kimley-Horn and Associates • Economic & Planning Systems • Page & Turnbull

ADOPTED: JULY 20, 2010

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INTRODUCTION AND OVERVIEW

Executive Summary

Over the past twenty-five years, Walnut Creek's downtown has emerged as one of the Bay Area's most successful retail destinations, ranking among the top 10 "Main Street" retail areas in the country, according to the International Council of Shopping Centers.[1] At the same time, the downtown is highly valued by Walnut Creek residents as the principal gathering place and social heart of the community. This dual role gives downtown Walnut Creek its unique identity and appeal. The diverse mix of local and national retailers, the friendly network of pedestrian promenades, plazas and courtyards, and the pattern of older and newer buildings all contribute to the unique charm and authentic small town character of the downtown core.

The original downtown of Walnut Creek is concentrated north of Mt. Diablo Boulevard along Main and Locust Streets in a pattern typical of many California cities. One-, two- and three-story buildings of various periods, ranging from the 1870s to the 1950s and 1960s, line both streets, creating a diverse and eclectic fabric of store fronts, many operated by local retailers, restaurant owners, and entrepreneurs. In the early 1950s, the downtown expanded south of Mt. Diablo

1 Colliers International Partnership http://www.colliersparrish.com/html/index.asp?ptype=2&officeid=29&content=RO

Figure 1: Specific Plan Area

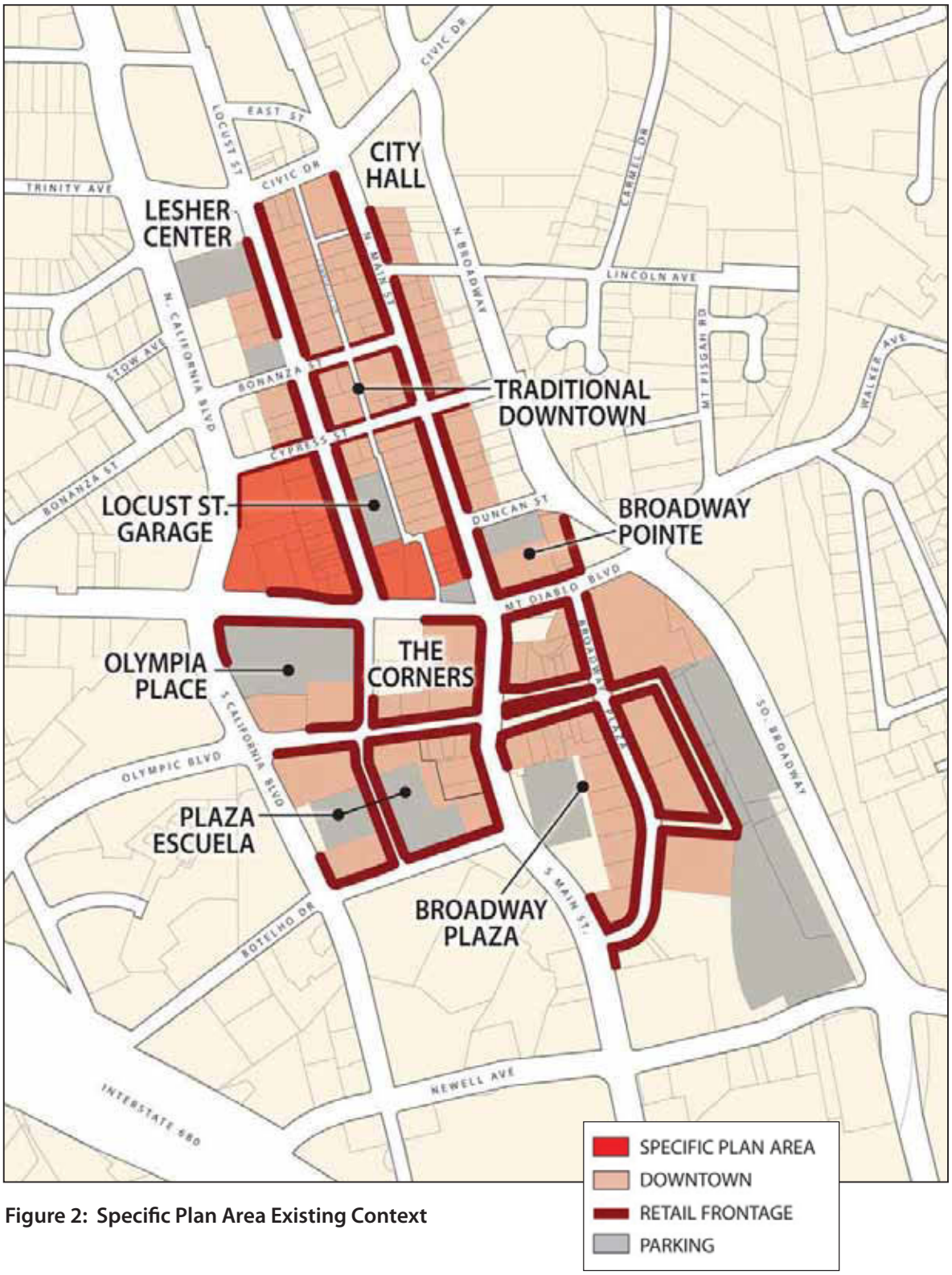


Figure 2: Specific Plan Area Existing Context

Boulevard with the development of Broadway Plaza. The development has continued with more recent retail and mixed use projects including Plaza Escuela, Olympia Place and The Corners development. This part of the downtown is characterized by larger increments of development, including department stores and a wide assortment of national retailers (Figure 2).

The Locust Street/Mt. Diablo Boulevard Specific Plan focuses on a key portion of the Traditional Downtown north of Mt. Diablo Boulevard, where several significant vacant and transitioning commercial properties offer opportunities for infill development (Figure 3). The purpose of the Specific Plan is to guide new development in a way that builds upon, enhances and expands the existing pedestrian-oriented retail district, while preserving the diverse and eclectic character of the Traditional Downtown. General policies govern the overall plan area, encompassing 5.3 acres between N. California Boulevard and N. Main Street, while specific guidelines are established for six key opportunity sites that are most likely to change over the next few years. As such, the Specific Plan area is divided into two sub-areas: the Primary Study Area, which encompasses the opportunity sites, and the Secondary Study Area, where the existing buildings are generally compatible with the Traditional Downtown character and should be retained (Figure 3).

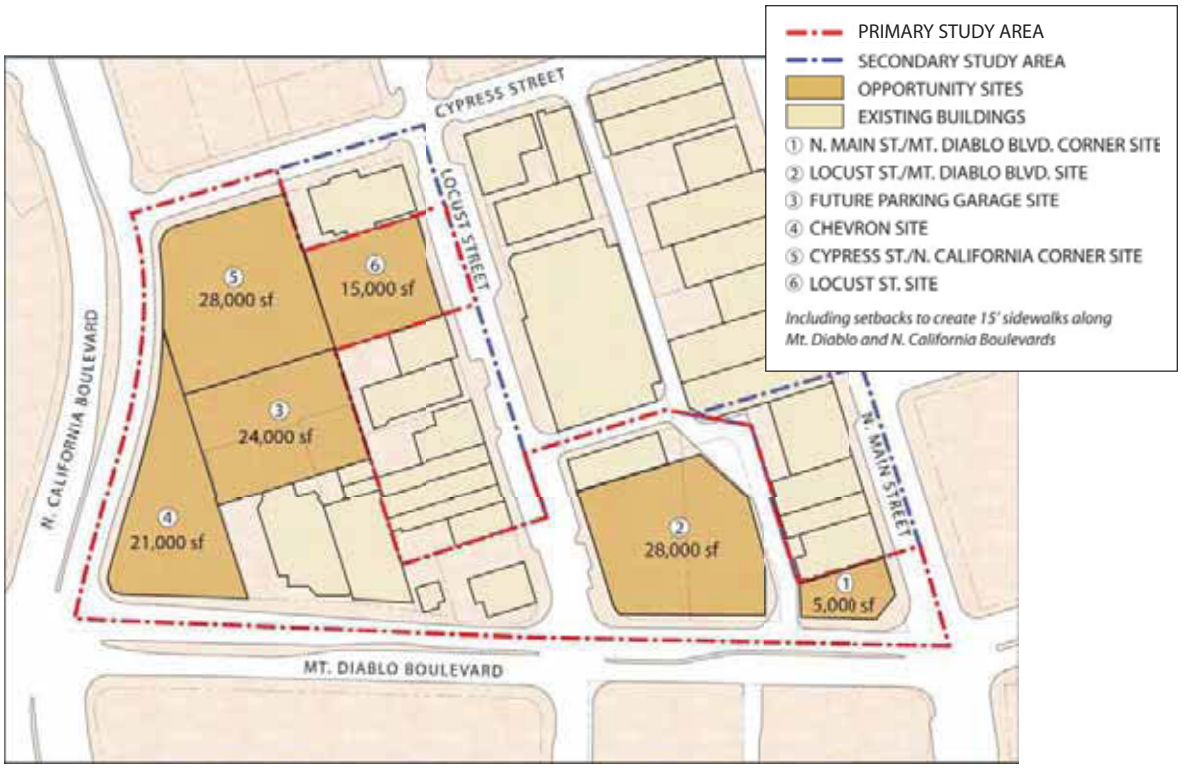


Figure 3: Specific Plan Area and Opportunity Sites

The Specific Plan promotes streetscape improvements and development that enhance and extend the downtown's existing network of sidewalks, promenades, plazas, paseos and courtyards.

The Specific Plan sets forth policies and guidelines that:

- Maintain and enhance the viability of downtown Walnut Creek as a local and regional retail destination.

- Shape the physical form and scale of potential future development on the six opportunity sites in a way that is compatible with the scale and character of the Traditional Downtown.

- Promote streetscape and open space improvements that enhance and extend the existing network of pedestrian-friendly sidewalks, promenades, plazas, paseos (pedestrian walkways) and courtyards.

- Encourage active ground-floor retail uses on Locust Street, N. Main Street and Mt. Diablo Boulevard, as well as other street frontages within the Specific Plan area.

- Encourage the redevelopment of Commercial Lane between the Duncan Arcade and Mt. Diablo Boulevard into a multi-purpose paseo that is used part-time as a service alley for adjacent businesses and part-time as a pedestrian walkway and retail frontage.

- Allow for upper-level uses — including office, retail, residential and hotel — that contribute to the life and vitality of the downtown without undermining the viability of ground-level retail uses.

- Provide for the expansion of the downtown's reserve of off-street parking in order to improve parking accessibility and enable properties to improve or redevelop modestly without the burden of on-site parking.

- Promote preservation of historic or locally important structures that contribute to the identity and character of the downtown.

- Encourage development patterns and building designs that promote energy and water efficiency, resource protection, reduced auto dependency and climate protection.

The Specific Plan has been informed by considerable public input as well as by analyses of the physical characteristics and market potential of alternative development concepts. As such, property owners may rely on it as a guide to what the community finds acceptable. The Specific Plan identifies amendments to other City regulations that would be needed to implement the vision of the plan. Many of the amendments to *General Plan 2025*, the Zoning Ordinance, the previous East Mt. Diablo Blvd. Specific Plan or the Mt. Diablo Redevelopment Project Plan that are necessary to implement this plan shall be adopted concurrently with the Specific Plan (see Implementation Plan).

The six opportunity sites within the Locust Street/Mt. Diablo Specific Plan total almost four acres. If each site were developed to the full potential outlined in the plan, the area could see the addition of up to:

- 136,000 square feet of new retail and restaurant space

- 46 housing units

- 93 hotel rooms

- 97,300 square feet of office space; and

- 799 new off-street parking spaces (335 spaces in a new parking garage)

Planning Process

The Specific Plan was developed by City staff and consultants with the participation of the 13-member Locust Street/Mt. Diablo Boulevard Precise Plan Advisory Committee. The Committee was comprised of two City Council members, two Planning Commissioners, two Design Review Commissioners, property and business owners in the study area, interested citizens, and persons active in historic preservation and real estate. The Advisory Committee met seven times to outline objectives and policies for the planning area and to review alternative concepts for development of the opportunity sites. In addition, City staff and the consultants met with individuals and focus groups to discuss specific issues.

Preparation of the Specific Plan began with an identification of the community's objectives for the study area and opportunities and challenges facing the area. The consultants prepared sketches of alternative development scenarios and prepared urban design recommendations. Economic analysts evaluated the financial potential of the alternatives, and the various options were modified to insure that they represented achievable development concepts. Responding to comments from City staff and the Advisory Committee, the consultants reviewed and refined the development concepts. The initial planning work of the Advisory Committee was refined further to develop appropriate land uses, property development recommendations, design guidelines and public improvements. The Specific Plan provides illustrations of potential development scenarios that meet the objectives of this plan.

The Planning Commission, Design Review Commission, Transportation Commission and City Council reviewed and provided comment on the Administrative Draft Specific Plan on the following dates: Design Review Commission (January 16, 2008); Transportation Commission (January 17, 2008); Planning Commission (February 21, 2008); and City Council (March 4, 2008). Stakeholders, including property owners and business owners in the Specific Plan area and other interested persons, also attended these meetings and provided comments on the Administrative Draft Specific Plan. Based on those comments, the Administrative Draft Specific Plan was revised and a Draft Environmental Impact Report (DEIR) was prepared. The formal public review process began with publication of the draft Specific Plan and DEIR. Public hearings by the City Commissions and City Council culminated in adoption of the Specific Plan on July 20, 2010.

Goals and Objectives

The primary goal of the Specific Plan is to maintain and enhance Walnut Creek's vibrant downtown core as a lively and walkable Pedestrian Retail District. This goal is consistent with those expressed in *General Plan 2025*, which designates the study area as a Pedestrian Retail District and calls for new development to focus on retail and restaurant activities that expand the project area potential "to host arts and cultural events."

The Specific Plan seeks to complement the diverse character and smaller scale of the Traditional Downtown by encouraging compatible uses and buildings on the six opportunity sites and preservation and enhancement of the secondary area. The objectives of the Specific Plan are as follows:

Land Use

Objective LU-1 – Link the North and South Sides of Mt. Diablo Boulevard: Create a stronger pedestrian and activity connection between the Traditional Downtown, the Broadway Plaza shopping area and the retail district south of Mt. Diablo Boulevard by infilling underutilized sites along N. Main Street, Locust Street and N. California Boulevard with compatible retail frontage and by introducing public amenities such as plazas and appropriate upper-floor uses. Enhance pedestrian crossing locations at Mt. Diablo Boulevard to reduce the barrier effect of this large street.

Objective LU-2 – Infill Development Opportunities: Provide opportunities for infill development that are both financially feasible and respectful of the smaller scale and character of the shops and buildings in the Traditional Downtown.

Objective LU-3 – Heart of the Community: Enhance the downtown as the 'heart' of the community and as a venue for urban recreation and relaxation for residents of all ages.

Objective LU-4 – Retail and International Dining Mecca: Promote and reinforce the Specific Plan area and the Traditional Downtown as a vibrant retail and international dining destination.

Objective LU-5 – Pedestrian Orientation: Require street-level uses, including outdoor dining and cafés, that will provide activity and visual interest at the sidewalk level. Minimize blank walls, parking and other inactive uses that discourage pedestrian activity. Facilitate the development of new publicly accessible restrooms in the plan area that are open, visible and welcoming.

Objective LU-6 – Upper Level Mixed Use: Promote upper-level uses, including retail, restaurants, office, hotel and limited residential, that enliven and complement the downtown as a retail destination.

Objective LU-7 – Town Scale: Preserve and enhance the character of the Traditional Downtown, which is associated with smaller parcels, a diversity of architectural styles, a strong pedestrian orientation and appropriate building articulation.

Objective LU-8 – Sidewalks, Crosswalks, Paseos and Setbacks: Enhance pedestrian accessibility and safety through completion of new mid-block walkways, conversion of Commercial Lane (from Duncan Arcade to Mt. Diablo Boulevard) to a multi-purpose paseo, and provision of appropriate sidewalk dimensions and building setbacks within the Specific Plan area.

Objective LU-9 – Preservation: Provide for the preservation and/or rehabilitation of historic or locally important structures throughout the Specific Plan area.

Objective LU-10 - Downtown Hotel: Facilitate the potential for development of a small hotel within the Specific Plan area to continue the expansion of the Traditional Downtown as an arts and cultural destination and to enhance economic vitality in the Core Area.

Objective LU-11 – Sustainability: Encourage zero-energy building design and full use of rooftops. Promote development patterns that reduce auto dependency and foster energy conservation and resource protection.

Objective LU-12 – Mt. Diablo Boulevard Gateway: Establish the corner of Mt. Diablo Boulevard and California Boulevard as the principal gateway into the downtown Pedestrian Retail District.

Circulation

Objective CIRC-1 – Pedestrian Network: Expand and reinforce a pedestrian-scaled network of paseos, plazas and courtyards in the Specific Plan area.

Objective CIRC-2 – Public Parking: Augment the supply of off-street garage parking north of Mt. Diablo Boulevard to improve the ease of public parking, to encourage visitors to "park once and walk," to support existing and future retail uses in the Traditional Downtown, to intercept traffic entering the downtown, and to allow properties in the Specific Plan area to improve or redevelop modestly, if appropriate, without the burden of on-site parking.

Objective CIRC - 3 - Commercial Lane Enhancements: Encourage the redevelopment of Commercial Lane between the Duncan Arcade and Mt. Diablo Boulevard into a multi-purpose paseo. Improve Commercial Lane to provide more efficient service vehicle access to existing and future businesses.

Objective CIRC-4 – Service Access: Provide access to parking and services from alleys, whenever possible, to minimize interruptions of the sidewalk and to maintain the continuity of retail frontage.

Scope of the Specific Plan

The Specific Plan builds on the policies within *General Plan 2025* and the City of Walnut Creek Zoning Ordinance. Where existing regulations could inhibit the realization of the Specific Plan's objectives, the plan recommends appropriate incentives, including modification of existing development regulations. The major incentive that is available to all opportunity sites is the City's initiative in preparation of an Environmental Impact Report, which will reduce the time and the cost of future development applications. Other incentives include building height and floor area ratio increases, provision of in-lieu parking opportunities and amendment of the Zoning Ordinance to support redevelopment that is consistent with the Specific Plan objectives.

A major component of the Specific Plan is the construction of a new parking garage within the block bounded by Mt. Diablo Boulevard, N. California Boulevard, Cypress Street and Locust Street. If pursued, this would likely be a City-initiated project or a public/private partnership. Redevelopment of the other opportunity sites would be initiated by the private sector.

The Plan also identifies amendments to existing City regulations (*General Plan 2025*, Zoning Ordinance, East Mt. Diablo Blvd. Specific Plan, and the Redevelopment Plan for the Mt. Diablo Redevelopment Project) that are necessary to achieve the objectives of the Plan. Several of these amendments to *General Plan 2025* were adopted concurrently with the adoption of the Specific Plan. These amendments are listed in the Implementation chapter of the Specific Plan.

EXISTING CONDITIONS

Planning Policy

The Specific Plan builds on existing plans and policies that apply to the study area, including:

- *Walnut Creek General Plan 2025*, adopted April 4, 2006
- *City of Walnut Creek Zoning Ordinance and Measure A Height Limitation*, current edition
- *East Mt. Diablo Boulevard Specific Plan,* adopted August 6, 1996
- *Redevelopment Plan, Mt. Diablo Redevelopment Project*, adopted December 16, 1974, amended April 20, 1982

General Plan 2025

General Plan 2025 designates a Core Area, a Pedestrian Retail District and a Traditional Downtown. The Core Area represents the location where most future growth is anticipated in the City over the next 10-15 years. The Pedestrian Retail District, located within the Core Area, encompasses the highest concentration of retail development in the City. Increased pedestrian activity is desired in this district. Centralized parking in structures is encouraged, and the focus is on ground-floor retail uses. The maximum allowable floor area ratio ranges from 0.75 to 2.0.[2] The Traditional Downtown area is located within the Pedestrian Retail District. Policies for the Traditional Downtown area strive to preserve and enhance the existing and unique character of this part of the City. The Specific Plan study area falls entirely within the Pedestrian Retail District and partially within the Traditional Downtown.

In general, this Specific Plan recommends future site development alternatives that are compatible with the broader policy direction of *General Plan 2025*. However, Alternative B for Opportunity Site 4, which is the Chevron gas station site, would allow redevelopment and reinvestment in a portion of the existing gas station site, to facilitate the new parking garage shown on Opportunity Site 3. Although the existing Chevron station is a long-standing use in this location, it is not currently permitted in the Pedestrian Retail land use designation of the General Plan. Therefore, implementation of Opportunity Site 4 - Alternative B would require the amendment of *General Plan 2025*.

2 As per the Walnut Creek General Plan 2025 Glossary: Floor Area Ratio (FAR): The ratio of developed gross floor area to net lot area, both expressed in square feet. (WCMC, §10-2.1.303, No. 63.) (Note: FAR is determined by taking the gross floor area permitted on a site and dividing by the total net area of the site, and expressing the result as a decimal to one or two places... (O)n a site with 10,000 net sf. of land area, a Floor Area Ratio of 1.0 would allow a maximum of 10,000 gross sf. of floor area to be built. A FAR of 0.5 would allow only 5,000 sf. FAR is typically applied on a parcel-by-parcel basis as opposed to an average FAR for an entire land use area or zoning district.)

Sites in the Specific Plan

Truck access along Commercial Lane

Service and parking along Commercial Lane

McDonald's restaurant from N. California Boulevard

Locust Street Retail

Dole House on Mt. Diablo Boulevard

Existing Building at Opportunity Site 2

The Specific Plan Area, located in the Traditional Downtown, is characterized by automobile-oriented uses mixed with small shops and restaurants along Locust and Main Streets.

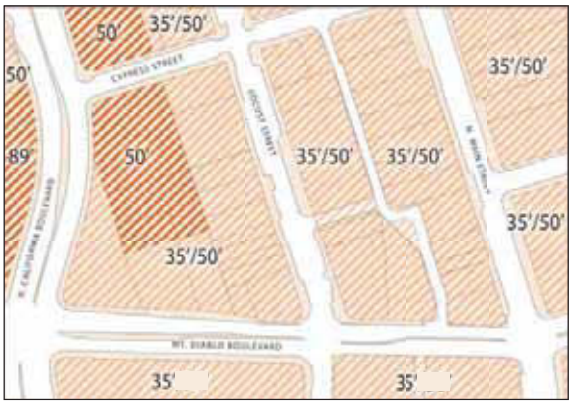
Zoning Ordinance

The Specific Plan study area is zoned Pedestrian Retail District (P-R). Covering the most intensely developed area of downtown, this zone is intended to provide a concentration of retail that serves both local residents and promotes Walnut Creek as a regional destination. In this zone, centralized parking is encouraged; multi-story buildings are permitted; ground floors must be primarily retail; and retail, office and residential uses are permitted on upper levels. The Zoning Ordinance currently limits height in the Plan study area to 35 feet along the street front and 50 feet on additional building floors that are set back by 10-15 feet from the street frontage.

Similar to the discussion above regarding existing General Plan policies, the expansion or enhancement of the existing Chevron gas station site is not permitted in the Pedestrian Retail Zoning District. Therefore, amendment of the zoning on this site would be needed to accommodate Alternative B on Opportunity Site 4.

Measure A

In 1985, Walnut Creek residents voted to adopt Measure A, the Building Height Freeze Initiative, restricting the heights of all future buildings to the height limit allowed under the then-current zoning. In addition, Measure A put a ceiling on the maximum height for any structure built in Walnut Creek as the lesser of six stories or 89 feet. Any increase to the Measure A height limitation would require a vote of the residents. The parcels within the plan study area fall within the 35/50 height zone,



Core Area Height Limits (from General Plan 2025)
Step-back above 35 feet required to maximum height of 50 feet.

Measure A Height Limits
**89 feet or 6 stories, whichever is less*

Figure 4: Height Limits as of July 20, 2010 (Specific Plan Adoption)

except for the McDonald's restaurant site and the proposed new garage site, which are limited to the lesser of six stories or 89 feet by Measure A (Figure 4).

East Mt. Diablo Boulevard Specific Plan

Adopted in 1996, the East Mt. Diablo Specific Plan outlines policies for three sites in the Pedestrian Retail District, including the Locust Street/Mt. Diablo Boulevard corner site. In each of the 1996 Specific Plan options for the Locust Street/Mt. Diablo Boulevard corner site, three of the parcels — Mark Morris Tire, Walnut Creek Automotive and the Retail/Post Office building — must be assembled to allow new development.

According to the East Mt. Diablo Boulevard Specific Plan, this site should be developed with retail, restaurant or structured parking. This Plan encourages design that increases interest and diversity along the street and generates pedestrian activity. Design standards include a minimum setback to strengthen the street front and entrances as well as upper-levels setbacks and corner treatments.

The policies, provisions and guidelines of the Locust Street/Mt. Diablo Boulevard Specific Plan (adopted July 20, 2010) supersede the 1996 East Mt. Diablo Boulevard Specific Plan for the Locust Street/Mt. Diablo Boulevard corner site.

Redevelopment Plan, Mt. Diablo Redevelopment Project

The Specific Plan study area also falls within the Mt. Diablo Redevelopment Project Area. The redevelopment plan was adopted in 1974 to eliminate the sale and service of automobiles and was amended in 1982 to limit land use to retail, offices, residential (including hotels) and parking.

The original Redevelopment Plan and its policies are still in effect. As noted earlier, most of the Specific Plan recommendations and opportunity site alternatives are compatible with the policies of the Redevelopment Plan. However, Alternative B for the Chevron gas station would allow redevelopment and reinvestment in a portion of the existing gas station site to facilitate the new parking garage. Auto-oriented uses such as the existing Chevron station are not currently permitted within the Redevelopment Plan. Therefore, implementation of the Specific Plan will require the amendment of the Redevelopment Plan to accommodate Opportunity Site 4 - Alternative B.

Existing Conditions

Land Use

The Specific Plan planning area comprises 5.3 acres of land located between Mt. Diablo Boulevard, N. California Boulevard, Cypress Street and N. Main Street in Walnut Creek's Traditional Downtown (Figure 3). The area includes small-scaled retail and commercial buildings oriented to N. Main and Locust Streets, as well as some service commercial and automotive uses along Mt. Diablo Boulevard, the historic highway entry into the downtown. The South Locust Parking Structure, a City-owned facility with 230 public parking spaces, is also situated in the heart of the district. The Specific Plan area is divided into primary and secondary study areas.

Primary Study Area

The 3.87-acre Primary Study Area includes 12 lots within the area bounded by Cypress Street to the north, N. Main Street to the east, Mt. Diablo Boulevard to the south, and N. California Boulevard to the west. Current land uses include retail, office, automotive uses, restaurants and parking. Specifically, there is a maternity wear store, a now-vacant home décor store, a sporting goods store, a fast food restaurant, a Mexican restaurant, a post office, a now-vacant real estate office, a gas station, an automotive services provider and a public parking lot. Three buildings that may have local (but not State or Federal level) historic significance – the Sherburne Store, Masonic Temple and Dole House – are located in the Primary Study Area. Because of previous downtown projects, some lots or structures are set back from the predominant right-of-way line. Building fronts are not continuous, with some buildings abutting the sidewalk and others set behind open areas or parking lots.

Within the Primary Study Area of the Specific Plan, there are several underutilized or vacant properties that are poised to change in the next few years. These opportunity sites are characterized by uses that are either outmoded or are not commensurate with their underlying land values.

1. ***Northwest Corner of N. Main/Mt. Diablo Boulevard:*** A 0.18-acre site (including portions of the adjacent sidewalk and street) owned by the City of Walnut Creek. The site is currently used as a metered public parking lot with 15 spaces.

2. ***Northeast Corner of Locust/Mt. Diablo Boulevard:*** A 0.75-acre area that includes two properties — the former Mark Morris Tire parcel (0.36 acre) and the Walnut Creek Automotive service facility (0.39 acre). The 1996 E. Mt. Diablo Boulevard Specific Plan required that an additional site (Post Office building at 1320 Locust Street) be assembled with the larger two sites before redevelopment could occur. This assemblage requirement for the Post Office building was modified with the adoption of the Specific Plan.

3. ***Chevron, Big-5 and adjacent Surface Parking Lot Sites:*** A 1.02-acre site at the center of the block between N. California Boulevard and Locust Street, currently occupied by surface parking lots, owned by Chevron, Big-5 Sporting Goods site owners, and Dwulet Trust. The properties include access easements that provide service and pedestrian access to other uses along Mt. Diablo Boulevard and Locust Street.

4. ***Chevron Site:*** A 0.47-acre site remaining after deducting a portion of Site 3 from the Chevron-owned parcel. It is currently occupied by the service station's pumps, cashier stations and auto-repair bays.

5. ***Southeast Corner of Cypress Street and N. California Boulevard:*** A 0.67-acre site currently occupied by McDonald's restaurant, including 50 surface parking spaces.

6. ***Locust Site on Locust Street:*** A 0.34-acre property encompassing the two-story Cralyn Building (occupied by a home goods store — Kitchen Table — and offices) and a surface parking lot with 20 spaces. Although this

parcel was originally designated as part of the Secondary Study Area, the site was included as an opportunity site because of the possibility of redevelopment and plans for a future public paseo on one side of the site.

Secondary Study Area

The 1.41-acre Secondary Study Area comprises 12 lots and a public paseo fronting on N. Main and Locust Streets. The lots are part of the Traditional Downtown, typified by smaller lots on narrow, pedestrian-oriented streets. The eight lots located on the west side of Locust Street house restaurants, food shops, a bar and retail shops. The four lots on the west side of N. Main Street include retail stores and restaurants, including a structure (La Fogata restaurant) that may have local historic significance. The Specific Plan Advisory Committee recommended preserving the La Fogata restaurant building on Main Street because of its potential for local historical significance. The Duncan Arcade was added to the Secondary Study Area by the Advisory Committee during the planning process because of a desire to preserve and improve the public pedestrian circulation through the site.

The existing buildings within the Secondary Study Area are intended to be preserved at much the same scale and size as currently exists. The generally small parcel size and lack of aggregation may encourage smaller, more local tenants to choose these locations, rather than national retailers, which tend to prefer larger building floor plates. Exterior façade renovations will still require Design Review approval to preserve the character of the Traditional Downtown.

Environs

The Specific Plan area is surrounded by retail shops, restaurants, office buildings and structured parking garages. The Broadway Pointe development, on the adjacent block across Main Street to the east, contains two large home furnishing stores, a coffee shop, a restaurant, a clothing store, a kitchen and cooking supply store and a bank. To the north along Locust and N. Main Streets are small retail shops and restaurants. A large office complex is located to the west of the Specific Plan area across N. California Boulevard. To the south there are a variety of large retail establishments, including the Olympia Place development that houses shops, restaurants, home furnishing stores and a 14-screen movie theater. Broadway Plaza, a regional outdoor shopping area, is located southeast of the project across Mt. Diablo Boulevard and Main Street. Broadway Plaza includes two major department stores (a third department store will begin construction in 2010) and over 90 specialty shops and restaurants. Three publicly owned parking structures serve the area: The South Locust Parking Structure in the heart of the Specific Plan area, the Broadway Parking Structure one block east and the North Locust Parking Structure two blocks north. Additional privately owned but publicly accessible structures are also located close to the Specific Plan study area.

History

The Specific Plan area encompasses the location of Walnut Creek's first settlement. After the Mexican Revolution in 1821, land was distributed to war heroes in four massive land grants centered on the intersection of the Diablo Valley's major north-south route and the road to Oakland. In 1848, a nascent village emerged in the place where the four Mexican land grants met. The village became known simply as "The Corners" — so named because it was the crossing of the two dirt roads leading north to Pacheco and west to Oakland. In 1862, a U.S. Post Office was established in the village, which was then named Walnut Creek.

As transportation connections to San Francisco improved, the small outpost became first an important agricultural center, then a classic postwar suburb and, in the last few decades, a vibrant city. The fertile soil of Walnut Creek produced wheat to feed the Gold Rush workers. By the end of the 1800s, farmers were interested in more profitable products like fruits and nuts. For this they would need a rail connection for distribution. In 1891, Southern Pacific Railroad was convinced to bring rail to Walnut Creek. A commuter line to Oakland followed in 1909. The curve of California Street follows a former track bed. As subdivisions were platted and new settlers arrived, the City incorporated in 1914. With the construction of the Caldecott Tunnel and the Bay Bridge in the 1930s, Walnut Creek was within commuting distance of San Francisco. After World War II ended, the City's population quadrupled in 10 years. With the opening of the Broadway Plaza open-air mall in

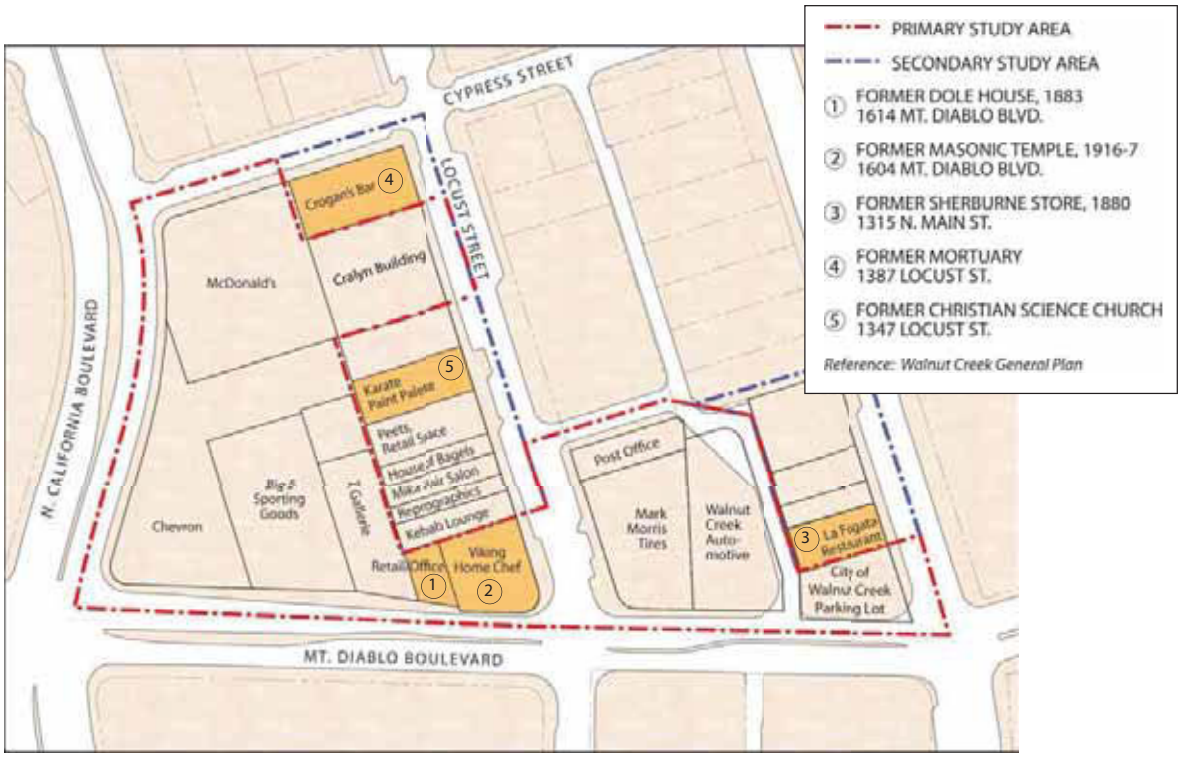
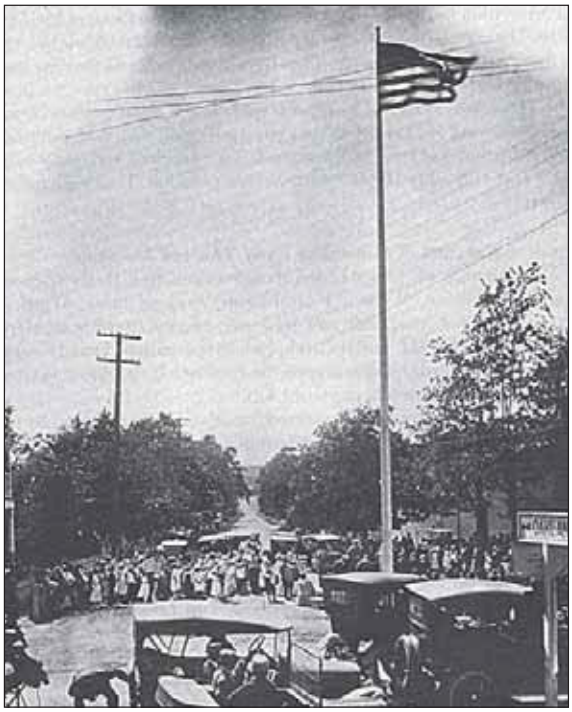


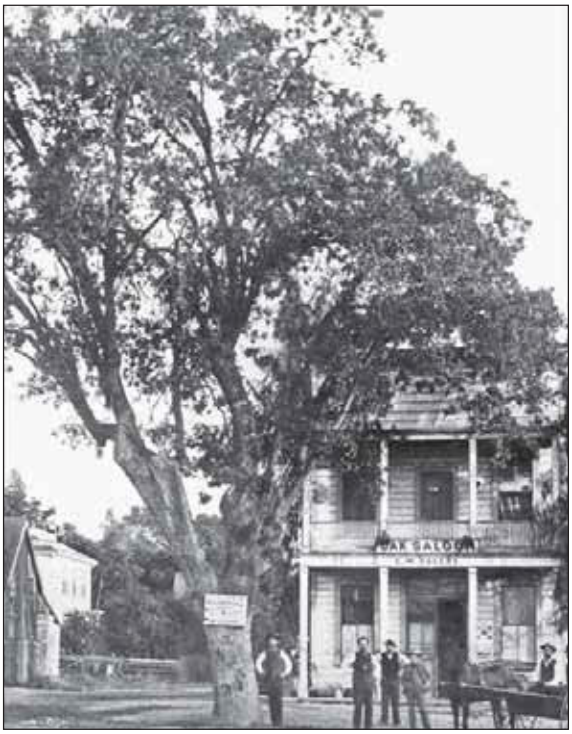
Figure 5: Existing Uses and Historic Resources

"The Corners," 1947

Main Street and Mt. Diablo Blvd., 1911

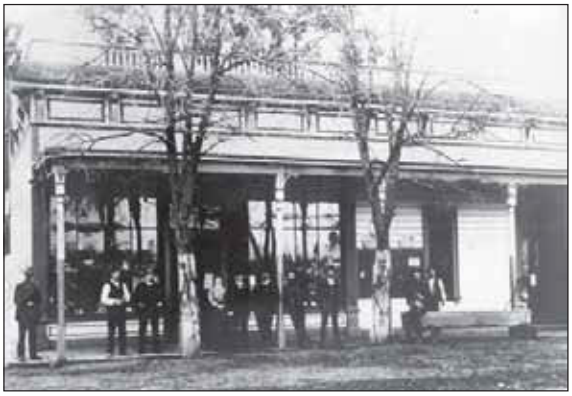


July 4th Celebration, 1917



"The Corners," 1881

Main and Cypress Streets, 1951



Sherburne Store, 1881 (now La Fogata Restaurant)

1951, agriculture began to give way to retail. In 1973, a BART station was constructed, spurring growth in office space. Today Walnut Creek is a slowly growing city with a regional retail and office draw.[3]

Potential Historic Resources

General Plan 2025 lists five potentially significant historic resources within the Specific Plan area, including two buildings located within the Primary Study Area (Figure 5).

- Masonic Temple building at 1604 Mt. Diablo Boulevard
- Dole House at 1614 Mt. Diablo Boulevard

Three additional properties located in the Secondary Study Area also have potential historic value.

- Sherburne Store at 1315 N. Main Street (currently La Fogata Mexican Bar and Grill)
- Former mortuary and home at 1387 Locust Street (currently Crogan's)
- Christian Science Church at 1347 Locust Street

Historic preservation consultants, Page & Turnbull, evaluated the Masonic Temple building, the Dole House and the Sherburne Store. They determined that each of the three buildings satisfied at least one of the four criteria necessary for listing in the California Register of Historical Resources, but that none had sufficient historic integrity to be listed in the California or Federal Register. Page & Turnbull's complete report is incorporated into the Existing Conditions and Environmental Setting chapters of the accompanying environmental impact report.

General Plan 2025 calls for the future development of an historic resources inventory, an historic preservation plan and supporting ordinances. Until an historical inventory is completed, proposed development projects that would involve buildings constructed prior to 1946 require evaluation for environmental significance by a qualified architectural historian to ensure important historic resources are protected.

Market Conditions

Historically, the City of Walnut Creek has benefitted from a diverse and healthy economy as indicated by job growth, diverse job sectors, key high wage sectors (e.g., health care, technology, and finance/insurance/real estate) and numerous small businesses. A highly educated population contributes to the City's ability to attract and retain jobs. Despite the general downturn in the national and regional economy, Walnut Creek has maintained relatively low unemployment rates and high income levels. In 2008, Walnut Creek had 1.5 jobs for every working resident, which was double the ratio of the county. Walnut Creek serves as an employment center for the region, drawing close to 50,000 commuters daily.

3 Rovanpera, Brad. 150 years in Pictures: An Illustrated History of Walnut Creek. Heritage Media, 1999.

Downtown Retail Market

Retail is one of the City's core economic sectors, generating more than double the county's per capita retail sales in 2005. Walnut Creek's per capita retail sales rank among the highest of other retail destinations, such as Palo Alto, San Jose, San Francisco and Emeryville. The downtown's success is closely linked to the economic strength of the City, which is centrally located within a relatively fast growing and affluent region that has an historically strong and diverse job base. These factors have helped the downtown area attract both one-of-a-kind specialty retailers as well as national-brand, destination retail tenants and will continue to provide spillover benefits to other land uses in the area.

Walnut Creek has established itself as a vital retail destination in the region.

Broadway Plaza, with over 720,000 square feet of leasable area and more than 90 tenants, serves as an anchor for the downtown retail area. Over 500,000 square feet of additional retail stores surround Broadway Plaza. These businesses are currently performing fairly well, as indicated by generally low vacancy rates, relatively high lease rates, and high sale performance compared to the rest of the City. For example, Broadway Plaza is 99 percent occupied with high monthly lease rates. These rates are higher than those of the older retail stores in the Specific Plan study area, which typically command significantly lower lease rates per square foot.

Downtown Office Market

There are three million square feet of office space in the core downtown area. Despite an overall downturn in the office market in the Bay Area, downtown Walnut Creek office buildings have much lower vacancy rates and generally higher rents than many other parts of the City and Contra Costa County and relatively lower vacancy rates for the Bay Area.

Downtown Residential Market

Until about 2008, with the onset of the national economic recession, the housing market had been robust in the downtown area, as indicated by rising home prices and strong sales activities. In the downtown zip code area (94596), close to 860 homes were sold in 2003, a 23 percent increase from the previous year and significantly higher than the average citywide increase of

15 percent. In addition, the City's pipeline of projects under construction or approved suggests that there will continue to be a demand for higher density residential development in the area, which should increase greatly when the economic conditions improve. Since 2007-2008, the overall housing market has slowed, which affects Walnut Creek's downtown residential market as well.

Specific Plan Area

In contrast to the new retail developments on the south side of Mt. Diablo Boulevard and on the east side of N. Main Street, the study area has some of the last remaining older commercial buildings in downtown Walnut Creek. The Specific Plan study area is primarily characterized by service retail (such as restaurants), specialty retail (such as furniture stores) and some local offices. Among the tenants are national retailers such as Big 5 Sporting Goods and McDonald's. There are approximately 15,000 square feet of office space, 48,000 square feet of service retail and 35,000 square feet of specialty retail space. Approximately 50 tenants currently occupy these commercial spaces. The retail stores vary in size, ranging from 755 to 8,884 square feet.

Most of the buildings in the Specific Plan area are leased to active businesses that have had historically good performance. If the existing uses in the area are economically healthy, future redevelopment depends on increased market demand for new uses compared to those that currently exist and will require new uses that command values sufficient to induce private redevelopment.

Opportunities and Challenges

The Advisory Committee identified the following opportunities and challenges for the Specific Plan to address.

Real Estate Market: The retail district south of Mt. Diablo Boulevard has been very successful but is largely developed, so new opportunities may be limited. Brokers representing major retailers continue to look for new sites in the Specific Plan area and surrounding blocks. There have also been inquiries about establishing a small hotel in the area. There have not been any

Recent multi-family and mixed-use residential projects are contributing to the diversity and liveliness of the downtown.

proposals for residential mixed use developments, possibly because of the existing floor area ratio and height limits, but such development could prove feasible given future strength in the residential market. Moreover, residential-over-retail development could offer a product type that is currently not widely available in Walnut Creek.

Location: The study area has a highly visible and heavily trafficked location directly between the intensely developed commercial area south of Mt. Diablo Boulevard and the Traditional Downtown to the north.

Views: Views eastward to Mt. Diablo and its foothills establish a distinctive sense of place and should be preserved. Most existing views are from the public sidewalks and public streets, particularly along portions of Mt. Diablo Boulevard.

Underutilized Sites: Large portions of the study area are occupied by open parking lots and auto-oriented uses that create large gaps in the retail frontage (gas station, former tire sales store, auto repair, fast-food surrounded by parking). As continuity is critical to the success of pedestrian-oriented retail, redevelopment of these sites could fill the gaps with active street-level uses and add other uses on upper stories that add to the life of the street.

Easements: On the west block, several of the properties fronting Mt. Diablo Boulevard and Locust Street have parking and service access via easements on the Chevron property (e.g., Big 5 Sporting Goods, Peet's Coffee & Tea, Paint Palette). If the Chevron station were to be redeveloped, the easements could be organized, possibly with some form of common and expanded public parking serving both current and new uses. Similarly, the parking lot at the Cralyn Building (1373-75 Locust Street) enters from Locust Street and exits via an easement on 1387 Locust Street (Crogan's Bar & Grill). Providing alternative access to 1373-75 Locust Street would eliminate a driveway and a gap in the Locust Street retail frontage.

Land and Ownership Configuration: Irregularly configured parcels and fragmented ownership patterns could complicate redevelopment and make on-site parking difficult to accomplish. The existing lots in the Primary Study Area on the east side of Locust Street are particularly problematic in this regard.

Mt. Diablo Boulevard, Locust Street and N. Main Street: Significant high-speed traffic in the downtown both impedes pedestrian movement across Mt. Diablo Boulevard and limits urban design options on Locust and N. Main Streets. With four lanes of heavy, fast-moving traffic, a narrow median, a wide crossing, and a short pedestrian signal, Mt. Diablo Boulevard is intimidating for pedestrians to navigate. Moderately heavy traffic paired with on-street parking limits opportunities for street narrowing or closure on both Locust and N. Main Streets.

Parking: Although there is a large supply of public parking in or near the study area, including the North Locust Parking Structure at the Dean Lesher Regional Center for the Arts (664 spaces), Broadway Parking Structure (464 spaces), South Locust Parking Structure (230 spaces), Broadway Pointe Garage (250 spaces) and Olympia Place Garage (600 spaces),

The shortage of available public parking could act as a disincentive for the redevelopment of smaller parcels and retard the full retail potential of the downtown. Above: South Locust Parking Structure with ground floor shops.

the spaces are largely assigned to existing uses. The unavailability of additional public parking combined with on-site parking requirements may act as a disincentive for the improvement or redevelopment of smaller parcels and retard the full retail potential of the downtown. In order to maintain small parcel sizes or encourage appropriate redevelopment of the opportunity sites, it may be necessary to consider additional public or shared parking to meet on-site parking requirements.

Commercial Lane: Commercial Lane provides service access to most of the lots fronting Locust Street and N. Main Street; however, a dog leg (sharp curve) on the north side of Walnut Creek Automotive is too sharp for larger trucks to navigate. With the redevelopment of this property, there is an opportunity to ease the dog leg to allow truck access and enable the existing sites to remain largely intact.

Land Values: If the existing uses in the project area are economically healthy, proposed new uses must command higher land values than existing uses in order for redevelopment to occur without subsidy. Only if proposed uses yield higher residual land values than existing uses will landowners have an incentive to create higher-intensity and more valuable structures on their properties.

Mixed Use Development: Highly desirable, mixed use developments present a number of challenges, including design, building codes, circulation and parking. Some developers are not comfortable with true mixed use development (as opposed to residential development with a nominal amount of retail), and financial institutions are sometimes resistant to incorporating mixed use projects into their single-use portfolios.

Affordable Housing: Multi-story mixed use development is generally more expensive to construct than low-rise single-use housing, but may not yield higher prices or rents. The City's inclusionary housing policies, designed to provide some affordable units, may therefore impose a greater financial burden and could make residential development more difficult.

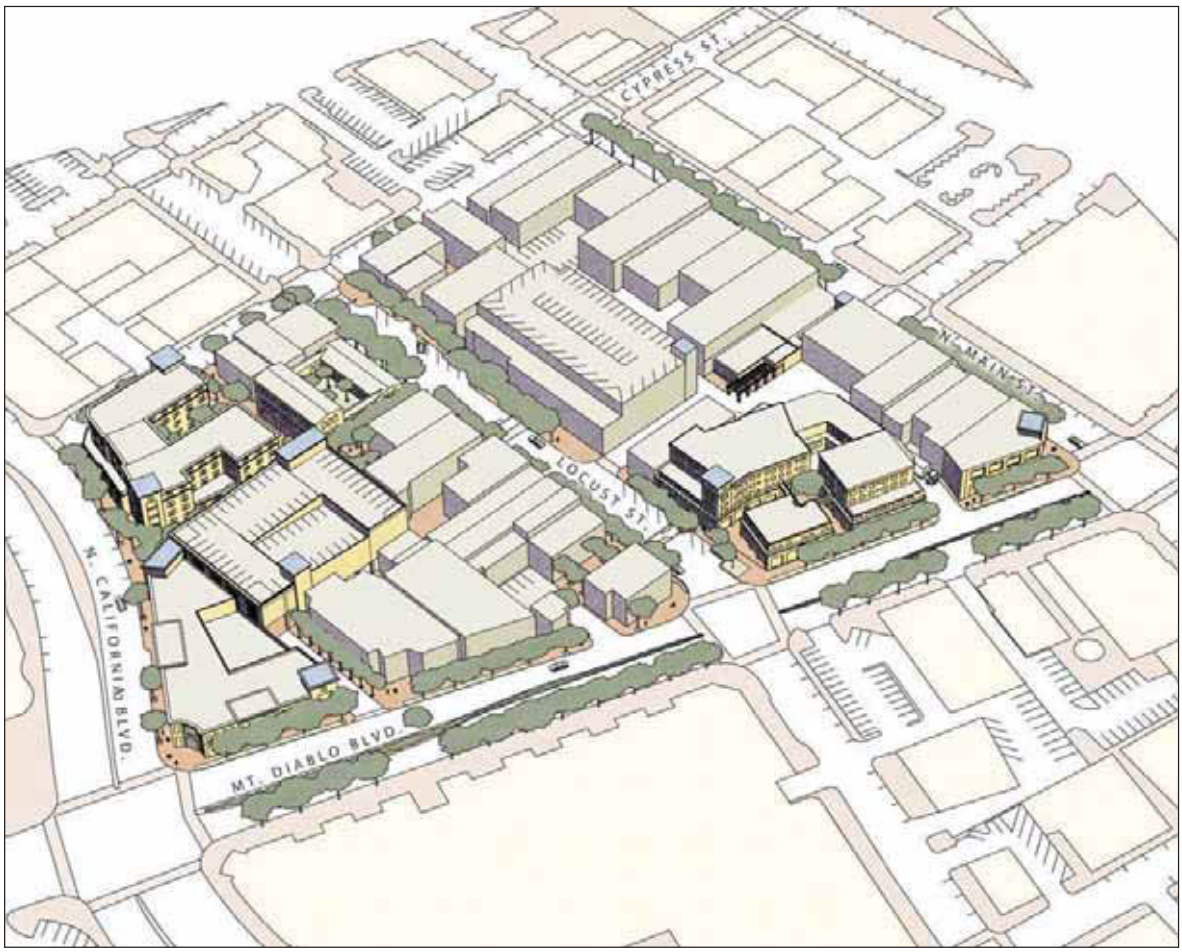


Figure 6: Illustrative Concept: Bird's Eye View

LAND USE AND URBAN DESIGN

The Specific Plan maintains the existing land use designations set forth in *General Plan 2025* and the Zoning Ordinance, with the one exception of the Chevron gas station site at the corner of Mt. Diablo and N. California Boulevards under Alternative B. The existing Pedestrian Retail designation is retained for all other properties in the study area. While no significant land use changes are otherwise proposed from the existing zoning or General Plan designations, the Specific Plan provides additional direction and specific policies for the configuration of development, including the orientation and treatment of particular land uses such as ground-level retail and the massing and architectural character of new development. In addition, the Specific Plan provides development guidance and incentives, as well as some specific requirements (similar to the General Plan and zoning), to implement the City's vision on the six opportunity sites within the area.

The Pedestrian Retail (P-R) zoning that underlies the planning area is intended to concentrate retail and personal service uses in a way that reinforces the pedestrian environment. The objective is to offer shoppers a wide variety of small-scale shops in the area, complementing the stores at Broadway Plaza and other large-scale developments south of Mt. Diablo Boulevard to create a rich and varied pedestrian environment that contributes to the success of retail in the area. The Pedestrian Retail zone includes the more intensely developed downtown retail area where public parking lots are available in central locations and on-site parking is limited.

In most Pedestrian Retail Districts, the goal is to maximize retail frontages and minimize blank areas along the street front, such as surface parking lots. This development pattern is characteristic of successful downtown pedestrian-oriented shopping districts, such as Walnut Creek. In addition, there are very limited opportunities for providing on-site parking for several of the opportunity sites, especially those on smaller parcels. As a result, the Specific Plan envisions that parking for future development will be provided primarily in parking structures, either public, private (on-site and built into each project), or public/private. The public or partnership parking structure identified in the Specific Plan could be funded by in-lieu parking fees from these new developments and other parking-related funding sources.

In multi-story buildings within the area, the first floor must be primarily retail, with retail, office, residential and other non-retail uses permitted on upper levels. Upper level uses are intended to reinforce retail development, enhance the district as a pedestrian-oriented shopping area, and encourage a pedestrian linkage between the Traditional Downtown and the retail district south of Mt. Diablo Boulevard.

As a result, new automobile repair shops and drive-through restaurants are not permitted. Within the Specific Plan area, three existing businesses do not conform to the existing zoning: Walnut Creek Automotive, the Chevron gas station, and the McDonald's restaurant (due to its auto-oriented layout).

Encourage outdoor dining along sidewalks.

As non-conforming uses they are permitted to remain indefinitely but may not be enlarged, extended, reconstructed, remodeled or structurally altered, except by Conditional Use Permit. Alternative B for the Chevron gas station site would allow redevelopment and reinvestment in a portion of the existing gas station site to facilitate the new parking garage. Therefore, implementation of the Specific Plan will require the amendment of existing land use regulations to accommodate future development of this land use alternative.

Land Use Objectives and Policies

The land use and urban design objectives and policies that follow pertain to all properties within the Specific Plan area.

Objective LU-1 – Link the North and South Sides of Mt. Diablo Boulevard: *Create a stronger pedestrian and activity connection between the Traditional Downtown, the Broadway Plaza shopping area and the retail district south of Mt. Diablo Boulevard by infilling underutilized sites along N. Main Street, Locust Street and N. California Boulevard with compatible retail frontage and by introducing public amenities such as plazas and appropriate upper-floor uses. Enhance pedestrian crossing locations at Mt. Diablo Boulevard to reduce the barrier effect of this large street.*

Policy LU-1.1: In configuring development sites, give priority to the marketability of ground-floor retail space, including visibility, signage, transparency, access, ceiling heights, bay depths, and service requirements. Upper level uses should not compromise the viability of ground-floor retail space.

Policy LU-1.2: Give priority to the provision of well-sited public plazas, walkways, and public amenities in configuring significant development sites.

Policy LU-1.3: Create pedestrian linkages and streetscape enhancements within development sites.

Objective LU-2 – Infill Development Opportunities: *Provide opportunities for infill development that are both financially feasible and respectful of the smaller scale and character of the shops and buildings in the Traditional Downtown.*

Policy LU-2.1: Discourage land assembly, except as shown in the opportunity sites. Make development of small sites more feasible by providing off-site parking in publicly accessible garages.

Policy LU-2.2: Encourage in-lieu parking for appropriate-scale enhancement of smaller downtown businesses in the secondary area.

Objective LU-3 – Heart of the Community: *Enhance the downtown as the 'heart' of the community and as a venue for urban recreation and relaxation for residents of all ages.*

Objective LU-4 – Retail and International Dining Mecca: *Promote and reinforce the Specific Plan area and the Traditional Downtown as a vibrant retail and international dining destination.*

Policy LU-4.1: Provide a range of differently sized development sites to accommodate a variety of retail businesses, from locally owned and one-of-a-kind shops to larger national chains.

Policy LU-4.2: Mandate all ground-floor space be developed with retail friendly elements, including tall ceiling heights and high levels of transparency at the street front.

Policy LU-4.3: Ensure that upper-level uses do not undermine the viability of ground-level retail by imposing excessive constraints on the configuration, organization or depth of retail space.

Policy LU-4.4: Supply adequate public and private parking to serve retail uses.

Policy LU-4.5: Mandate sufficient service access by means of alleys and service courts that do not interrupt the pedestrian environment.

Objective LU-5 – Pedestrian-Orientation: *Require street-level uses, including outdoor dining and cafés, that will provide activity and visual interest at the sidewalk level. Minimize blank walls, parking and other inactive uses that discourage pedestrian activity. Facilitate the development of new publicly accessible restrooms in the plan area that are open, visible and welcoming.*

Policy LU-5.1: Activate the majority of the frontages of newly developed sites with retail, restaurants, building lobbies and other lively and visually interesting uses.

Policy LU-5.2: Encourage incorporation of publicly accessible restrooms into new private developments through consideration of development incentives. Any incentives that are considered should not compromise the intent of the Specific Plan regarding provision of public amenities, building design, or site design elements.

Encourage upper-floor uses that complement and enliven the downtown as a retail destination. (Above: Mixed-use buildings in La Jolla and Healdsburg, CA)

Objective LU-6 – Upper-Level Mixed Use: *Promote upper-level uses, including retail, restaurants, office, hotel and limited residential, that enliven and complement the downtown as a retail destination.*

Policy LU-6.1: Encourage the redevelopment of underutilized and auto-oriented lots to include a mixture of upper-level uses including hotel, retail, office and residential.

Policy LU-6.2: In designing upper-level housing or hotel space, ensure that noise and odors from nearby shops and restaurants do not disturb residents or guests.

Objective LU-7 – Town Scale: *Preserve and enhance the character of the Traditional Downtown, which is associated with smaller parcels, a diversity of architectural styles, a strong pedestrian orientation and appropriate building articulation.*

Policy LU-7.1: Promote architecture and site design that breaks down the scale of large blocks and includes pedestrian walkways throughout.

Policy LU-7.2: Vary building widths, heights, and façade designs to reflect the existing scale and diversity of the buildings on Locust and N. Main Streets and along Mt. Diablo Boulevard in the study area.

Policy LU-7.3: Respect the height limits and step-back rules in the General Plan, limiting building height to 50 feet with a stepback along the street frontage at 35 feet, but allow height bonuses within the envelope of the Measure A limits. The McDonald's and public parking garage sites fall within the Measure A height limit of the lesser of 89 feet and 6 stories. On these parcels allow buildings to a height of 70 feet as an incentive for achieving key public objectives, including an east-west paseo and a new publicly accessible parking garage.

Objective LU-8 – Sidewalks, Crosswalks, Paseos and Setbacks: *Enhance pedestrian accessibility and safety through completion of new mid-block walkways, conversion of Commercial Lane (from Duncan Arcade to Mt. Diablo Boulevard) to a multi-purpose paseo, and provision of appropriate sidewalk dimensions and building setbacks within the Specific Plan area.*

Buildings along Mt. Diablo and N. California Boulevards shall be set back to create a minimum sidewalk width of 15 feet.

Masonic Lodge, 1917

Policy LU-8.1: Amend the General Plan, which now requires a minimum setback of 10 feet and an average setback of 15 feet on Mt. Diablo and California Boulevards, to incorporate appropriate sidewalk dimensions and building setbacks in the Specific Plan area based on building design and pedestrian accessibility needs.

Policy LU-8.2: Grant variances to the General Plan Building Setback requirements in cases of unusual street or parcel configuration or where such setbacks would be undesirable, upon a finding by the Design Review Commission, Planning Commission or City Council.

Objective LU-9 – Preservation: *Provide for the preservation and/or rehabilitation of historic or locally important structures throughout the Specific Plan area.*

Policy LU-9.1: For proposals that would alter the exterior of buildings constructed prior to 1946, require review by an Architectural Historian to determine if the building qualifies as an historic resource under the provision of the California Environmental Quality Act.

Policy LU-9.2: Contingent upon the adoption of an Historic Preservation Ordinance by the City of Walnut Creek, all alterations of structures in the Specific Plan area shall comply with the provisions of the Historic Preservation Ordinance.

Policy LU-9.3: Encourage rehabilitation and restoration of the Masonic Temple (1604 Mt. Diablo Boulevard) and the Dole House (1614 Mt. Diablo Boulevard), which are listed in *General Plan 2025* as potentially significant historic resources of local importance.

Policy LU-9.4: Encourage rehabilitation and restoration of the Sherburne Store (1323 N. Main St.), Crogan's (1387 Locust St.) and the Christian Science Church (1347 Locust St.), which are identified in *General Plan 2025* as potentially significant historic resources of local importance.

Objective LU-10 - Downtown Hotel. *Facilitate the potential for development of a small hotel within the Specific Plan area to continue the expansion of the Traditional Downtown as an arts and cultural destination and to enhance economic vitality in the Core Area.*

Policy LU-10.1: Amend the General Plan and the Building Height Zone Map to allow an increased height limit of 70 feet on Opportunity Site 5 (McDonald's). This will increase the potential for redevelopment of this area as a small hotel, although other uses are also allowed pursuant to the existing zoning.

Policy LU-10.2: Amend the General Plan to increase the maximum floor area ratio (FAR) on Opportunity Site 5 to 2.0. In addition, an FAR bonus to allow a maximum FAR of 3.5 on Opportunity Site 5 will be available for development of a downtown hotel. This will increase the potential for redevelopment of this area as a small hotel, although other uses are also allowed pursuant to the existing zoning.

Policy LU-10.3: Consider future General Plan amendments to increase the floor area ratio on other opportunity sites for a project that both complies with the Specific Plan and would allow for redevelopment of the site as a small hotel.

Objective LU-11 – Sustainability: *Encourage zero-energy building design and full use of rooftops. Promote development patterns that reduce auto dependency and foster energy conservation and resource protection.*

Policy LU-11.1: Amend the Zoning Ordinance to increase the area on building roofs where solar collectors, rooftop gardens, and open air restaurants could be allowed from 25% of the horizontal roof area to 80% of the horizontal roof area to encourage and create incentives for better use of rooftops in the Specific Plan area (See **Implementation Section** regarding Municipal Code Section 10-2.1.303).

Policy LU-11.2: Maximize opportunities for shared parking and paseos that promote a park-once-and-walk behavior.

Policy LU-11.3: Encourage new construction in the Specific Plan area to incorporate green building features that can achieve the equivalent of the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) certification.

Objective LU-12 – Mt. Diablo Boulevard Gateway: *Establish the corner of Mt. Diablo Boulevard and California Boulevard as the principal gateway into the downtown Pedestrian Retail District.*

Policy LU-12.1: Explore the creation of a prominent downtown gateway statement on the east side of the Mt. Diablo Boulevard and California Boulevard intersection, which could include a special treatment of the median area.

Policy LU-12.2: Explore over time traffic and street modifications to Mt. Diablo Boulevard to enhance the character and walk-ability of the Pedestrian Retail District.

Policy LU-12.3: Enhance the character of Mt. Diablo Boulevard by establishing a procession of canopy trees on both sides of the street. In the block between California Boulevard and Locust Street, new street trees on the north side of Mt. Diablo Boulevard should match the layout and spacing of the boulevard planting on the south side of Mt. Diablo Boulevard.

Policy LU-12.4: Redesign the median island in Mt. Diablo Boulevard adjacent to Opportunity Site 4. In addition to upgraded landscaping, the median should include some special acknowledgement of this important entry point such as a monument marking the gateway, a significant piece of public art, or a procession of seasonal banners.

Development Standards

General Plan 2025, adopted in 2006, establishes the overall goals of the City of Walnut Creek for the Core Area and provides direct policy guidance on the community's vision of the future of the Traditional Downtown and Pedestrian Retail District. This Specific Plan provides additional policies, development standards and design guidelines that implement the General Plan goals and facilitate new development projects that fulfill its vision. The mandatory development standards have been limited to those that shape building envelopes to create pedestrian-friendly streetscapes and provide desired public amenities.

The following policies and actions are from *General Plan 2025*, Chapter 4, Built Environment. These policies and action items are included here to provide the context for the policies, development standards and design guidelines within the Specific Plan.

General Plan 2025, Chapter 4:

Policy 6.2: Focus development in the Pedestrian Retail District on retail and restaurants, and expand the area's potential to host arts and cultural events.

- *Action 6.2.1.* In the Pedestrian Retail District, require pedestrian-oriented uses at street level.
- *Action 6.2.2.* Promote building layouts and designs that create pedestrian interest and encourage people to "park once and walk."
- *Action 6.2.3.* Create flexible development policies and regulations that encourage owners and developers to provide parkland or other public spaces or plazas, beyond the amount of open space and/or landscaping already required.

Policy 6.3: Retain and encourage a variety of small stores and businesses in the Traditional Downtown.

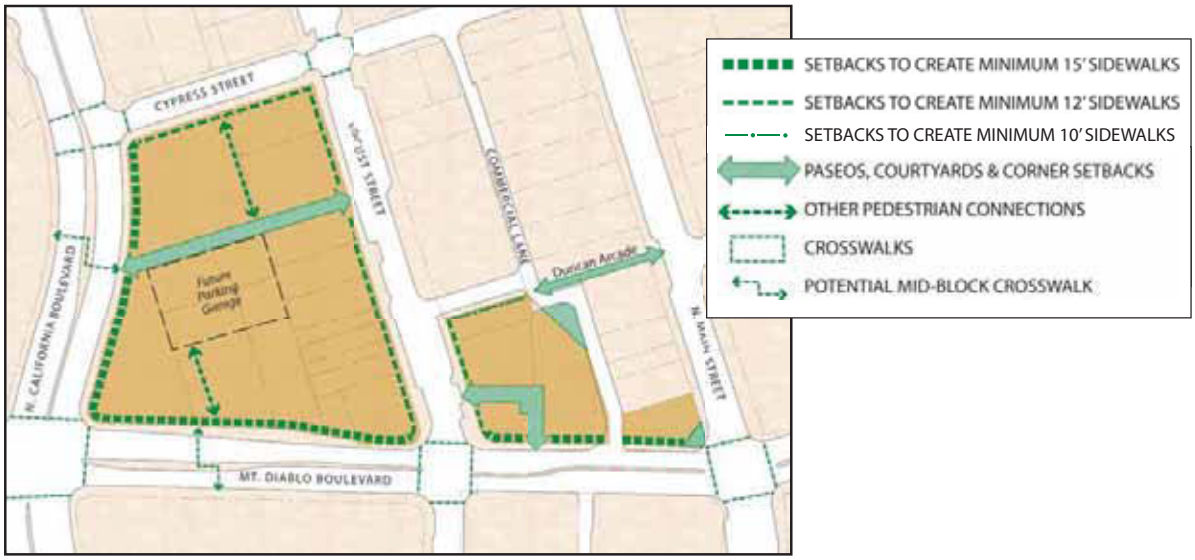


Figure 7: Sidewalks, Paseos and Pedestrian Ways

- *Action 6.3.1.* Review permitted uses and revise development regulations to maintain the smaller-scale commercial buildings and fine-grain character of the Traditional Downtown.

- *Action 6.3.2.* Study an amendment to the Pedestrian Retail Zoning District to allow business entrances off service alleys in the Traditional Downtown (e.g., Commercial Lane and Wilson Lane).

- *Action 6.3.3.* Review and consider expansion of the City's Design Review Guidelines for development in the Traditional Downtown to preserve the special character of that area.

Policy 13.1: Maintain urban design and building standards for evaluating the scale, appearance and compatibility of new development proposals.

- *Action 13.1.3.* Review and maintain the building setback map for the Core Area and amend the zoning ordinance as necessary.

Policy 13.2: Regulate building placement and upper-floor setback along important streets in the Core Area.

- *Action 13.2.2.* Use policies to encourage developers of new buildings to include public plazas, courtyards, significant landscaping, or other public amenities that are visible and accessible from the street.

- *Action 13.2.4.* Use policies to encourage new and existing commercial developers to incorporate accessible roof gardens, ground-level public plazas, public courtyards and passageways, landscaping, public art, and other desired public amenities beyond those specified during the normal City review process.

GOAL 20: Reinforce the urban design and character of the Pedestrian Retail District as a gathering place for local residents as well as a regional retail destination.

- *Action 20.1.1.* Develop specific design guidelines aimed at maintaining and enhancing the area's urban, pedestrian-oriented character.

Policy 20.2: Maintain the special "small town" character, fine-grain development (narrow lots, slender buildings, many different uses in proximity), and pedestrian orientation of the Traditional Downtown.

Minimum Building Setbacks

On all streets in the Specific Plan area, the General Plan currently regulates the placement of buildings with respect to their front (street-side) property lines and public right-of-way boundaries. These regulations provide for a required minimum setback distance from the right-of-way (usually located at the back of sidewalk) and a required minimum amount of open area between the building and the right-of-way. In the Core Area, wherever more than a minor (0-10 foot) building setback is required, the additional setback area may be provided as additional sidewalk width, pedestrian plazas, or landscaping. The actual design and use of the setback area is normally determined on a case-by-case basis as new developments are proposed.

The General Plan currently requires new buildings to be set back an average of 15 feet from the public right-of-way on Mt. Diablo

Figure 8: Specific Plan Height Limits and Step-Backs

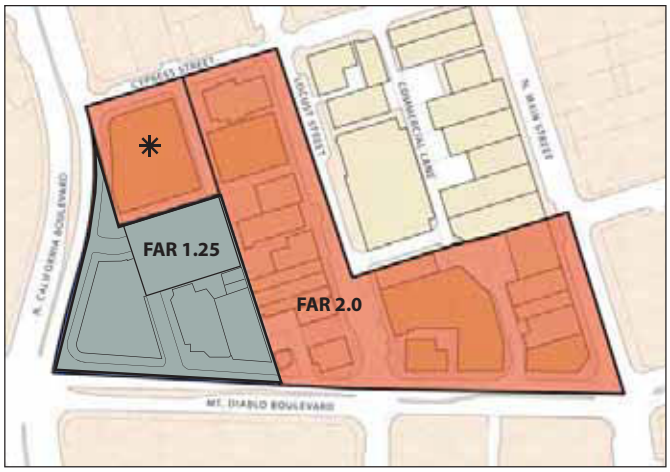
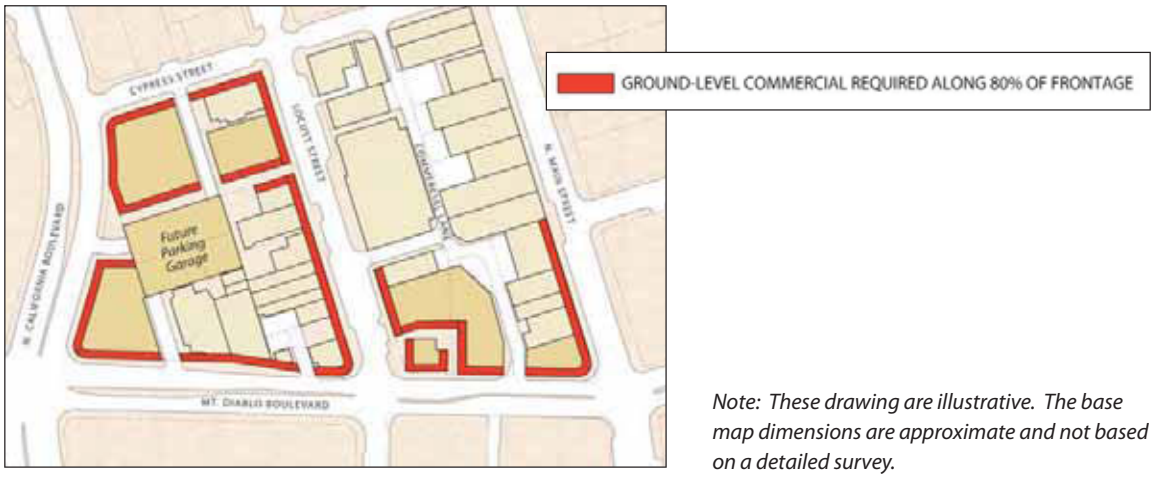


Figure 9: Specific Plan Maximum Commercial Floor Area Ratio (FAR)

✳ FAR Bonus To 3.5 For Hotel Development (Policy LU - 10.2)



Note: These drawing are illustrative. The base map dimensions are approximate and not based on a detailed survey.

Figure 10: Active Ground-Floor Frontages

Boulevard and N. California Boulevard and an average of 2 feet on Locust, N. Main and Cypress streets (Figure 11. Building Setback, *General Plan 2025*). The Specific Plan requires that a portion of this required setback area be devoted to achieving an appropriate sidewalk width, especially in locations where pedestrian usage is already very high.

Where new development occurs along Mt. Diablo and N. California Boulevards, new structures shall be set back so that sidewalks have an average width of 15 feet as measured along the property frontage from the existing face of curb to the outermost projection of the building at street level. In no case shall the dimension of the sidewalk be less than 12 feet. Along Cypress Avenue and Locust Street, new development shall be set back so that sidewalks have a dimension no less than 12 feet. To achieve this dimension, many new buildings will need to be set at least five feet behind the public right-of-way. In the case of the City-owned parcel at N. Main Street and Mt. Diablo Boulevard (Opportunity Site 1), where the property line lies in the street, the setback line shall be measured 15 feet from the face of the existing curb along Mt. Diablo Boulevard and 12 feet from the face of the existing curb along N. Main Street. In addition, any future building shall incorporate a small corner plaza, as shown in Figure 12.

Although the building setback requirements identified in the Specific Plan should work well to improve pedestrian circulation and provide desired improvements to the right-of-way, there may be individual cases within the study area where some site-specific adjustments to sidewalk width or building setback would be desirable, without the necessity of a General Plan amendment. The Specific Plan includes Policy LU-8.2, so that a variance could be granted to the General Plan Building Setback requirements by the approving body, in cases where an unusual street or parcel configuration exists or where such setbacks would be undesirable.

When adjacent redevelopment occurs, parking shall be eliminated from the north side of Mt. Diablo Boulevard between N. California Boulevard and the Dole House to permit the sidewalk to be widened into the street. Any new building along the driveway south of the South Locust Parking Structure must be set back to increase the width of the existing narrow sidewalk adjacent to the driveway to at least 10 feet.

Build-to Lines: To create a well-defined and active street edge that promotes retail continuity, new structures shall be built to the applicable front property line or setback line, as shown on Figure 7. This does not preclude variations in the façade to create entrances, plazas or other publicly oriented spaces that achieve the goals of this plan.

Maximum Height: The maximum building height throughout the Specific Plan area is generally 50 feet. The height limit was increased to 70 feet on Opportunity Site 5 (the McDonald's property) and Opportunity Site 3, as depicted in Figure 8, to allow future development to achieve the objectives of the Specific Plan for those sites. In the Specific Plan area, any portion of a building above 35 feet that is located along a street frontage shall be stepped back at least 10 feet from the face of the building. To allow architectural interest and promote variation, an exception to this stepback rule may be allowed for architectural elements

such as towers, provided that such elements do not exceed 25% or 25 linear feet (whichever is less) of each building frontage.

Floor Area Ratio and Residential Density: The General Plan regulates commercial development through the use of a floor area ratio (FAR) and limits most parcels in the Specific Plan area to a maximum FAR of 2.0. The western half of the block fronting N. California Boulevard (Opportunity Sites 4 and 5), previously restricted to an FAR of 1.25, was increased to an FAR of 2.0. In addition, an FAR bonus to allow a maximum FAR of 3.5 on Opportunity Site 5 is available for development of a downtown hotel. For other types of development the FAR on this site remains 2.0.

The Specific Plan envisions the possibility of a limited amount of residential or mixed use residential/commercial development on certain opportunity sites, most particularly on Opportunity Site 5 (the McDonald's site). The maximum density of new residential development is determined by the Planning Commission on a case-by-case basis through the approval of a Conditional Use Permit.

Active Ground-Floor Frontage: Active ground-floor store frontages are required along most streets in the Specific Plan area (Figure 10), consistent with General Plan and zoning policies. At least 80 percent of the lot frontage of newly developed sites should be occupied by retail, restaurants, and other active and visually interesting uses. Such frontages shall conform to the design guidelines for ground-floor retail space.

Ground-Floor Retail Space: To ensure flexibility for the broadest range of retail and restaurant uses, ground-floor retail space should satisfy the following minimum criteria:

- A floor-to-floor dimension of at least 18 feet between the finished floor of the ground level and the floor above.
- A depth of at least 40 feet from storefront to rear.
- An interior finished floor elevation that is level with the adjacent sidewalk at least every 50 linear feet. Pedestrian access into new buildings shall be flush with the sidewalk.
- For storefronts, clear, un-tinted glass on at least 75 percent of the ground-level facade, with reflectance not exceeding seven percent.

Façade Articulation: Small lots and detailed building façades characterize the Specific Plan area and the Traditional Downtown. With the exception of the South Locust Parking Structure, buildings range from 20 to 85 feet in width, averaging about 50 feet. Although most buildings are one or two stories high, a variety of roof treatments – flat, pitched, with and without parapets – enlivens the street's profile. To the extent feasible, new buildings shall be designed to break up their massing with distinctive architectural treatments, changes in plane and volume, and varying parapet heights.

Architectural Treatment: On the lower two stories, in close proximity to pedestrians, buildings shall have high-quality materials that are durable, resistant to vandalism and easy to maintain. Substantial and authentic materials are encouraged on storefronts, such as stone,

tile, brick, terra cotta, precast concrete, and wood-framed doors and windows.

Parking and Loading: All development shall be subject to parking and loading requirements set forth in the Zoning Ordinance, except as modified specifically by this plan.

Signage and Real-Time Parking Availability Displays: Signage for storefronts in the plan area is strongly encouraged to include creative and attractive shingle signs providing identity at the level of the pedestrian shopper. Shingle signs should be designed to coordinate with the design of the façade as well as reflect the tenant's use. The bracketing that suspends signage should also be designed creatively. A signage program for the proposed parking garage shall be developed to facilitate clear way-finding to the garage from key entry points to the downtown. Prominent signs shall be provided at all garage entrances, to encourage visitor use. Real-time displays that indicate the number of remaining spaces in the garage shall be incorporated into the garage signs.

Design Guidelines for Specific Opportunity Sites

The Specific Plan identifies six opportunity sites that offer particular redevelopment opportunities.

- Site 1: The N. Main Street/Mt. Diablo Boulevard Corner site, owned by the City of Walnut Creek
- Site 2: The Locust Street/Mt. Diablo Boulevard site, two adjacent parcels that are occupied by Walnut Creek Automotive and the vacant Mark Morris Tires building
- Site 3: The future parking garage site located within the interior of the block, bounded by Locust Street, Cypress Street, Mt. Diablo Boulevard and N. California Boulevard, is shown as a location for a future publicly accessible parking structure

Figure 11: Illustrative Specific Plan Area and Opportunity Sites

of approximately 335 stalls. The site comprises three properties including parking and circulation areas for the Chevron and Big 5 Sporting Goods sites

- Site 4: The Mt. Diablo Boulevard/N. California Boulevard site, a gas station located at that intersection's northeast corner, owned and operated by Chevron

- Site 5: The N. California Boulevard/Cypress Street site, occupied by the McDonald's restaurant

- Site 6: The 1373-1375 Locust Street site, occupied by the Cralyn retail/office building

These opportunity sites are either: (1) non-conforming with the General Plan and Redevelopment Plan (e.g., service commercial and auto-related uses), (2) locations where the site improvements have less value than the underlying land and, as such, are poised for redevelopment, (3) prime for redevelopment, based on expressed owner interest, and/or (4) the site of new public improvements called for in the Specific Plan. The following guidelines are intended to augment the Development Standards described previously and provide specific direction on the desired design elements for redevelopment of the opportunity sites. The illustrative plans included in this chapter of the Specific Plan describe possible ways in which the Design Guidelines could be implemented. These plans are not intended to preclude other creative solutions for achieving the intent of the Specific Plan, so long as the required public amenities are still provided.

Site 1: N. Main Street / Mt. Diablo Boulevard Corner Site

This site (including portions of the adjacent sidewalk and street) is owned by the City of Walnut Creek and is currently used as a public parking lot with 15 parking spaces. The site has strategic commercial importance, as it is located on the downtown's "100 percent corner." It is anticipated that this site will be sold and developed privately, consistent with the vision and development standards outlined in the Specific Plan. The purchaser of this site will not be required to replace on-site parking or pay the in-lieu cost of replacing the 15 existing public parking spaces currently on this site. After the sale of the parcel, the value of the 15 existing parking stalls (calculated using the in-lieu parking stall cost that is valid at the time of sale) shall be placed into the Downtown Parking Fund so that the reduction in available public parking will be offset by parking improvements in the same district.

Recommended Land Use: The site shall have a retail use on the ground floor. The upper floor could be developed as a second level of retail or as permitted in the zoning district. It is estimated that this site could accommodate approximately 8,600 square feet on both floors. This use would generate the need for approximately 28 parking spaces.

Building Height: The building shall be a minimum of two floors and not exceed 35 feet in height, consistent with the Height Definition in the Zoning Ordinance.

Setbacks: In addition to the standard sidewalk setback described previously, the building shall also be set back from the northwest corner of N. Main Street and Mt. Diablo Boulevard to create a corner plaza no less than 25 feet deep measured diagonally from the face of the corner curb to accommodate the large existing and future pedestrian use and provide sight distance for automobile traffic. This could be accomplished through a 45-degree chamfer or other similar setback of the building (Figures 12 and 13).

Corner Treatment: To reinforce the importance of this corner, the building shall introduce special architectural treatment in the form of a tower, cupola, or other iconic element that reinforces the landmark nature of the intersection and complements Broadway Pointe, Neiman Marcus, and The Corners developments across the street.

Lobby Location: Ground-level lobby access to the second floor should minimize any disruption to the continuity of the retail frontage along N. Main Street or Mt. Diablo Boulevard.

Commercial Lane Access: Redevelopment of this part of Commercial Lane into a multi-purpose paseo should be incorporated into new development projects in this area. Developers of Opportunity Sites 1 and 2 shall work with the City to implement a reconfiguration of Commercial Lane in conjunction with future projects if it proves to be reasonably feasible.

Opportunity Site 1: N. Main Street / Mt. Diablo Boulevard Corner and
Opportunity Site 2: Locust Street / Mt. Diablo Boulevard

The new commercial development could consider adding additional retail access from the Commercial Lane frontage, include outdoor dining facilities or make other provisions for additional use of this area. It may also be possible to link the mid-block pedestrian access from the Duncan Arcade into Opportunity Site 2, and such access should be investigated during the design phase of the project.

At the time a development application is submitted, it may be appropriate for the City to consider providing additional minor incentive(s) to facilitate the redevelopment of Commercial Lane as described above. Any incentives that are considered should not compromise the intent of the Specific Plan regarding provision of public amenities, building design or site design elements.

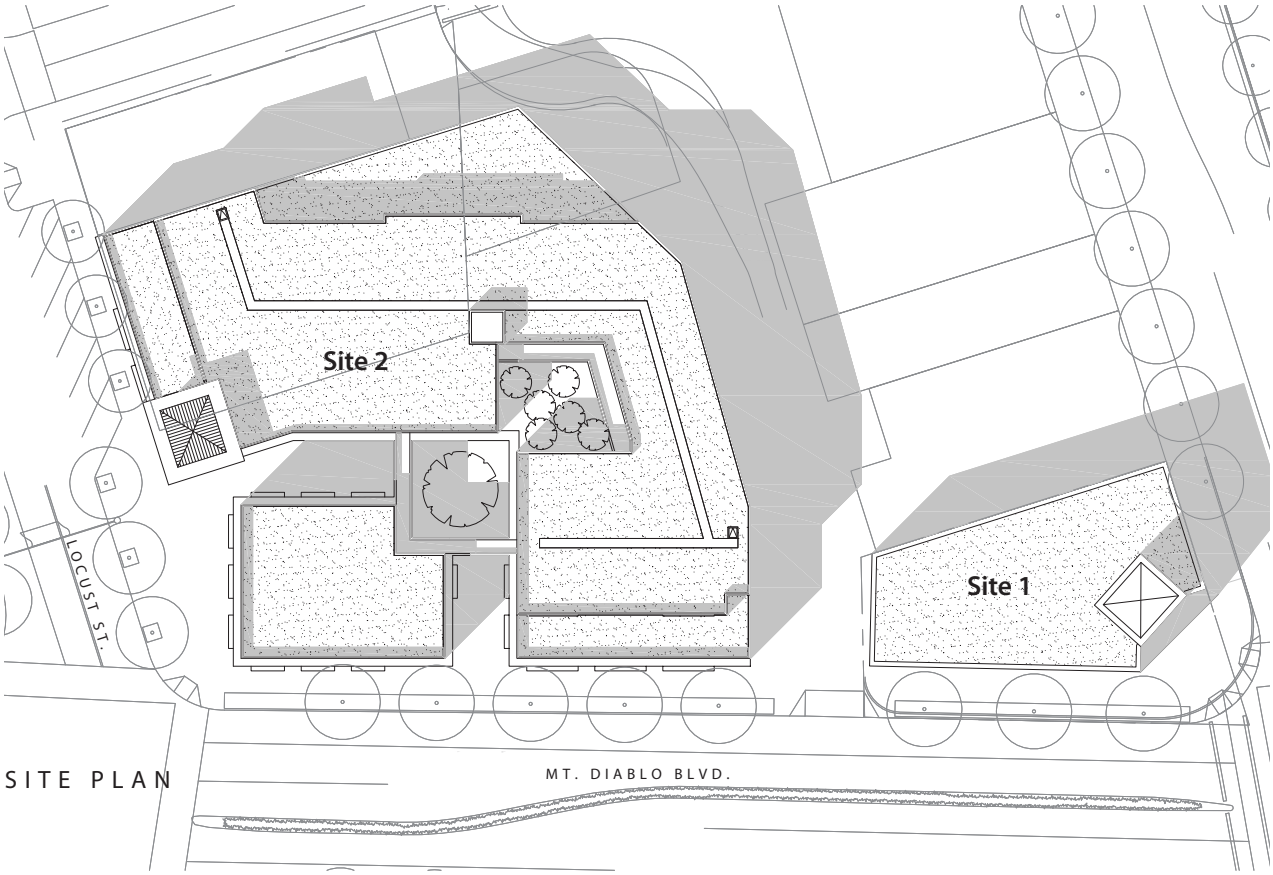
Service Access and Loading: All service access and loading for this site shall be from Commercial Lane.

Site 2: Locust Street / Mt. Diablo Boulevard Site

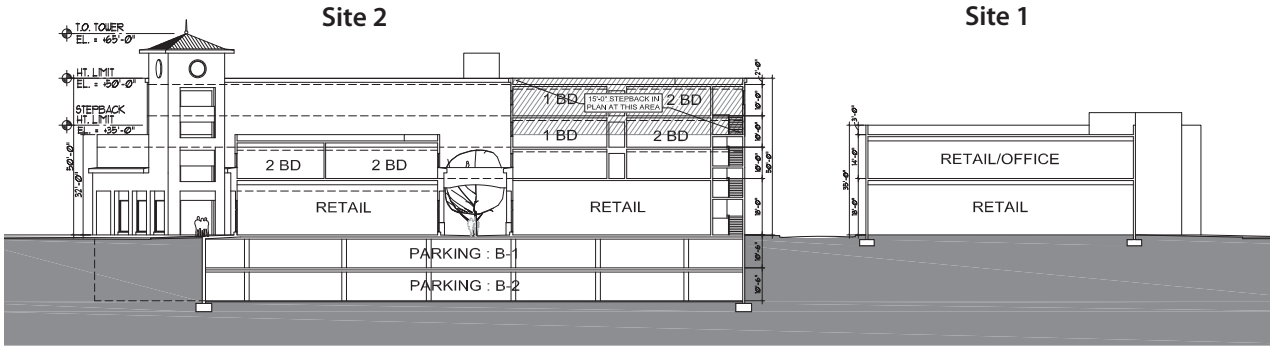
Together, the two parcels currently occupied by a vacant Mark Morris Tire building and Walnut Creek Automotive represent one of the largest infill opportunities within the downtown area. The goal of redeveloping these parcels is to replace the existing auto service uses with more intensive retail activities that further reinforce the viability and pedestrian orientation of the Traditional Downtown and the Specific Plan area. The two sites shall be assembled prior to redevelopment. Assembling the parcels will allow more opportunities for superior design, a significant pedestrian paseo, and plaza or courtyard, which is a requirement for the redevelopment of this site. It will also provide much better accessibility to parking from both the existing Locust St. driveway and Commercial Lane and could allow for construction of below-grade on-site parking, which would be otherwise difficult to provide efficiently on the two smaller parcels. At the same time, any new development on the site shall avoid the appearance of a large monolithic project and be designed to complement the town scale and character of the surrounding one- to two-story buildings, a goal that may be difficult to achieve with a large above-ground parking facility. Required parking could also be provided through the use of in-lieu parking fees, if approved by the City Council at the time of development approval.

In order to break up the scale of the development and contribute to the downtown's pedestrian environment, this project shall include additional street-level open space in the form of a paseo and courtyard, similar in scale to Va de Vi restaurant across Mt. Diablo Boulevard. This sequence of open spaces (as illustrated in the Specific Plan) should be designed to provide an engaging public promenade between Mt. Diablo Boulevard and Locust Street and, in conjunction with the massing and articulation of the building, will help to create the appearance of two or three separate buildings that reflect the scale of the Traditional Downtown.

Recommended Land Use: Rather than a single large ground-level retail use, it is recommended that two or three mid-sized retail spaces, ranging in area from 3,000 to 10,000 square feet each, be located along the Mt. Diablo Boulevard and Locust Street frontages, consistent with the scale of surrounding retail activity.



SITE PLAN



SECTION

Figure 12: Opportunity Sites 1 and 2 Illustrative Mixed-Use Concept Site Plan and Section

Note: This drawing is illustrative. The base map dimensions are approximate and not based on a detailed survey.

Figures 14 and 15 illustrate Site 2 developed with a four-story (50 foot) mixed use project with ground-level retail and three residential levels above a two-level below-grade parking garage. This design features a street level paseo and pedestrian plaza, which are important design components for redevelopment of this site. The ground-floor retail area that is illustrated is approximately 19,500 square feet in size, which does not include the residential lobby, loading area, garage ramps or storage for the retail uses. The second, third and fourth floors are illustrated as 36 residential units. On-site parking could be accommodated with an underground 124-stall parking garage, which would allow a maximum of 37,200 square feet (rentable) of commercial development under the Pedestrian Retail zoning ordinance. Development of this site could be 100% retail, a mixture of retail and office, or a retail/residential mix of uses as shown.

On-Site Parking: Parking could be provided on-site in a below-grade basement garage. As illustrated in the Specific Plan, it is estimated that 124 spaces could be developed on two levels of subterranean parking. Required parking could also be provided through the in-lieu purchase of public garage spaces in the new parking garage (Opportunity Site 3), if approved by the City Council at the time of development approval. Surface parking or a large above-grade parking structure will not be allowed.

Paseo/Plaza: This site shall incorporate a significant courtyard or plaza on the ground level that is directly accessible from the public sidewalk. Figure 12 illustrates a paseo and courtyard design that achieves the goals of the plan to break up the massing of buildings and provide significant pedestrian amenities and internal connections. In this design, the development is configured to provide a paseo between Mt. Diablo Boulevard and Locust Street. The paseo openings are located at the approximate middle of the site frontages on Mt. Diablo Boulevard and Locust Street, with a width of at least 20 feet. A larger courtyard space of approximately 1,000 square feet is located within the interior of the block. The paseo shall open to the sky except that bridges, up to 10 feet in width, may connect the main and corner buildings. In any design, the massing and treatment of the buildings should provide interest and diversity in keeping with the smaller increments of the Traditional Downtown and clear definition to the open spaces.

Building Height: The design of this important corner site could work with the two-story corner building across Locust St. to create a gateway to the Traditional Downtown. As such, it is important that this corner site respond to the variety of building height and scale, as well as the smaller building increments that characterize existing development on the south side of Mt. Diablo Boulevard from California Blvd. to Main Street. An architectural design that successfully respected that variety is The Corners development on the south side of Mt. Diablo Boulevard.

The design shown for Site 2 in Figure 14 creates that gateway element and provides an attractive and desirable pedestrian/public amenity at street level. With the paseo, the building will be divided into two parts. The freestanding structure at the corner of Locust Street and Mt. Diablo Boulevard should not exceed 35 feet or two floors in height in keeping with the scale of the former Masonic Temple building across Locust Street and the Olympia Place building across Mt. Diablo Blvd. The remainder of the

building may not exceed 50 feet in height and shall be stepped back from the Locust Street and Mt. Diablo Boulevard frontages by at least 10 feet above a height of 35 feet (Figure 8).

Building Massing: The massing of the building shall avoid a monolithic appearance and be in scale with the finer pattern and rhythm of buildings located in the Traditional Downtown, as noted above. Changes in building plane and roof elevation are encouraged, within a strong architectural composition. A tower element that breaks the stepback and provides a focal point is recommended at the Locust Street entrance to the paseo.

Ground-Level Uses: The street frontages and the paseo should be lined with active ground-floor retail and restaurant uses; lobbies serving upper floor uses should be located within the interior of the block along the paseo. Outdoor cafés and other outdoor uses are encouraged (Figure 10).

Commercial Lane Access: Redevelopment of this part of Commercial Lane into a multi-purpose paseo should be incorporated into new development projects in this area. Developers of Opportunity Sites 1 and 2 shall work with the City to implement a reconfiguration of Commercial Lane in conjunction with future projects if it proves to be reasonably feasible. The new commercial development could consider adding additional retail access from the Commercial Lane frontage, include outdoor dining facilities, or make other provisions for additional use of this area. It may also be possible to link the mid-block pedestrian access from Duncan Arcade into Opportunity Site 2, and such access should be investigated during the design phase of the project.

At the time a development application is submitted, it may be appropriate for the City to consider providing additional minor incentive(s) to facilitate the redevelopment of Commercial Lane as described above. Any incentives that are considered should not compromise the intent of the Specific Plan regarding provision of public amenities, building design, or site design elements.

Service Access: All service, parking and loading should be from Commercial Lane and from the South Locust Parking Structure driveway connecting to Locust Street. No new curb cuts are permitted on Mt. Diablo Boulevard and are strongly discouraged on Locust Street (Figures 14 and 15).

Commercial Lane Width: To improve sightlines and to allow larger trucks to maneuver on Commercial Lane, development shall be set back from the alley to allow WB-40 trucks to pass between Cypress Street and Mt. Diablo Boulevard (Figure 17).

East-West Pedestrian Link: As part of the redevelopment of Site 2 and the Commercial Lane improvements, the pedestrian linkage from Locust Street to the Duncan Arcade should be improved by rebuilding the crosswalk across Commercial Lane with access ramps, detectable warning strips and bollards, and by removing the planting and paving the full width of the sidewalk (to approximately 5 feet) on the north side of the Post Office building (Figures 7 and 25). At such time as the Post Office building redevelops, the existing sidewalk shall be widened along the garage driveway to 10 feet in width (Figure 26) to further encourage through-block pedestrian movement to the Duncan Arcade walkway.

(Existing)

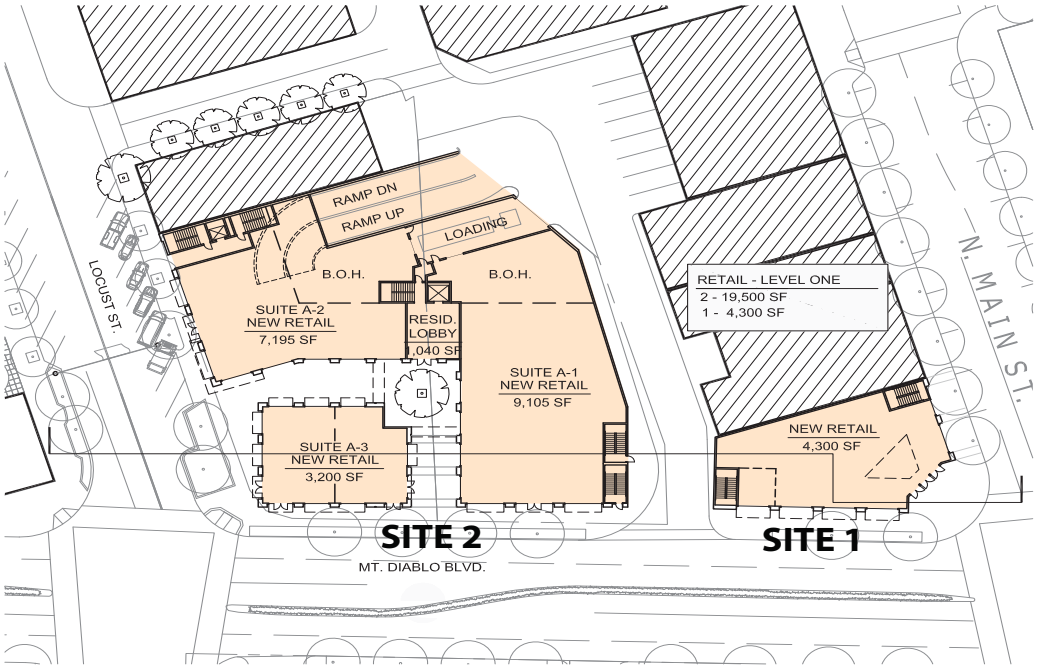
(Conceptual)

Figure 13: View of Opportunity Site 1 from Main Street and Mt. Diablo Boulevard

(Existing)

(Conceptual)

Figure 14: View of Opportunity Site 2 from Mt. Diablo and Locust Street



5 A1–01 **GROUND FLOOR PLAN**
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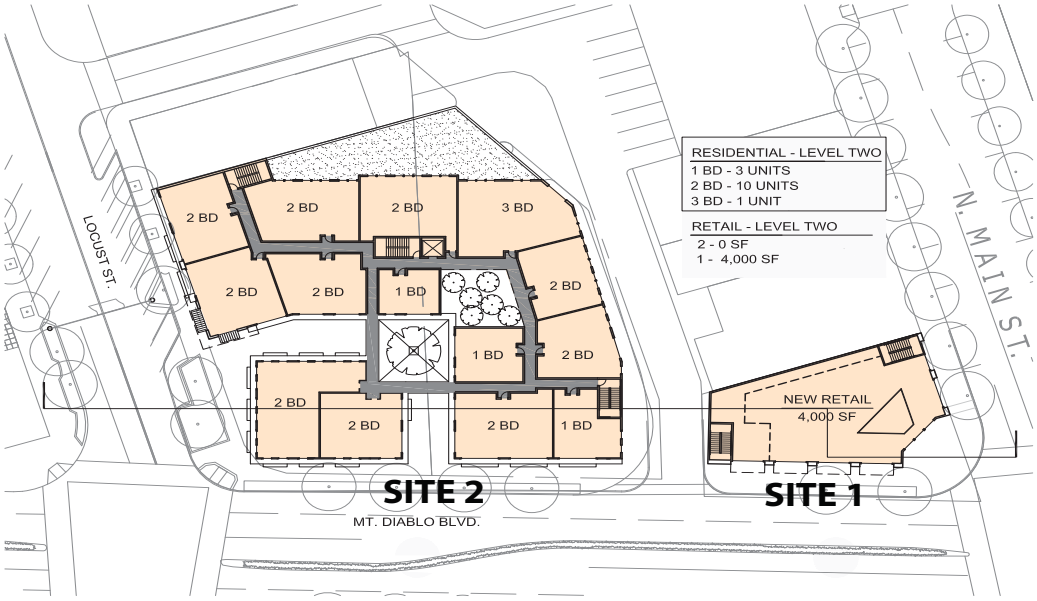

6 A1–01 **SECOND FLOOR PLAN**
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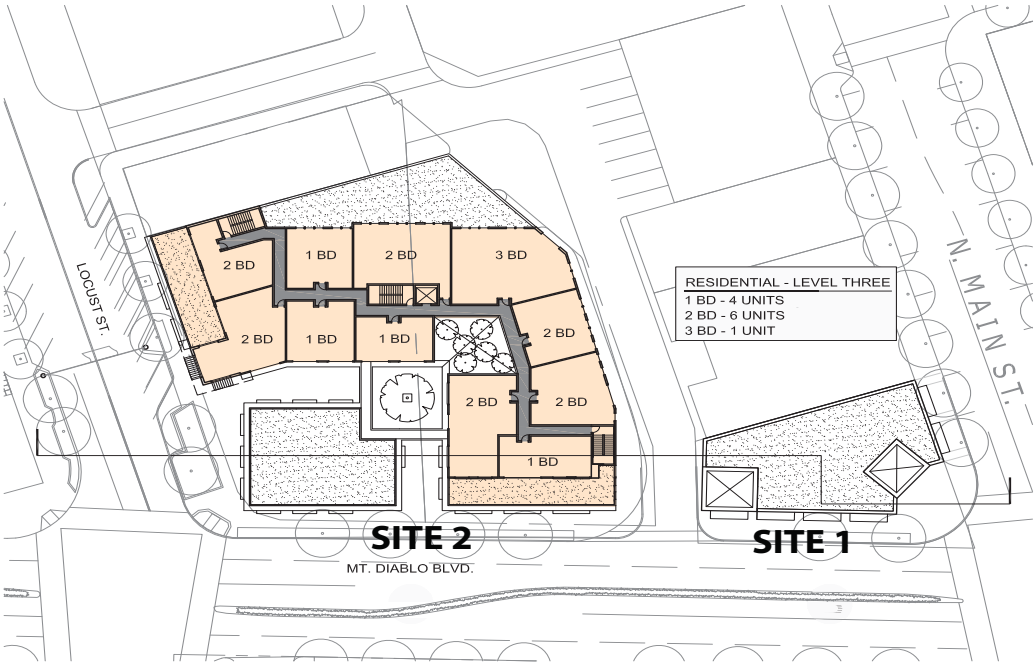
Figure 15: Opportunity Sites 1 and 2 Illustrative Mixed-Use Concept Floor Plans (continued on pg.45-46)

Note: This drawing is illustrative. The base map dimensions are approximate and not based on a detailed survey.



2 A1-01 **THIRD FLOOR PLAN**
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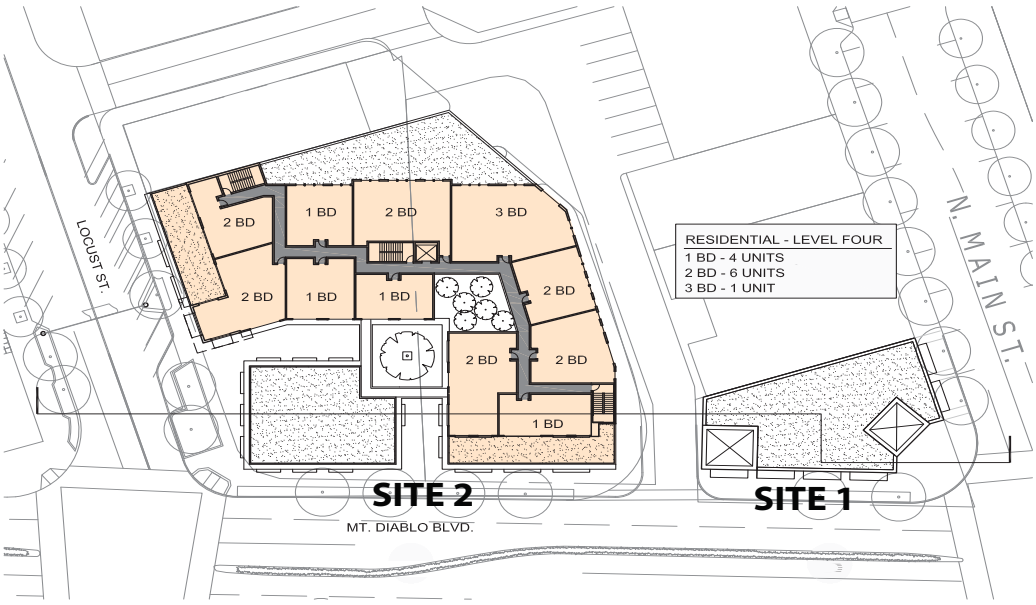

3 A1-01 **FOURTH FLOOR PLAN**
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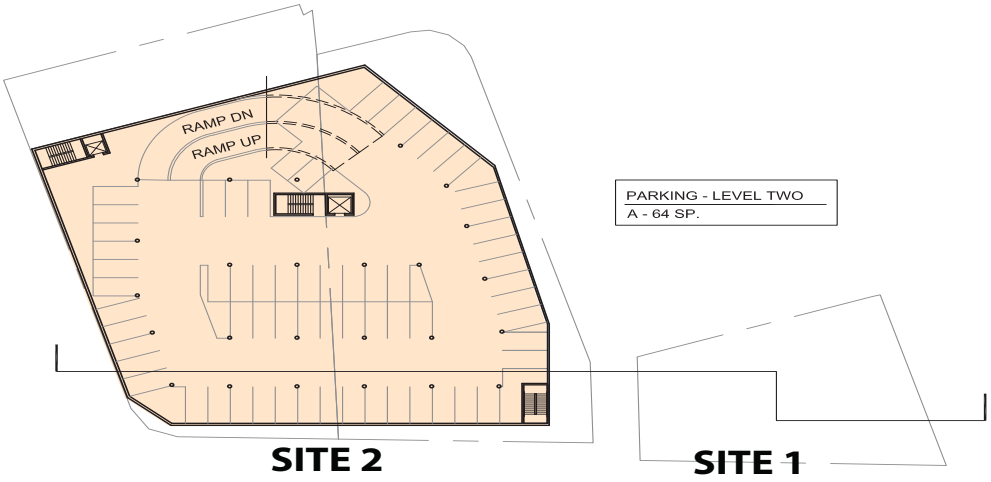
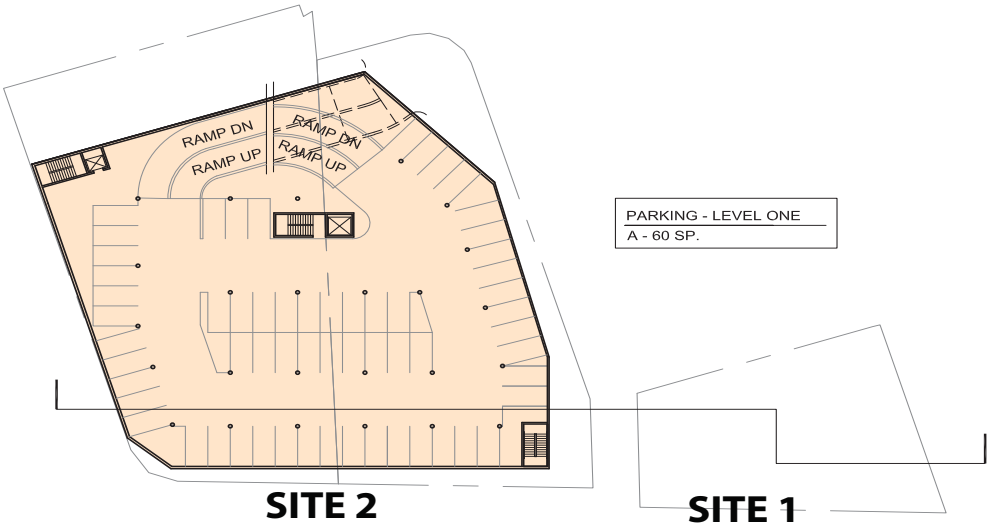


8
A1–01

PARKING - LEVEL B2

1"=40'–0"



9
A1–01

PARKING - LEVEL B1

1"=40'–0"

Site 3: Parking Garage Site

A key recommendation of the Specific Plan is to assemble land within the block bounded by N. California Boulevard, Locust Street, Cypress Street and Mt. Diablo Boulevard for a publicly accessible parking garage. The Plan identifies a 0.55-acre area that is in private ownership and is currently being used for surface parking. This site combines portions of property now owned or occupied by Chevron, Big 5 Sporting Goods and the Dwulet Trust. (The Dwulet Trust also owns the adjacent Peet's building parcel.) A 70-foot tall garage of approximately 335 spaces could be developed on this site. To achieve this parking count, the facility could have one level below grade, an extra-tall ground-floor level to allow truck circulation, five additional regular height upper levels, plus roof-top parking (see Figure 20).

Although the new parking facility could provide up to 335 stalls, the first 51 stalls are to be used to provide replacement parking for the existing 51 surface parking stalls that would be removed. An additional 63 stalls would be required to provide approximately 28 in-lieu stalls (required parking when Opportunity Site 1 is sold and developed) and to provide approximately 35 make-up parking spaces for McDonald's in the new parking structure to replace existing parking that is taken up by the new service alley between the garage and Cypress Street. In all, a total of about 113 spaces in the new parking garage (including potential make-up parking for McDonald's) would be committed to these parking needs.

This results in a total of about 220 new parking stalls that could be used to provide in-lieu parking for new development in the surrounding downtown area. As shown in Table 2, commercial development on Opportunity Site 2 could require parking for up to 215 stalls, development of Opportunity Site 4 as shown in Option A could require approximately 100 stalls, and commercial development of Opportunity Site 5 could require approximately 300 stalls. Clearly, all this parking could not be accommodated in the parking garage on Opportunity Site 3. However, the in-lieu parking option within the garage could be used to supplement the parking that can feasibly be constructed as part of commercial development on these sites.

Land Assembly: To facilitate development of the new parking structure, the City must:

• Acquire land from Chevron, Big 5 owners, and the Dwulet Trust.

• Acquire and reorganize parking, utility easements and service access easements.

• Attain public access easements from McDonald's for a pedestrian paseo to N. California Boulevard and for the service alley.

• Until redevelopment of the McDonald's site occurs, provide make-up parking for McDonald's in the new parking structure (approximately 30 spaces) to replace any parking that is taken up by the new service alley between the garage and Cypress Street.

Building Height: The maximum height of the parking structure shall be up to 70 feet. Figure 20 illustrates a 70-foot tall garage building with one parking level below grade and seven parking levels above grade. Unlike most buildings in the

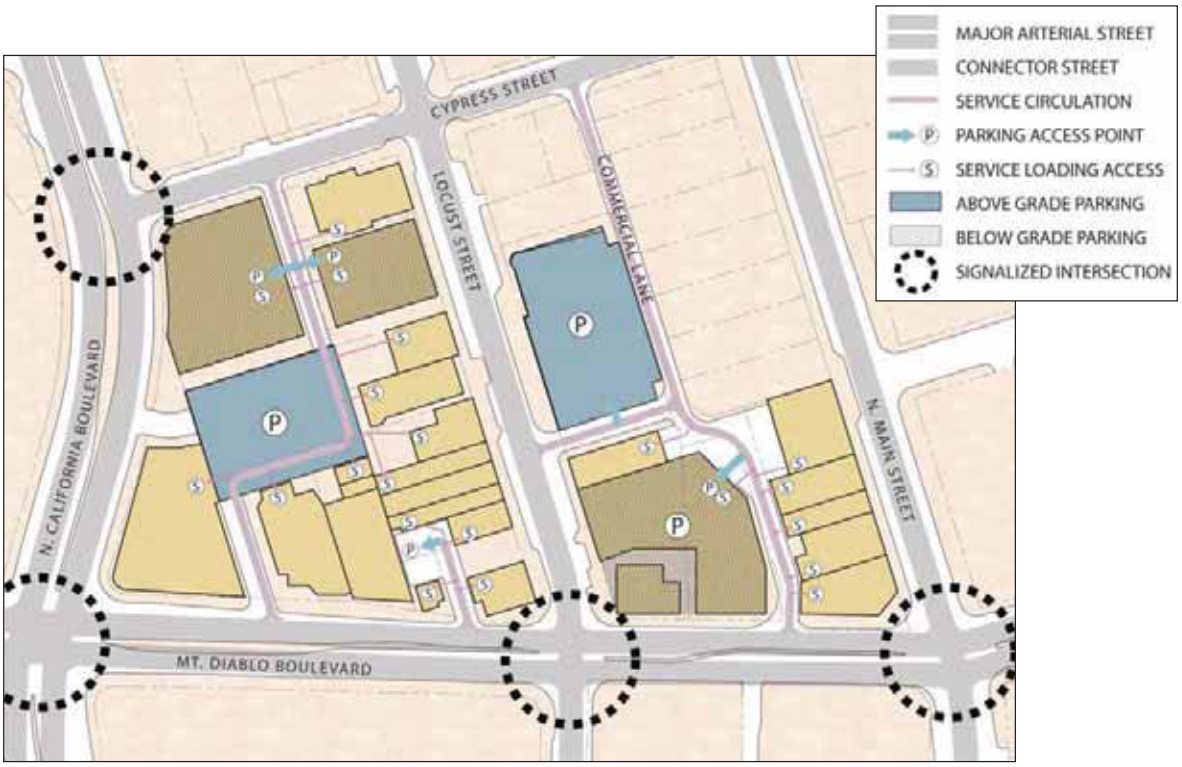


Figure 16: Vehicular Access and Circulation

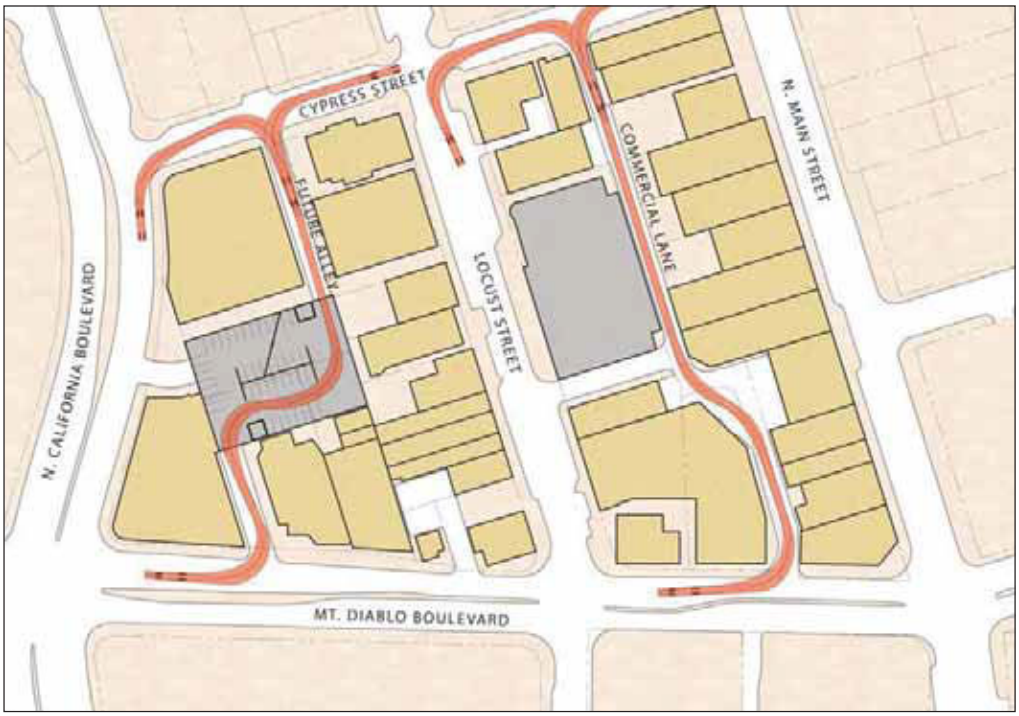


Figure 17: Commercial Lane and Service Alley Access for Trucks

Pedestrian Retail Zoning District, this parking structure need not provide a building height step back at 35 feet, because it is located entirely within the interior of the block and has no street frontage.

Measure A limitations on building height measurement are modified in regard to parking garages. Under measure A, a parking garage level is counted as 3/4 of a regular building story. Therefore, a parking garage can achieve a maximum of eight parking levels above grade and remain consistent with the limitations of Measure A (Municipal Code Section. 10-2.1.303, 149. *Story).*

Rooftop Design: The Specific Plan encourages the full use of rooftops, which offer some of the finest views of the City and surrounding region, as well as opportunities for creative and sustainable design elements. The parking garage may include a rooftop garden, open air restaurant, photovoltaic structures or some combination of similar uses. To encourage and create incentives for better use of rooftops in the Specific Plan area such facilities will be allowed over 80% of the horizontal roof area (See **Implementation Section** regarding Municipal Code Section 10-2.1.303A.39 *Building Height).*

Architectural Design: While the parking structure is situated in the interior of the block, it will be visible from perimeter streets unless redevelopment occurs on both the McDonald's and Chevron properties. As such, the garage should be designed with high-quality materials and architectural treatments that reduce the utilitarian appearance of the structure and that are consistent with that of adjacent downtown buildings. Sloped floors and ramps should be architecturally concealed from the exterior view. In addition, the parking structure may include a special design treatment that makes the structure visually prominent for visitors entering the downtown and seeking public parking. The design of the parking structure shall also incorporate features that foster energy conservation and resource protection (consistent with Objective LU-10).

Service Alley: In conjunction with the parking garage construction, a north-south service alley shall be provided from Cypress Street to Mt. Diablo Boulevard to serve existing and future uses on the block. This shall be achieved by ensuring that the garage provides sufficient ceiling clearance (i.e., 14 feet minimum) and turning radii for a WB-40 vehicle to maneuver through the ground level of the structure. Construction of the garage will also require securing a 25-foot-wide access easement from all affected property or easement holders, such as the McDonald's, Chevron, and Big 5 properties, by purchase or dedication. Besides serving businesses fronting Locust Street and Mt. Diablo Boulevard, the service alley is intended to provide for future parking and loading on the McDonald's and Cralyn Building sites if they are redeveloped (Figure 23).

Auto Access and Signage: Automobiles shall access the garage from the north-south service alley (i.e., from Mt. Diablo Boulevard and Cypress Streets) and from N. California Boulevard. Highly visible and inviting signage shall be designed at public street entrances to direct motorists to the parking facility. A real-time parking space countdown system shall be incorporated into the signage.

Pedestrian Access: To provide north-south pedestrian access to the new parking structure from Mt. Diablo Boulevard, the existing sidewalk on the west side of the Big 5 building should be improved in conjunction with the development of the garage.

To provide an east-west pedestrian link with Locust Street and N. California Boulevard, a 20-foot wide paseo should be created along the south property lines (preferably) of the McDonald's and Cralyn Building sites, by purchase or dedication (Figures 11 and 23). This mid-block link should connect the new parking garage through to Locust Street to provide a more direct route for pedestrians accessing the parking structure building.

To improve pedestrian accessibility from areas west of California Boulevard, an east-west mid-block crosswalk will be studied in conjunction with the development of the parking garage for California Boulevard between Mt. Diablo Boulevard and Cypress Street. Similarly, to improve pedestrian accessibility between the Traditional Downtown areas and south of Mt. Diablo Boulevard, a north-south mid-block crosswalk will be studied between California Boulevard and Locust Street, also in conjunction with the development of the parking garage (Figure 26).

Ground-Floor Retail: The ground level of the garage along the east-west paseo at the N. California Boulevard frontage could be activated with commercial, retail or restaurant uses (Figure 20). New commercial uses in this location may not be feasible unless the McDonald's site has redeveloped in advance of the parking garage.

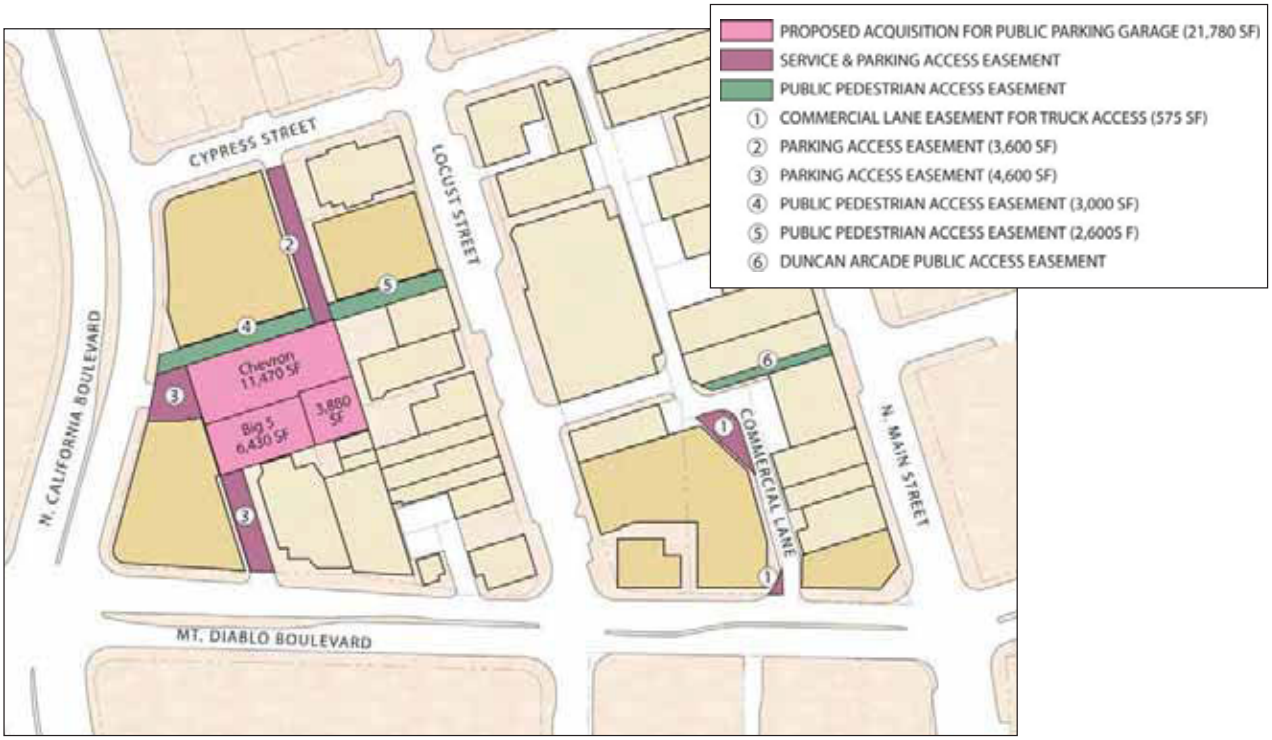


Figure 18: Proposed Easements and Dedications

Table 1: Land Assembly Required for Public Parking Garage

Parcel	APN	Total Area (sq. ft.)	Area Needed for Garage (sq. ft.)
Chevron	178-160-029	33,628	13,370
Big 5	178-160-023	20,541	6,430
Parking lot linked to 1343 Locust St.	178-160-024	3,900	3,900
Total Garage Site (Approximate)			23,700

Note: All areas need to be confirmed through more detailed survey work.

Parking Priorities: In the allocation of parking spaces within the new garage, it is recommended that priority be given to the following (see Table 2):

- Replacement parking and service space for uses that currently own or have easements on the garage site for surface parking stalls (approximately 51 spaces).
- Replacement parking for spaces lost to the service alley and east-west paseo on the Opportunity Site 5 (approximately 35 spaces).
- Approximately 28 spaces of in-lieu parking credit that would be purchased for retail development of Opportunity Site 1 (after it is sold and redeveloped for commercial use).
- Parking for expanded or new retail uses (as available).
- Parking used as an incentive to redevelop private parking lots with infill buildings or as paseos, plazas or courtyards.

Site 4: Mt. Diablo Boulevard / N. California Boulevard Site

The existing Chevron service station at the northeast corner of Mt. Diablo and N. California Boulevards provides a valued service to the downtown, and the owner, the Chevron Corporation, has expressed the intention to maintain and improve the gas station portion of the business. As such, the Specific Plan recognizes that the use may remain as it currently exists for the foreseeable future but provides guidelines for two alternatives to redevelop the site.

Long-Term Redevelopment (Alternative A): Under Alternative A, the gas station use would be removed and the site would redevelop with Pedestrian Retail commercial uses that are consistent with existing General Plan and Redevelopment Plan policies and goals. As depicted in Figures 19 and 20, the existing 35'/50' height limit would be retained over the majority of the site, with the exception of the 12,000-square-foot portion of the property that would be acquired and used for the parking garage. This height would allow three levels of retail or a mixed use retail/office type of development over the remainder of the site. As an incentive for the land owner to provide the

(Existing)

(Conceptual)

Figure 19: View of Opportunity Site 4 depicting a 35′ height limit (Option A) and Opportunity Site 5 from Mt. Diablo Blvd. and N. California Blvd.

land needed for the parking garage, a number of parking stalls to serve the new development could be provided within the new garage.

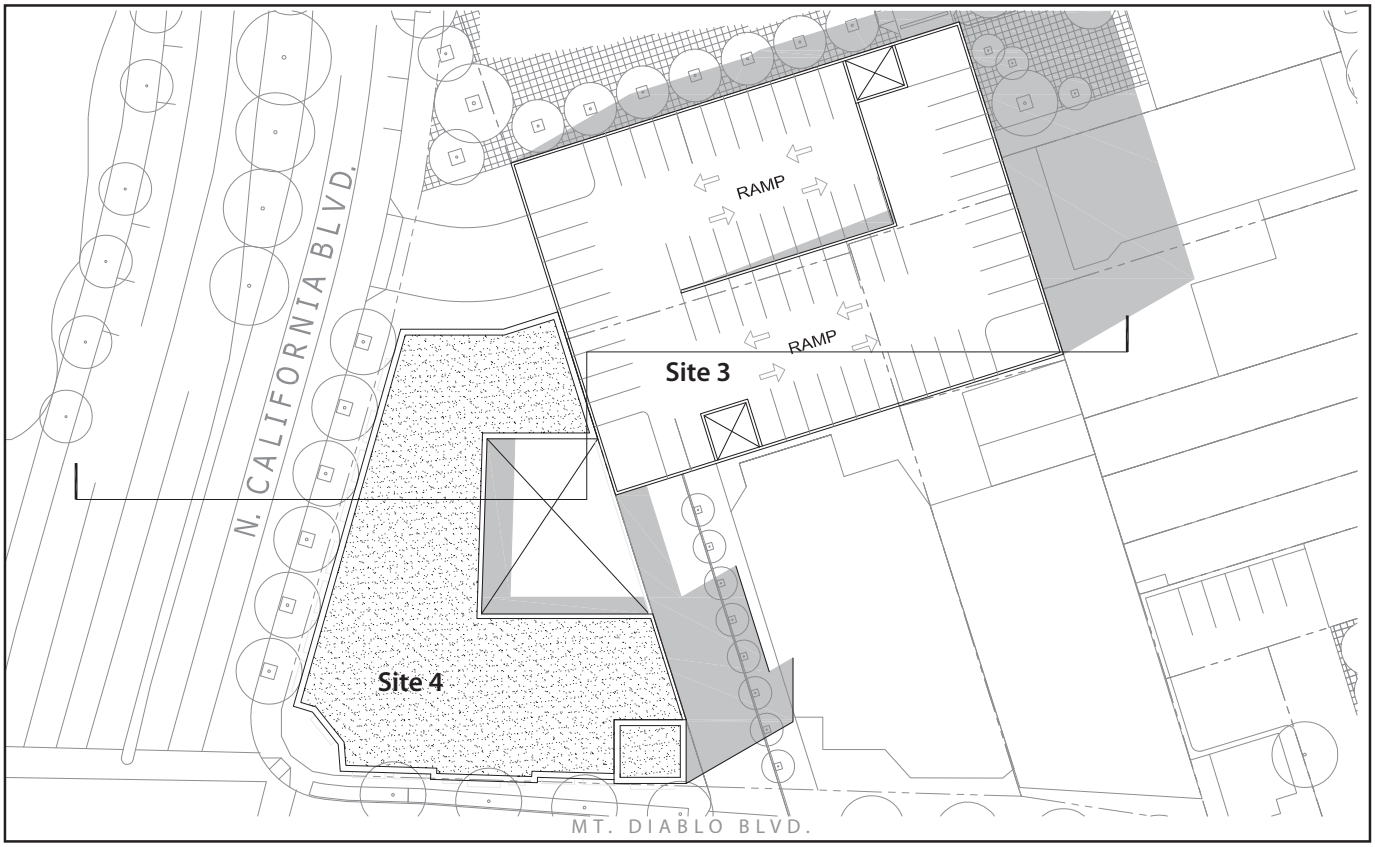
The redevelopment of the Chevron service station site, if consistent with Alternative A, should reinforce the commercial viability of the downtown, with ground-floor retail uses and upper-floor uses, such as offices, by providing parking for all uses in the adjacent parking structure.

Ongoing Use as a Gas Station (Alternative B): In Alternative B, the gas station use would remain and the 12,000-square-foot portion of the property would be acquired for the parking garage. The Specific Plan would allow redevelopment and reinvestment in a portion of the existing gas station site to facilitate the new parking garage on Opportunity Site 3. As noted previously, although the Chevron gas station is a long-standing use in this location, it is not currently permitted by the General Plan, the Redevelopment Plan, or the zoning district. Implementation of Alternative B will require an amendment to these regulations that would make the service station a conforming use, provided that it conforms to the policies, development standards and design guidelines of the Specific Plan.

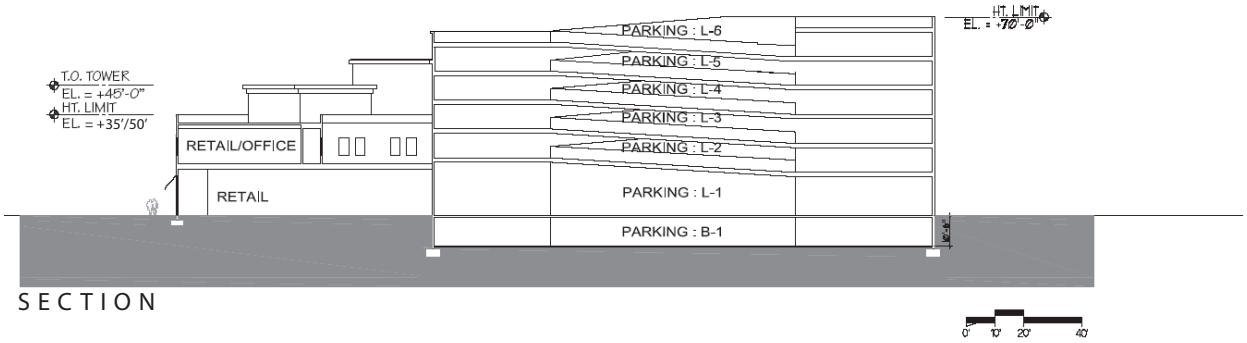
Table 2: Potential Allocation of Public Parking Garage Spaces

Opportunity Sites	New Parking Garage
Opportunity Site 1: N. Main St. / Mt. Diablo Blvd. Corner	
• Displaced existing metered public parking	-
• New parking to serve future development	28
Opportunity Site 3: Parking Garage	
• Displaced existing surface parking owned by Chevron	26
• Displaced existing surface parking for Big 5	15
• Displaced existing surface parking for 1343 Locust St.	10
Opportunity Site 4: Mt. Diablo Blvd. / N. California Blvd.	
• New parking to serve future Alternative A development	100 **
Opportunity Site 5: McDonalds	
• Displaced existing parking for paseo and service alley	30
• New parking for ground level retail	45**
Opportunity Site 6: 1373-75 Locust St.	
• New parking for ground level retail	25**
TOTAL	279

***if available*



SITE PLAN



SECTION

Figure 20: Opportunity Sites 3 and 4 (Option A) Illustrative Concept Roof Plan and Section

Note: This drawing is illustrative. The base map dimensions are approximate and not based on a detailed survey. Although only 2 commercial levels are depicted on Opportunity Site 4, a 35'/50' height limit would likely allow a third level.

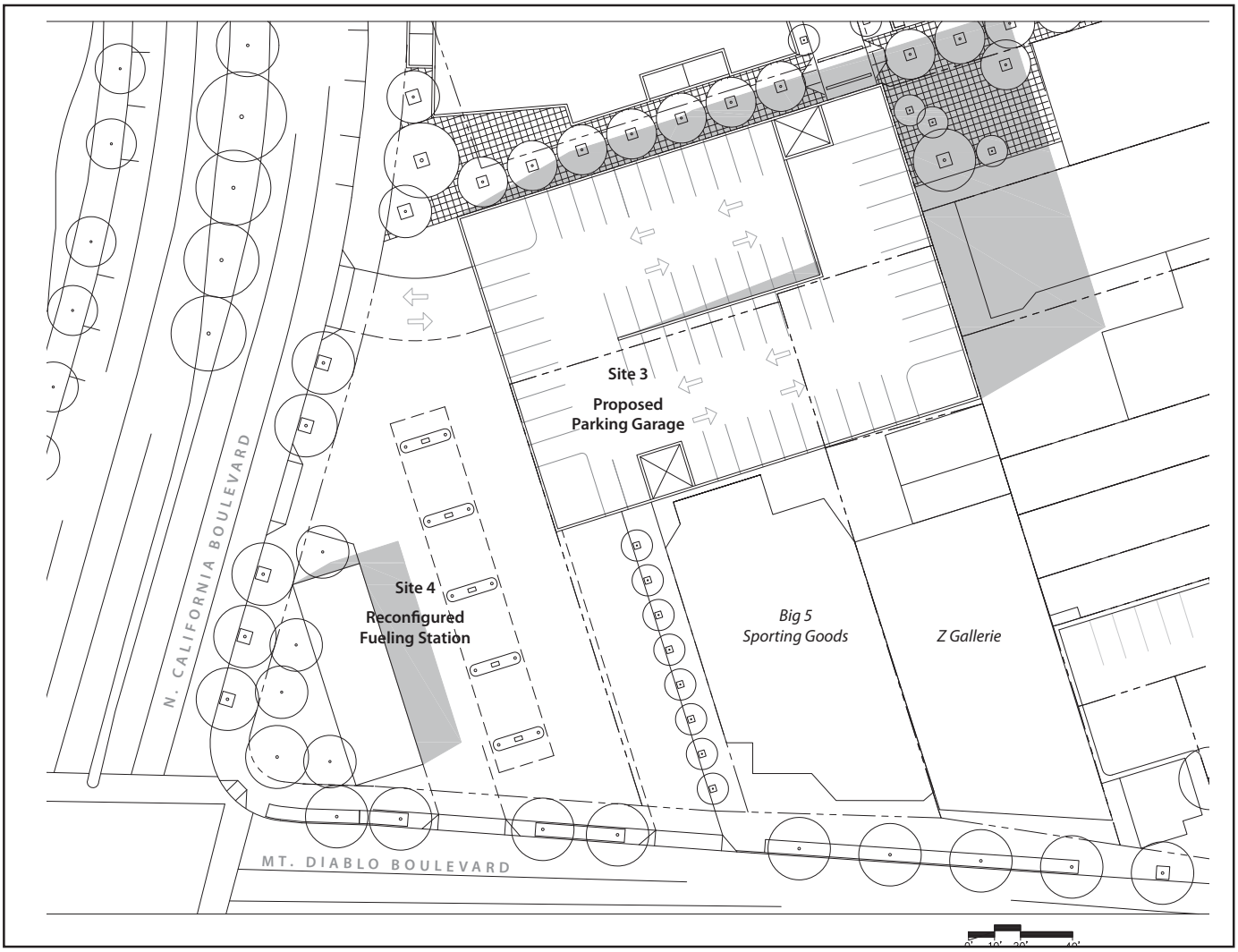
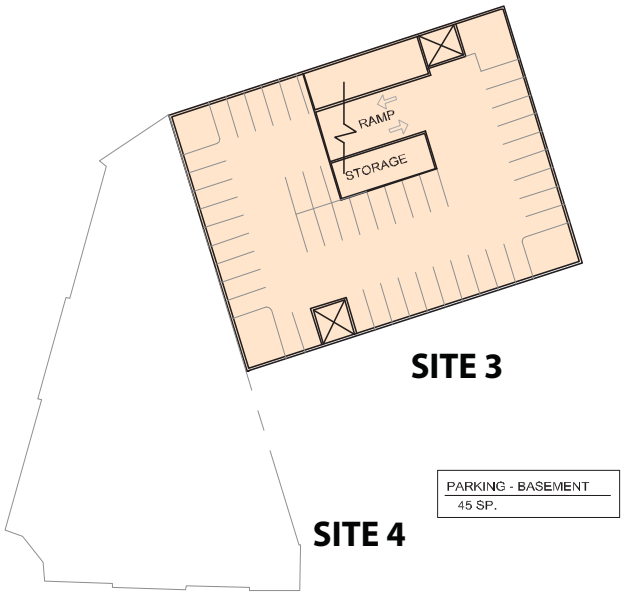


Figure 21: Opportunity Site 4: Illustrative Concept Plan (Option B)

Note: This drawing is illustrative. The base map dimensions are approximate and not based on a detailed survey.



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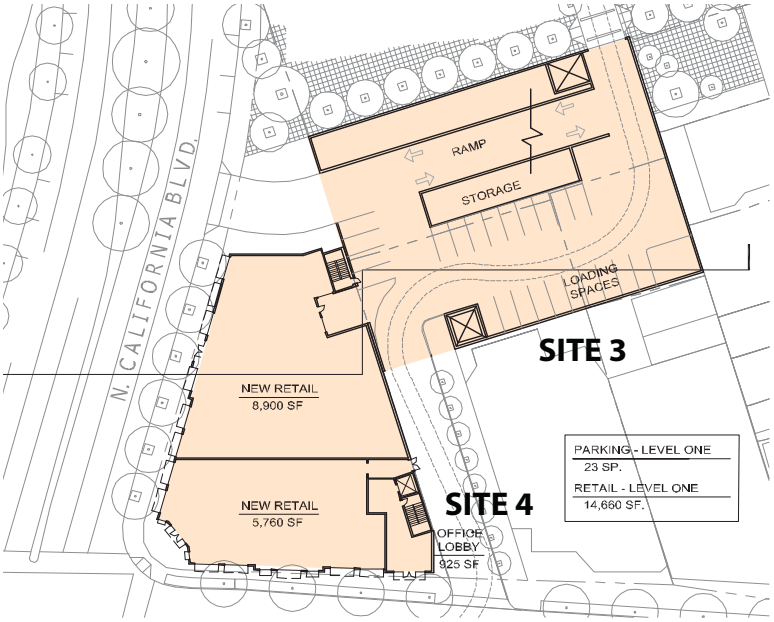
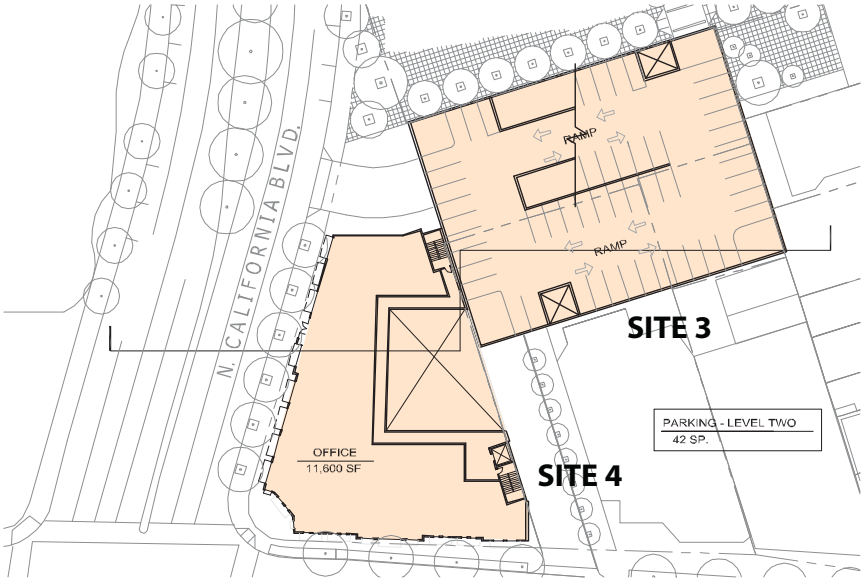


2 A1-01 **GROUND FLOOR PLAN**
1"=40'-0"

Figure 22: Opportunity Sites 3 and 4 (Option A) Illustrative Concept Floor Plans (cont. on pg.57-58)
Although only two commercial stories are depicted in this illustration of Opportunity Site 4, the 35'/50' height limit would likely accomodate a third story in this location, if desired.

Note: This drawing is illustrative. The base map dimensions are approximate and not based on a detailed survey. Although only 2 commercial levels are depicted on Opportunity Site 4, a 35'/50' height limit would likely allow a third level.



3 A1-01 **SECOND FLOOR PLAN**
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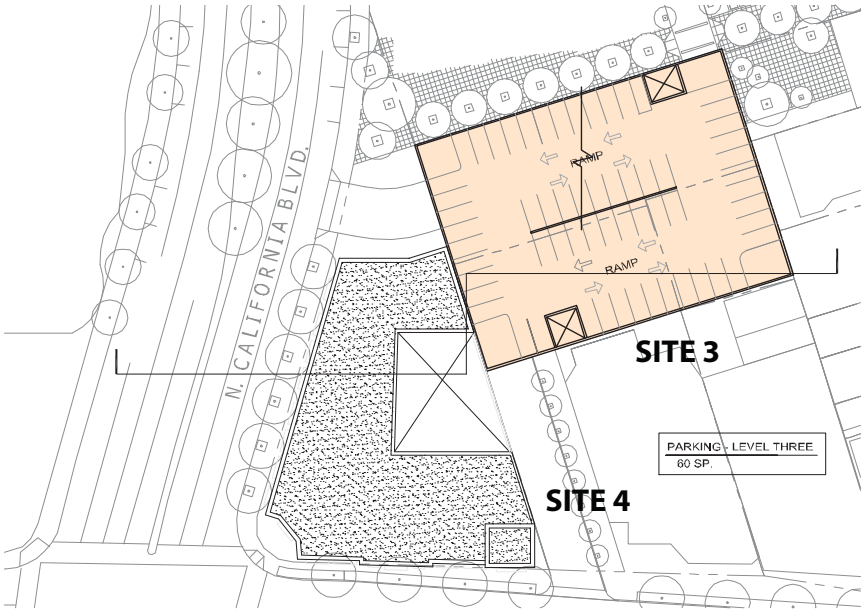

4 A1-01 **THIRD FLOOR PLAN**
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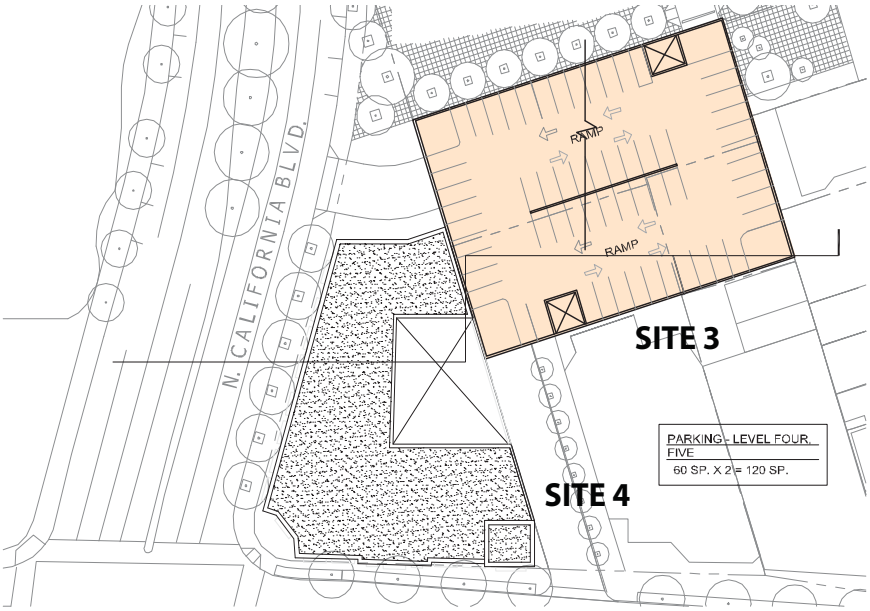

5 A1-01 **FOURTH FLOOR PLAN**
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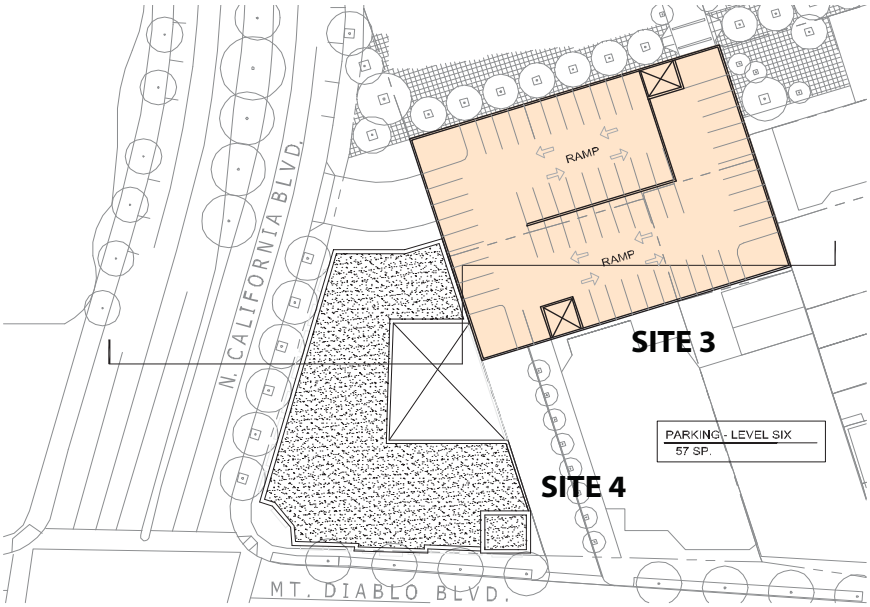


6 A1-01 **FIFTH FLOOR PLAN**
1"=40'-0"

Any improvement or expansion of the existing automotive service use shall meet the following development conditions:

- The 12,000-square foot portion of the property shown on Site 3 would be acquired by the City for the parking structure.

- The existing facility shall be configured to allow for construction of, and access to, the parking garage on Site 3, as described above. Access easements shall be provided from both N. California and Mt. Diablo Boulevards.

- The site shall maintain fueling as the dominant use. Automotive repair is a desirable, but not a required, secondary activity.

- Introduction of a retailing use (such as a Chevron mini-mart or Extra Mile store) at the corner of Mt. Diablo and/or N. California Boulevards shall be designed with a street orientation, consistent with the development standards and design guidelines described for ground-level retail uses.

Building Height: The maximum height of development on this site shall be 50 feet. Along the street frontages, the height shall be limited to 35 feet or 2 stories (consistent with the General Plan and zoning height regulations).

Ground-Level Uses: Retail will be the predominant ground-level use with opportunities for a larger two- or three-story retail or mixed use development of 20,000 to 30,000 square feet in size, consistent with the 1.25 FAR (Figure 22).

Architectural Massing: If developed consistent with Alternative A, the project should be designed to create an attractive gateway into the downtown along Mt. Diablo and N. California Boulevards, with active and transparent storefronts and a strong corner treatment at this key intersection. The building should be designed with volumetric changes in the façade and roof line that break up the massing and that avoid a monolithic appearance.

Site and Service Access: One curb-cut for driveway access will be permitted along N. California Boulevard, provided that it is located at least 100 feet from the Mt. Diablo Boulevard intersection. This driveway curb-cut should also provide access to the public parking structure. All service access and loading shall be from the interior of the block.

Parking: The full parking requirement for future development on this site may be made available in the proposed parking garage (Site 3) as an incentive for cooperation in development of the parking garage and access to it. Direct pedestrian access between the garage and upper-level development could also be provided if appropriate.

Site 5: Cypress Street / N. California Boulevard Site

The site, currently occupied by McDonald's restaurant, provides a key opportunity to replace an auto-oriented use with more intensive and pedestrian-oriented mixed use development. The site has strong potential to provide a significant ground-level retail use, with a range of upper-level uses that could include hotel, office or residential. The potential redevelopment of this site is depicted in Figures 23 and 24.

Easements: As a condition of development and intensification, two key access easements will be required (Figures 18 and 23):

- To achieve the north-south service alley through the block and to provide access/egress to the proposed parking garage, the easternmost 25 feet of the property shall be dedicated to the City of Walnut Creek for vehicular and service access (similar to Commercial Lane).

- To provide for public pedestrian access to the public parking garage, and for a future paseo between N. California Boulevard and Locust Street, the southernmost 20 feet of the property shall be dedicated and improved as a pedestrian paseo.

Building Height: Development shall be permitted to a height of 70 feet, provided that all development above 35 feet is stepped back by at least 10 feet from the street frontages (See Figures 8 and 23). Figure 23 illustrates a 70-foot tall building with six stories above ground. Under measure A limitations, a maximum of six stories is allowed.

Development Intensity: The commercial Floor Area Ratio (FAR) for this site is a maximum of 2.0. In addition, an FAR bonus to allow a maximum FAR of 3.5 on Opportunity Site 5 will be available for development of a downtown hotel. The maximum density of new residential development is determined by the Planning Commission on a case-by-case basis through the approval of a Conditional Use Permit.

Architectural Massing: The building design should be articulated to express a clear building base and top and broken up in both the horizontal and vertical planes to avoid a monolithic appearance.

Ground-Level Uses: Active ground-level retail and restaurant uses should be located along the majority of the Cypress Street and N. California Boulevard frontages. If the site is developed for a hotel use, the most public elements of the hotel, including the restaurant, lobby/lounge, pre-function and meeting spaces, should be situated at the street level (Figure 24).

Opportunity Site 5: Cypress Street / N. California Boulevard and Opportunity Site 6: 1373-75 Locust

At the time a development application is submitted, it may be appropriate for the City to consider providing additional minor incentive(s) to facilitate the inclusion of restroom facilities that are visible, welcoming and open for general public use. Any incentives that are considered should not compromise the intent of the Specific Plan regarding provision of public amenities, building design, or site design elements.

Service and Parking Access: All service and parking access should be from the north-south service alley. No additional curb cuts will be permitted from Cypress Street or N. California Boulevard.

Parking: Parking requirements for ground-level retail use may be accommodated in the new public parking garage. All other parking should be provided on-site. It is estimated that approximately 100 parking spaces could be provided in two subterranean levels (Figure 24).

Alternatively, the property owner may wish to explore partnering with the City to develop the parking garage as a joint venture that provides both private and public parking opportunities within one structure. Such a partnership will be studied further, but should be accomplished at the same time as commercial development of Site 4.

Site 6: 1373-75 Locust Street Site

This 0.34-acre site is developed with the Cralyn Building (1373-75 Locust Street), a two-story building that is currently occupied by the Kitchen Table retail store and other businesses. Although not originally considered as an opportunity site, the Cralyn Building property owners expressed an interest in redeveloping the property early in the planning process. One potential redevelopment option for this site is depicted in Figures 23 and 24, and the preferred location for the future paseo is also shown in Figure 18. This site may be redeveloped as shown in the illustrative concept plans, or as allowed by the zoning and consistent with the Development Standards of the Specific Plan and design guidelines pertaining to Site 6.

This is one of the few parcels left in the Traditional Downtown that maintains an on-site surface parking lot along a primary street frontage. It would be desirable to encourage retail continuity along Locust Street. This could occur if the parking lot area or total site were redeveloped in an appropriate or compatible scale to the adjacent buildings in the Secondary Study Area. This becomes a stronger possibility with the establishment of a new service alley behind Opportunity Site 6 (Figure 18), which could also provide access to new subterranean parking serving the businesses or residential uses on this site.

In addition, the Specific Plan identifies this site as the location of a future pedestrian paseo that would provide mid-block access from the new parking garage, from N. California Boulevard to Locust Street.

Easements: To provide for public pedestrian access to the parking garage and for a future paseo between N. California Boulevard and Locust Street, the southernmost 20 feet of the property shall be dedicated and improved as a pedestrian paseo (Figures 18 and 24) at the time of redevelopment. If this site does not redevelop, an alternative location for the pedestrian paseo,

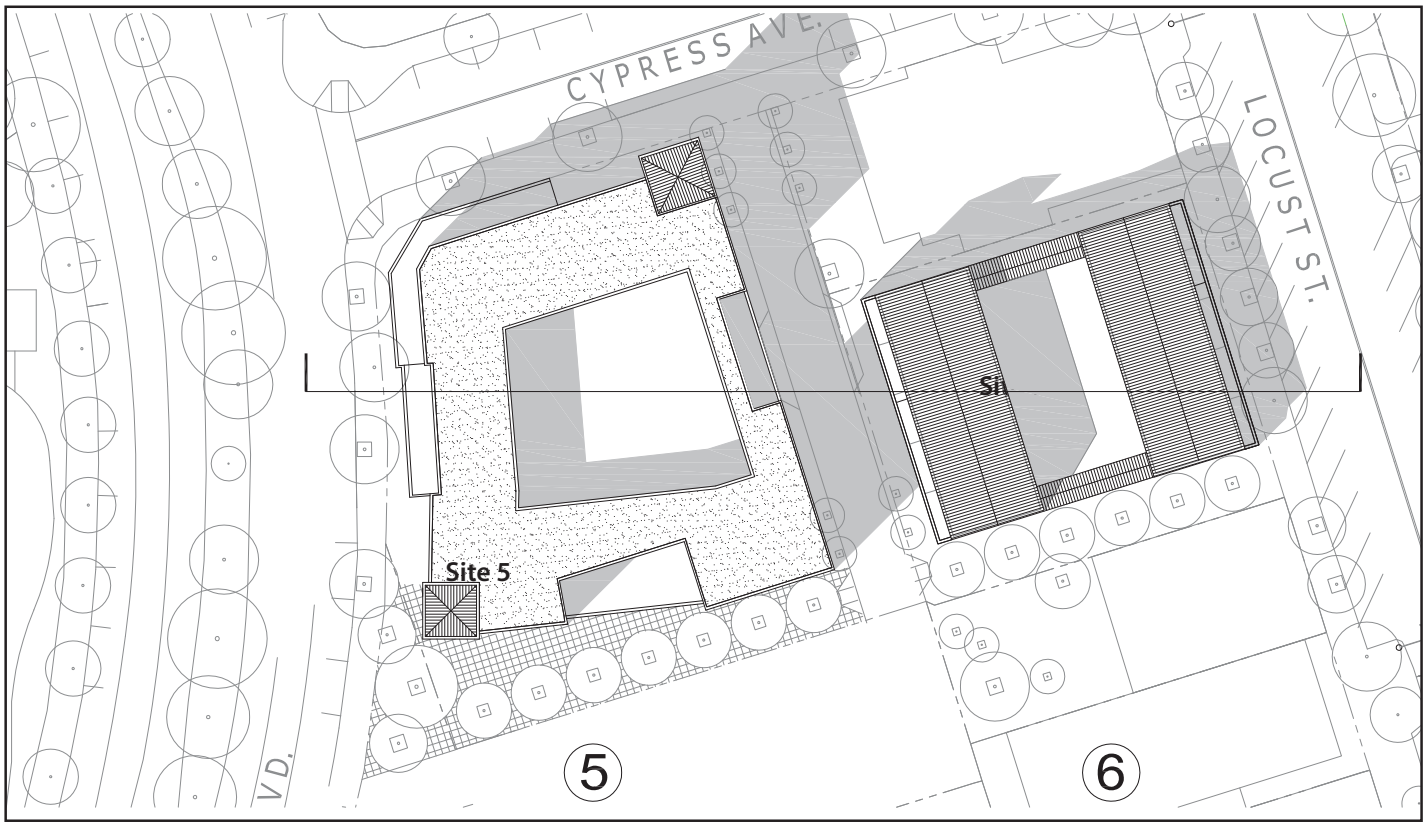
perhaps through the site's surface parking lot, could be studied further.

Building Height: The maximum height of development on this site shall be 50 feet. Along the street frontage, the height shall be limited to 35 feet or 2 stories (consistent with the General Plan height regulations). The first story of the new structure shall maintain the scale of existing businesses along Locust Street (Figure 8).

Ground-Level Uses: Active ground-level retail, restaurant or commercial uses should be located along the Locust Street and may be considered along the paseo frontages. Lobby frontages should be minimized and, to the extent practical, located along the paseo to maintain maximum retail continuity along Locust Street (Figure 24).

Architectural Massing: The massing of the building should be carefully composed to reflect the smaller increments of development along Locust Street, including horizontal and vertical plane changes.

Service and Parking Access: All service and parking access to the property should be from the planned north-south service alley or from the existing access easement on the Crogan's property, located at the southwest corner of Cypress Street and Locust Street. No curb cut or driveway access will be permitted from Locust Street.

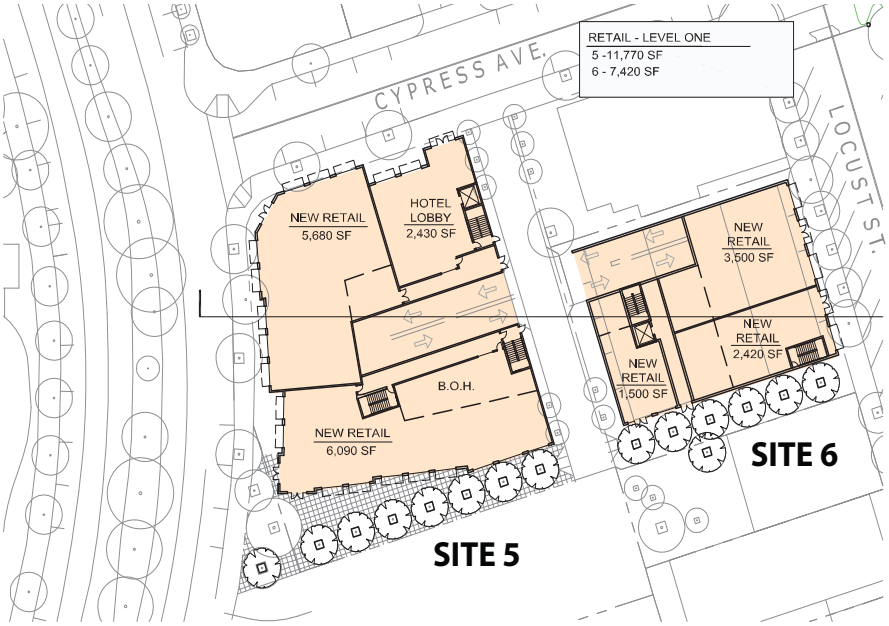


SITE PLAN

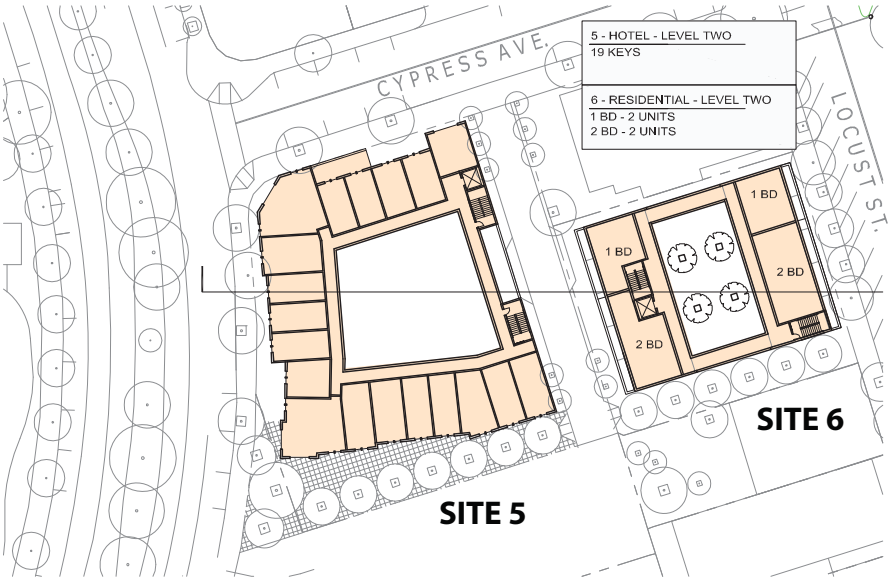
SECTION

Figure 23: Opportunity Sites 5 and 6 Illustrative Concept Site Plan and Section

Note: This drawing is illustrative. The base map dimensions are approximate and not based on a detailed survey.



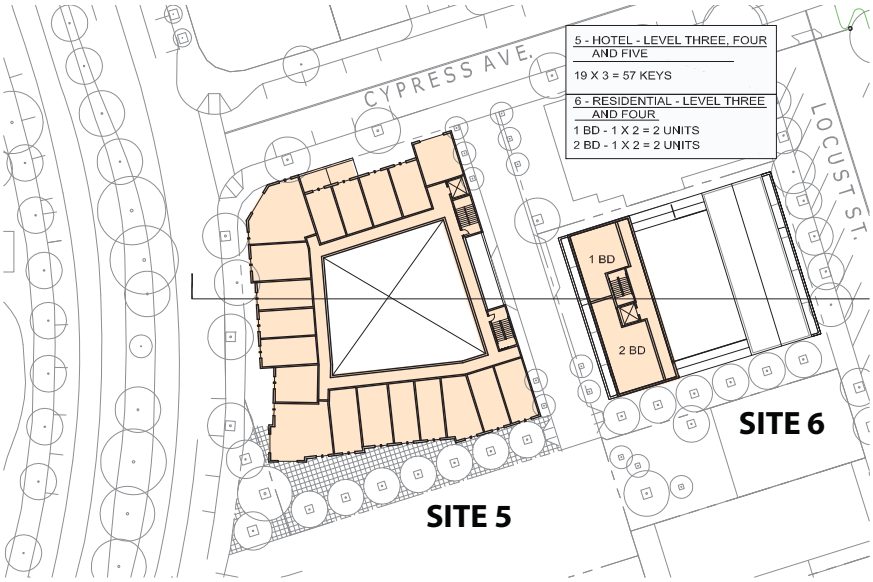
5
A1-01 **GROUND FLOOR PLAN**
1"=40'-0"



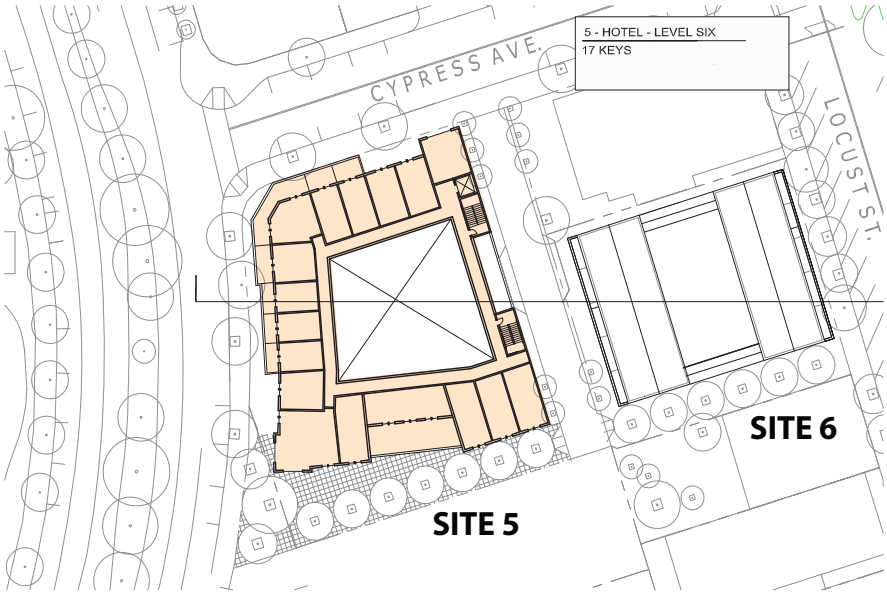
6
A1-01 **SECOND FLOOR PLAN**
1"=40'-0"

Figure 24: Opportunity Sites 5 and 6 Illustrative Concept Floor Plans (cont. on pg.65-66)

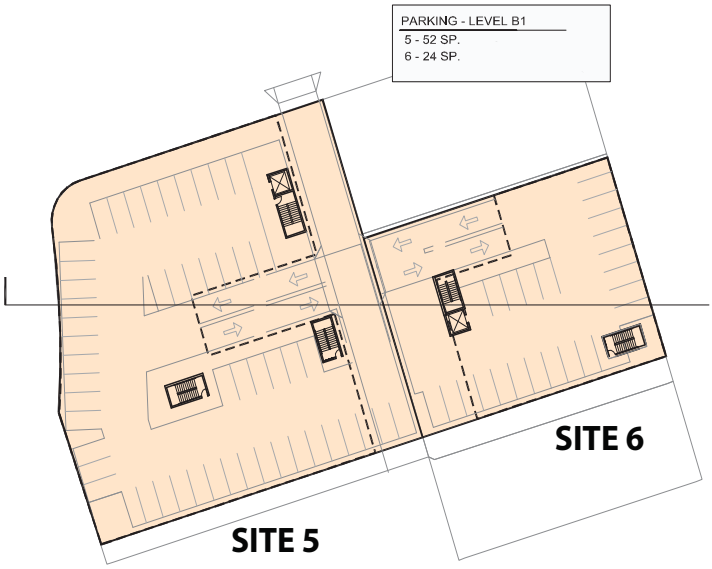
Note: This drawing is illustrative. The base map dimensions are approximate and not based on a detailed survey.



2 A1-01 **THIRD FLOOR PLAN**
1"=40'-0" (Same floor plan for levels 4 & 5)



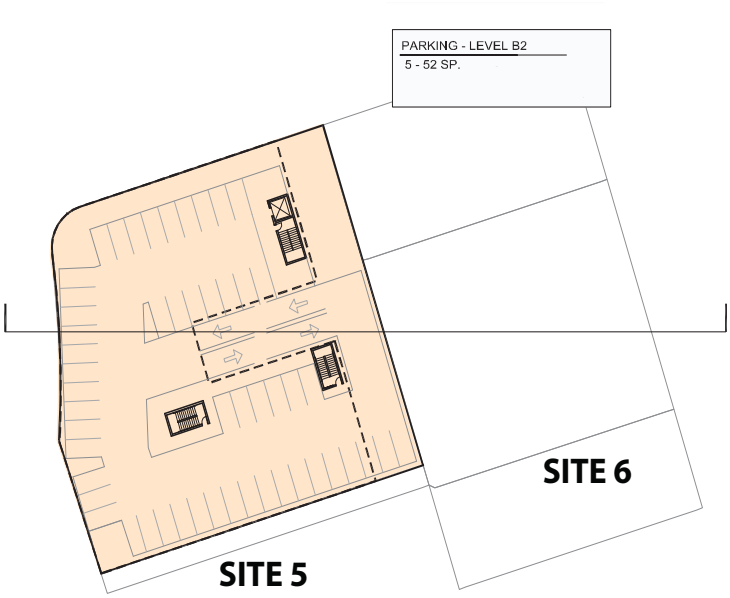
3 A1-01 **SIXTH FLOOR PLAN**
1"=40'-0"



9
A1-01

PARKING - LEVEL B1

1"=40'-0"



8
A1-01

PARKING - LEVEL B2

1"=40'-0"

Policies for Other Sites

The following policies are intended to provide design direction for any improvements that may be pursued on four sites that offer additional opportunities to enhance the retail and pedestrian environment of the area:

Parking Lot of former Masonic Temple Site: Encourage redevelopment of the existing parking lot on the north side of the former Masonic Temple (on the northwest corner of Locust Street and Mt. Diablo Boulevard) as either an infill building (to reinforce the continuity of the Locust Street storefronts) or as a public plaza or courtyard. As an incentive, allow purchase through the in-lieu parking program of replacement parking for 15 surface parking spaces.

Duncan Arcade Building (1341 N. Main Street): In its current configuration, the Duncan Arcade does not live up to its potential as a publicly oriented and welcoming passageway. The Specific Plan recommends that the City work with the property owner to improve the arcade as a more attractive and pedestrian-friendly corridor, with improved identity for the tenants. Improvements might include the following: Additional architecturally compatible lighting, skylights, raising or removing the arcade roof, and installing planted screening between the arcade and Commercial Lane. The arcade currently meets Commercial Lane at an angle, impeding the ability of drivers traveling from the north to see pedestrians entering the crosswalk. Improvements to the arcade should be coordinated with modifications to Commercial Lane to correct the sightline and safety problems (Figure 25).

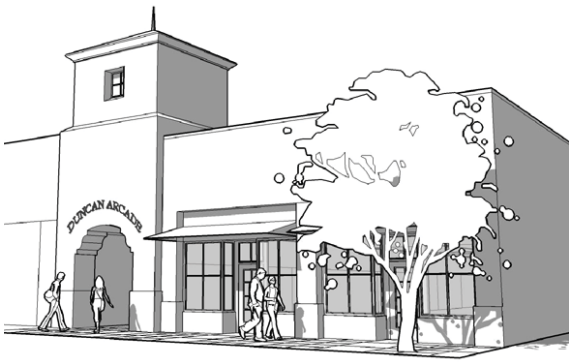
Commercial Lane (from Mt. Diablo Boulevard to Duncan Arcade): Within the Specific Plan study area between Cypress Street and Mt. Diablo Boulevard, Commercial Lane is a mid-block service alley providing access for large trucks and other vehicles to serve commercial properties facing N. Main and Locust Streets. The Specific Plan studied this portion of Commercial Lane and noted the benefits to truck circulation in realigning or straightening the roadway where it intersects with the Duncan Arcade and the driveway into the S. Locust Street parking structure. The realignment can be implemented to a large extent at the time of redevelopment of Opportunity Site 2.

In addition, with redevelopment of Sites 1 and 2 and with significant public-private cooperation, it may be possible to transform Commercial Lane into a multi-purpose paseo. The rear façades of businesses facing Commercial Lane could be enhanced and this alley could become another pedestrian-oriented street front in the downtown with store entrances, display windows and outdoor cafés. The lane itself could be reconstructed using ornamental pavers, lighting, benches, etc. It may even be possible to close this part of Commercial Lane periodically to create an auto-free zone in the Traditional Downtown, where periodic outdoor activities or celebrations could be accommodated. The Specific Plan recommends that the feasibility and cost of implementing this idea be studied further.

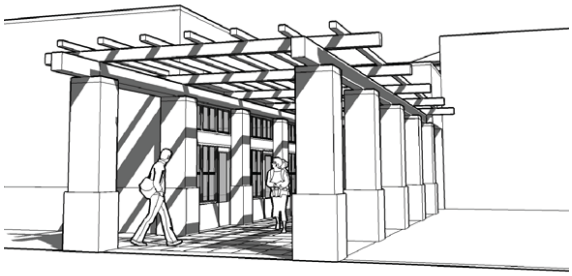
It is strongly desired that this part of Commercial Lane area be redeveloped as a multi-purpose paseo as described above. Future developers of Opportunity Sites 1 and 2 shall work with the City to implement a reconfiguration of Commercial Lane in

conjunction with their future projects, if it proves to be reasonably feasible.

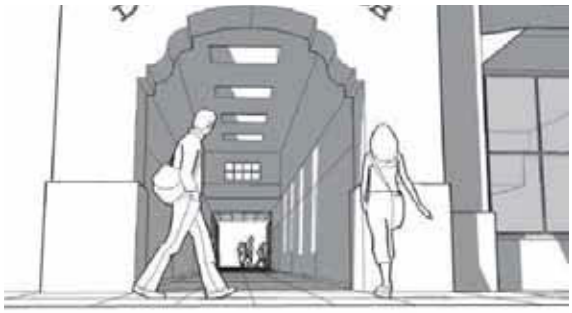
Rear of 1359 Locust Street (Taqueria and Vietnamese Restaurants): The building at 1359 Locust Street has a 60-foot-deep rear yard, now used as a parking lot and service area. If a paseo is developed on the adjacent Cralyn Building site (1373-75 Locust Street), the rear yard could be reconfigured for use as a mid-block plaza or courtyard, providing a possible outdoor dining location. In that case, replacement parking of approximately 10 spaces could be purchased through the in-lieu program in the new parking garage, and the site could be serviced from the north-south service alley.



View from East along Main Street



Views from Commercial Alley



Arcade View from Main Street

Figure 25: Duncan Arcade Illustrative Improvement Concept

CIRCULATION AND PARKING

Since the project area is already a well-established district of the downtown, the Specific Plan does not propose any significant changes to the circulation system or to the basic pattern of streets and blocks in the area. However because of the historic dominance of auto-oriented uses along Mt. Diablo Boulevard and California Boulevard, the pedestrian environment of the project area requires significant upgrades. Expanding sidewalks, creating a finer network of promenades and paseos, and concealing loading and parking will make the area a more vibrant retailing destination that is appealing to pedestrians. Facilitating rear service access to existing and future businesses and increasing the supply of public parking will further reinforce the pedestrian environment and enable smaller parcels to redevelop at a scale that is in keeping with the Traditional Downtown.

Circulation Objectives and Policies

Objective CIRC-1 – Pedestrian Network: *Expand and reinforce a pedestrian-scaled network of paseos, plazas and courtyards in the Specific Plan area.*

Today, much of the project area contains auto-oriented service uses, such as auto repair shops, a gas station and a fast food restaurant. Narrow sidewalks and large blocks discourage pedestrian traffic and impede retail activity. To make the project area more appealing to pedestrians, the plan proposes that narrow sidewalks be widened to allow for pedestrian activity and outdoor seating. Through-block passageways, with linkages to new and existing parking facilities will be particularly important in changing the character of the area, and in encouraging a "park once" approach rather than multiple vehicular trips. As the pedestrian activity in the project area intensifies, mid-block crossings of N. California Boulevard and Mt. Diablo Boulevard should also be explored (Figure 26).

Policy CIRC 1.1: Coordinate with the owners of the Duncan Arcade to improve the attractiveness and safety of this important public passageway between N. Main Street and Commercial Lane and secure it as a public pedestrian easement.

Policy CIRC 1.2: Widen the sidewalk on the north side of the building located at 1320 Locust Street between Commercial Lane and Locust Street by removing the existing planter strip against the face of the building.

Policy CIRC 1.3: Develop a new through-block pedestrian passage on the block between Locust Street and N. California Boulevard to break down the scale of the large block for easier pedestrian use and to provide access to the proposed parking garage.

Policy CIRC 1.4: Require designated opportunity sites to contribute to the system of paseos and courtyards at the time of redevelopment consistent with Specific Plan diagrams. Incentives have been incorporated into the Specific Plan, where possible, to compensate for the loss of developable property to paseos or service alleys. Incentives include height and floor area ratio increases, changes in land use restrictions with compliance with the plan development vision, and provision of in-lieu parking opportunities to

support redevelopment that is consistent with Specific Plan goals, although not all incentives have been directed to all opportunity sites.

Policy CIRC 1.5: Encourage improvements to pedestrian crosswalks between the north and south sides of Mt. Diablo Boulevard and the east and west sides of N. California Boulevard. Explore the potential for mid-block pedestrian crossings on Mt. Diablo Boulevard between N. California Boulevard and Locust Street and on N. California Boulevard between Mt. Diablo Boulevard and Cypress Street to provide better access to the proposed parking garage (Figure 26).

Objective CIRC 2 – Public Parking: *Augment the supply of off-street public parking north of Mt. Diablo Boulevard to improve the ease of public parking, to encourage visitors to "park once and walk," to support existing and future retail uses in the Traditional Downtown, to intercept traffic entering the downtown, and to allow properties in the Specific Plan area to improve or redevelop modestly, if appropriate, without the burden of on-site parking.*

Parking within the study area is reaching capacity. During the peak mid-day period, the South Locust Parking Structure and the on-street parking spaces are often completely occupied. Parking spaces are available in the N. Locust Street and Broadway parking structures as well as in many of the private parking lots and garages. To increase the amount of retail activity in the project area and still maintain the small incremental pattern of urban development that is characteristic of the planning area, additional public parking will be important if the new development envisioned by the Specific Plan is to be supported. The Specific Plan identifies a site on existing surface parking lots in the middle of the block bounded by N. California Boulevard, Cypress Street, Locust Street and Mt. Diablo Boulevard. The area in the middle of this block is utilized for surface parking and falls on three different properties that are traversed by a tangle of easements. A publicly accessible parking garage on this site, whether City-owned or constructed through a public/private partnership, will support the introduction of new uses and facilitate service access for all adjacent property owners. The proposed 335-space, multi-level garage could require the acquisition of private land by the City or its partners and will require the cooperation of adjacent property owners. The resulting parking garage would significantly relieve the burden of on-site parking for participating property owners.

Policy CIRC 2.1: Work with private property owners on the block bounded by Mt. Diablo Boulevard, N. California Boulevard, Locust Street and Cypress Street to assemble land on existing surface parking lots for a publicly accessible parking garage in the interior of the block. (See Land Use chapter and Development Standards for Site 3.)

While Commercial Lane will retain its primary service role, consideration should be given to its redesign as a pedestrian paseo, like this example in San Francisco.

Figure 26: Public Pedestrian Ways

Policy CIRC 2.2: Ensure that all development within the project area shall be subject to the City of Walnut Creek loading and parking standards.

Policy CIRC 2.3: Encourage new development to incorporate the use of shared and/or tandem parking strategies and the use of in-lieu fees for off-site centralized parking as provided in the Pedestrian Retail zoning parking standards to promote a "park once and walk" behavior, reducing the need for automobile trips.

Objective CIRC - 3 - Commercial Lane Enhancements: *Encourage the redevelopment of Commercial Lane between the Duncan Arcade and Mt. Diablo Boulevard into a multi-purpose paseo. Improve Commercial Lane to provide more efficient service vehicle access to existing and future businesses.*

Commercial development of Opportunity Sites 1 and 2 will create an opportunity to re-purpose that portion of Commercial Lane service alley from the Duncan Arcade/South Locust Parking Structure driveway to Mt. Diablo Boulevard (about 250 feet) to allow more pedestrian-oriented uses. While Commercial Lane must retain its primary function to provide delivery, trash pickup, and other service access to businesses on the alley, the Specific Plan suggests that this area could be redesigned to become a multi-purpose paseo. The rear façades of businesses facing Commercial Lane could be enhanced and this alley could become another version of a pedestrian-oriented street front in the downtown with store entrances, display windows and outdoor cafés. The lane itself could be reconstructed using ornamental pavers, lighting, benches, etc. It may even be possible to close this portion of Commercial Lane periodically to create an auto-free zone in the

Traditional Downtown, where outdoor activities or celebrations could be accommodated. The Specific Plan recommends that the feasibility and cost of implementing this idea should be studied further.

Policy CIRC 3.1: Developers of Opportunity Sites 1 and 2 shall work with the City to implement a reconfiguration of Commercial Lane in conjunction with future projects, if it proves to be reasonably feasible.

Policy CIRC 3.2: Improve Commercial Lane to provide more efficient service vehicle access to existing and future development.

Objective CIRC-4 – Service Access: *Provide access to parking and services from alleys, whenever possible, to minimize interruptions of the sidewalk and to maintain the continuity of retail frontage.*

Service access to existing and future businesses is critical to the success of the retail district. Maximizing rear-service access through alleys will diminish the impact that on-street loading has on the continuity of sidewalks by removing trucks from the main pedestrian and retailing corridors. Service access will be provided internally, but alleys should be designed to be visually pleasing. Both blocks have several constraints for service access alleys. Commercial Lane on the eastern block is a narrow road that requires modification to allow WB-40 trucks to maneuver behind the Main and Locust Street properties. Loading on the block west of Locust Avenue is achieved through a complex arrangement of reciprocal easements. As development occurs within the area, these constraints would be addressed through the reconfiguration of Commercial Lane and the creation of a new alley accessing the new parking garage, allowing trucks to navigate from Cypress Street or N. California Boulevard through the garage to Mt. Diablo Boulevard, and to service the businesses on that block (Figure 17).

Policy CIRC 4.1: Assemble land and public access easements to provide a north-south alley from Cypress Street to Mt. Diablo Boulevard adequate for WB-40 trucks to navigate the west

Mt. Diablo Boulevard should be enhanced as a principal gateway to the downtown.

Locust Street has an informal and electric character that should be maintained.

block. Align the alley to provide rear service access to existing and future businesses along Locust Street and Mt. Diablo Boulevard.

Policy CIRC 4.2: Improve the alignment of Commercial Lane on the east block by setting back development on Opportunity Site 2 and improve sight lines at the entrance to the Duncan Arcade.

Streetscape Design Standards

Mt. Diablo Boulevard Gateway: As the principal entry into the downtown, Mt. Diablo Boulevard should be designed as a lushly planted street with a procession of canopy trees on both sides of the street. The planting should help to visually reduce the wide scale of the street and to visually bring the two sides of the street together. As such, new trees should match the layout and spacing of the London plane trees (Plantanus x acerifolia) that have been planted on the south side of the street in front of Olympia Place and elsewhere in the Core Area.

The median of Mt. Diablo Boulevard presents an opportunity to make a memorable statement at an important gateway to downtown Walnut Creek. It is now planted with one large and five small ash trees, along with shrubs and ground cover. The large ash is in scale with the wide street and has a strong presence, but the other trees do not hold their own against the street, adjacent buildings or the back-drop of Mount Diablo. The median should be redesigned. Midlevel shrubs that obscure drivers' views across the street should be eliminated. The median should include some special acknowledgement of this important entry point into the downtown area: a monument marking the gateway, a significant piece of public art, or a procession of seasonal banners are all ideas that could be used here.

Paving: For many years, new sidewalks within the Pedestrain Retail district have used interlocking concrete pavers to enhance the pedestrian experience. The use of pavers to provide more character and visual interest to sidewalks was first adopted by Broadway Plaza and later adopted by the City of Walnut Creek, first in the Traditional Downtown area and then in the entire Pedestrian Retail District. Similar paving shall be required when recommended by the Design Review Commission as part of the landscaping approval for larger development or remodel projects (City standard detail MS-6 and SD-8).

Street Trees and Tree Grates: Street trees shall be planted at regular intervals, ranging from 20 to 40 feet. On Mt. Diablo Boulevard, trees shall be planted in six-foot-wide parkway strips to match the treatment in front of Olympia Place. Elsewhere, cast iron tree grates shall cover tree wells. While the typical application shall use a 48-inch-square tree grate (per City standard detail MS-4), special conditions may require smaller or larger grates.

Locust Street Landscaping: Locust Street is characterized by a variety of tree species, including larger canopy and smaller ornamental trees planted in an informal and varied manner. This informal and varied layout should be maintained and filled in as appropriate.

Other Streets Landscaping: All other streetscapes shall be planted with a variety of trees, using large trees like the London plane, placed in wide sidewalks away from building façades (i.e., sidewalk widths greater than 12 feet), and smaller trees, such as Locust trees, where there are narrower sidewalks.

Street Lights: New and replacement street lights between intersections shall resemble the decorative downtown type (City standard detail TS-25). Subject to the photometric requirements and to the extent feasible and as determined by a photometric study prior to installation, street lights shall be laid out in a straight line parallel to the centerline of the street (even where the curb line varies) and shall be spaced equally along the street, paired symmetrically across the street. Streetlights at corners shall be mounted with traffic signals, in accordance with City standard details.

Sidewalk Cafés: Sidewalk café seating may occupy the sidewalk either against the building or adjacent to the curb, provided that a walking width of six feet is left clear of obstructions. Awnings may extend over the sidewalk but shall only be supported by the adjacent building. An Encroachment Permit, issued by the Public Services Department, must be obtained to allow any structure that encroaches into the public right-of-way, including any City sidewalk.

A Table and Chair Permit, renewed annually, is required by the City of Walnut Creek to allow adjacent businesses to have outdoor dining within the City's right-of-way. A Table and Chair Permit requires the business owner to insure the City against liability that could result from the private use of the sidewalk area. It also requires the permit holder to maintain the cleanliness of the area that is used for private dining.

Street Furniture: As sidewalk space allows, benches, planters, water features and art pieces shall be encouraged in the public right-of-way. Privately installed street furniture requires an encroachment permit and shall be maintained by the abutting property owner or business.

IMPLEMENTATION PLAN

The Specific Plan maintains the existing Pedestrian Retail land use designation and zoning set forth in the General Plan and the Zoning Ordinance, with the exception of Opportunity Site 4 - Alternative B (Chevron site). To implement the land use and design guidelines that are specified for the Specific Plan study area, the following General Plan amendments were adopted concurrently with the Specific Plan.

1. ***Floor Area Ratio.*** *General Plan 2025* was amended to increase the maximum allowable floor area ratio (FAR) from 1.25 to 2.0 on Opportunity Sites 4 and 5 (Figure 9). In addition, an FAR bonus to allow a maximum FAR of 3.5 on Opportunity Site 5 was added for development of a downtown hotel.

2. ***Building Setbacks.*** The General Plan Building Setbacks (*General Plan 2025,* Chapter 4, Figure 11) were amended to achieve the following:

   • Where new development occurs along Mt. Diablo and N. California Boulevards, new structures shall be set back so that sidewalks have an average width of 15 feet as measured along the property frontage from the existing face of curb to the outermost projection of the building at street level. In no case shall the dimension of the sidewalk be less than 12 feet.

   • Along Cypress Avenue and Locust St., new development shall be set back so that sidewalks have a dimension no less than 12 feet. To achieve this dimension, many new buildings will need to be set two to five feet behind the public right-of-way. In the case of Opportunity Site 1 (City-owned parcel), where the property line lies in the street, the setback line shall be measured at least 15 feet from the face of the existing curb along Mt. Diablo Boulevard and at least 12 feet from the face of the existing curb along N. Main Street.

3. ***Height Increase.*** As an incentive for redevelopment, the General Plan was amended to allow buildings on Opportunity Sites 3 and 5 (parking garage and McDonald's sites) to reach a maximum height of 70 feet, with building height step-backs along the street frontages of Opportunity Site 5.

4. ***Building Height Setback.*** Within the Specific Plan study area, building height step-backs from the street frontages are defined as a minimum 10-foot step-back from the face of the building from a 35-foot maximum building height along the street frontage.

5. ***Amend Zoning Ordinance for Rooftop Uses.*** The Specific Plan encourages the full use of rooftops, which offer some of the finest views of the city and surrounding region and opportunities for creative and sustainable design elements. To encourage and create incentives for better use of rooftops in the Specific Plan area, Municipal Code Section 10-2.1.303 (b) will be amended to create a definition for Building Height, Top Elevation within the Specific Plan area only.

Bird's eye view of Specific Plan Area from southwest.

This revision will allow rooftop structures that do not exceed 12 feet in height and are associated with solar collectors, rooftop gardens, and open air restaurants to be allowed over 80% of the horizontal roof area, when designed in architectural harmony with a building.

Environmental Impact Report

The companion environmental impact report is a programmatic EIR that addresses most land use, transportation, parking, infrastructure and similar issues associated with future development in the Specific Plan study area. By preparing a Specific Plan and completing comprehensive environmental review of potential new development through the EIR, it is the City's goal to support new development in the study area that meets the City's vision. New projects that are consistent with the Specific Plan will have been sufficiently analyzed in the adopted EIR. Environmental review of issues such as traffic, parking and visual impact will have been completed and any necessary mitigation measures established. In this way, preparation of a Specific Plan and EIR provide a strong incentive for future development to comply with the City's vision, streamlining the approval process by early consideration and mitigation of identified impacts.

Some site specific impacts, such as possible soil contamination, undiscovered archeological resources, or similar issues that require physical investigation of the site may still need to be addressed at the time a new project is proposed. Individual projects may require initial studies

to ensure review of any potential significant environmental impacts that were not addressed in the Specific Plan EIR.

City of Walnut Creek Project Implementation

The Specific Plan identifies the following improvement projects that are necessary to complete the vision for the study area.

• Construction of a new parking garage.

• Preservation, establishment and possible acquisition of numerous identified paseos or pedestrian walkways through the study area.

• Improvements to the Mt. Diablo Blvd. median between California Blvd. and Locust Street.

In all cases (except the Mt. Diablo Blvd. median), the land where these public improvements are proposed is privately owned. The goal is to create public/private partnerships to assure the vision of the plan is achieved. The City may need to consider carrying the costs of constructing and operating these improvements in order to achieve the Specific Plan vision.

Implementation of Opportunity Site 3 - Parking Garage

If the City determines to independently construct a publicly accessible parking garage containing approximately 335 parking stalls on Opportunity Site 3, it will likely require the following:

1. Acquisition and assembly of 0.55 acres of land and easements through dedication, donation, or purchase of land currently owned by Chevron, Big 5 Sporting Goods, and the Dwulet Trust at 1343 Locust Street and currently used for surface parking, loading and vehicular circulation.

2. Acquisition of public access easements for a service alley from the owners of the McDonald's and Big 5 Sporting Goods sites.

3. Acquisition of a public access easement for the east-west paseo from the owners of the McDonald's and Cralyn building sites.

Although the new parking garage would remove some existing surface parking, this would be mitigated by the provision of a much larger number of publicly available parking stalls in the new garage, immediately adjacent to the existing retail buildings.

Implementation of Opportunity Site 4 — Alternative B

In this alternative the Chevron gas station use would remain, and the Specific Plan would allow redevelopment and reinvestment in a portion of the existing gas station site to facilitate the new parking garage shown on Opportunity Site 3. As noted earlier, although the Chevron gas station is a long-standing use in this location, it is not currently permitted by the General Plan, the Redevelopment Plan or the Zoning district. Implementation of Alternative B will require an amendment to these regulations that would make the service station a conforming use, provided that it conforms with the policies, development standards, and design guidelines of the Specific Plan. These policy changes would be implemented in conjunction with the City's acquisition of the property needed for the parking garage.

The City of Walnut Creek and Chevron could enter into a Development Agreement. Such an agreement would ensure the necessary regulatory amendments to the General Plan, Zoning Ordinance and Redevelopment Plan on the Chevron site will be made, if Chevron dedicates the 12,000-square-foot (+/-) portion of the Chevron property and necessary access easements shown in the Specific Plan for the future parking garage site. Such an agreement would bring the existing gas station site into conformity with City regulations and would allow the station to expand under the following conditions:

- The facility shall be configured to allow for construction of, and access to, the public garage on Opportunity Site 3. Vehicular access easements shall be provided from both N. California and Mt. Diablo Boulevards.

- The site shall maintain fueling as the dominant use. Automotive repair is a desirable, but not a required, secondary activity.

- Introduction of a retailing use (such as a Chevron Extra Mile store) at the corner of Mt. Diablo and/or N. California Boulevards shall be designed with a street orientation, consistent with the development standards and design guidelines described for ground-level retail uses. The size of the facility shall not exceed the current building size.

Other incentives for voluntary participation could be offered to the impacted land-owners where the garage is proposed, if the City Council wishes to do so. For example, some properties have underutilized FAR potential that will never be realized without providing more required on-site parking. As an incentive, the City could allow some of the new garage spaces to act as in-lieu parking to meet retail expansion parking requirements. Also, private property encumbered with new public access easements could possibly retain the underlying FAR development potential, providing mitigation to a loss of development potential. If such incentives or other types of partnership options were unsuccessful, the property could be purchased out-right at fair market value. Possible revenue sources are listed later in this section.

Creative partnerships could be considered, such as with future development of Opportunity Sites 3 and 5. The City may also negotiate for acquisition of identified public access easements from the owners of the sites by dedication, if those sites are redeveloped and if the economics of the developments support the dedication. The City Council will determine what type of incentive or partnership approach is workable at the time the land is sought for acquisition.

Duncan Arcade

The Specific Plan vision includes the maintenance of and establishment of a permanent public easement over the existing pedestrian walkway known as the Duncan Arcade, which allows a mid-block pedestrian walkway between N. Main Street and, connecting by City-owned right-of-way, to Locust Street. The City could partner with the land-owner and retail businesses to allow and encourage improvements to the area and to the existing building and facade, as depicted in Figure 25. As noted earlier, the potential loss of future development potential by encumbering

land with an easement could be off-set with increased FAR potential or provision of an in-lieu parking credit. The City could also consider purchase of a pedestrian easement over the existing walkway area. As noted earlier, the City Council will determine what type of incentive or partnership approach is workable at the time the permanent public easement is sought for acquisition.

Revenue Sources for Public Improvements

Possible revenue sources for the potential uses may include:

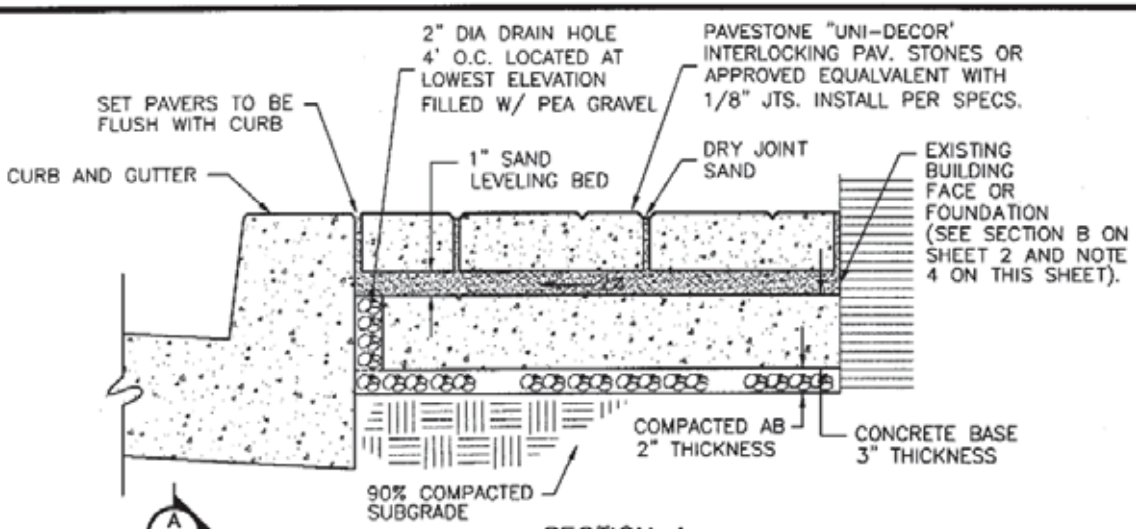
- Proceeds from the sale of the City-owned site at the northwest corner of N. Main Street and Mt. Diablo Boulevard — a parcel within the Specific Plan boundaries
- Certificates of participation with debt service by lease
- Revenue anticipation notes from parking fees
- In-lieu Parking Fund
- General Fund
- Redevelopment Fund (as limited by Redevelopment regulations)

Streetscape Improvements

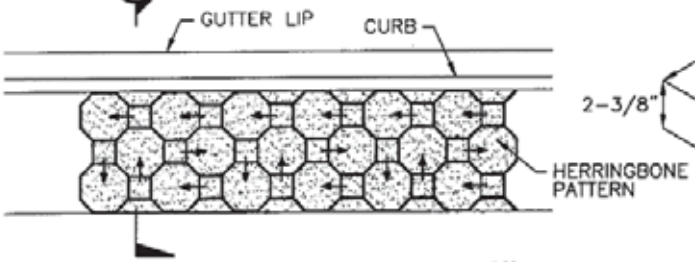
With the exception of the proposed Mt. Diablo Boulevard median improvements (as described in Streetscape Design Standards, Mt. Diablo Boulevard Landscaping, page 73), all streetscape improvements will be the responsibility of the developers of the fronting properties. Where non-standard features are incorporated into public improvements, the property owner will accept long-term responsibility for their maintenance.

Design and construction of the proposed Mt. Diablo Boulevard median improvements will be the responsibility of the City. The Capital Improvement Plan (CIP) will identify the potential cost and timing of the median upgrades and prioritize the project as deemed appropriate by the City Council. The construction of the new parking garage and future private redevelopment the opportunity sites nearest the median may be incentives to place this improvement as a higher CIP priority.

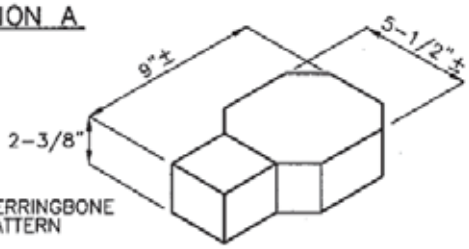
APPENDIX 1: STREETSCAPE STANDARDS



SECTION A



PAVERS PATTERN DETAIL



INTERLOCKING PAVER STONE

INSTALLATION NOTES:

1. EXCAVATE UNSUITABLE, UNSTABLE OR UNCONSOLIDATED SUBGRADE MATERIAL AND COMPACT THE AREA WHICH HAS BEEN CLEARED.
2. PLACE 3 INCH OF CONCRETE OVER 2 INCH OF COMPACTED AGGREGATE BASE.
3. PLACE BEDDING COURSE OF WASHED CONCRETE SAND CONFORMING TO THE GRADING REQUIREMENTS OF ASTM C33 TO A UNIFORM DEPTH OF 1 INCH SCREEDED TO THE GRADE AND PROFILE REQUIRED.
4. 6" CONCRETE COLLAR TO BE PROVIDED WHERE EXISTING BUILDING FACE OR FOUNDATION IS INSUFFICIENT TO PROVIDE EDGE RESTRAINT. (SEE SECTION B ON SHEET 2).
5. WHERE REQUIRED, CUT PAVERS WITH AN APPROVED CUTTER TO FIT ACCURATELY, NEATLY AND WITHOUT DAMAGED EDGES.
6. TAMP PAVERS WITH A PLATE COMPACTOR, UNIFORMLY LEVEL, TRUE TO GRADE AND FREE OF MOVEMENT.
7. PAVER SEALENT SHALL BE REQUIRED AND APPLIED PER SPECIFICATION.
8. ALL UTILITY BOXES SHALL BE SET IN CONCRETE COLLAR AS SHOWN ON SHEET 3, MS-6.
9. PAVERS TO BE OAKS BLEND, RED AND CHARCOAL IN COLORS. PERCENTAGES OF COLORS USED AT EACH LOCATION SHALL BE DETERMINED PER CITY APPROVAL

CITY ENGINEER	CHECKED BY	DRAWN BY	DATE
	S.W.	R.S.	AUGUST 2004

CITY OF WALNUT CREEK

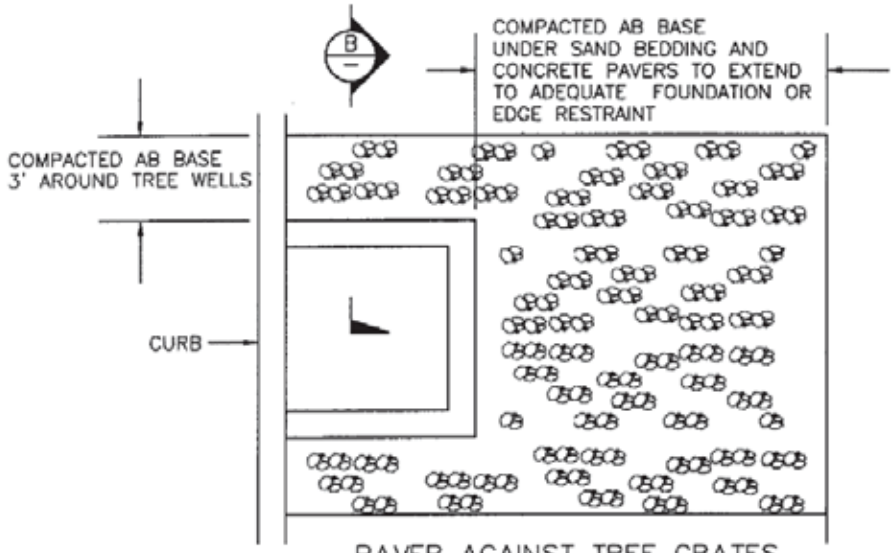
SIDEWALK PAVERS

NO.	DATE	APP.	REVISION DESCRIPTION

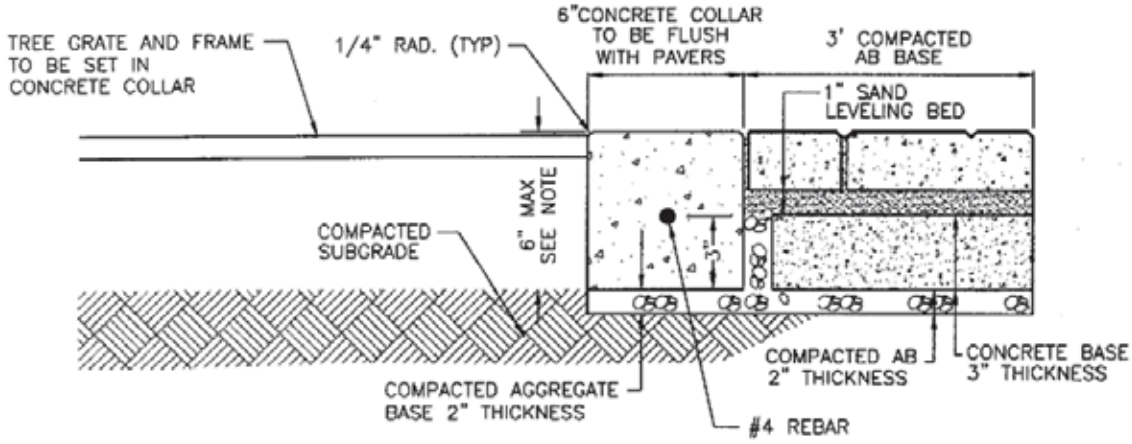
STANDARD DETAIL
MS-6

SCALE: NONE

SHEET 1 OF 3



PAVER AGAINST TREE GRATES



SECTION B

NOTE:

1. CONCRETE COLLARS SHALL BE 5 SACK WITH 1 LB OF LAMP BLACK PER CY. UNLESS COLORED CONCRETE IS REQUIRED BY CITY ENGINEER. IF REQUIRED, A SAMPLE COLOR CONCRETE SUBMITTAL WILL BE REQUIRED PRIOR TO CONSTRUCTION.

2. CONCRETE COLLAR TO BE 6" DEEP UNLESS OBSTRUCTED BY EXISTING TREE ROOTS. COLLAR DEPTH SHALL BE ADJUSTED SUBJECT TO APPROVAL OF CITY ENGINEER AND CITY ARBORIST. CONTRACTOR SHALL CONTACT CITY ARBORIST TO INSPECT TREE AND ROOTS PRIOR TO WORK AT EACH STREET TREE LOCATION.

CITY ENGINEER	CHECKED BY	DRAWN BY	DATE
	S.W.	R.S.	AUGUST 2004

CITY OF WALNUT CREEK

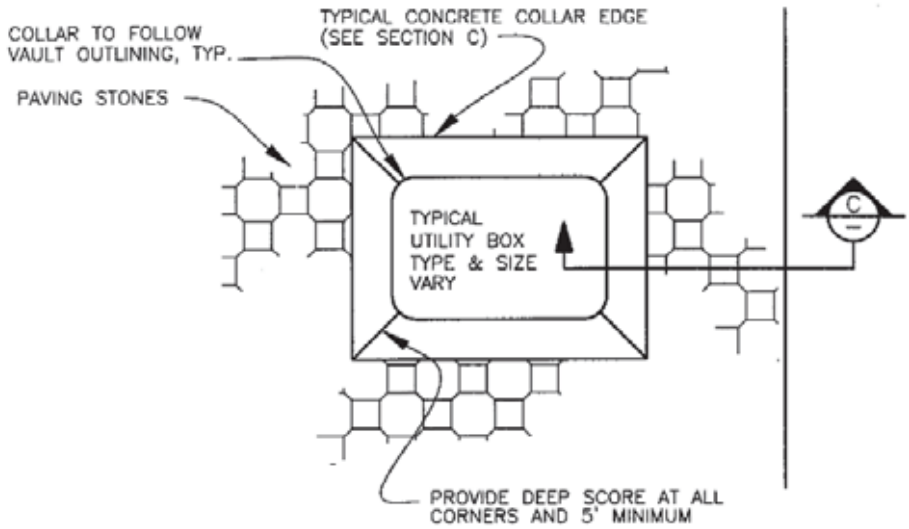
SIDEWALK PAVERS

NO.	DATE	APP.	REVISION DESCRIPTION

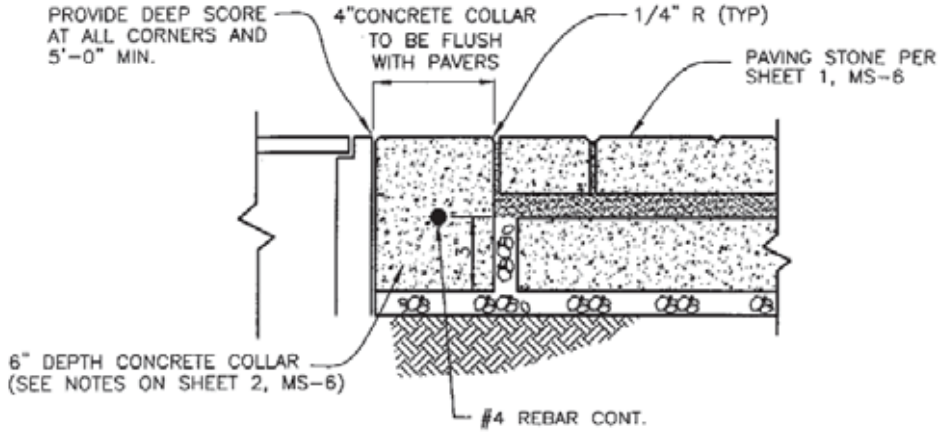
STANDARD DETAIL MS-6

SCALE: NONE

SHEET 2 OF 3



TYPICAL UTILITY BOX COLLAR DETAIL



SECTION C
CONCRETE COLLAR AT UTILITY BOXES

CITY ENGINEER	S.W. CHECKED BY	R.S. DRAWN BY	AUGUST 2004 DATE

SIDEWALK PAVERS

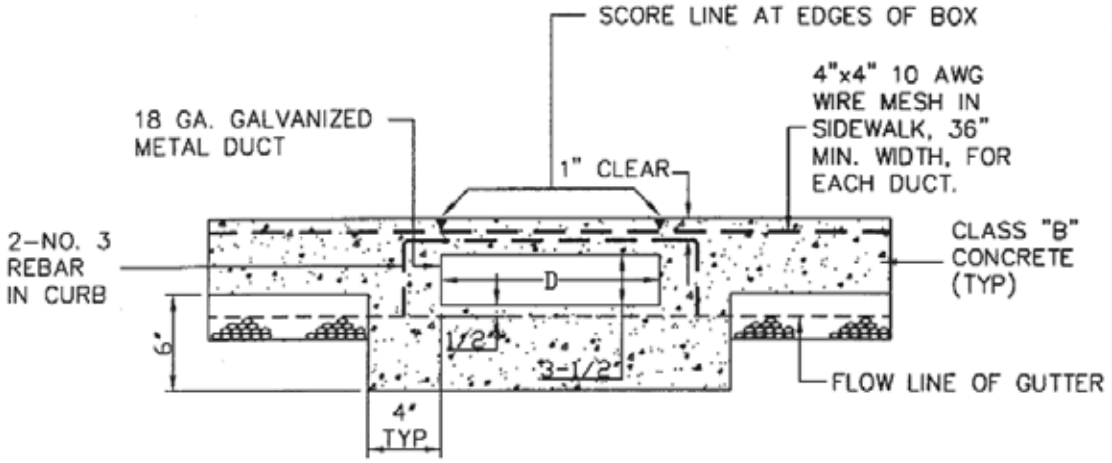
CITY OF WALNUT CREEK

NO.	DATE	APP.	REVISION DESCRIPTION

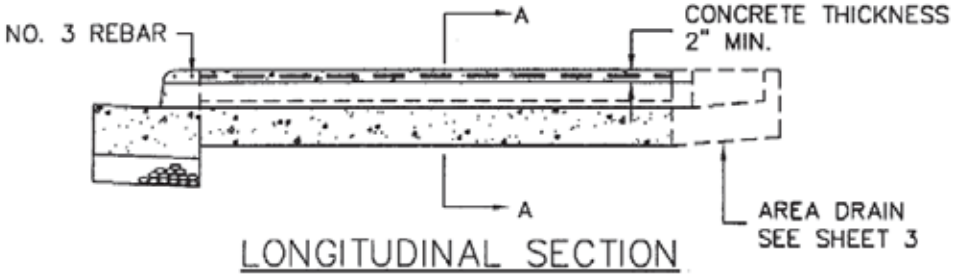
STANDARD DETAIL MS-6

SCALE: NONE

SHEET 3 OF 3



SECTION A-A



LONGITUDINAL SECTION

DIMENSION (D)	MAXIMUM CAPACITY		
6"	0.57	CUBIC FEET	PER SEC.
9"	0.94	CUBIC FEET	PER SEC.
12" MAX.	1.29	CUBIC FEET	PER SEC.

NOTES:

1. METAL DUCT FORM SHALL BE SUPPORTED FROM DISTORTION DURING POURING OF CONCRETE.
2. THE CONCRETE AND METAL DUCT SHALL EXTEND CONTINUOUSLY FROM THE AREA DRAIN TO FACE OF CURB.
3. CAPACITIES ARE BASED ON S=1/4" PER 1' OR 2%.
4. COLLAPSIBLE, REMOVABLE FORM MAY BE USED IN-LIEU OF 18 GA. METAL DUCT.

RECTANGULAR DRAIN

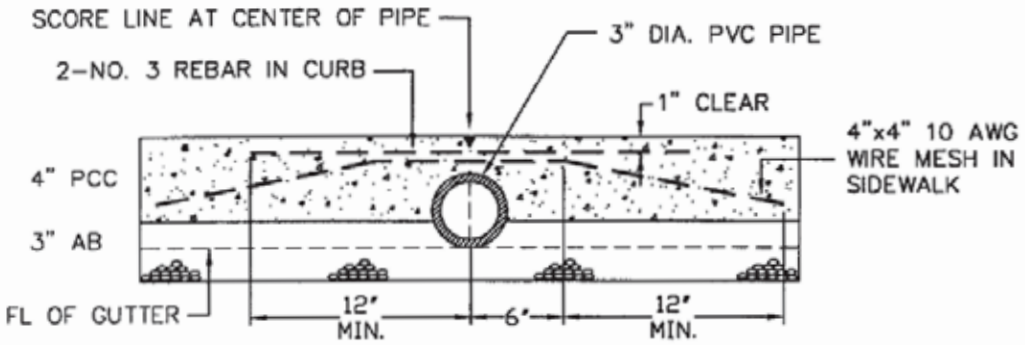
		S.W.	AUGUST 2004
APP. CITY ENGINEER	CHECKED BY	DRAWN BY	DATE

SIDEWALK CROSS DRAINS

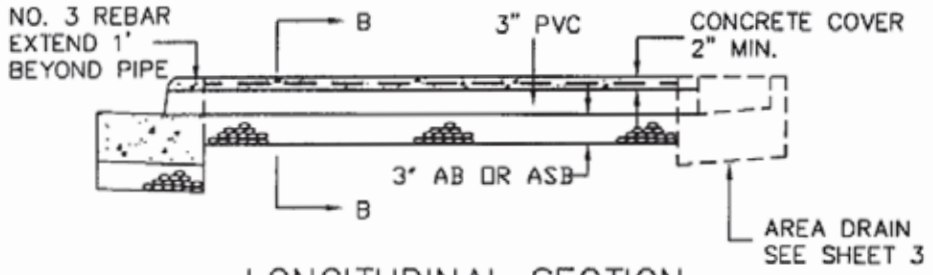
CITY OF WALNUT CREEK

NO.	DATE	APP.	REVISION DESCRIPTION

STANDARD DETAIL
SD-8
SHEET 1 OF 4



SECTION B-B



LONGITUDINAL SECTION

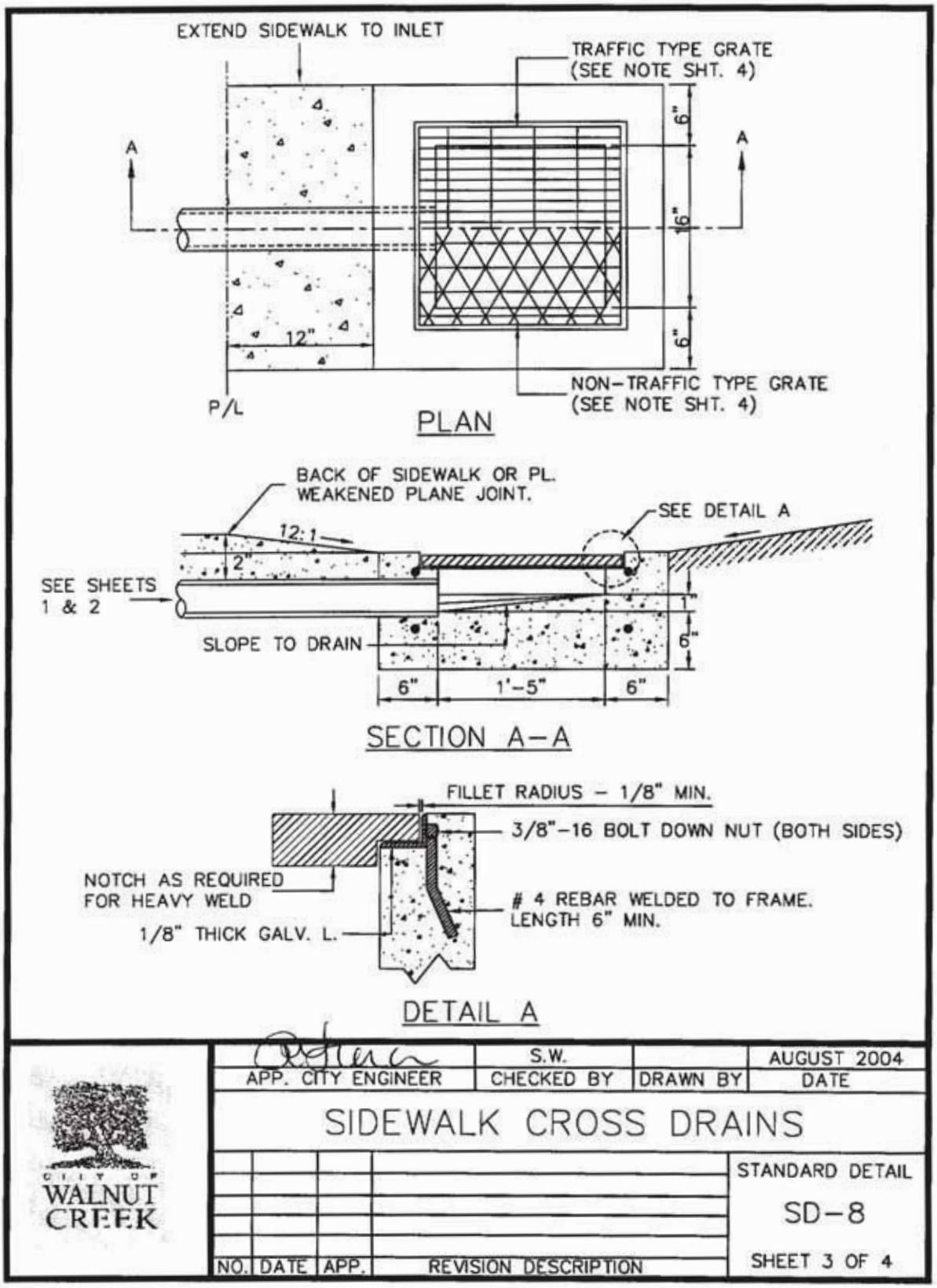
NOTES:

1. MAXIMUM CAPACITY = 0.15 CUBIC FEET PER SECOND AT S=1/4" PER 1' OR 2%.
2. NO PIPE JOINTS SHALL BE MADE WITHIN SIDEWALK OR CURB.
3. PVC SHALL CONFORM TO ASTM D3034 SDR 35.

ROUND PIPE DRAIN

	S.W.		AUGUST 2004	
APP. CITY ENGINEER	CHECKED BY	DRAWN BY	DATE	
SIDEWALK CROSS DRAINS				
				STANDARD DETAIL
				SD-8
NO.	DATE	APP.	REVISION DESCRIPTION	SHEET 2 OF 4

CITY OF WALNUT CREEK


EXTEND SIDEWALK TO INLET
TRAFFIC TYPE GRATE (SEE NOTE SHT. 4)
A
A
6"
16"
6"
12"
P/L
NON-TRAFFIC TYPE GRATE (SEE NOTE SHT. 4)
PLAN
BACK OF SIDEWALK OR PL. WEAKENED PLANE JOINT.
SEE DETAIL A
12:1
2"
SEE SHEETS 1 & 2
1"
6"
SLOPE TO DRAIN
6"
1'-5"
6"
SECTION A-A
FILLET RADIUS - 1/8" MIN.
3/8"-16 BOLT DOWN NUT (BOTH SIDES)
NOTCH AS REQUIRED FOR HEAVY WELD
4 REBAR WELDED TO FRAME. LENGTH 6" MIN.
1/8" THICK GALV. L.
DETAIL A
S.W.
AUGUST 2004
APP. CITY ENGINEER
CHECKED BY
DRAWN BY
DATE
SIDEWALK CROSS DRAINS
CITY OF WALNUT CREEK
STANDARD DETAIL
SD-8
NO. DATE APP. REVISION DESCRIPTION
SHEET 3 OF 4

NOTES

1. For additional capacity, adjacent drains may be installed and the width of inlet shall be increased as required. Minimum clear distance between drains at curb face shall be 6 inches.
2. Adjacent drains shall be same type.
3. In traffic areas, the grate shall be Santa Rosa Cast Products Co. Heavy grate, or approved equal.
4. In non-traffic areas, the grate shall be Santa Rosa Cast Products Co. Standard grate, or approved equal.
5. Each grate shall be provided with a minimum of two (2) locking devices.

	S.W.		AUGUST 2004
APP. CITY ENGINEER	CHECKED BY	DRAWN BY	DATE

SIDEWALK CROSS DRAINS

CITY OF WALNUT CREEK

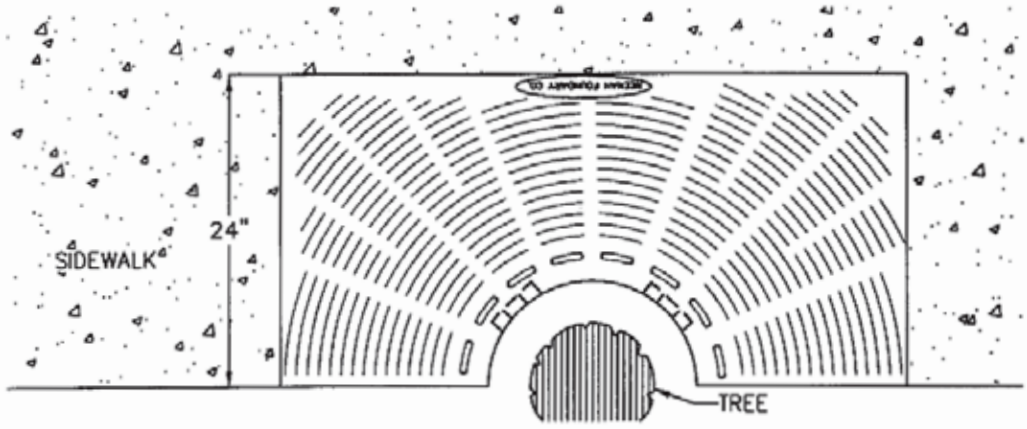
NO.	DATE	APP.	REVISION DESCRIPTION

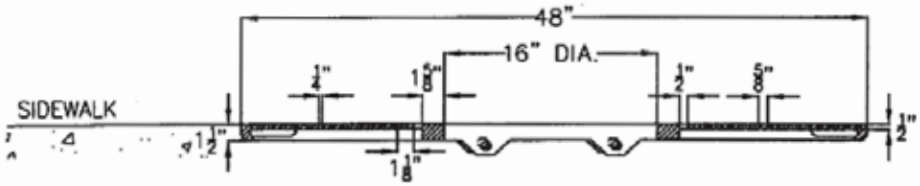
STANDARD DETAIL

SD-8

SHEET 4 OF 4

TREE GRATE DETAIL





HALF PLAN AND SECTION

NOTES:

1. TREE GRATE IN THE SIDEWALKS 10 FEET OR GREATER IN WIDTH SHALL BE NEENAH CAST IRON GRATES R-8708 180 SQUARE 48" X 48".
2. THE FOLLOWING MAY BE USED ONLY IF APPROVED BY ENGINEER.

R-8704 180 SQUARE 30" X 30"
R-8704-A 180 SQUARE 36" X 36"
R-8713 180 SQUARE 60" X 60"
R-8718 180 SQUARE 72" X 72"

FOR RETROFIT USE R-9002 180 SQUARE 52" X 52".

ALL GRATES MUST HAVE 1/4" MAXIMUM SLOT OPENINGS FOR SPECIAL PEDESTRIAN REQUIREMENTS. GRATES WITH SLOT OPENINGS GREATER THAN 1/4" WILL NOT BE USED.

	S.W.		AUGUST 2004
APP. CITY ENGINEER	CHECKED BY	DRAWN BY	DATE

TREE WELL COVER FRAME, GRATE, AND STAKING

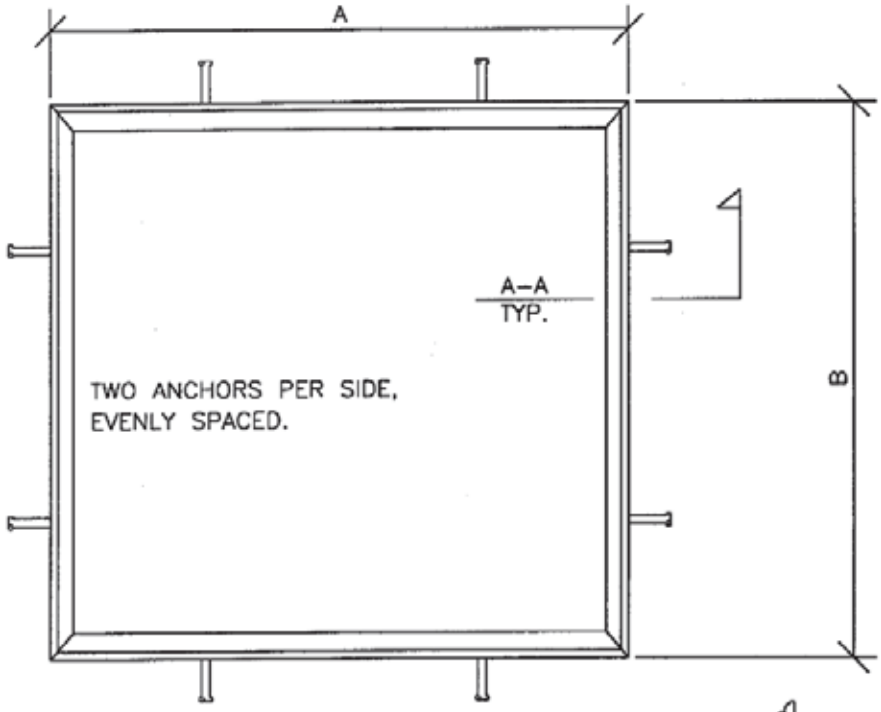
CITY OF WALNUT CREEK

NO.	DATE	APP.	REVISION DESCRIPTION

STANDARD DETAIL

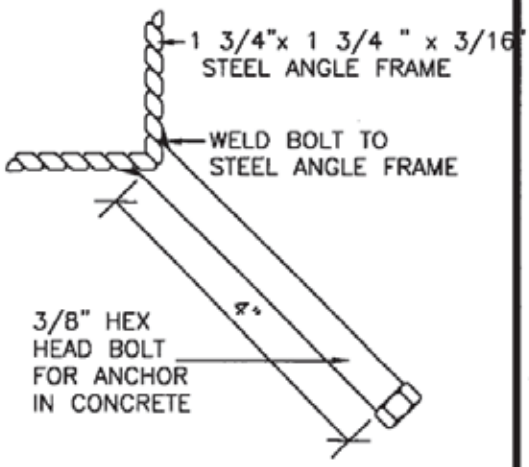
MS-4

SHEET 1 OF 3



TREE GRATE TYP	A	B
36" SQUARE	36 3/4	36 3/4
48" SQUARE	48 3/4	48 3/4
60" SQUARE	60 3/4	60 3/4
72" SQUARE	72 3/4	72 3/4

DIMENSIONS ARE O.D. OF FRAME



SECTION A–A

STEEL FRAMES FOR 1–1/2" TREE GRATES

APP. CITY ENGINEER	CHECKED BY	DRAWN BY	DATE
	S.W.		AUGUST 2004

TREE WELL COVER FRAME, GRATE, AND STAKING

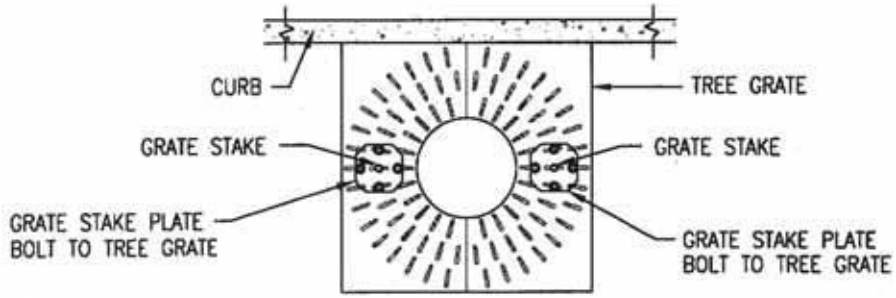
NO.	DATE	APP.	REVISION DESCRIPTION

STANDARD DETAIL

MS–4

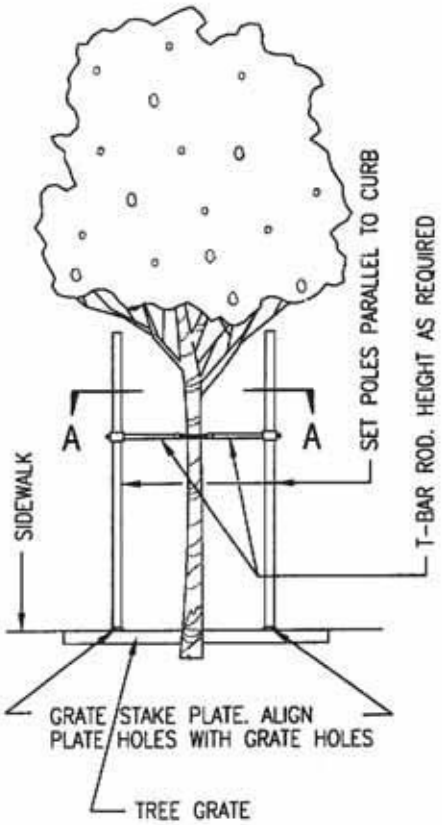
SHEET 2 OF 3

CITY OF WALNUT CREEK



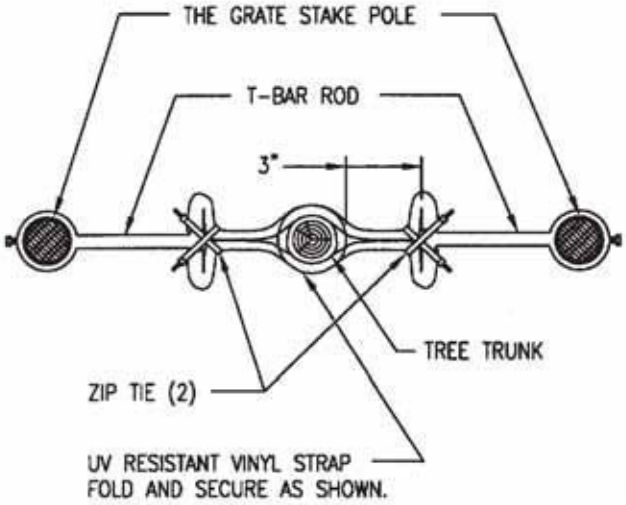
PLAN

NOT TO SCALE



STREET TREE GRATE AND STAKING

NOT TO SCALE



SECTION A-A

NOT TO SCALE

NOTES:

1. GRATE STAKE SYSTEM. INSTALL PER MANUFACTURER'S SPECIFICATIONS. AVAILABLE THROUGH DECORATION FOR GENERATIONS. 888-333-3090 WWW.REDDYSTAKE.COM
2. ALL FASTENERS SHALL BE GALVANIZED.

APP. CITY ENGINEER	S.W. CHECKED BY	R.S. DRAWN BY	AUGUST 2004 DATE

TREE WELL COVER FRAME, GRATE, AND STAKING

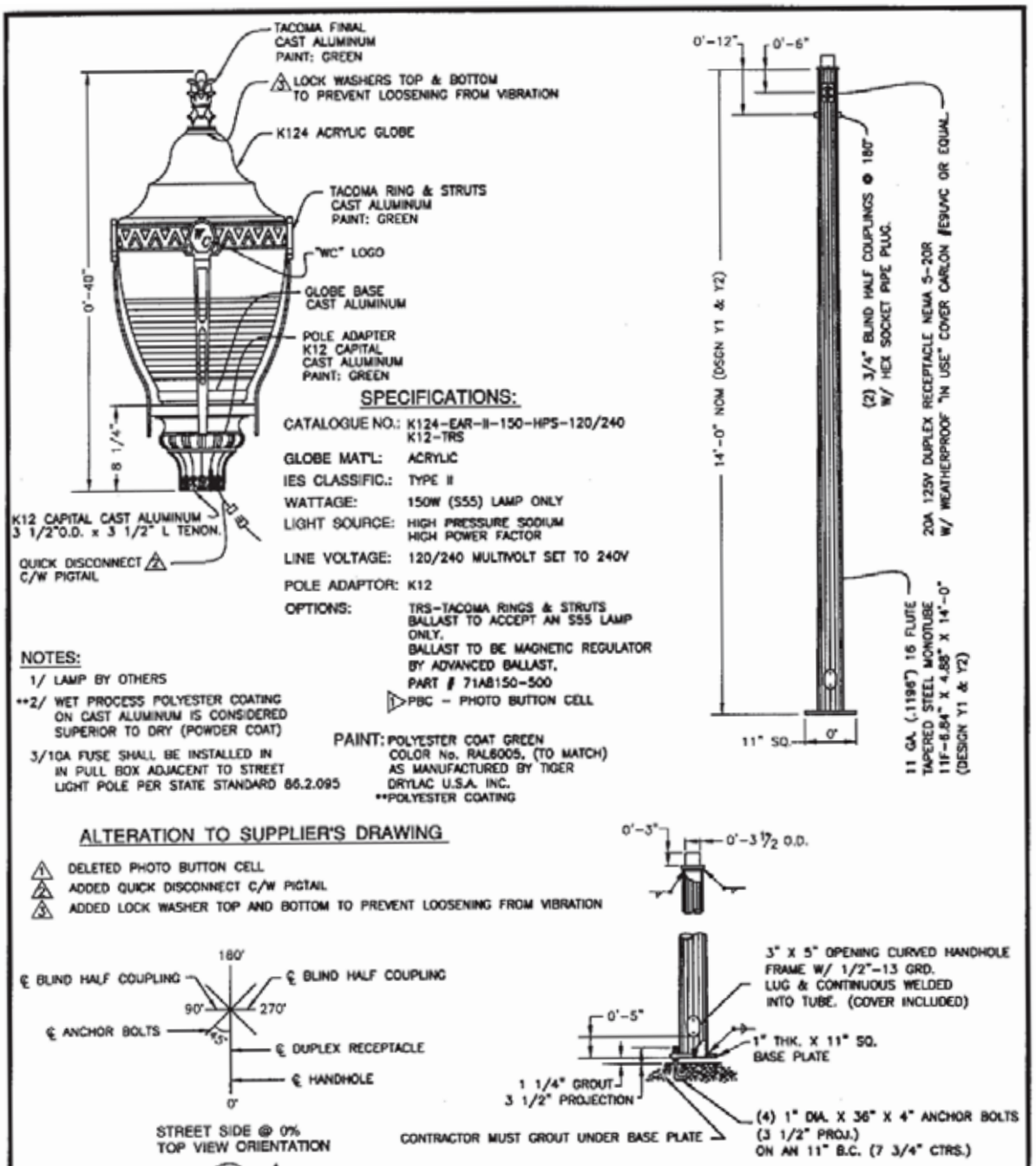
CITY OF WALNUT CREEK

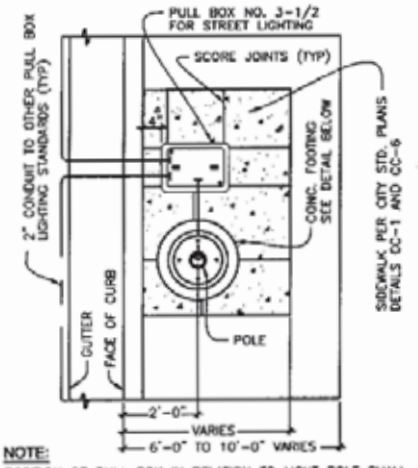
NO.	DATE	APP.	REVISION DESCRIPTION

STANDARD DETAIL

MS-4

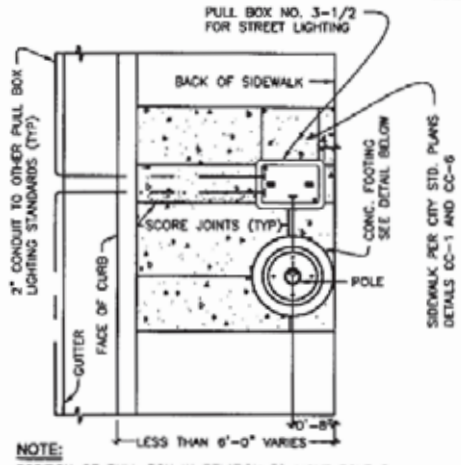
SHEET 3 OF 3


TACOMA FINIAL
CAST ALUMINUM
PAINT: GREEN
LOCK WASHERS TOP & BOTTOM
TO PREVENT LOOSENING FROM VIBRATION
K124 ACRYLIC GLOBE
TACOMA RING & STRUTS
CAST ALUMINUM
PAINT: GREEN
"WC" LOGO
GLOBE BASE
CAST ALUMINUM
POLE ADAPTER
K12 CAPITAL
CAST ALUMINUM
PAINT: GREEN
0'-40"
8 1/4"
K12 CAPITAL CAST ALUMINUM
3 1/2"O.D. x 3 1/2" L TENON.
QUICK DISCONNECT
C/W PIGTAIL
SPECIFICATIONS:
CATALOGUE NO.: K124-EAR-II-150-HPS-120/240
K12-TRS
GLOBE MAT'L: ACRYLIC
IES CLASSIFIC.: TYPE II
WATTAGE: 150W (S55) LAMP ONLY
LIGHT SOURCE: HIGH PRESSURE SODIUM
HIGH POWER FACTOR
LINE VOLTAGE: 120/240 MULTIVOLT SET TO 240V
POLE ADAPTOR: K12
OPTIONS: TRS-TACOMA RINGS & STRUTS
BALLAST TO ACCEPT AN S55 LAMP ONLY.
BALLAST TO BE MAGNETIC REGULATOR BY ADVANCED BALLAST.
PART # 71A8150-500
PBC - PHOTO BUTTON CELL
PAINT: POLYESTER COAT GREEN
COLOR No. RAL6005, (TO MATCH)
AS MANUFACTURED BY TIGER
DRYLAC U.S.A. INC.
**POLYESTER COATING
NOTES:
1/ LAMP BY OTHERS
**2/ WET PROCESS POLYESTER COATING ON CAST ALUMINUM IS CONSIDERED SUPERIOR TO DRY (POWDER COAT)
3/10A FUSE SHALL BE INSTALLED IN IN PULL BOX ADJACENT TO STREET LIGHT POLE PER STATE STANDARD 86.2.095
ALTERATION TO SUPPLIER'S DRAWING
DELETED PHOTO BUTTON CELL
ADDED QUICK DISCONNECT C/W PIGTAIL
ADDED LOCK WASHER TOP AND BOTTOM TO PREVENT LOOSENING FROM VIBRATION
0'-12"
0'-6"
14'-0" NOM (DSGN Y1 & Y2)
(2) 3/4" BLIND HALF COUPLINGS @ 180°
W/ HEX SOCKET PIPE PLUG.
20A 125V DUPLEX RECEPTACLE NEMA 5-20R
W/ WEATHERPROOF "IN USE" COVER CARLON #E9UVC OR EQUAL.
11 GA. (.1198") 16 FLUTE
TAPERED STEEL MONOTUBE
11F-6.84" X 4.88" X 14'-0"
(DESIGN Y1 & Y2)
11" SQ.
0'
0'-3"
0'-3 1/2 O.D.
180°
℄ BLIND HALF COUPLING
℄ BLIND HALF COUPLING
90°
270°
℄ ANCHOR BOLTS
45°
℄ DUPLEX RECEPTACLE
℄ HANDHOLE
0°
STREET SIDE @ 0%
TOP VIEW ORIENTATION
3" X 5" OPENING CURVED HANDHOLE
FRAME W/ 1/2"-13 GRD.
LUG & CONTINUOUS WELDED
INTO TUBE. (COVER INCLUDED)
0'-5"
1" THK. X 11" SQ.
BASE PLATE
1 1/4" GROUT
3 1/2" PROJECTION
CONTRACTOR MUST GROUT UNDER BASE PLATE
(4) 1" DIA. X 36" X 4" ANCHOR BOLTS
(3 1/2" PROJ.)
ON AN 11" B.C. (7 3/4" CTRS.)
S.W.
R.S.
AUGUST 2004
APP. CITY ENGINEER
CHECKED BY
DRAWN BY
DATE
DECORATIVE DOWNTOWN STREET LIGHT
CITY OF
WALNUT
CREEK
NO.
DATE
APP.
REVISION DESCRIPTION
STANDARD DETAIL
TS-25
SCALE: NONE
SHEET 1 OF 2



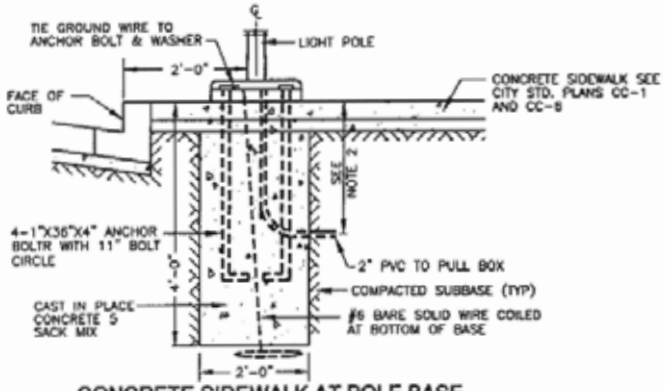
NOTE:
POSITION OF PULL BOX IN RELATION TO LIGHT POLE SHALL BE ADJUSTED IN THE FIELD BASED ON EXISTING CONDITIONS.

PULL BOX AND POLE BASE LAYOUT PLAN
WHERE SIDEWALK WIDTH IS EQUAL OR GREATER THAN 6'-0" N.T.S.

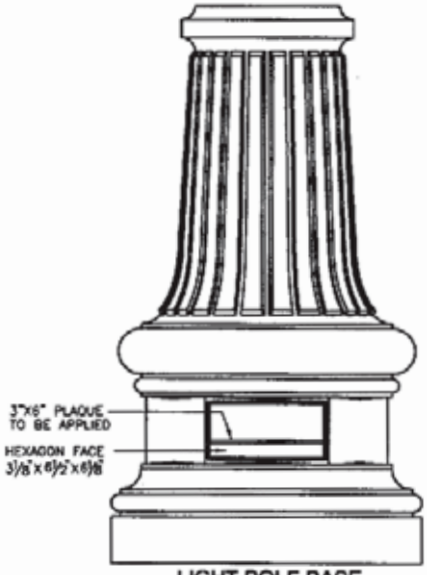


NOTE:
POSITION OF PULL BOX IN RELATION TO LIGHT POLE SHALL BE ADJUSTED IN THE FIELD BASED ON EXISTING CONDITIONS.

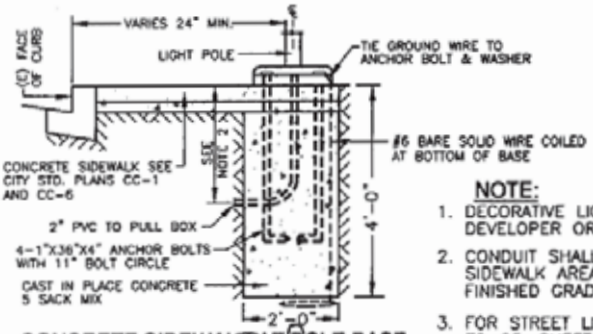
PULL BOX AND POLE BASE LAYOUT PLAN
WHERE SIDEWALK WIDTH IS LESS THAN 6'-0" N.T.S.



CONCRETE SIDEWALK AT POLE BASE



LIGHT POLE BASE



CONCRETE SIDEWALK AT POLE BASE

NOTE:

1. DECORATIVE LIGHT POLE BASES SHALL BE PROVIDED AT THE SOLE COST OF DEVELOPER OR CONTRACTOR, WITH THE AUTHORIZATION OF THE CITY.
2. CONDUIT SHALL BE INSTALLED WITH 24" OF COVER IN CONCRETE SIDEWALK AREAS AND CURBED MEDIAN AREAS, AND 30" BELOW FINISHED GRADE ELSEWHERE.
3. FOR STREET LIGHT POLE DETAILS, REFER TO CITY STANDARD PLANS TS-25, SHEET 1.

APP. CITY ENGINEER	S.W.	R.S.	AUGUST 2004
	CHECKED BY	DRAWN BY	DATE

CITY OF WALNUT CREEK

DECORATIVE DOWNTOWN STREET LIGHT

NO.	DATE	APP.	REVISION DESCRIPTION

STANDARD DETAIL
TS-25

SCALE: NONE

SHEET 2 OF 2

APPENDIX 2: PROPERTIES WITHIN THE SPECIFIC PLAN AREA

Property Name	Address*	APN
McDonald's	1380 N. California Blvd.	178-160-028
Chevron	1700 Mt. Diablo Blvd.	178-160-029
Big 5 Sports	1630 Mt. Diablo Blvd.	178-160-023
Z Gallerie	1628 Mt. Diablo Blvd.	178-160-031
Empire Realty	1614 Mt. Diablo Blvd.	178-160-030
Viking Homechef	1604 Mt. Diablo Blvd.	178-160-008
Post Office/Nail Salon	1320 Locust Street	178-230-031
Mark Morris Tires (vacant)	1556 Mt. Diablo Blvd.	178-230-028
Walnut Creek Automotive	1532 Mt. Diablo Blvd.	178-230-029
Public Parking	1500 Mt. Diablo Blvd.	178-230-027
Crogan's Bar	1387 Locust Street	178-160-001
Kitchen Table/Offices	1385 Locust Street	178-160-018
Taqueria/Da Lat	1353-1355 Locust Street	178-160-004
Paint Palette/House of Beads	1343 Locust Street	178-160-006
Peets, Offices	1345 Locust Street	178-160-005
House of Bagels	1331 Locust Street	178-160-013
Mika Hair Salon	1325 Locust Street	178-160-015

** More than one address may be on each APN.*

CREDITS, ACKNOWLEDGEMENTS AND PARTICIPANTS

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Cindy Silva, Mayor Pro Tem
Kish Rajan
Bob Simmons
Gary Skrel

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Matt Francois, Chair
David Powell, Vice Chair
Neil Gerstner
Kristina Lawson
Allan Moore
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Design Review Commission
Brian Killian, Chair
Dorothy McDonald, Vice Chair
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Mark Lopez

Transportation Commission
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Kish Rajan, Vice Chair
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Gwen Regalia, Councilmember
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Frank Bryant, former Commissioner, Planning Commission
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Michael Frederick, Stow Partners
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D. URBAN DESIGN VISION GOALS AND PRINCIPLES

COMMUNITY OUTREACH PROCESS

The goals and major design elements of the Transit Village as a whole were developed over time through a number of staff and developer-led community workshops that included members of the City Council, Planning Commission, Design Review Commission, Transportation Commission, Bicycle Advisory Committee, and the general public. These workshops have served to guide the goals and opportunities outlined below as well as inspire the design concept for the Transit Village as depicted in figure 1.34 as well as the more specific design recommendations in the pages to follow.

VISION STATEMENT

As mentioned before, the overarching goal for the Transit Village is Smart Place-Making, meaning the creation of a new transit-oriented neighborhood in Walnut Creek that will act as a prominent gateway to its downtown core, be integrated with the rest of the city fabric, as well as fulfill the city's potential for future growth.

The livability and viability of this development site is paramount. This development addresses housing needs for families and provides a supply of housing to accommodate mandated Regional Housing Need Allocations by the State of California.

The residential density of the project should be maximized to take advantage of the location as an established public transportation hub for Walnut Creek and surrounding areas. This density should be balanced with current land use regulations including Measure A height limits and approved zoning regulations to ensure proper setbacks, light, air, and access are planned for properly.

Mixed-use retail is an important component of the development, but is not the driving force behind the project. The mixed-use/retail components must be properly located to be attractive to prospective tenants and serve the local residents as well as transit patrons and guests. A proper balance of the amount of mixed-use/retail must be weighed with the constraints of the site and the overall project viability. These uses should be limited to the ground floor locations where foot traffic and exposure is maximized. Where possible, flexibility within the ground floor uses should be encouraged to react to changing market needs.

The Walnut Creek Transit Village is envisioned as a true mixed-use neighborhood with several amenities for future residents and the existing community to enjoy. With attractively designed buildings and appropriate landscaping, the project should function as a desirable place for residents to live and the public to visit and enjoy. Residents should feel as though they are living in an active village in the heart of Walnut Creek. The location and design of individual buildings should enhance existing views, take advantage of topography and make use of the site in a sophisticated and thoughtful manner. The separation of private living/amenity areas from the public realm should be respected and planned accordingly. However, opportunities for the combination of private and public areas is encouraged where appropriate. Attention must be paid to the public realm as well, as the site is actively used by the public for access to transportation services on the site. These public areas should be strategically placed and designed to encourage frequent public use and enjoyment as well as encourage use of the public transportation system.

Figure 1.34: Transit Village Vision, rendering of proposed Mt. Diablo Vista and surround new mixed-use development

Figure 1.35: Vision of a transit village, attractive use of materials

Figure 1.36: Vision of a transit village, quality public spaces

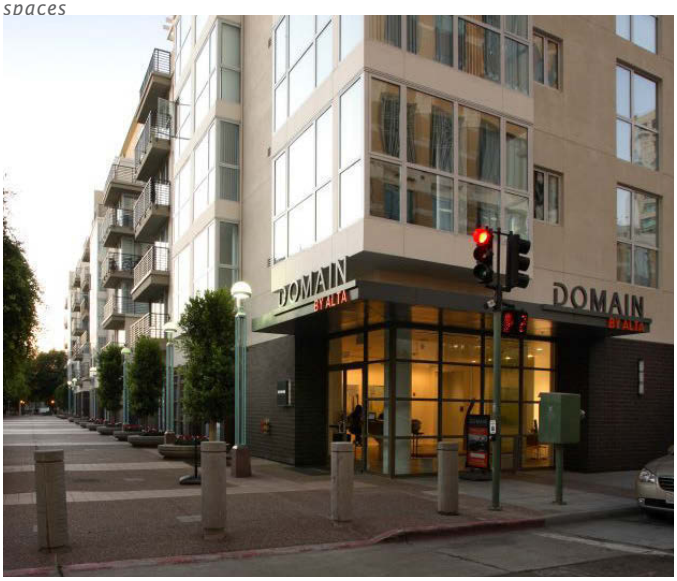


Figure 1.37: Vision of a transit village, attractive, multi-family housing

GOALS AND PRINCIPLES

1. A Functional Multi-Modal Transit Center

Designing stations that cater to the transit user in both scale and function, with safe and attractive design, multi-modal connections, and a convenient mixture of uses, can encourage transit ridership and decrease reliance on the automobile. These Guidelines envision design that accommodates a mixture of transit-supportive uses such as residential and retail immediately adjacent to the BART station. This policy direction is consistent with the goals of the Housing Element, Economic Development Plan, General Plan, BART's TOD Policy and TOD Guidelines, and CCCTA Principles, and Walnut Creek Bike Plan.

2. Natural Connections to Existing Streets

Providing clear physical and visual pedestrian and bicycle connections from transit facilities to employment centers, retail, and entertainment attractions encourages people to commute or visit using alternatives to the automobile. The plan encourages site design elements to improve on-site connectivity and create clear connections to downtown.

These characteristics are consistent with the goals of the General Plan, as summarized below:

a. *The General Plan supports improving pedestrian and bicycle connections from the station to Downtown to encourage transit usage and create a more accessible Downtown.*

b. *North Main Street/Ygnacio Valley Road Specific Plan encourages the creation of an inviting pedestrian corridor between the Walnut Creek BART station and the Traditional Downtown.*

3. Smart Density

Locating medium to high density housing near transit helps create an active, 24-hour environment, meet regional housing needs, and increase the likelihood that residents will use both transit facilities and proposed retail, thus ensuring future ridership and retail patronage. The Walnut Creek BART Design Guidelines envisions design that accomodates high-quality multi-family housing

immediately adjacent to the BART station, within the City's Core Area, and within walking distance to Downtown Walnut Creek. This goal is consistent with the goals of the Housing Element, Economic Development Plan, and General Plan, summarized as follows:

a. *The Design Review Guidelines require new multi-family housing to address design issues such as scale and character, views, building facades, exterior site design and landscaping, building materials, and facilities. (II. Residential Architecture, C. Multiple Family Residential);*

b. *The Housing Element encourages higher density residential development in the Core Area, particularly near Downtown, public transit, major thoroughfares, shopping, and employment centers. (Policy 1, Policy 3) The element supports meeting regional housing needs (Policy 22);*

c. *The Economic Development Plan encourages maintaining a range of affordable housing to meet the needs of the City's workforce (Policy 4.1). Specifically, it supports mixed-use development surrounding the Walnut Creek BART Station (Policy 9.1); and*

d. *The General Plan supports locating high-density residential development in locations that enhance pedestrian access and reduce traffic, are located in the Core Area, and are*

Figure 1.38: Vision of a transit village, view of a multi-modal street

Figure 1.39: View of Broadway Plaza, Walnut Creek ,California

Figure 1.40: View of Locust Avenue, Walnut Creek, California

4. Vibrant Mixed-Use

The Plan Area should be developed as a mixed-use Transit Village, predominantly residential in nature with ground floor retail, office, and open space uses. Commercial uses range from neighborhood, to transit-serving retail and office space. In general, neighborhood serving retail uses should be strategically located adjacent to new Transit Village housing and existing office uses in order to take advantage of the market generated from new residents and existing office workers. Transit-serving retail uses should

Figure 1.41: Walnut Creek BART bus Intermodal

Figure 1.42: Vision of a Transit Village

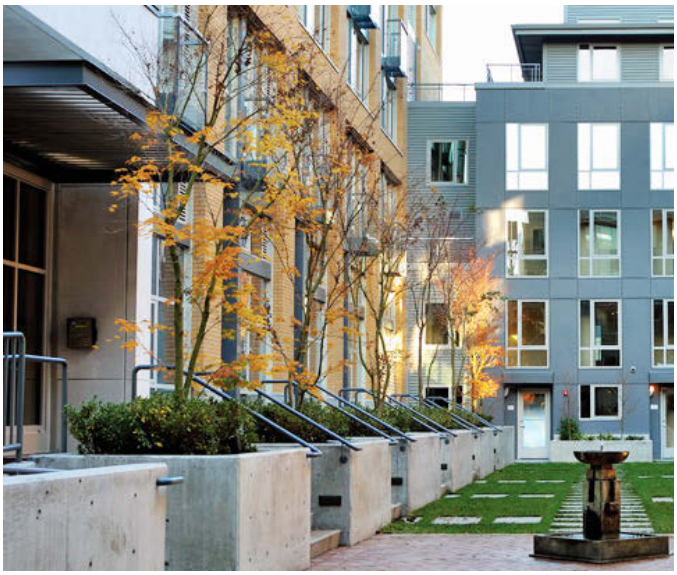


Figure 1.43: Vision of a transit village, view of residential stoops fronting a public courtyard

be located adjacent to BART and CCCTA transit facilities and pedestrian pathways in order to take advantage of the market generated from BART and CCCTA commuters.

5. Well-Defined Public Realm

A permeable, but well defined public realm gives structure to the Plan Area and provides the framework that contains and organizes individual developments into a cohesive whole. It also serves as the entry to the private realm, a sort of public "forecourt" to individual buildings and developments.

These characteristics are consistent with the goals of the General Plan, as summarized below:

a. *The General Plan envisions the intersection of Ygnacio Valley Road at North California Boulevard as a unique gateway that respects the existing view corridor from the site and creates a high quality publicly accessible outdoor space (Quality of Life: Goal12, Action 12.1.1; Natural Environment and Public Spaces: Goal 7, Policy 7.2; Built Environment: Goal 17, Policy 17.1, Goal 18, Policy 18.1, Policy 18.2).*

6. Architectural Diversity

Development within the Plan Area should incorporate a diversity of architectural styles, high quality building types, material and details, setbacks, and landscaping. No one particular architectural theme is being promoted for the Plan Area, but rather the emphasis is to simply promote high-quality design and variety within a framework.

All building facades that are publicly visible should include three-dimensional detailing such as balconies, and reveals to cast shadows and create visual interest. Additional elements that may be used to provide visual relief include awnings and projections, trellises, detailed parapets, and arcades. Part Three of this document will further define acceptable building design.

Authentic use of materials and color schemes will create an attractive feel for the Plan Area. All surface treatments of materials should be designed as an integral part of the building and not merely applied to the surface. Design treatments, colors, and materials should be enhanced at side and rear elevations when exposed to close public view.

7. Public Benefits

Designing a transit center as a gateway creates a more attractive and inviting space for visitors and transit users. As a gateway, development within the Plan Area it should provide high-quality public outdoor spaces and amenities, taking advantage of view corridors to Mt.Diablo and public art projects.

These characteristics are consistent with the goals of the Economic Development Plan and General Plan, summarized below:

a. *The General Plan envisions the intersection of Ygnacio Valley Road at North California Boulevard as a unique gateway that respects the existing view corridor from the site and creates a high quality publicly accessible outdoor space (Quality of Life: Goal12, Action 12.1.1; Natural Environment and Public Spaces: Goal 7, Policy 7.2; Built Environment: Goal 17, Policy 17.1, Goal 18, Policy 18.1, Policy 18.2).*

b. *The Economic Development Plan supports the creation of gateway corridors at all major entry points to the City which emphasizes the unique qualities of Walnut Creek and provide methods of "wayfinding" to visitors and residents (Policy 7.1); and*

c. *The Public Art Master Plan identifies the Plan Area as a priority public art site.*

d. *The Design Review Guidelines provide gateway design guidelines for Ygnacio Valley Road at North California Boulevard (IV. City Gateways), addressing issues such as signage, landscaping, setbacks, building design, public art, entry details, screening and architectural finishes.*

Figure 1.44: Vision of a transit village, view of an active plaza

Figure 1.45: Storm-water management

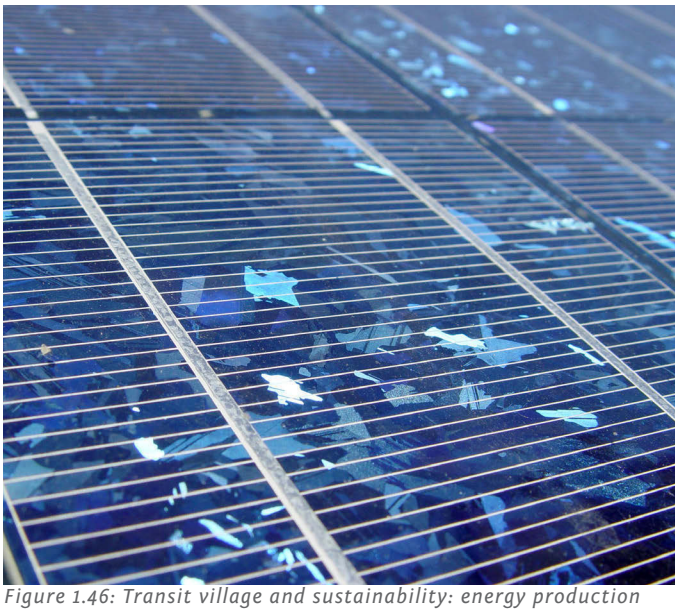


Figure 1.46: Transit village and sustainability: energy production

Figure 1.47: Transit village and sustainability, plants and conservation

8. Sustainability

Sustainable development creates a short and long-term positive social, economic, environmental, and public benefit to the surrounding community and beyond. This can be done when a development demonstrates a reduction of waste, stormwater runoff, energy and water requirements for building operation, automobile usage by its occupants, and material and resource requirements for building construction. These and other "green building" practices improve the long term sustainability of a development and its surrounding community by encouraging sustainable lifestyle choices, minimizing building impacts on the environment and conserving municipal resources. Future development in the Plan Area should embrace sustainable site design and green building practices.

These characteristics are consistent with the goals of the General Plan and Housing Element, summarized below:

a. *The General Plan promotes "green" redevelopment within the City including resource-efficient building techniques, materials and technologies. (Built Environment: Goal 27, Policy 27.1); and*

b. *The Housing Element encourages the incorporation of energy conservation design features in existing and future residential development. (Policy 21)*

E. URBAN DESIGN FRAMEWORK AND STRATEGIES

SITE PLAN CONCEPT

The urban design concept, generated by a staff and developer-led community effort, envisions

1. A network of streets and paseos that connects BART and future development to the rest of the city and break down the scale of development into smaller parcels and frame views towards Mt. Diablo and surrounding landscape.

2. Development that frames attractive living edges throughout, oriented to surrounding streets, new streets, public spaces and other public amenities.

3. Centers of activity at key nodes.

4. Street-oriented ground level uses at key locations and thoughtfully buffered edges throughout.

See figure 1.49 below.

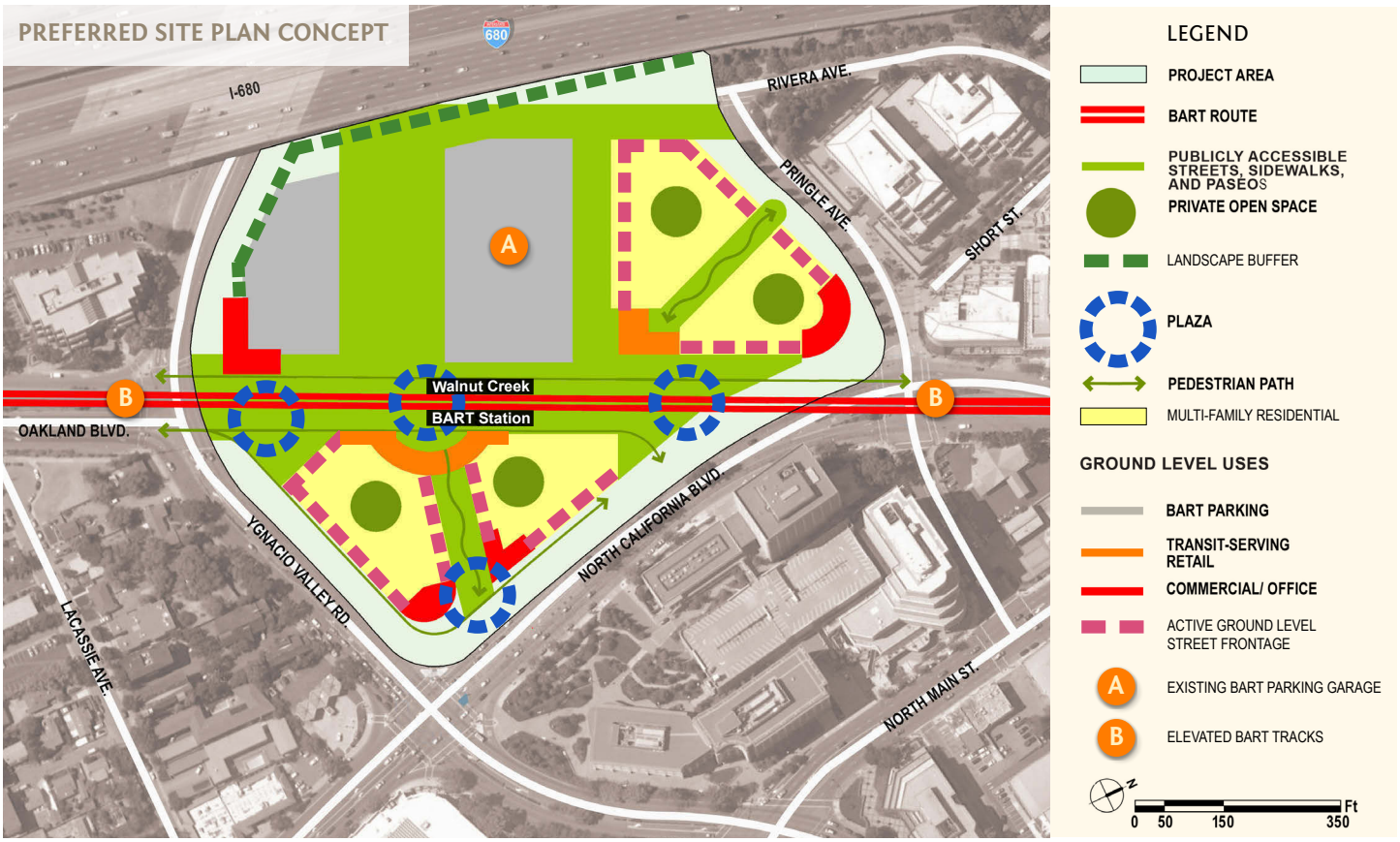


Figure 1.49: Site Plan Concept

Figure 1.50: Vision of a transit village

Figure 1.51: Vision of a transit village

STREET AND BLOCK CONFIGURATION

A network of streets and paseos link the BART station and future development with itself and the surrounding community. The street network includes 1) New Street A (formerly Riviera Avenue), 2) New Street B, a new dual-use street and patron drop-off between the existing parking garage and future residential development, 3) New Street C between the North Parcel and the BART tracks including a taxi roundabout, and 4) two pedestrian thoroughfares or "paseos" bisecting North and East Parcels. Refer to figure 1.52 below and Section IIB of this document.

Surrounding the existing BART parking garage are three new parcels or "blocks" that provide a framework for a livable community by breaking down the scale of development, and framing views within the Transit Village. The North and South parcels sit to the west of the BART tracks, whereas the East parcel sits to the east of the tracks and south of the existing BART parking garage. The size and shape of these parcels fit well with that of the surrounding neighborhood blocks.

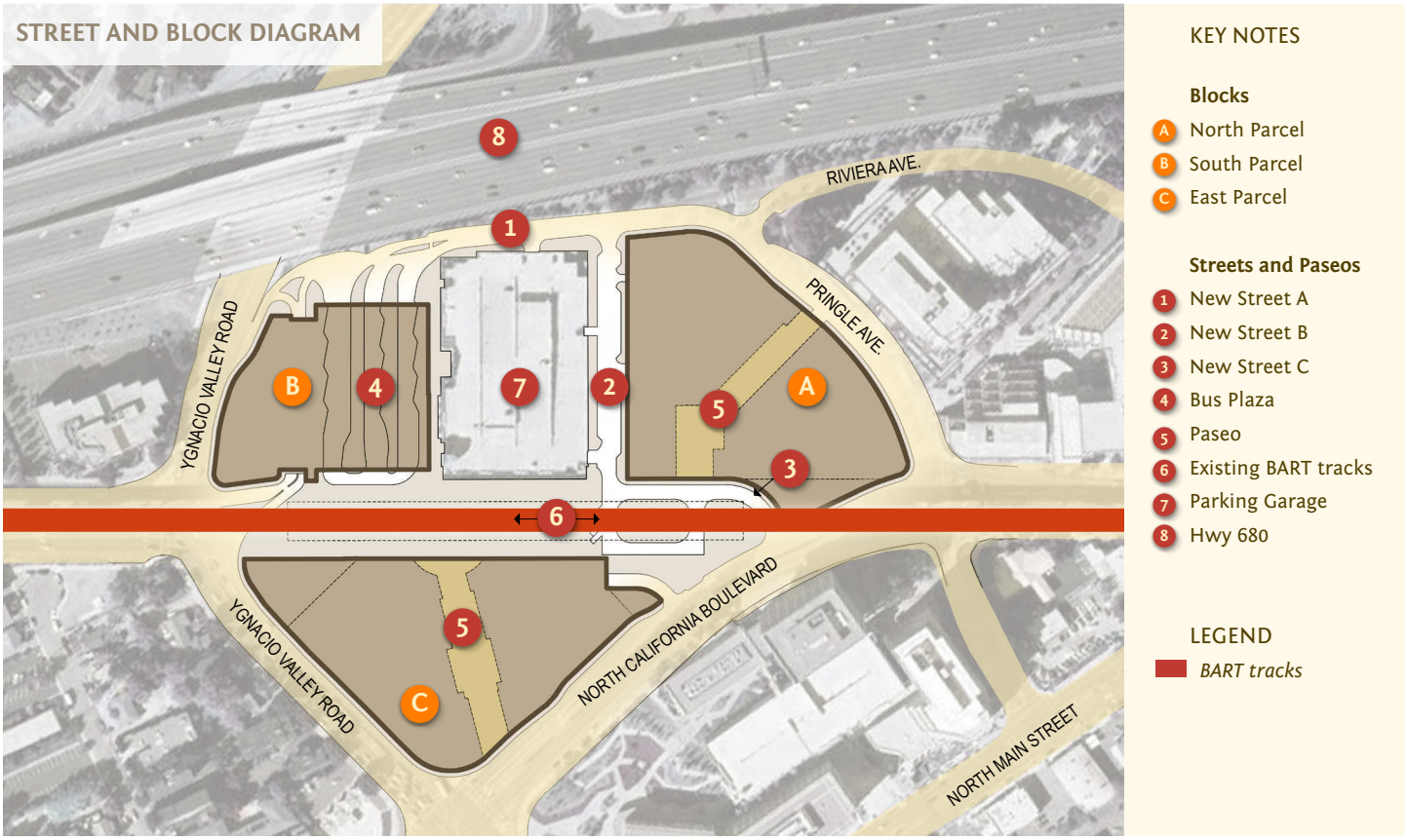


Figure 1.52: Street and Block Diagram

CIRCULATION AND ACCESS STRATEGIES

BART Station Strategy

The Walnut Creek BART Station's primary entrance is located in the center of the Plan Area with elevated BART tracks running from the south to the north edges of the site. Two surface parking lots and a multi-story garage are currently situated on the western portion of the site. The power substation is located north of the BART entrance, under the BART tracks. According to data provided by BART, the Walnut Creek BART Station has a total ridership of approximately 6,100 persons per day. BART recently added special trackwork between the Walnut Creek and Pleasant Hill/Contra Costa Centre Stations to allow a train to cross from one track to the other track. This improvement resulted in additional BART seating capacity during peak hours, increased reliability of service in the Walnut Creek-Pleasant Hill area, additional flexibility in operational and delay management, and improved maintenance capacity. The Walnut Creek BART Station does have a capacity plan in place, approved by the BART Board, which would allow increased ridership in the future. This plan includes providing emergency exit stairs at both ends of each platform, a new set of fare gates to the southwest of the existing fare gates and new escalators to provide convenience to riders. There is no date set to implement the Station Capacity Plan at this time, although, the Development should provide the flexibility to adapt in the future and meet all of the need outlined in the documents of Part 1a of this Chapter.

An essential element of a successful transit station is ensuring that all users and service providers can easily access and circulate within the facility. Development of the Plan Area will provide safe and efficient circulation and access for a variety of modes. These characteristics are consistent with the goals of the General Plan, BART's TOD Policy and TOD Guidelines and CCCTA principles, summarized:

a. *The General Plan policies support creating attractive and safe linkages for pedestrian and bicyclist to the Walnut Creek BART Station and surrounding areas;*

b. *BART TOD policy is aimed at reducing automobile access by enhancing multi-modal access to and from BART station in partnership with communities and access providers;*

c. *BART's TOD Guidelines are aimed at enhancing circulation and access through improving customer safety, convenience and system and station operation; and*

d. *CCCTA principles deal with transit circulation and access issues such as access and egress, bike parking, and bus facility siting.*

BART Replacement Parking Strategy

Development should provide an adequate supply of parking, to serve the needs of BART's customers (current and future) as well as new residential development. Accordingly, this Plan envisions at least a 1:1 replacement parking ratio for the redevelopment of existing surface parking. Alternative parking strategies and technologies for BART users and residents should be encouraged. Subsequent environmental review will include a comprehensive analysis of parking adequacy, location, access, and operations.

Figure 1.53: BART train at Walnut Creek

Figure 1.54: Walnut Creek BART bus intermodal

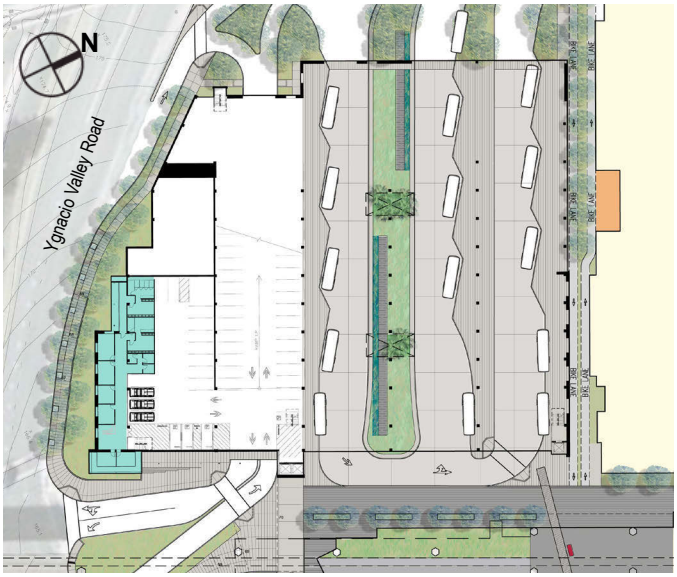


Figure 1.55: Walnut Creek BART proposal bus intermodal and new parking garage

Bus Intermodal Relocation Strategy

CCCTA provides County Connection bus service to the Plan Area, providing fixed-route (local and express) and paratransit service (LINK) within the City of Walnut Creek. The express fixed-route service runs along Ygnacio Valley Road to the east of the Plan Area and the local fixed-route service runs north-south along North California Boulevard. Currently the CCCTA utilizes the bus terminal located on the eastern portion of the Plan Area, adjacent to the BART entrance. The Plan envisions relocating the bus terminal to the southwest portion of the Plan Area, incorporated within the proposed BART replacement parking structure. The link between BART and connecting transit modes should be direct, short and uninterrupted by other types of vehicular traffic. Relocating the bus terminal to the southwest portion of the Plan Area will place it immediately adjacent to the BART entrance, improving accessibility for transit users and enhancing the pedestrian environment on the eastern portion of the Plan Area.

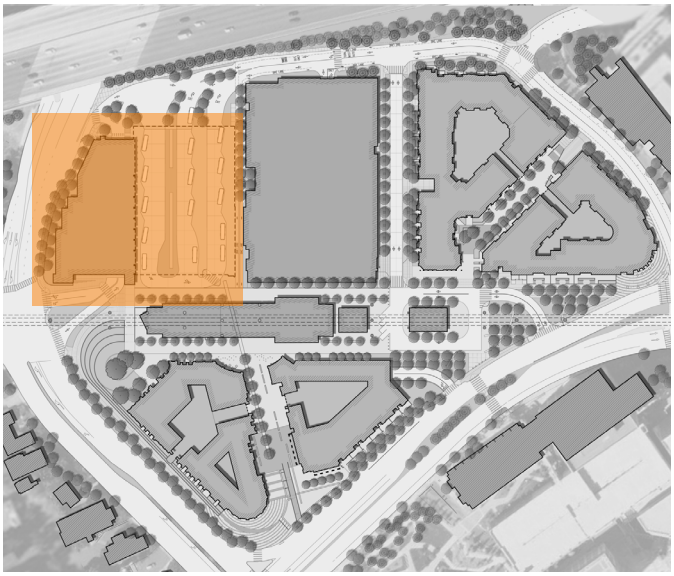


Figure 1.55a: Key Plan

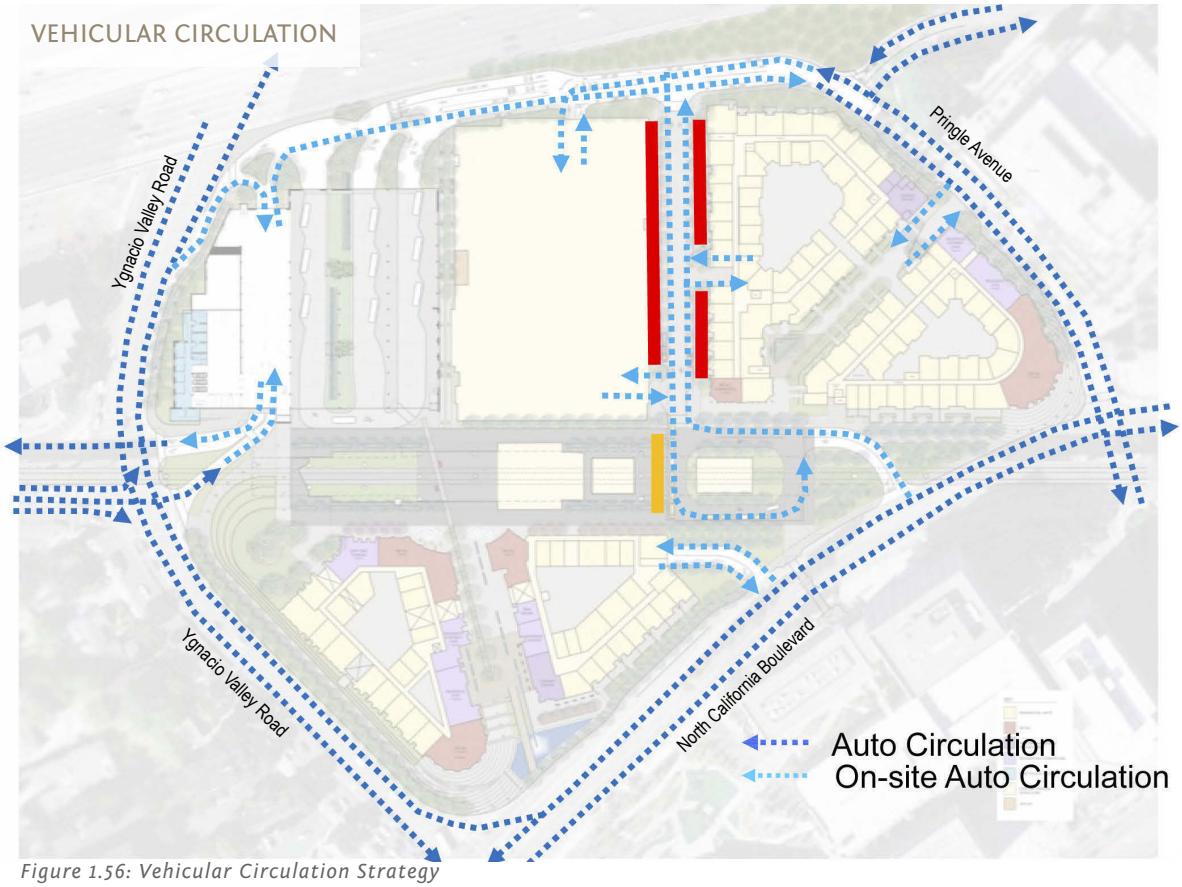


Figure 1.56: Vehicular Circulation Strategy

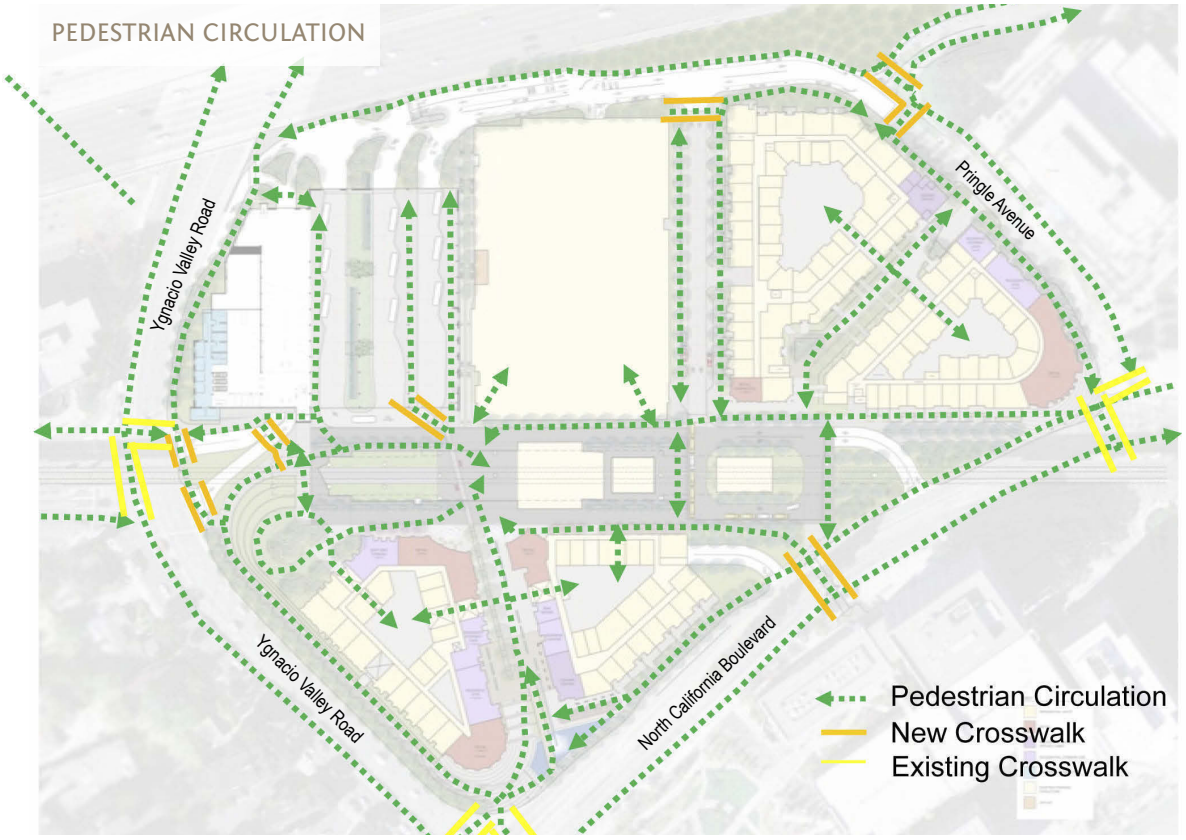


Figure 1.57: Pedestrian Circulation Strategy

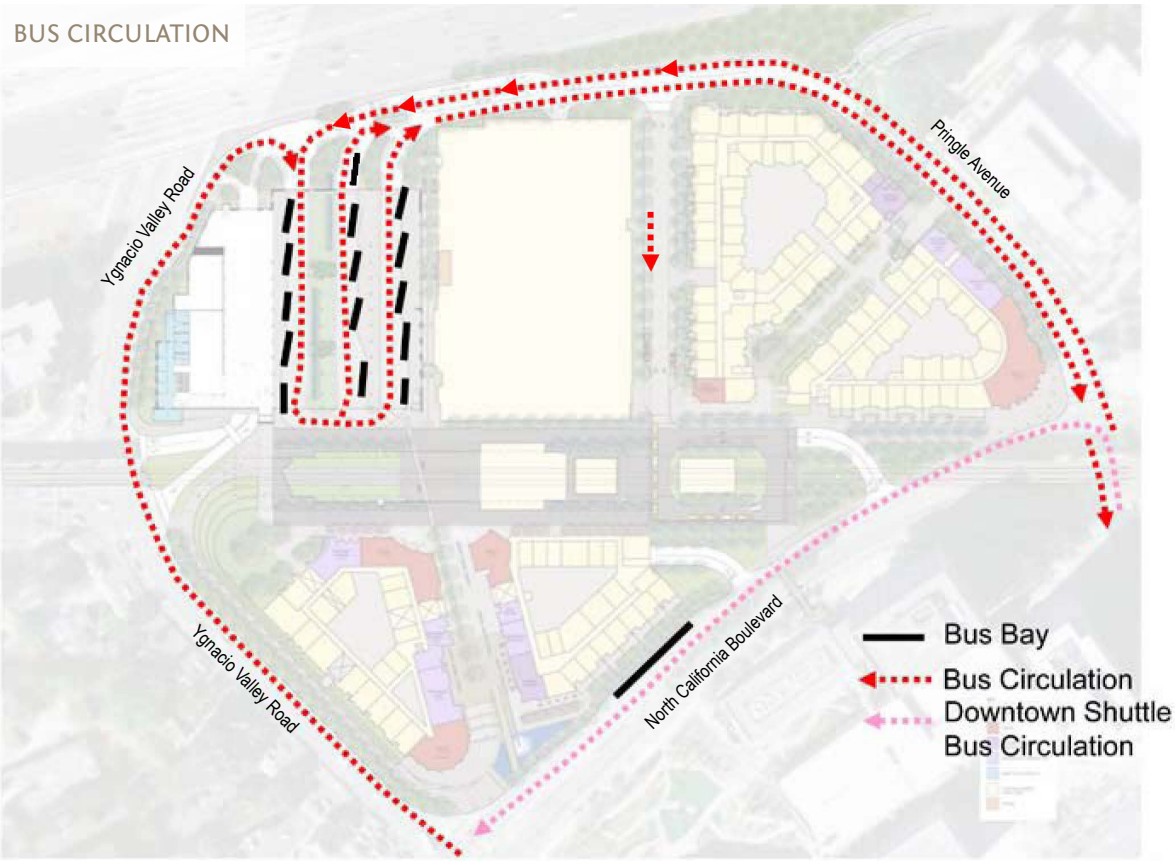


Figure 1.58: Bus Circulation Strategy

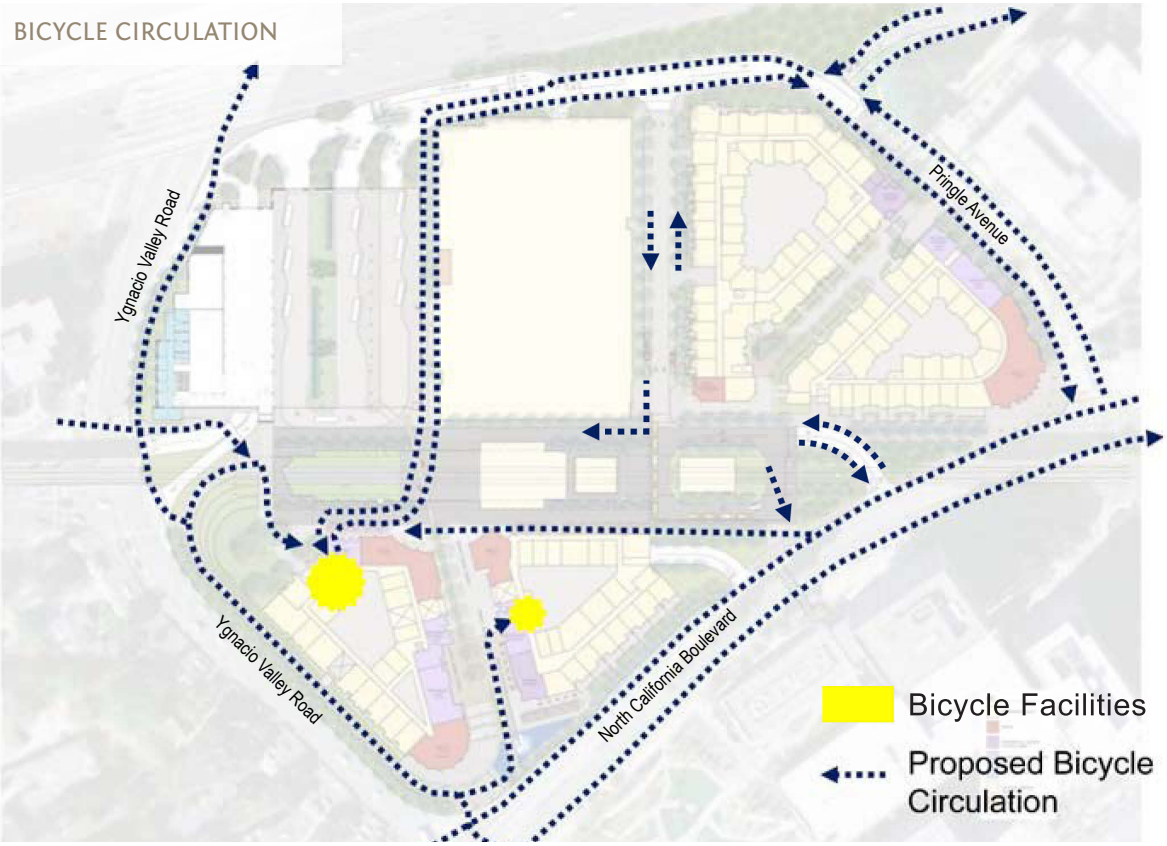
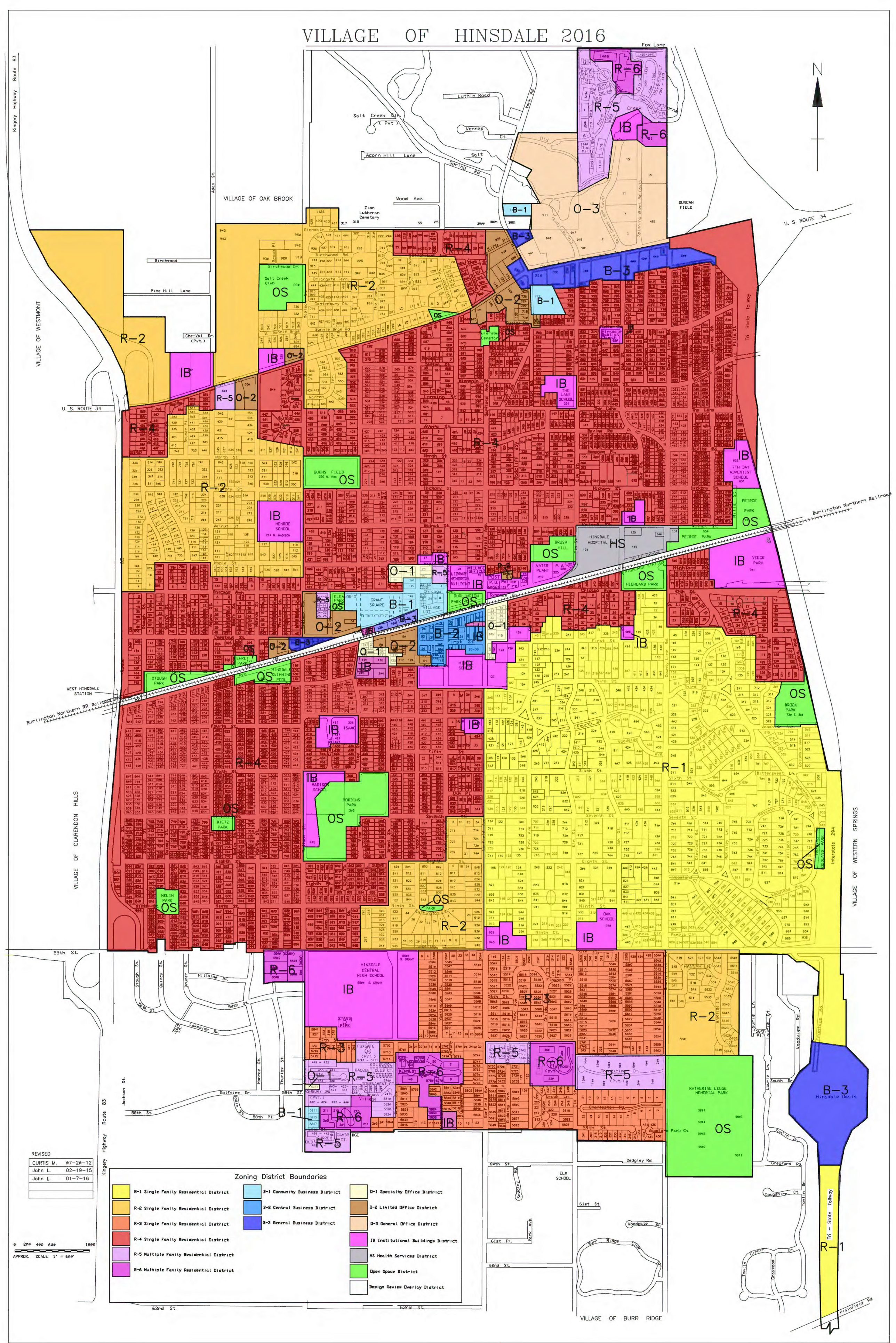


Figure 1.59: Bicycle Circulation Strategy

VILLAGE OF HINSDALE 2016



Chapter 5
BUSINESS DISTRICTS

Sec. 5-101:Purposes:

Three (3) zoning districts are provided for business and commercial uses. When taken together, these districts are intended to permit development of property for the full range of business and commercial uses needed to serve the citizens of Hinsdale and surrounding areas in a suburban setting.

The districts, while distinct, permit a harmonious spectrum of general suburban shopping and service opportunities, ranging from a relatively low intensity (B-1), through a higher intensity business zone intended to accommodate local shopping needs in a "downtown" setting (B-2), to a more generalized commercial district designed for established areas of heavier vehicular traffic (B-3).

Specifically, the B-1 community business district is intended to serve the everyday shopping needs of village residents as well as to provide opportunities for specialty shops attractive to wider suburban residential community around the village. It permits uses that are necessary to satisfy most basic, frequently occurring shopping needs. Also allowed are compatible uses that, while not used as frequently, would be desirably located in close proximity to potential users. This district is designed to accommodate development of community shopping centers with planned off street parking and loading as well as existing individual shops or small groups of local stores. The district is normally located on primary or secondary thoroughfares, is relatively small in size, and has bulk standards that provide for compatibility with nearby residential uses.

The B-2 central business district is intended to serve the entire Hinsdale suburban community with a wide variety of retail and service uses. It is intended to serve as the primary shopping area of the village. This district is located in the center of the village, adjacent to commuter facilities, and at the convergence of primary thoroughfares. The bulk standards are intended to reflect the generally more intense development of property in this area.

The B-3 general business district is intended to serve the Hinsdale suburban community with a full range of locally oriented business uses commonly located along established traffic routes. (1991 Code)

Sec. 5-102:Permitted Uses:

The following uses and no others are permitted as of right in the business districts indicated in the following table. In interpreting the use designations, reference should be made to the "Standard Industrial Classification Manual" (see appendix A of this code) and section 11-501 of this code. SIC codes are given in parentheses following each use listing.

							B-1	B-2	B-3

A. *Construction, Special Trade Contractors:*					
1.	General building contractors; residential buildings (152).				P
2.	Operative builders (153).				P
3.	Plumbing, heating, and air conditioning contractors (171).			P	P
4.	Painting and paper hanging contractors (172).			P	P
5.	Electrical work contractors (173), but not highway lighting and electrical signal construction.			P	P
6.	Masonry, stone setting, and other stone work contractors (1741).				P
7.	Plastering, drywall, acoustical, and insulation work contractors (1742).			P	P
8.	Terrazzo, tile, marble, and mosaic work contractors (1743).				P
9.	Carpentry and floor work contractors (175).			P	P
10.	Roofing, siding, and sheet metal work contractors (176).				P
11.	Glass and glazing work contractors (1793).			P	P
12.	Special trade contractors not elsewhere classified (1799).			P	
B. *Printing, Publishing, And Allied Industries:*					
1.	Commercial printing (275).				P
C. *Retail Trade:*					
1.	Lumber and other building materials dealers (521).				P
2.	Paint, glass, and wallpaper stores (523).		P	P	P
3.	Hardware stores (525).		P	P	P
4.	Department stores (531).		P	P	P
5.	Variety stores (533).		P	P	P

6.	Miscellaneous general merchandise stores (539).		P	P	P
7.	Grocery stores (541).		P	P	P
8.	Meat and fish markets (543).		P	P	P
9.	Fruit and vegetable markets (543).		P	P	P
10.	Candy, nut, and confectionery stores (544).		P	P	P
11.	Dairy products stores (545).		P	P	P
12.	Retail bakeries (546).		P	P	P
13.	Miscellaneous food stores (549).		P	P	P
14.	New and used motor vehicle dealers (551), but only on lots abutting Ogden Avenue.				P
15.	Auto and home supply stores (553), but not including service bays.		P	P	P
16.	Men's and boys' clothing and accessory stores (561).		P	P	P
17.	Women's clothing stores (562).		P	P	P
18.	Women's accessory and specialty stores (563).		P	P	P
19.	Children's and infants' wear stores (564).		P	P	P
20.	Family clothing stores (565).		P	P	P
21.	Shoe stores (566).		P	P	P
22.	Miscellaneous apparel and accessory stores (569).		P	P	P
23.	Home furniture and furnishings stores (571).		P	P	P
24.	Household appliance stores (572).		P	P	P

25.	Radio, television, consumer electronics, and music stores (573).		P	P	P
26.	Eating places (5812), including accessory outdoor seating, but not including live entertainment or drive-in establishments.		P	P	P
27.	Drinking places (5813) accessory to permitted eating places.				P
28.	Drugstores and proprietary stores (591).		P	P	P
29.	Used merchandise stores (593).		P	P	P
30.	Sporting good stores and bicycle shops (5941).		P	P	P
31.	Bookstores (5942).		P	P	P
32.	Stationery stores (5943).		P	P	P
33.	Jewelry stores (5944).		P	P	P
34.	Hobby, toy, and game shops (5945).		P	P	P
35.	Camera and photographic supply stores (5946).		P	P	P
36.	Gift, novelty, and souvenir shops (5947).		P	P	P
37.	Luggage and leather goods stores (5948).		P	P	P
38.	Sewing, needlework, and piece goods stores (5949).		P	P	P
39.	Florists (5992).		P	P	P
40.	Tobacco stores and stands (5993).		P	P	P
41.	News dealers and newsstands (5994).		P	P	P
42.	Optical goods stores (5995).		P	P	P
43.	Miscellaneous retail stores (5999), but not including auction rooms, firework sales, gravestone sales, sales barns, or tombstone sales.		P	P	P
D. *Finance, Insurance And Real Estate:*					

1.	Depository and nondepository credit institutions (60-61), but not on the first floor of any structure in the B-2 district except expansion of such an institution existing on such a first floor as of January 1, 1994, into additional first floor space owned by such an institution as of January 1, 1994, in the same structure or an abutting structure, and except expansion of such an institution into first floor space that does not abut a street, provided that such expansion does not occupy more than 50 percent of the depth of the overall tenant space, and not including drive-in establishments or automatic teller machines, except teller machines attached to the principal structure on the lot.			P	
2.	Security and commodity brokers, dealers, exchanges, and services (62), but not on the first floor of any structure in the B-2 district.		P	P	P
3.	Insurance carriers, agents, brokers, and service (63-64), but not on the first floor of any structure in the B-2 district.		P	P	P
4.	Real estate offices (65), but not on the first floor of any structure in the B-2 district.		P	P	P
5.	Holding and other investment offices (67), but not on the first floor of any structure in the B-2 district.		P	P	P
E. *Services:*					
1.	Veterinary services for animal specialties (0742).				P
2.	Grooming services for pets (0752).				P
3.	Laundry, cleaning, and garment services (721), but not including dry cleaning plants (7216) or industrial launderers (7218).		P	P	P
4.	Photographic studios, portrait (722).		P	P	P
5.	Beauty shops (723).		P	P	P
6.	Barbershops (724).		P	P	P
7.	Shoe repair shops and shoeshine parlors (725).		P	P	P
8.	Tax preparation services (7291), but not on the first floor of any structure in the B-2 district.		P	P	P
9.	Advertising services (731), but not on the first floor of any structure in the B-2 district.		P	P	P
10.	Mailing, reproduction, commercial art and photography, and stenographic services (733).		P	P	P
11.	Services to dwellings and other buildings (734).				P

12.	Employment agencies (7361), but not on the first floor of any structure in the B-2 district.		P	P	
13.	Help supply services (7363), but not on the first floor of any structure in the B-2 district.		P	P	P
14.	Computer programming, data processing, and other computer related services (737), but not on the first floor of any structure in the B-2 district.		P	P	P
15.	Electrical repair shops (762), but not including refrigeration and air conditioning service and repair shops (7632).		P	P	P
16.	Watch, clock, and jewelry repair (763).		P	P	P
17.	Reupholstery and furniture repair (764).				P
18.	Videotape rental (784).		P	P	P
19.	Offices and clinics of doctors of medicine, dentists, osteopaths, chiropractors, optometrists, podiatrists, and other health practitioners (801-804), but not on the first floor of any structure in the B-2 district.		P	P	P
20.	Kidney dialysis centers (8092).				P
21.	Legal services (81), but not on the first floor of any structure in the B-2 district.		P	P	P
22.	Engineering, architectural, and surveying services (871), but not on the first floor of any structure in the B-2 district.		P	P	P
23.	Accounting, auditing, and bookkeeping services (872), but not on the first floor of any structure in the B-2 district.		P	P	P
24.	Management and public relations services (874), but not on the first floor of any structure in the B-2 district.		P	P	P
25.	Miscellaneous services (89), but not on the first floor of any structure in the B-2 district.			P	P
26.	Miscellaneous business and professional office uses not listed herein, but not on the first floor of any structure in the B-2 district.			P	P
27.	Small parcel store (733 and 4783).		P		
28.	Professional, home based, supplemental education program centers.		P		
F. *Transportation And Utility Services:*					
1.	Office of local and suburban transit and interurban highway passenger transportation companies (41), but not including terminals, stations,			P	P

	vehicle yards, or garages and not on the first floor of any structure in the B-2 district.				
2.	Travel agencies (4724).		P	P	P
3.	Tour operators (4725), but not on the first floor of any structure in the B-2 district.		P	P	P
4.	Airline, bus, and railroad ticket offices (4729).		P	P	P
5.	Offices of communications and utility companies (48-49), but not on the first floor of any structure in the B-2 district.		P	P	P
6.	Personal wireless services antennas, with or without antenna support structures, and related electronic equipment and equipment structures (481); but only where: a) the antenna and any necessary antenna support structure are fully enclosed or shielded from view from any point located off the zoning lot on which they are located by a structure otherwise permitted on the zoning lot and all electronic equipment is fully enclosed in a structure otherwise permitted on the zoning lot, or b) the antenna or antennas are limited to omnidirectional or whip antennas and directional or panel antennas and are located on a lawfully preexisting building that will serve as an antenna support structure and all electronic equipment is fully enclosed in a structure otherwise permitted on the zoning lot and, in either such case, such antenna, support structure and equipment fully comply with all standards and requirements applicable thereto.				
G. *Dwelling Units:* Dwelling units shall be subject to the lot area provisions applicable to the R-5 district; provided, however, that no dwelling unit shall be located on the first floor of any structure.				P	P

(Ord. 92-27, § 2, 8-18-1992; Ord. 94-2, § 2, 1-4-1994; Ord. 94-11, § 2, 3-1-1994; Ord. 97-4, § 3A, 3-4-1997; Ord. O2005-02, § 2, 1-18-2005; Ord. O2006-76, § 2, 10-17-2006; Ord. O2007-50, § 2, 7-17-2007; Ord. O2009-19, § 2, 3-17-2009; Ord. O2010-14, § 2, 3-23-2010; Ord. O2011-55, 11-15-2011)

Sec. 5-103:Accessory Structures And Uses:

Accessory structures and uses are permitted in all business districts subject to the provisions of section 9-101 of this code. (1991 Code)

Sec. 5-104:Temporary Uses:

Temporary uses are permitted in all business districts subject to the provisions of section 9-103 of this code. (1991 Code)

Sec. 5-105:Special Uses:

Except as specifically limited in the following table, the uses listed in the following table may be permitted in the business districts indicated subject to the issuance of a special use permit as provided in section 11-602 of this code. In interpreting the use designations, reference should be made to the "Standard Industrial Classification Manual" (see appendix A of this code) and section 11-501 of this code. SIC codes are given in parentheses following each use listing.

							B-1	***B-2***	***B-3***
A. *Retail Trade:*									
1.	Retail nurseries, lawn, and garden supply stores (526).						S		S
2.	Expansion of existing new and used motor vehicle dealers (551), but only on lots abutting Ogden Avenue.								S
3.	Auto and home supply stores (553), with service bays.								S
4.	Gasoline service stations (554).						S		S
5.	Live entertainment accessory to permitted eating places.						S	S	S
6.	Repealed.								
7.	Carryout eating places (5812).						S	S	S
8.	Drugstores and pharmacies with drive-throughs.						S		
B. *Finance, Insurance, And Real Estate:*									
1.	Depository and nondepository credit institutions (60-61), not including drive-in establishments or automatic teller machines, except automatic teller machines attached to the principal structure on the lot and only subject to the provisions of subsection 5-109G of this article.						S		S
2.	Drive-in depository and nondepository credit institutions (60-61), but only subject to the provisions of subsection 5-109H of this article.						S	S	S
3.	Automatic teller machines when not attached to the principal structure on the lot.						S	S	S
C. *Services:*									
1.	Grooming services for pets (0752).							S	
2.	Laundry and dry cleaning plants (7211/7216).						S		S

3.	Miscellaneous personal services (729), but not including coin operated service machine operation, comfort station operation, dating services, escort services, locker rental, massage parlors, restroom operation, steam baths, tattoo parlor, turkish baths, or wedding chapels.		S	S	S
4.	Medical and miscellaneous equipment rental and leasing (7352/7359).			S	S
5.	Passenger car rental and leasing (7514-7515).				S
6.	Automobile parking (752), but not tow in parking lots.		S	S	S
7.	Automotive repair shops (753), but not including tire retreading (7534).		S		S
8.	Car washes (7542).		S		S
9.	Motion picture theaters, except drive-in establishments (7832).			S	S
10.	Dance studios, schools, and halls (7911), but not on the first floor of any structure in the B-2 district.			S	S
11.	Physical fitness facilities (7991), but not on the first floor of any structure in the B-2 district.		S	S	S
12.	Membership sports and recreation clubs (7997), but not on the first floor of any structure in the B-2 district.		S	S	S
13.	Medical and dental laboratories (807), but not on the first floor of any structure in the B-2 district.			S	S
14.	Correspondence and vocational schools (824).				S
15.	Child daycare services (835), but not on the first floor of any structure in the B-2 district.			S	S
16.	Business associations (861), but not on the first floor of any structure in the B-2 district.			S	S
17.	Professional membership organizations (862), but not on the first floor of any structure in the B-2 district.			S	S
18.	Labor organizations (863), but not on the first floor of any structure in the B-2 district.			S	S
19.	Civic, social, and fraternal associations (864), but not on the first floor of any structure in the B-2 district.			S	S
20.	Political organizations (865), but not on the first floor of any structure in the B-2 district.			S	S

21.	Membership organizations not elsewhere classified (869), but not on the first floor of any structure in the B-2 district.			S	S
22.	Musical tutoring services (8299), but not on the first floor of any structure in the B-2 district and not in any structure that is not freestanding.			S	
D. *Transportation And Utility Services:*					
1.	Local and suburban passenger transportation terminals and stations (41), but not including vehicle yards or garages.			S	S
2.	Household goods warehousing (4225), self-service only, but only on lots abutting Ogden Avenue.				S
3.	Personal wireless services antennas, with or without antenna support structures, and related electronic equipment and equipment structures (481) not otherwise permitted pursuant to section 5-102 of this article.				
E. *Miscellaneous:*					
1.	Planned developments.		S	S	S
2.	Hotels (7011).				S
3.	Lifestyle housing, subject to the planned development provisions of subsection 11-603M of this code.		S		S

(Ord. 92-27, § 3, 8-18-1992; Ord. 97-4, § 3B, 3-4-1997; Ord. O2002-66, § 2, 10-1-2002; Ord. O2003-45, § 2, 8-19-2003; Ord. O2005-02, § 3, 1-18-2005; Ord. O2006-76, § 3, 10-17-2006; Ord. O2007-62, § 2, 9-4-2007; Ord. O2009-47, § 2, 9-1-2009; Ord. O2011-53, 11-15-2011; Ord. O2012-38, 9-13-2012)

Sec. 5-106:Parking And Loading Requirements:

The parking and loading requirements applicable in all business districts are set forth in sections 9-104 and 9-105 of this code. (1991 Code)

Sec. 5-107:Sign Regulations:

The sign regulations applicable in all business districts are set forth in section 9-106 of this code. (1991 Code)

Sec. 5-108:Buffers And Landscaping:

The requirements relating to buffering and landscaping of certain uses and structures in all business districts are set forth in section 9-107 of this code. (1991 Code)

Sec. 5-109:Special Development And Use Regulations:

A. *Exterior Appearance And Site Plan Review:* No construction or development requiring a building permit and affecting the exterior appearance of any structure shall be permitted in any business district except upon approval of the building permit application by the board of trustees pursuant to section 11-606 of this code and site plan approval by the board of trustees pursuant to section 11-604 of this code. This subsection shall not be construed as a limit on any other requirement for site plan approval pursuant to section 11-604 of this code.

B. *Ground Floor Uses In B-2 District:* No use other than permitted and specially permitted retail trade uses and bank and other credit agency uses shall be allowed on the ground floor of any structure in the B-2 district.

C. *Manufacturing Limited:* No manufacturing, processing, or treatment of products shall be conducted on any premises in any business district, except those that are incidental to a principal retail business use. At least seventy five percent (75%) of all products produced on the premises shall be sold at retail on the premises.

D. *Storage Limited:* Except when specially permitted in the B-3 district pursuant to subsection 5-105D2 of this article, no storage or warehousing of any product shall be permitted in any business district except such as is incidental to a principal retail use.

E. *Personal Wireless Services Antennas, With Or Without Antenna Support Structures, And Related Electronic Equipment And Equipment Structures:* The following additional regulations shall apply to the construction or development of personal wireless services antennas, with or without antenna support structures, and related electronic equipment and equipment structures in the B-3 district:

1. *Location:* Personal wireless services antennas shall be located on lawfully preexisting antenna support structures or other lawfully preexisting buildings or structures wherever possible. No special use permits authorizing construction of a new antenna support structure or addition to or expansion of an existing antenna support structure or existing building or structure shall be authorized unless the applicant is able to demonstrate that no lawfully preexisting antenna support structure or lawfully preexisting building or structure is available, on commercially reasonable terms, and sufficient for the location of an antenna necessary for the provision of personal wireless services.

2. *Design Of New Antenna Support Structures For Collocation:* Unless otherwise authorized by the board of trustees for good cause shown, every new personal wireless services antenna support

structure, whether constructed as a permitted or special use, shall be designed, constructed and installed to be of a sufficient size and capacity to allow the location of additional personal wireless services antennas to accommodate at least one additional personal wireless service provider on such structure in the future. Any special use permit for such a support structure may be conditioned upon the agreement of the applicant to allow collocation of other personal wireless service providers on commercially reasonable terms specified in such special use permit.

3. *Tower Design:* Every new personal wireless services antenna support structure that is of a tower design shall:

   (a) Be a monopole rather than latticework, unless otherwise authorized by the board of trustees for good cause shown;

   (b) Not be illuminated or have any signs installed thereon unless otherwise required by federal law or regulations; and

   (c) Be located at least twenty feet (20') from any other such structure.

   Any deck on such a tower shall be centered on the tower and shall have not more than three (3) sides, with each side having dimensions that do not exceed five feet (5') vertically and twelve feet (12') horizontally.

4. *Sizes Of Antennas On Buildings:* Antennas located on a lawfully preexisting building shall not exceed the following dimensions:

   (a) Omnidirectional or whip antennas shall not exceed three inches (3") in diameter and fifteen feet (15') vertically; and

   (b) Directional or panel antennas shall not exceed two feet (2') horizontally and five feet (5') vertically.

5. *Protection Against Climbing:* Every personal wireless services antenna and antenna support structure shall be protected against unauthorized climbing or other access by the public.

6. *Color:* Every personal wireless services antenna and antenna support structure shall be of neutral colors that are harmonious with, and that blend with, the natural features, buildings and structures surrounding such antenna and antenna support structures; provided, however, that directional or panel antennas and omnidirectional or whip antennas located on the exterior of a building that will also serve as an antenna support structure shall be of colors that match, and cause the antenna to blend with, the exterior of the building.

7. *Equipment Enclosures:* All electronic and other related equipment and appurtenances necessary for the operation of any personal wireless services antenna shall, whenever possible, be located within a lawfully preexisting structure or completely below grade. When a new structure is required to house such equipment, such structure shall be harmonious with, and blend with, the natural features, buildings and structures surrounding such structure.

8. *Licenses And Permits:* The operator of every personal wireless services antenna shall submit to the village manager copies of all licenses and permits required by other agencies and governments with jurisdiction over the design, construction, location and operation of such antenna and shall maintain such licenses and permits and provide evidence of renewal or extension thereof when granted.

9. *Compliance With Plans:* Every personal wireless services antenna and antenna support structure shall comply with all plans approved by the village.

10. *Limited To Applicant:* Every ordinance granting approval of a special use permit for a personal wireless services antenna or antenna support structure shall state that any assignment or transfer of the special use permit or any of the rights thereunder may be made only with the approval of the board of trustees.

11. *Term Limitation:* Every ordinance granting approval of a special use permit for a personal wireless services antenna or antenna support structure may provide that:

    (a) Where the provider of personal wireless services is not the owner of the land on which such antenna or structure is located, the term of the special use permit is limited to the term of the lease or other agreement granting rights to use the land; and

    (b) The special use permit shall be subject to review by the board of trustees, at ten (10) year intervals, to determine whether the technology in the provision of personal wireless services has changed such that the necessity for the special permit at the time of its approval has been eliminated or modified, and whether the special use permit should be modified or terminated as a result of any such change.

12. *Abandonment And Removal:* When one or more antennas, an antenna support structure, or related equipment are not operated for the provision of personal wireless services for a continuous period of twelve (12) months or more, such antenna, antenna support structure, or related equipment may be deemed to be abandoned by the village. The owner of such an antenna, antenna support structure, or related equipment shall remove such items within ninety (90) days following the mailing of written notice that removal is required. Such notice shall be sent by certified or registered mail, return receipt requested, by the village to such owner at the last known address of such owner. If two (2) or more providers of personal wireless services use the antenna support structure or related equipment to provide personal wireless services, then the period of nonuse under this provision shall be measured from the cessation of operation at the location of such antenna support structure or related equipment by all such providers.

13. *Additional Standards For Review:* In addition to the special use standards contained in subsection 11-602E of this code, and the requirements of this subsection E, the following factors may also be considered in the review of special use permit for personal wireless services antennas, with or without antenna support structures, and related electronic and equipment structures:

    (a) Where the antenna support structure is a tower, the height thereof, its proximity to residential structures and residential district boundaries, and the design characteristics that have the effect of reducing or eliminating, or failing to reduce or eliminate, the visual obtrusiveness thereof;

    (b) The nature of the uses on adjacent and nearby property;

    (c) The surrounding topography, tree coverage and foliage; and

    (d) The availability of suitable lawfully existing structures, as described in subsections E1 and E2 of this section.

F. *Expansion Of New Or Used Motor Vehicle Dealer On Ogden Avenue:* (Repealed)

G. *Depository And Nondepository Credit Institutions In The B-1 And B-3 Districts:* The special use set forth in subsection 5-105B1 of this article may be granted for a depository or drive-in nondepository credit institution subject to the following provisions:

1. *Location Of New Institutions:* No new depository and nondepository credit institution shall be permitted on the first floor in any building.

2. *Parking:* Every new depository or nondepository credit institution shall be required to provide all required parking on site notwithstanding any provision of this code to the contrary.

3. *Conditions:* The board of trustees may impose on the special use such conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this code as may be necessary or appropriate to limit the impact of the use on the vitality of the commercial/retail environment in the vicinity of the institution and to prevent or minimize adverse effects of the use on property and improvements in the vicinity of the subject property, on public facilities and services, and on the aesthetics of the street frontage in the vicinity of the building.

H. *Drive-In Depository And Nondepository Credit Institutions:* The special use set forth in subsection 5-105B2 of this article may be granted for a drive-in depository or drive-in nondepository credit institution subject to the following provisions:

1. *Number Of Drive-In Lanes:* No more than two (2) drive-in lanes shall be permitted under any circumstances, including any drive-in lane for an automatic teller machine. The board of trustees may further limit the number of, or prohibit, drive-in lanes.

2. *Location Of Drive-In Lanes:* Drive-in lanes shall not be permitted in any front or corner side yard; provided, however, only that a required access drive aisle from the public street to the drive-in lanes may traverse a front or corner side yard in a manner that minimizes the lot coverage within that front or corner side yard.

3. *Traffic Study:* With every application for a special use for a drive-in depository or nondepository credit institution, the applicant shall provide a traffic study prepared by an expert transportation planning consultant.

4. *Pedestrian Access To Automatic Teller Machines:* Pedestrian access to one or more automatic teller machines shall be provided at each drive-in depository and nondepository credit institution, and pathways shall be provided in a manner that keeps pedestrian access separate from vehicular drive-in lanes.

5. *Conditions:* The board of trustees may impose on the special use such conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this code as may be necessary or appropriate to limit the impact of the use on the vitality of the commercial/retail environment in the vicinity of the institution and to prevent or minimize adverse effects of the use on property and improvements in the vicinity of the subject property, on public facilities and services, and on the aesthetics of the street frontage in the vicinity of the building.

I. *Drive-Through Lane At A Drugstore Or Pharmacy:* The special use provided in subsection 5-105A8 of this article may be granted subject to the following conditions:

1. *Number Of Drive-Through Lanes:* No more than one drive-through lane shall be permitted.

2. *Location Of Drive-Up/Pick Up Window And Drive-Through Lane:* A drive-up/pick up window and a drive-through lane shall not be permitted in any front or corner side yard. A required access drive aisle from the public street to the drive-through lane, however, may traverse a front or corner side yard in a manner that minimizes the lot coverage within that front or corner side yard.

3. *Traffic Study:* An applicant for a special use for a drive-through lane at a drugstore or pharmacy must provide a traffic study provided by an expert transportation planning consultant.

4. *Conditions:* The board of trustees may impose on the special use such conditions and limitations concerning use, construction, character, location, landscaping, screening, and other matters relating to the purposes and objectives of this code as may be necessary or appropriate to limit the impact of the use on the vitality of the commercial/retail environment in the vicinity of the use and to prevent or minimize adverse effects of the use on property and improvements in the vicinity of the property that is the subject of the special use, on public facilities and services, and on the aesthetics of the street frontage in the vicinity of the applicable building. (Ord. 97-4, § 3D, 3-4-1997; Ord. O2003-45, § 3, 8-19-2003; Ord. O2005-02, § 4, 1-18-2005; Ord. O2007-62, § 3, 9-4-2007; Ord. O2009-47, § 3, 9-1-2009)

Sec. 5-110:Bulk, Space, And Yard Requirements:

The building height, lot, yard, setback, floor area ratio, and coverage requirements applicable in the business districts are set forth in the following table. Footnote references appear in subsection G of this section.

							B-1	***B-2***	***B-3***
A. *Maximum Height:*[1]									
1.	Principal structures:								
	(a)	Feet					30	30[2,14]	30
	(b)	Stories					2	2[14]	2
	(whichever is less)								
2.	Accessory structures						15	15	15
B. *Minimum Lot Area And Dimensions:*[3]									
1.	Total lot area (square feet):								
	(a)	Planned development					None	None	None
	(b)	All other uses					6,250	2,500	6,250

2.	Lot width (feet)[6]			50	20	50
3.	Lot depth (feet)[6]			125	125	125
C. *Minimum Yards And Setbacks:*[3,4,5,6,7,8,9]						
1.	Front and corner side (feet):					
	(a)	Yards		25	0	25
	(b)	Setback from Ogden Avenue centerline		100	n/a	100
	(c)	All other setbacks		25	0	25
2.	Side (feet):[10]					
	(a)	Yard		10	0	10
	(b)	Setback		10	0	10
3.	Rear (feet):[10]					
	(a)	Yard		20	20	20[11]
	(b)	Setback		20	20	20
D. *Maximum Floor Area Ratio:*				0.35	2.5[12]	0.50
E. *Maximum Total Lot Coverage:*				90 percent	100 percent	90 percent
F. *Maximum Total Building Coverage:*				n/a	80 percent[13]	n/a

G. *Exceptions And Explanatory Notes:*

1. *Height Exception:*

(a) *Flagpoles:* Flagpoles may extend to a height of ten feet (10') above the highest point of the roof of the principal structure to which they are attached.

(b) *Personal Wireless Services:* Personal wireless services antennas, with or without antenna support structures, and related electronic equipment and equipment structures, may extend to the following heights:

(i) Personal wireless services antenna support structures of a tower design may extend to a

height of seventy feet (70') in the B-3 district;

(ii) Omnidirectional or whip antennas may extend to a height of fifteen feet (15') above the highest point of the roof of the building or structure to which they are attached in the B-3 district;

(iii) Directional or panel antennas may not extend above the highest point of the building or structure to which they are attached or more than two feet (2') from the exterior of any wall or roof of the building or structure to which they are attached in the B-3 district; and

(iv) Related electronic equipment and equipment structures shall not exceed applicable district height limitations.

2. *Height Increase In The B-2 District If Exceptional Architectural Merit:* The board of trustees may increase by not more than twenty percent (20%) the maximum height for a principal structure in the B-2 district; provided, however, that any such increase shall apply only to the exterior facade of the building and shall be limited to such architectural features as turrets, parapets, spires, finials, clock towers, cupolas, weather vanes, and similar features. An architectural feature for which a height increase is granted must be integral to the design excellence of the building as a whole. If a height variation has been granted pursuant to subsection 11-503E1(d) of this code, then the maximum percentage of increase in height authorized by this subsection G2 shall be reduced from twenty percent (20%) in an amount proportionate to the increase that has been authorized by such variation.

3. *Nonconforming Lots:* See section 10-105 of this code for lot requirements with respect to legal nonconforming lots of record.

4. *Yard Requirements For Uses Without Structures:* On any lot occupied by a use without structures, the minimum yards that would otherwise be required for such lot shall be provided and maintained.

5. *Visibility Across Corners:* Any other provision of this code to the contrary notwithstanding, nothing shall be erected, placed, planted, allowed to grow, or maintained on any corner lot in any business district other than the B-2 district in violation of the provisions of title 7, chapter 1, article D of the village code.

6. *Special Yard And Setback Requirements In Planned Developments:* Special perimeter open space, setback, and spacing requirements for planned developments are set forth in subsections 11-603E2(f) and E2(g) of this code. Such requirements shall not be waived under any circumstances.

7. *Special Setbacks For Signs:* Special setbacks established for some signs by subsections 9-106F, H, I, and J of this code shall control over the yards and setbacks established in the table.

8. *Specified Structures And Uses In Required Yards:* The following structures and uses, except as limited below, may be located in any required yard:

(a) Statuary, arbors, trellises, and ornamental light standards having a height of eight feet (8') or less; and

(b) Awnings, canopies, eaves, and gutters projecting not more than three feet (3') into the required yard; and

(c) Fire escapes when required pursuant to applicable codes and ordinances; and

(d) Bay windows and balconies projecting not more than three feet (3') from an exterior wall for a

distance not more than one-third ($^1/_3$) of the length of such wall; provided that such projections shall come entirely within planes drawn from the main corners of the building at an interior angle of twenty two and one-half degrees ($22^1/_2$°) with the wall in question; and

(e) Chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features, cornices, and the like projecting not more than two feet (2') from an exterior wall; and

(f) Outside stairways projecting from an exterior wall not more than three feet (3') and having a height of four feet (4') or less; and

(g) Flagpoles; and

(h) Terraces; and

(i) Fences, walls, and hedges, subject to the limitations of section 9-107 of this code; and

(j) Driveways, subject to the limitations of subsection 9-104C of this code.

9. *Platted Building Lines:* See subsection 12-101F of this code.

10. *Side And Rear Yard Regulations For Accessory Structures And Uses:* Accessory parking areas and lots wherever located and other detached accessory structures and uses when located within the rear twenty percent (20%) of the lot shall not be required to maintain an interior side or rear yard or setback in excess of ten feet (10') if such interior side or rear yard is contiguous to any property zoned in any residential district or in excess of five feet (5') if no part of such interior side or rear yard is contiguous to any property zoned in any residential district; provided, however, that this regulation shall not apply to antennas and antenna support structures.

11. *Special Rear Yard Exception In B-3 District:* No lot zoned in the B-3 district shall be required to have a side or rear yard along a lot line of such lot which is contiguous to a railroad right of way, provided such lot is not contiguous to any lot zoned in any residential district.

12. *Special Floor Area Ratio Regulation For The B-2 District:* The maximum floor area ratio permitted for lots zoned in the B-2 district and developed to a floor area ratio exceeding two and one-half ($2^1/_2$) shall be the floor area ratio existing as of the effective date of this code.

13. *Special Coverage Regulations For The B-2 District:* The maximum total lot coverage permitted for lots zoned in the B-2 district and covered by a building to a percentage greater than eighty percent (80%) shall be the percentage of building coverage existing as of the effective date of this code. Any elevator required by the Illinois accessibility code, 71 Illinois administrative code 400 et seq., shall not be included in the maximum total lot coverage calculation in the B-2 district. Any required elevator shall be subject to exterior appearance and site plan review pursuant to subsection 5-109A of this article.

14. *Height Increases For Principal Structure Existing Before April 20, 2010, In The B-2 District:* A principal structure in the B-2 district that as of April 20, 2010, exceeds two (2) stories and/or thirty feet (30') in "height", as that term is defined in section 12-206 of this code, as amended, may be altered, renovated, replaced, maintained, repaired or reconstructed to the same condition that existed as of said date, including, but not limited to, the number of stories, height, lot coverage and setback of the principal structure, notwithstanding the nonconformance of the principal structure before and after the alteration, renovation, replacement, maintenance, repair or reconstruction; provided, however, the protection afforded by this note shall not apply to any such structure that is brought into conformance after April 20, 2010. (Ord. 95-28, § 2, 9-5-1995;

Ord. 97-4, 3-4-1997; Ord. O2004-25, §§ 2, 3, 5-4-2004; Ord. O2007-63, § 2, 9-4-2007; Ord. O2010-25, § 2, 4-20-2010; Ord. O2010-50, 10-19-2010)

City of Highland Park

CENTRAL DISTRICT PLAN

Business District

Technical Assistance provided by:

CAMIROS

Approved
May 2001

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EXECUTIVE SUMMARY

This plan is a guide for the management and care of the Central District of the City of Highland Park. The Central District is one of eleven planning districts created for the purpose of updating the Comprehensive Master Plan that guides land use and community development decisions across the City. The Central District is a unique section of the City. It contains the City's commercial downtown and a number of important community institutions. It is the City center and the seat of local government. The District also contains surrounding single-family residential neighborhoods and a good deal of the City's supply of multiple-family housing units. Based on the diverse range of uses found there, all Highland Park residents have a stake in the success and continued health of the Central District.

This Central District Plan was prepared by the City of Highland Park Planning Commission and was adopted by the Highland Park City Council on May ___, 2001. In preparing and refining this Plan, numerous public meetings and work sessions were held with members of the public, property owners, elected officials, the Planning Commission, staff of the City's Community Development Department, and the Central District Core Group Task Force. The resultant Plan is a statement of planning and development policy that can guide future land use and public investment decisions and is grounded by a community vision of the future supported by objectives and specific recommendations aimed at setting an agenda to implement the Plan's policies.

The Central District of Highland Park has long been a hub of activity in the north shore suburbs of Chicago. For many years it has functioned as the retail, service and government center of the City. The Central District has recently undergone significant changes. Over the past eight to ten years, the center of the area, referred to as the Pedestrian Commercial Core, has seen changes in the types of businesses and the introduction of a major mixed-use development. Adding to the nature of land use changes has been redevelopment of single-family and small multiple family dwellings in and near the Pedestrian Commercial Core into four and five story condominium projects. General economic prosperity is generating more commercial activity and higher density residential development based on past planning, current zoning regulations and market demand. This component of the City's Master Plan, the Central District Plan, reflects the current development forces affecting Highland Park and the desires of community residents and officials to conserve and maintain the community's traditional character. The Central District Plan will guide the community as it addresses the challenges and opportunities through the year 2020.

The Central District Plan contains the following elements:

- A description of the Central District with a summary of recent major trends within the district.
- A vision for the Central District's future including specific objectives and an illustrative concept of how the policies contained in the Plan might effect changes in the Downtown area.
- A set of planning policies guiding future land use, urban design, and zoning.
- A description of development opportunities supported by Plan policies.
- A strategy for implementing the Plan.

The Central District Plan is grounded in a vision for the Central District's future. That vision is supported by five basic objectives aimed at guiding the Central District:

- Support and increase the overall role and structure of the Central District as the City's center.
- Protect the substantial public and private investment in the Central District.
- Integrate residential living opportunities in the Downtown and throughout the Central District.
- Make the Downtown everyone's neighborhood.
- Manage an appropriate balance between conservation of existing character and judicious expansion of key economic sectors.

Plan policies regarding land uses are the heart of this Central District Plan. The policies are intended to guide future land use and development decisions. While fairly specific, they should be interpreted flexibly to account for changing conditions in the economy, to meet residents' needs and expectations of City lifestyle.
Key elements of future land use guidelines are as follows:

- Strengthen and support existing single family residential neighborhoods including: creating appropriate adjacent land uses as buffers; providing needed capital improvements; slowing vehicular traffic, where needed, using traffic calming strategies; and preserving the character of the neighborhoods through new regulations or design guidelines.

- Emphasize shopper convenience. Consumer research has indicated that the concept of a shopping "experience," or a unique theme for an area, may be waning in favor of the need for convenience and efficiency. The ever increasing demands on household time places a premium on efficiency. The faster consumers can make a purchase, the more satisfied they are.

- Promote pedestrians in the Downtown. Pedestrian amenities and safety provisions are recommended for the entire downtown with special emphasis on Central Avenue and Second Street.

- Recognize the importance of maintaining a link with the past by incorporating as many existing buildings as possible into future redevelopment concepts. However, there is some functional obsolescence in the area and under-utilization of land that has created opportunities for redevelopment in the downtown.

The Central District Plan's major recommendations, as shown on the Illustrative Concept include:

- Containment of the Pedestrian Commercial Core between Green Bay Road, Laurel Avenue, Elm Place and the half block west of Linden Avenue on the east.

- Redevelopment of convenience commercial uses along Central Avenue, west of Green Bay Road.
- Redevelopment of the First Street, Green Bay Road and Elm Place triangle, north of Elm Place.
- Conservation of the character and scale of the area east of the Metra railroad tracks and the storefronts of Central Avenue east of Green Bay Road.
- Improvement of the Second Street corridor from its intersection with Park Avenue West to Laurel Avenue.
- Preservation of valued housing stock, which contributes to neighborhood character
- Development of selected sites in and near the downtown for residential use.
- Completion of the Downtown circulation system with the construction of Water Tower Boulevard between Green Bay Road and Central Avenue.
- Addition of new areas of open space and "vest pocket" parks throughout the Pedestrian Commercial Core.

Ultimately, implementation of the Central District Plan requires the recognition and acceptance that Highland Park's public interest is affected by private and public actions. The individual decisions of each landowner, developer and resident of the Central District affect not only the Central District but also the whole community. Municipal actions taken through zoning designation and public investments also affect the lives of each citizen. If future community decisions are vital to keep the Central District vivid, it is also necessary that the City of Highland Park's residents recognize that actions of the past and present have shaped and will continue to shape the Central District's future.

1 PLANNING THE CENTRAL DISTRICT

As the heart of Highland Park, the Central District contains many of the City's most cherished institutions and unique uses. The Central District has always been, and continues to be, a significant place in Highland Park. It is the City center and, as such, it is everybody's neighborhood. Residents regularly visit the area and are concerned about what happens in and around the Central District. For many, it defines Highland Park in a physical sense and confers a shared sense of place for all Highland Park residents. Land use patterns in the District reflect the historic development of the City, first as an outlying farming community, and later, as one of the major residential commuting areas located along the north shore of Lake Michigan. Commercial development has historically located along the Central Avenue frontage and, over time, has expanded to adjacent areas on both the east and west sides of the railroad tracks. While many communities are trying to create mixed-use concentrations and strong transit links in their downtown, these amenities are an established part of the Central District. There are a broad range of land uses in the District including retail stores, business services, offices, housing, restaurants, and civic uses. Over the past two decades the Downtown has experienced a great deal of activity with the development of Port Clinton Square and most recently, Renaissance Place. National retailers have located in the Central District alongside local businesses.

For purposes of consistency in discussing the geography of the Central District, the terms "**Downtown**", "**Pedestrian Commercial Core**", and "**Surrounding Neighborhoods**" will be applied to sections of the Central District (see Figure 1). Current land uses in the Central District as of 2000 are shown on Figure 2, Existing Land Use. These sub-sections sections of the Central District are described below.

Downtown: includes the Pedestrian Commercial Core, convenience commercial areas currently zoned B4, institutional uses (the Karger Center, the post office, City Hall and the Highland Park Public Library) and multiple family developments with mixed use potential (areas zoned RO). The Central District contains most of the major multi-family residential areas that have been the location of much development activity in recent years.

In addition to the specialized shopping opportunities in the Pedestrian Commercial Core, the Downtown provides a significant range of general convenience commercial activities. The local supermarket, located at the intersection of Green Bay Road and Central Avenue, is a Highland Park institution serving the needs of neighborhoods surrounding the downtown and loyal customers who travel relatively long distances to shop there. Other businesses, such as dry cleaners, hair salons, florists, gift shops, clothing, and automotive service establishments, also occupy the Downtown.

The Downtown provides easy access to Metra commuter rail service and the St. Johns Avenue train station offers Highland Park residents service from the Central District to downtown Chicago. Within the Downtown many significant civic institutions are found including the Karger Recreational Center, the Firehouse youth activity center, and the water tower. Adjacent to City Hall and the public library is Memorial Park, which provides a beautiful passive area in the downtown.

There are also a number of public and quasi-public areas in the downtown. Highland Park City Hall and the library are located east of the Metra railroad right-of-way at Laurel Avenue. Immaculate Conception Parish has a church rectory and social hall located along Deerfield Road.

Pedestrian Commercial Core: includes the predominance of the District's retail and office activities and is composed of the areas of the District currently zoned B5. Generally, the Pedestrian Commercial Core

extends from Laurel Avenue on the south to Elm Place on the north, Green Bay Road on the west and Linden Avenue on the east. The Pedestrian Commercial Core has been the focus of the City's intensive efforts to enhance the streetscape in the Downtown. The PCC is the venue of most civic and community functions throughout the year.

Surrounding Neighborhoods: include multiple and single family dwellings; institutional uses (Highland Park Hospital; Highland Park High School, Elm Place and Indian Trail schools, etc.) and parks and other open spaces (Sunset Woods Park and Exmoor Country Club).

The area located in the triangle bounded by Vine Avenue, Green Bay Road, and Exmoor Avenue consists of single-family and two-family homes. Also experiencing redevelopment pressure is the area located west of Sunset Woods Park. Residential areas east of the downtown are considered to be a part of the Lakefront District, which contains large, single-family homes on large lots. There is a concentration of other places of worship located in the Memorial Park area, in the vicinity of Laurel and Linden Avenues.

Park and recreational facilities are located throughout the Surrounding Neighborhoods. The major facility is Sunset Woods Park owned and maintained by the Park District of Highland Park. This thirty-eight acre multi-purpose park contains a baseball diamond, soccer/football playing fields, skate park, tennis courts and playground equipment as well as passive areas for sitting and picnicking. As much as any park in Highland Park, Sunset Woods Park is considered the "community park" centrally located to serve all Highland Park residents. The Central District is also home to Laurel Park, a 1.5 acre passive park.

There are three public schools in the Surrounding Neighborhoods: Highland Park High School, Elm Place Middle School and Indian Trail Elementary School. All are located east of the Metra railroad tracks in the northeastern part of the district. The high school stadium-type athletic fields are located in the western portion of the Central District, south of West Park Avenue.

With the exception of the 148-acre private Exmoor Country Club, which is within the boundaries of the Central District, the largest single owner of land is Highland Park Hospital. The hospital is an acute care facility located north of West Park Avenue and west of Green Bay Road. The hospital offers a wide variety of outpatient services and is a member of a regional network of leading Chicago hospitals affiliated with the Northwestern University Medical School. Like many other major hospitals across the country that started out as community hospitals, Highland Park Hospital is evolving into a regional medical service complex delivering advanced medical services.

The street pattern of the Central District is a traditional Midwestern grid that is rotated to be parallel to the train tracks and perpendicular to Lake Michigan. Block sizes in the grid vary widely with very few blocks having the same dimensions. Street rights-of-way are generally 80 feet wide, with the exception of major thoroughfares, such as Central Avenue, which is approximately 100 feet wide. Central District transportation issues have been addressed in a recently completed Downtown Traffic Study (1999). According to the study, traffic congestion and circulation issues are a primary concern in the Central District.

FIGURE 1: BOUNDARY MAP

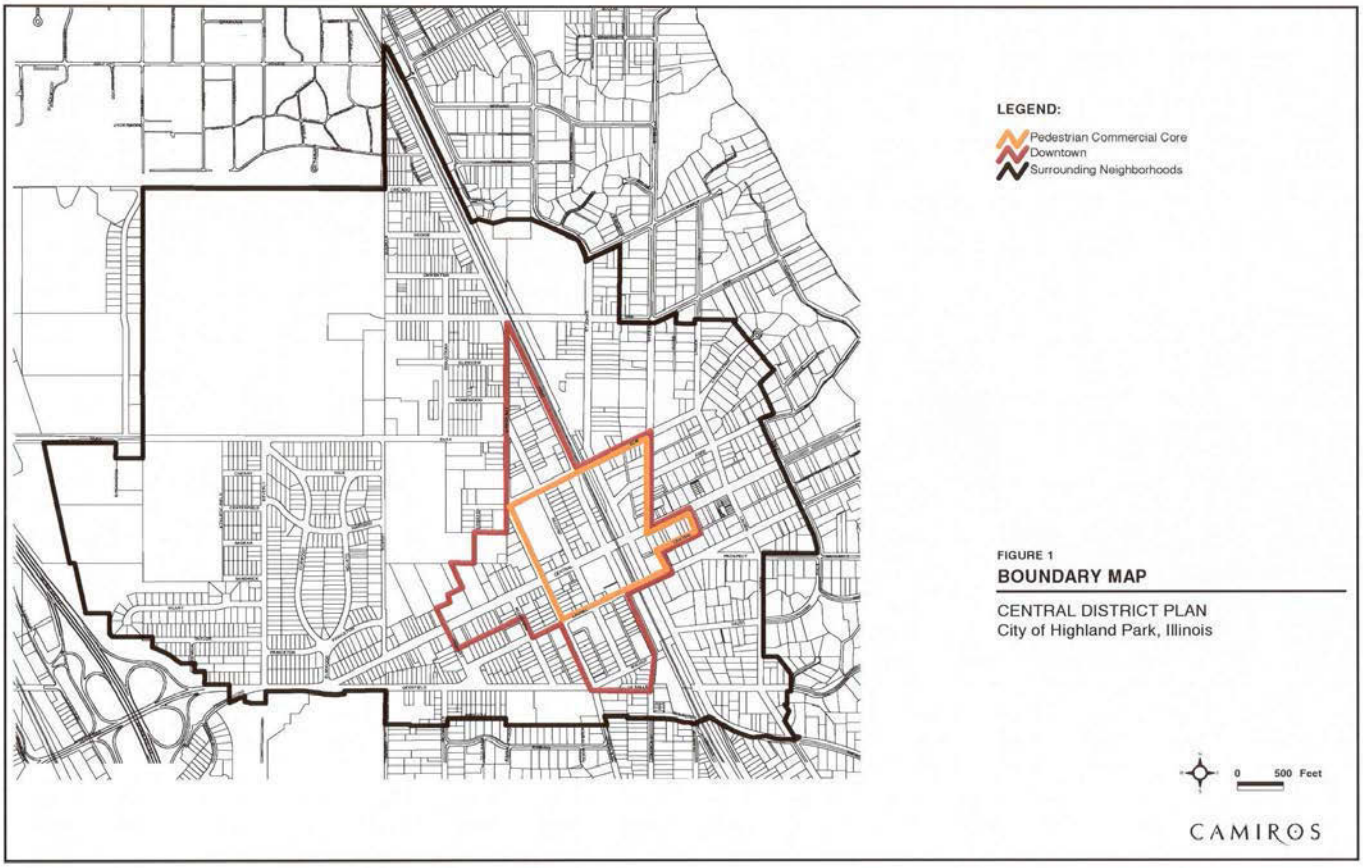
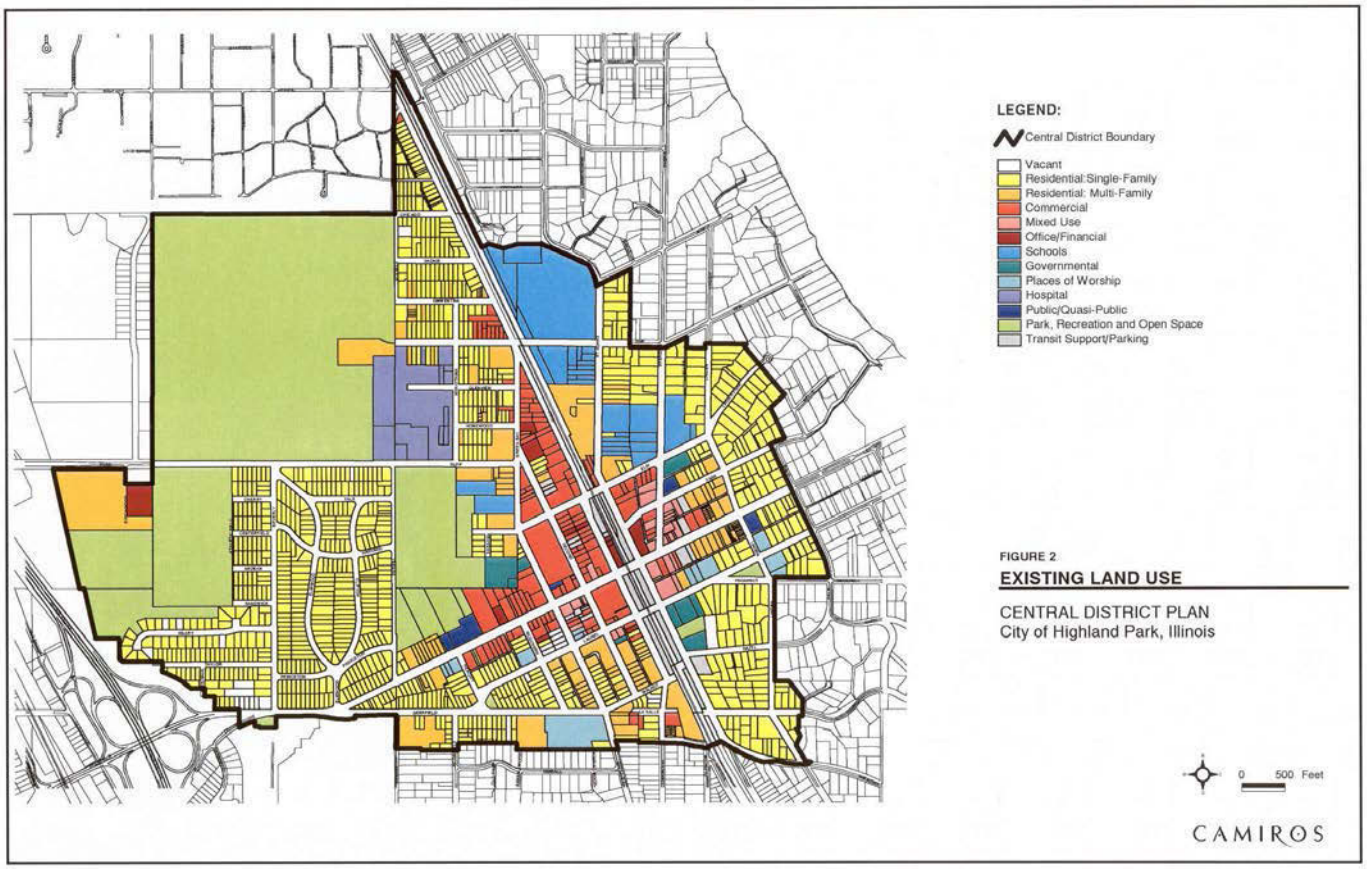


FIGURE 2: EXISTING LAND USE MAP



1.1 RECENT TRENDS

An understanding of recent trends helps provide direction as to the location and extent of growth in an area. The extent and type of growth is a measure of the attractiveness of the community.

Like most communities, Highland Park has experienced spurts of growth and development separated by periods of relative inactivity. Significant redevelopment activity requires the right combination of a strong economy, a supportive regulatory environment and market demand. These characteristics have coincided in the Central District in recent years as evidenced by the strength of residential condominium development activity, and the major commercial investments that have taken place throughout the Central District, most recently expressed by the development of Renaissance Place, a major retail/mixed use project on the block bounded by Green Bay Road, Central Avenue, Second Street and Elm Place.

During the last twenty years, the Central District, and more specifically the Pedestrian Commercial Core, has withstood substantial changes and challenges, including development of regional shopping malls, the burgeoning Skokie Valley Corridor business concentration, and the changes in the retail industry, such as the trend toward large multi-purpose retail stores. Other challenges in the Central District include the potential acceleration of "teardowns" of single-family residences; replacement of older, modest, dwellings with higher density and higher cost housing; construction of new buildings in new styles; and expansion of the Highland Park Hospital campus.

The result of this activity and the historic development of the City's Central District have created a fully developed, thriving, multi-purpose sector of the City. With it has come intensification of the Downtown, increased traffic, and a loss of the more affordable housing stock. However, the Downtown still exhibits a wide variety of land uses, development intensities, style and character. Many areas are representative of the traditions and the historic development of Highland Park. Other areas reflect contemporary development, shopping and living style.

Existing buildings have been adapted to new uses offering a wide range of goods and services. Boutiques and restaurants attract significant numbers of customers and vacancy rates are low. Business in the Pedestrian Commercial Core is good as Highland Park enters the 21st century. It has achieved a level of success sought by traditional downtowns across the country. The Central District is a place to pursue a myriad of activities. Highland Park residents and others use the Downtown to shop, transact business, take care of their health, meet friends, dine, enjoy entertainment, be involved in their government, recreate, socialize and many other things. It has become what most would agree is a very pleasant, active and dynamic place to carry out these activities. Nevertheless there are challenging issues to resolve, including how best to accommodate future growth and redevelopment.

Development and redevelopment opportunities still remain in the Central District. Many areas immediately behind or off the main streets (Central Avenue, Green Bay Road and Sheridan Road/St Johns Avenue) reflect economic obsolescence and are underutilized given the market strength of the Central District as a whole. Market forces will continue to propel development concepts forward. It is the challenge of this Plan to establish sound policies that garner community support to manage redevelopment challenges that change over the coming decade.

1.1.1 RESIDENTIAL DEVELOPMENT.

Residential demand citywide, including in the Surrounding Neighborhoods of the Central District has begun to prompt the redevelopment phenomena known as "teardowns." In these instances, existing homes, usually constructed before the 1960s, are demolished in favor of much larger and more expensive homes. Too often, these larger homes appear out-of-scale with surrounding homes in the immediate area and create a disharmonious mismatch within the host neighborhood. The community also experiences a simultaneous loss in its supply of affordable housing as older, smaller, more affordable homes become scarcer. This process occurs when a very large and expensive house replaces a more modest, yet perfectly sound, dwelling.

There is a substantial demand for multiple-family housing in the Central District. In recent years, the areas surrounding the Pedestrian Commercial Core, have experienced significant new construction; hundreds of new condominium units have been constructed in the Central District. Others are being added to this very popular Central District housing stock. For the most part, these developments are replacing modest single-family housing that has been zoned for redevelopment for many years. In some cases though, housing units torn down were converted single-family homes that contained multiple dwellings and offered some of the most affordable rental housing in the City. The majority of such recent construction and pending development is occurring in the southern part of the Central District within a few blocks of the Metra commuter rail station.

The overall urban design impact has been significant as condominium structures replace rows of older frame cottages at significantly higher densities. The targeted market for this condominium housing development is the upscale price range with units selling from the $300,000's and up in the year 2000. This higher density development is permitted in the long established RM2 and RO zoning districts at densities of 30 to 50 units per acre. These zoning districts skirt the Pedestrian Commercial Core.

1.1.2 COMMERCIAL AND RETAIL DEVELOPMENT.

Commercial development has also intensified in the Central District with the construction of a number of projects. The impetus for the resurgence and intensification of the Pedestrian Commercial Core originally came from the forward thinking planning strategies of the 1970's and subsequent construction of Port Clinton Square. This mixed-use development, built in 1984, contains first floor and aboveground retail and office uses with underground parking. Subsequent projects included the renovation of the North Shore Building on the northwest corner of Central Avenue and Sheridan Road, another renovation on the southwest corner of Central Avenue and Second Street and a new development containing street level commercial space and upper level residential units at the northeast corner of Central Avenue and Sheridan Road.

The newest and largest redevelopment project is Renaissance Place (opened in 2000), bounded by Green Bay Road, Central Avenue, Second Street and Elm Place. This four story, mixed-use project, of 200,000 square feet, contains a department store, streetfront retail, a fine arts motion picture theater, restaurants, 40,000 square feet of office space, 32 apartments and underground public parking to accommodate over 500 vehicles. It represents a major addition to the Central District and should function as a commercial anchor for many years to come.

In recent years, the Central District, and more specifically the Downtown, has withstood substantial change and challenges: development of regional shopping malls, the burgeoning Skokie Valley Corridor business concentration, and the changes in the retail industry. These commercial trends reflect powerful economic forces and validate past development and redevelopment policies for the Central District. The major changes resulting from development have caused consternation with some community residents. This is not unexpected and, indeed, is predictable where residents feel as strongly about their community as Highland Parkers do. Further change is inevitable and the process of community-based planning for the Central District is the positive response to the community interest caused by so much change at one time. With open planning processes, specific themes, strategies, and Plan policies can be reviewed, reconfirmed, refined, or replaced. In the planning context, updating the City's policies seeks the proper balance between conservation and development, the balance between the need to make adjustments in land use and urban design to reflect current economic realities, and maintaining desirable traditional places with a character that gives physical dimension to our heritage. While it no longer serves as the retail center of southern Lake County, the Central District remains a most important part of the City and region - physically, economically and emotionally. It is the downtown that perhaps best embodies the continuity and stability that make Highland Park a unique place.

2 A VISION FOR THE FUTURE

The Central District, as the center of community life in Highland Park, is more important now than ever before. It embodies the distinctiveness and complexity of Highland Park and its residents. Always unique physically, socially, politically, and in terms of leadership, Highland Park remains a model of an advanced suburban community. The Central District Plan emphasizes achievable results but it also contains concepts that challenge the community to reach higher. It presents a realistic path for change and improvement that will move Highland Park into the 21st Century. The concepts build on a realistic assessment of present conditions, strengths and opportunities.

The Vision Statement and Illustrative Concept presented in this Chapter provide a framework for continued public and private investment in the Central District. The planning concepts are designed to guide this investment.

The Vision Statement is designed to provide a theme for these planning policies and concepts. The Central District vision looks to the future with one eye on the best of the past and the other on the realities of the present. The vision reflects the shared goals of residents, business owners, and property owners and acknowledges the role of the Central District and its Downtown within Highland Park. It serves to achieve consensus on the directions of change and states the basic commitments that residents want from their elected officials for this important sector of their community. The vision is further clarified through a series of objectives for conserving what residents want to retain as well as planning and managing future change throughout the Central District. These objectives guide specific recommendations about what should be done in the Central District.

A VISION FOR THE CENTRAL DISTRICT

Highland Park's Central District is the actual and symbolic center of the City and the surrounding residential neighborhoods. The Central District is intended to be the most urban district of our suburban city. It functions as a small, well-contained urban village. As such, it is relatively intensely developed and thereby has the ability to function as a pedestrian district. It is the location for business, medical, government and retail activities, and is also a place to live. It is also the center of public life in Highland Park with festivals, parades and a range of other public events. The downtown section of the Central District is unique within the North Shore and different from the rest of the City - it is more compact, more uniform, yet has a variety of architectural styles and is more intense. These assets must not only be protected but also renewed, so that they continue to provide the foundation of civic life for generations to come.

2.1 OBJECTIVES

The attainment of the *Vision for the Central District* is not the sole responsibility of government. The Central District is a complex area with multiple owners, users and supporters, each with their own goals and needs. All these parties need to work together in a coordinated manner if the area is to move in the direction of the Vision. Such direction needs to be reflected in the investment, business location and community support of businesses, and in the personal shopping, entertainment choices and civic spirit of its citizens. It also has to be reflected in the capital improvement and regulatory policies of the City. To do this, all parties - citizens, business, and government - must make sure their actions or policies support the following five specific Central District objectives:

1. Support and Increase the Overall Role and Structure of the Central District as the City's Center

2. Protect the Substantial Public and Private Investment in the Central District

3. Integrate Residential Living Opportunities in the Downtown Core and throughout the Central District

4. Make the Downtown Everyone's Neighborhood

5. Manage an Appropriate Balance Between Conservation of Existing Character and Judicious Expansion of Key Economic Sectors

2.1.1 SUPPORT AND INCREASE THE OVERALL ROLE AND STRUCTURE OF THE CENTRAL DISTRICT AS THE CITY'S CENTER

The Central District serves many specific roles. It is an employment center, a shopping center, an entertainment area and a government center. It also contains a number of residential neighborhoods. Finally, the transportation network of streets and sidewalks connects the various functional areas in the Central District, and connects the district to the rest of Highland Park and the region.

The Downtown's scale of activity provides a distinctive civic destination. Buildings are more compact and more vertical. Walking is accentuated as buildings and activities abut one another. Office, government, shopping and entertainment are present, creating a mix of uses. The Pedestrian Commercial Core is an "urban village" and provides a physical environment and character that is distinct from other suburban locations. This central gathering place role brings people together on common ground. The Central District contains a mix of activities that appeal to, and involve, in one form or another, all residents of Highland Park and many from the larger region. Beyond the Central District, uses and activities are increasingly compartmentalized into homogenous groupings. The Central District strongly supports a sense of place, the integration of uses, and the vibrant interaction of people. This is what makes the Central District unique in Highland Park. It needs continued stewardship augmented through future public and private support.

2.1.2 PROTECT THE SUBSTANTIAL PUBLIC AND PRIVATE INVESTMENT IN THE CENTRAL DISTRICT

Highland Park has too much at stake to allow any hint of decline in its Downtown. The Downtown and the Pedestrian Commercial Core comprise only a small percent of the City's area, but they represent a much larger percentage of the tax base. The largest, non-industrial private investments in Highland Park have been made in the Downtown. The largest non-transportation, public investments are located in the Downtown. The tax base of the Downtown has, for many decades, helped fund the extension of City services and facilities to outlying neighborhoods.

Beyond public finance issues, the Downtown is an irreplaceable asset to the community. It is not possible to recreate the mixture of historic and new structures, the density of activity, the central location, and the range of uses elsewhere in Highland Park at a comparable cost.

2.1.3 INTEGRATE RESIDENTIAL LIVING OPPORTUNITIES IN THE DOWNTOWN AND THROUGHOUT THE CENTRAL DISTRICT

Improving pedestrian connections between the Downtown and the Surrounding Neighborhoods will benefit the Pedestrian Commercial Core. Residents in the areas around the Downtown should have easy access to the shops, restaurants, employment and services contained there to support its vitality. The strategy is to draw existing neighborhoods closer to the Downtown and create links by encouraging new housing opportunities. Residential use also has a place within the Downtown as can be seen by the success of the recent condominium developments. Similarly Highland Park Hospital should be better connected to Downtown through enhanced pedestrian links. The hospital brings patients, visitors and employees into the Central District, yet it is not viewed as being part of the Downtown. An opportunity exists to make more of a visual connection and to improve the access between the hospital and the downtown core.

2.1.4 MAKE DOWNTOWN EVERYONE'S NEIGHBORHOOD

The Downtown should welcome all residents of the City as well as visitors from the region. It should offer all season activities that appeal to a cross-section of the population so the experience of being there becomes a shared and unifying element in Highland Park. Everyone should have a vested interest in the vitality of the Downtown as the center of the City and an asset to the community and the region. It is the best place in the community for citizens to come together for diverse activities and interaction.

2.1.5 MANAGE AN APPROPRIATE BALANCE BETWEEN CONSERVATION OF EXISTING CHARACTER AND JUDICIOUS EXPANSION OF KEY ECONOMIC SECTORS

The Central District, like any part of the City, needs continual reinvestment to maintain its functions and value. Most investment must come from the private sector owners of Central District property. Public funds may be used to spur private investment, but the ultimate success of the Central District and its Pedestrian Commercial Core hinges on sustaining private sector investments in the form of both redevelopment and adaptive reuse or updating of existing buildings. Substantial new development is possible in the Central District based on land use and zoning policies recommended in this Plan. Over time it will be market demand in these key economic sector that will trigger further investment and redevelopment. While expansion has been occurring at a rigorous pace during the last half of the 1990s, proving significant as yet unmet market demand for commercial and residential development must take place before new rounds of

major expansion will take place. However, it is inevitable that additional development and redevelopment will take place in the future whatever the timing and the pace with which it will be realized. This provides the community with the opportunity to set policies to manage future investment in terms of scale, building height, location, architectural character and to move toward a vision that best serves residents of the community. The most critical area in need of continuous stewardship is the Pedestrian Commercial Core of the Central District - the area bounded by Water Tower Boulevard, Elm Place, Laurel Avenue and Linden Avenue.

2.2 PEDESTRIAN COMMERCIAL CORE ILLUSTRATIVE CONCEPT

Part of the vision for the future expressed by this Central District Plan is presented as an Illustrative Concept for public and private investment of redevelopment in the Pedestrian Commercial Core. This concept is shown in Figure 3: Illustrative Concept. The Illustrative Concept presents one reasoned example of what might result from the Plan Commission, City Council and private sector owners, investors and developers using this Plan as a guide in making planning and development decisions over time. The Illustrative Concept presents a look at what might be if the policies embodied in this Plan are followed. It is, however, only illustrative - showing but one of many possible outcomes. What actually occurs will be the result of many choices by individual property owners, deliberations by the Plan Commission, and decisions by City Council as they apply the precepts and policies of this Plan to future opportunities and events that arise during the life of this Plan.

The Illustrative Concept highlights nine formative strategies for the Pedestrian Commercial Core. They are:

1. Containment and embellishment of the pedestrian retail and office core between Green Bay Road, Laurel Avenue, Elm Place and the half block west of Linden Avenue on the east.

2. Redevelopment of convenience commercial uses along Central Avenue, immediately west of Green Bay Road and fronting on Elm Place immediately north of the Pedestrian Commercial Core.

3. Redevelopment of the First Street, Green Bay Road and Elm Place triangle north of Elm Place.

4. Conservation of the character and scale of the area east of the Metra railroad tracks and the storefronts along Central Avenue, east of Green Bay Road, while permitting judicious, improvements and investment in these character setting areas.

5. Improvement of the Second Street corridor from its intersection with West Park Avenue to Laurel Avenue. Addition of condominium development within the Pedestrian Commercial Core above stores and offices.

6. Preservation of valued housing stock and neighborhood character.

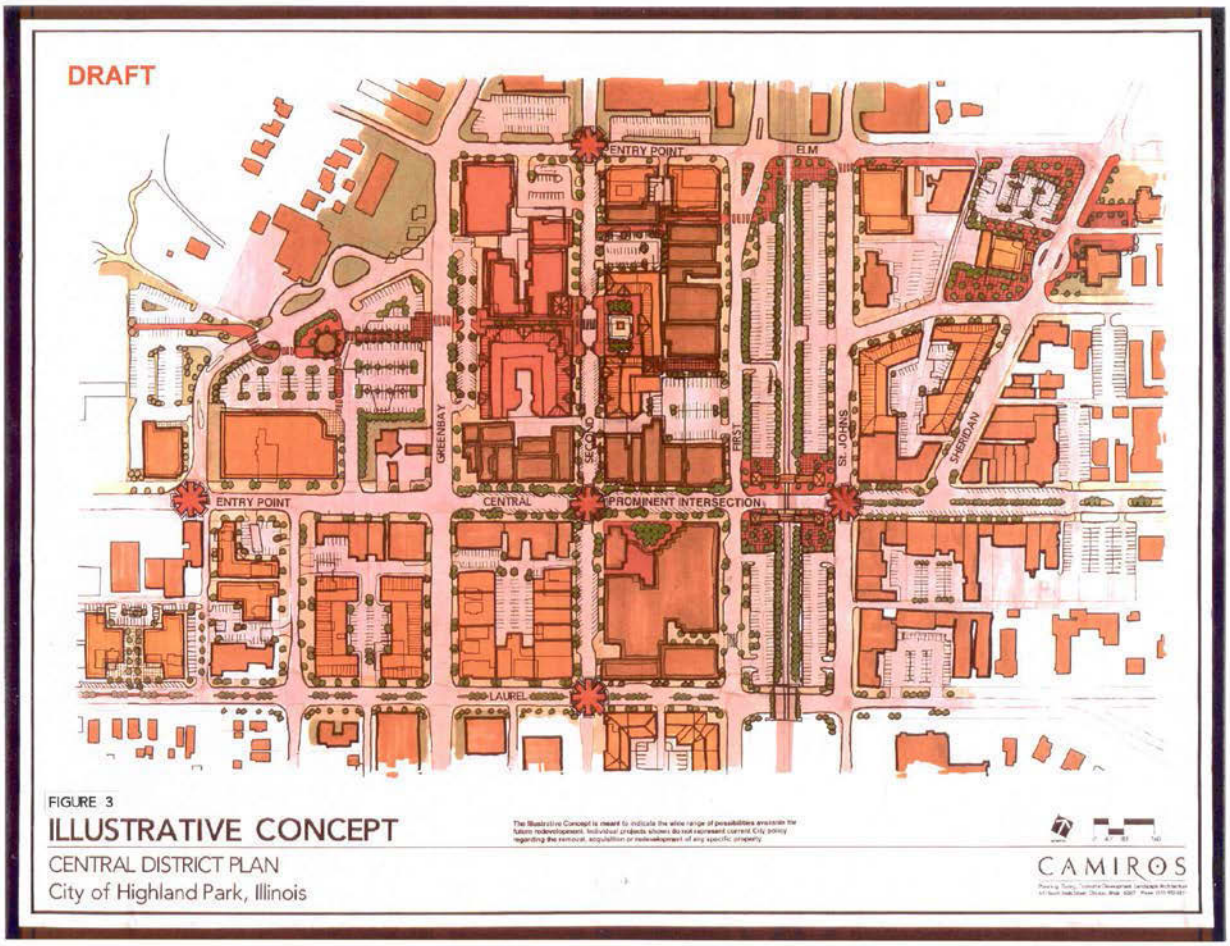
7. Development of selected sites in and around the downtown core for mixed-use and residential uses.

8. Completion of the Central District circulation system with the construction of Water Tower Boulevard between Green Bay Road and Central Avenue.

9. Creation of new areas of open space and “vest pocket” parks throughout the downtown core.

Maintenance of scale appropriate to the community’s character and the inclusion of coordinated pedestrian enhancements are the main elements that require public scrutiny as redevelopment occurs over time. Both elements will work to attract residents and visitors alike to the Pedestrian Commercial Core, keeping it vital and productive for property owners, storeowners and the municipal coffers. The provision of convenient off-street parking will be a subject of particular concern for further redevelopment to occur in a positive manner. The City should continue to monitor parking needs in the Central District and particularly in the pedestrian commercial core. Public participation in the provision of off-street parking should be an option to consider as proposals come forward. Public investment in deserving projects may be a prerequisite to core area redevelopment and the best way to control the nature of such redevelopment.

FIGURE 3: ILLUSTRATIVE CONCEPT



3 PLAN POLICIES

While the Plan's vision statement, objectives and Illustrative Concept for the Pedestrian Commercial Core provide a look at the possible outcomes that could be realized, it is the policies that are the heart of the Central District Plan. These policies are intended to guide land use decisions, urban design principles and standards, conservation and development initiatives, public infrastructure and quality-of-life investments. The policies address land use, urban design, parks/open space, traffic circulation, and parking. These policies are meant to be fairly specific but interpreted in a flexible manner to allow for adjustments and alterations to remain realistic over time.

The Plan policies are general rules that are subject to interpretation. They are meant to inform and provide direction to City officials as they make planning-related decisions over the next decade. Because they are so important, they are highlighted in each section of this Chapter.

Plan policies are presented in both mapped and written form; mapped and text policies are to be used together. Maps help to present and explain physical aspects of certain policies. But they can often be misunderstood with regard to the hard limits that define where designation and concepts start and stop. Plans do not function well over the long run if they are seen as too rigid. The Plan will be most useful if used as a guide to assist the deliberations and creative thinking of the Plan Commission and City Council when individual decisions are before them.

The specificity in the description of the policies, especially in the drawings and illustrative renderings, are for the purpose of describing the intent of the policies. These policies are intended to guide decisions made by the Plan Commission and the City Council when the opportunity for implementation of various aspects of the Plan arise. Flexibility in how these policies are achieved is inherent. Private sector initiatives will play a big role in the achievement of the Plan policies. Consequently, interpretation of the Plan policies must allow for feasible development projects that meet the basic intent of the policies within the context of economic reality.

Five sets of interrelated policies, set forth in the following sections, make up the Central District Plan. They are:

1. Land Use Policies
2. Urban Design Policies
3. Zoning Policies
4. Residential Conservation Policies
5. Traffic and Pedestrian Circulation Policies

These policy areas work together to make the Central District Plan comprehensive in scope, and functional in application and operational characteristics.

Land use policies are the driving force and the key to the other policies. ***Urban design policies*** can be thought of as the preferred way to carry out the land use policies. ***Zoning policies*** set the rules for both use and design. Zoning policies determine where specific land uses are located and state many of the standards

that determine basic design elements. The ***residential conservation policies*** acknowledge that the Central District contains buildings that embody the history and character that many residents cherish and desire to see retained. Some of these highly valued buildings and neighborhoods are under pressure to redevelop as a result of economic prosperity and current zoning. Neighborhood residents or the community-at-large do not necessarily welcome all of this redevelopment. These policies, to conserve aspects of the Central District neighborhood and housing character, address multiple objectives: preserving historic homes, maintaining neighborhood character and uniformity, and retaining relatively affordable housing in the Central District. Finally, ***traffic and pedestrian circulation policies*** promote connecting land uses in the District, to other parts of Highland Park and the broader region.

The policies balance the community's values for the Central District, the rights of private property owners, and City responsibility to provide quality services, throughout the district.

3.1 FUTURE LAND USE

Table 1: Characteristics of Central District Land Uses, provides a quick summary of the future land uses in the Central District. The categories reflect the overall land use and circulation pattern of the Central District and set the stage for future changes in land use and in public improvements necessary to accommodate change. While an important aspect of the Central District's character is that uses may be mixed together rather than separated, designation of identifiable areas can provide guidance for key investments and organize major uses in the most practical and beneficial manner.

TABLE 1: CHARACTERISTICS OF CENTRAL DISTRICT LAND USES

Residential Uses	
Single-Family	A freestanding detached house that occupies its own lot. Densities range from 3 to 6 units per acre.
Townhouse	These are single-family attached homes with private parking courts and/or pedestrian courtyards. Densities range from 8 to 10 units per acre.
Multi-Family: Low	These are dwelling units that are attached with common, or "party," walls or in 2-3 story structures with no elevator. Densities range from 8 to 15 units per acre. Parking is accommodated on-site in surface lots or garages.
Multi-Family: High	A multi-family unit is one contained within a single building that clearly houses several units. In most instances 4 to 5 stories. Densities range from 15 to 50 units per acre and parking is accommodated on-site in surface lots or underground structures.
Commercial Uses	
Commercial: Retail Core	This is the heart of the downtown where the most intensive retail activity occurs. Development is pedestrian-oriented with storefront retail typically built to the lot line, office and housing on upper floors, and parking on-street or in off-street parking lots.
Mixed-Use; High Density & Low Density	Retail and office uses are located on the first floor with offices and housing above. Parking would be provided on-site and construction would be permitted to the limits of lot line. Development is pedestrian-oriented.
Commercial: Community Retail/Office	Retail and service uses that serve the needs of surrounding neighborhoods and City residents. Businesses would provide customer parking on-site.
Hospital	Hospitals, clinics, medical offices, laboratories and other uses, directly and indirectly, related to medical use.
Public and Quasi-Public Uses	
Park and Recreation	Active or passive outdoor and indoor recreation facilities that are either publicly or privately owned.
Schools	Public and private elementary and secondary schools.
Public and Quasi-Public	Local, state and federal governmental functions, museums, libraries and places of worship
Transit Support/Parking	Activities supporting the commercial and commuter rail function with parking and passenger pick-up areas.

3.1.1 THE FUTURE LAND USE POLICY PLAN

The Land Use Policy Plan provides a framework for the management of development and redevelopment. Such development takes place as a result of many factors and is usually influenced by a number of entities, each with independent agendas. Illinois municipalities are authorized to regulate land use within their municipal limits through zoning. Municipalities are further encouraged to regularly undertake a comprehensive planning process to assure that zoning regulations reflect community values, market conditions and the rights of private property owners.

This Plan divides the Central District into a number of distinctive land use categories (see Figure 4, Future Land Use Policy Plan). These areas have been defined and planned through the analysis, and integration, of a number of factors. The historical functional context of any given area, the existing use of land and existing zoning designations are critical factors in previously built up areas such as the Central District.

Equally important are the conditions of the structures and the economic utilization of the lots that these structures occupy. This constitutes the opportunity factor in planning the future. Relative strength of the market, as it exists at present and as anticipated in the future, tempers the Plan with reality. Accessibility and location relative to points and corridors of access and to off-street parking in relation to these market factors are also an extremely important consideration in future land use planning. Finally, the community's values and desires for the character and future functioning of the Central District inform the planners how each of the other factors are to be integrated into the Future Land Use Policy Plan.

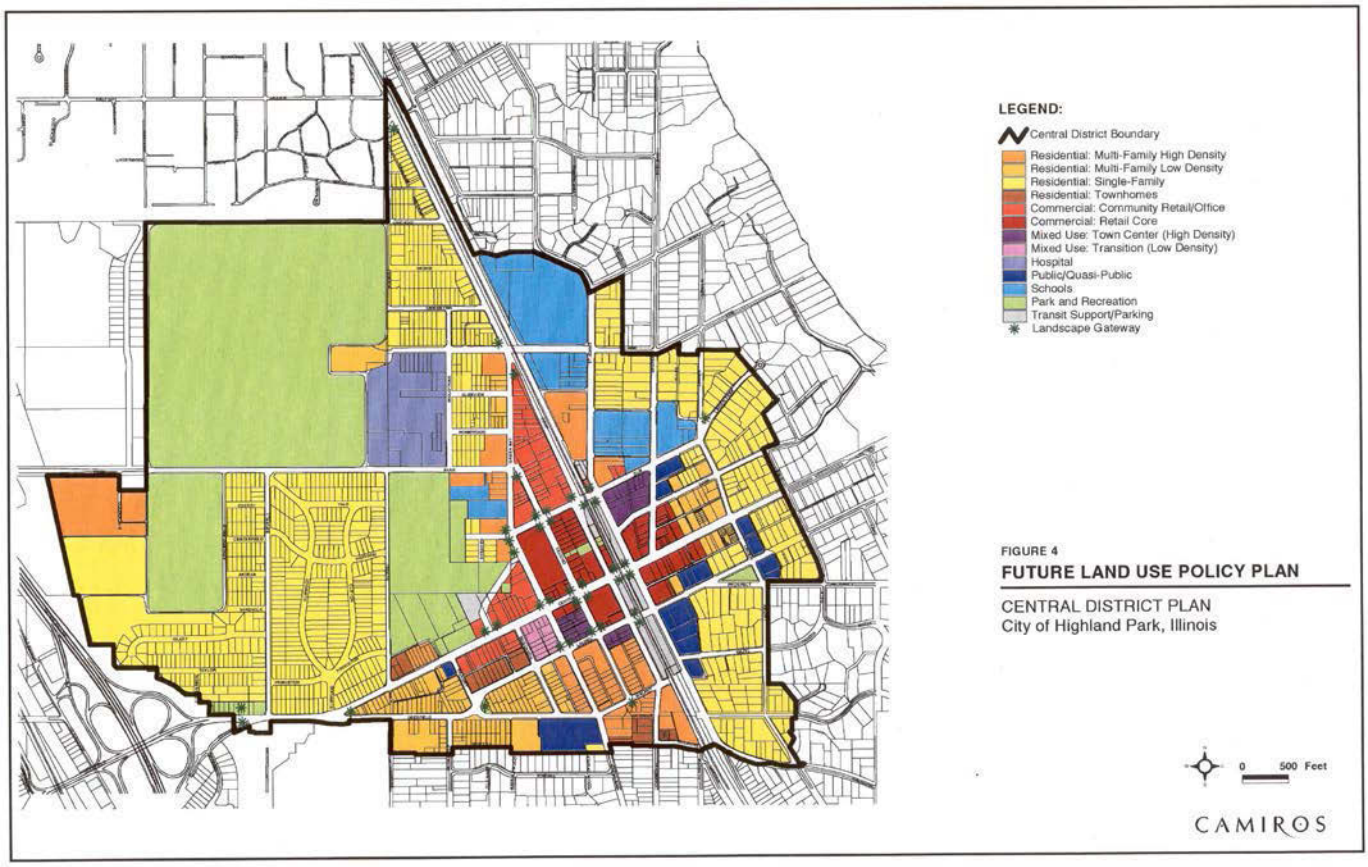
The Future Land Use Policy Plan divides the Central District into discrete sub-areas by major function and primary land use activity. The residential areas are intended to be almost exclusively for housing, but some districts in the Downtown contain a sprinkling of other uses.

The Future Land Use Policy Plan sets forth the land use types and their arrangement, and will serve as the basis for zoning regulations and private and public investments that are essential elements of any Plan. The Central District Plan addresses the achievement of the vision and its objectives through a series of Plan policies that have both physical and programmatic implications. In other words, the Future Land Use Policy Plan presents a formal and official framework for the organization of land use activities. This framework is structured to accommodate the community's vision and core objectives for the Central District by providing a physical framework to describe how the vision and objectives can be translated into future development projects.

The Future Land Use Policy Plan is based on the following policies for land use in the Central District.

- Strengthen and support the Surrounding Residential Neighborhoods, including creating appropriate adjacent land uses as buffers, providing needed capital improvements, slowing vehicular traffic, where needed, using traffic calming strategies, and preserving the character of the neighborhoods through new regulations or design guidelines.

FIGURE 4: FUTURE LAND USE POLICY PLAN



- Emphasize shopper convenience. Consumer research has indicated that the concept of a unique theme for retail shopping areas may be waning in favor of the need for experience convenience and efficiency. The ever increasing demands on household time places a premium on efficiency. The faster consumers can make a purchase, the more satisfied they are.

- The emphasis on convenience will not diminish the importance of the pedestrian in the core retail and office area. Pedestrian amenities and safety provisions are recommended for the entire core area with special emphasis on Central Avenue and Second Street.

- Recognize the importance of maintaining a link with the past by incorporating as many existing buildings as possible in the concept. However, there is some functional obsolescence and underutilization that creates opportunities for future investment and redevelopment in the Central District.

Future land use policies of the individual land use categories that make up the Plan map are set forth below.

3.1.2 RESIDENTIAL LAND USE

There are four types of residential land uses proposed for the Central District. Increased multiple family residential use in the Downtown will add to the round-the-clock vitality of the Pedestrian Commercial Core, expand the consumer base, and help consolidate the Downtown area by occupying underutilized or vacant. Most residential activity is the result of redevelopment of single-family homes. Commercial use in areas zoned residential is generally limited to some existing non-conforming uses that cannot be expanded or significantly modified.

The Central District's residential neighborhoods contain a variety of housing types and economic character. Each type of residential use tends to be oriented towards a particular lifestyle. There are historic single-family residences, considered by many to be architectural "treasures," that date from the City's beginnings. Fine, upscale homes grace the eastern edge of the Central District. Large and small subdivisions contribute to the varied housing resources of the Central District. There are areas of modest single-family housing, walk-up and garden apartments. Townhouses and duplexes can be found mixed into the single-family areas of some of the more diverse Central District neighborhoods. The residential housing types are described below.

SINGLE-FAMILY RESIDENTIAL

A single-family detached house is a freestanding structure that occupies its own lot. Lots in conventional subdivisions are usually square or rectangular but may vary, and range in size from 7,200 to 12,000 square feet as a minimum requirement of the Zoning Ordinance. Densities range from three to six units per acre. Setbacks are prescribed for front yards, side yards and rear yards. In the past two decades rising land costs and an overall scarcity of developable land in many highly desirable markets, such as Highland Park, have reduced the size of the typical single-family lot. Pressure to build increasingly large homes on lots that result from resubdivisions and teardowns is also a growing trend in such areas.

Single-family residential land uses within the Central District are regulated under the City's R5, R6 and R7 (one and two family units permitted) zoning districts. The existing zoning pattern has done a good job of

protecting the single-family residential portions of the Central District from encroachment of multiple-family or non-residential land uses. However, market forces have begun to exert redevelopment pressure on certain areas such as the Sunset Woods neighborhood. Other neighborhoods that contain a predominant pattern of single-family housing are now zoned in multiple-family zoning categories. Rezoning these areas to one of the single-family zoning districts can conserve the existing residential character found there. Selected rezoning and strengthening the residential zoning bulk controls can support the City's objective of conserving these residential neighborhoods in the face of such pressures.

Single-Family Residential Plan Policies

- Continue to apply the R5 and R6 district zoning to single-family residential areas within the Central District utilizing the lowest density district consistent with existing development patterns.

- Apply the R7 single-family and two-family zoning district to areas that either currently have such zoning or that exhibit a mixed housing pattern, but one that is predominantly single-family in character and whose residents desire to maintain the present pattern of development.

- Only in the case of existing historical non-conforming commercial uses shall the single-family areas (those zoned R5, R6 and R7) accept commercial uses.

- Small areas of select historic homes adjacent to the Pedestrian Commercial Core, currently zoned in multiple-family districts, should be rezoned to appropriate single-family zoning districts to preserve these historic dwellings and the residential character of these areas.

TOWNHOUSE RESIDENTIAL

Townhouses are attached single-family houses contained within one structure where common party walls separate individual units. Typically, there are four to six units in a townhouse structure. Townhouse widths typically range from 22 to 32 feet. The overall density that can be achieved with a suburban townhouse project varies with natural site conditions, with the size of the units and building clusters, and with the requirements for parking. Townhouse densities typically range from eight to twelve units per acre, however, they can be built at higher densities in appropriate downtown settings.

Individual units are typically multiple stories although there is no restriction on single story townhouses. Highland Park does not have a separate zoning district exclusively for townhouses at this time. Townhouses have been developed within the multiple-family, low-density zoning district (RM1). Each unit has a private entrance on the exterior of the building and typically each house is a complete entity with its own utility connections. Although townhouses have no side yards, they can have front and rear yards. Most townhouse developments today are structured as condominiums. Townhouses can provide a number of benefits to a community's housing resources. They are an excellent housing option for smaller households and those who do not wish to do extensive home maintenance. They have the potential to be more affordable by

means of smaller square footage of the units and the minimal land area that individual townhouses occupy. In terms of land use arrangement, townhouses can act as harmonious buffers between single-family neighborhoods and more intensely developed commercial or multiple-family areas.

Land Use Policies Regarding Townhouse Residential Uses

- Introduce a new zoning district exclusively for townhouses, with a density consistent with that found in the RM1 District, in order to provide an option to accommodate land use transitions and reserve a reasonable amount of land for this housing type.

- Provide for the conservation of existing townhouse developments within the recommended townhouse zoning district.

MULTIPLE-FAMILY RESIDENTIAL - LOW DENSITY

The Future Land Use Policy Plan identifies a number of areas for low-density, multi-family housing. Such areas provide the potential for housing choice in the community. It offers a logical option for single and two-person households and for those who choose not to own, or choose not to live in, a freestanding single-family dwelling. Many of the existing units in the category happen to be the more affordable housing in the community and must be considered a valuable housing resource for that reason. By and large, these designated areas are located to act as a transition from non-residential. Downtown uses to single-family areas in the Surrounding Neighborhoods. Garden apartments also fall within the low-density, multi-family category. These structures are typically two or three stories, do not contain an elevator and, typically, have 10 or more units within a single building. Landscaping and parking are situated around the site and densities range from between 10 to 15 units per acre.

Land Use Policies Regarding Low density Multiple-family Residential Uses

- Protect the existing housing resource of this type and density through the maintenance of current RM1 zoning where it now exists.

- Rezone areas currently zoned RM2 but developed as low-density multiple-family (predominantly on the east side of the Pedestrian Commercial Core) to RM1 to remove the possibility of future redevelopment at higher densities.

MULTIPLE-FAMILY RESIDENTIAL - HIGH DENSITY

High density, multiple-family housing is another type of housing design found within the Central District. High density, multiple-family buildings can be categorized into two basic types based on the size and height

of the buildings: mid-rise and high-rise. Buildings over eight floors can be classified as a high-rise. There are no high-rise structures in Highland Park and the zoning regulations continue to prohibit buildings of this height. No high-rise residential buildings are anticipated by this Plan. Buildings less than eight floors are considered mid-rise structures. Mid-rise buildings are virtually always equipped with elevators.

In Highland Park, mid-rise multiple-family buildings are generally from three to four stories in height. Parking is provided in surface lots adjacent to the building or in underground spaces that are part of the structure. Densities range from 15 to 50 units per acre. High-density dwellings are built in free-standing structures and as part of mixed-use buildings. Apartments have long existed over stores in the commercial core. Very recently (spring of the year 2000), new rental units have come on the market above the Pedestrian Commercial Core's newest development – Renaissance Place. This major mixed use-development contains 32 dwelling units and will help reestablish the core as a place to live.

Numerous mid-rise, high-density multiple-family buildings have been built in the Central District in recent years. A large supply of such housing has been added to the existing supply that historically developed along St. Johns Avenue north of Elm Place. Table 2: Recent Residential Projects in the Central District, shows just how active this segment of the market has been of late. This type of development is responding to strong market demand reflecting the aging of the population and the desirability of Highland Park's Central District as a place to reside.

Table 2, below, illustrates the extent of recent condominium development.

TABLE 2: RECENT RESIDENTIAL PROJECTS IN THE CENTRAL DISTRICT – Year 2000	
PROJECT NAME	**NUMBER OF UNITS**
Recent Developments	
1869 Sheridan Road	8
Sheridan Square Condominium	24
Highland Park Place Condominiums	77
Laurel Hill Condominiums	19
Les Maisons Condominiums	36
Subtotal	164
Pending Developments	
Second Street Condominiums (under construction)	48
Green Bay Condominiums (under construction)	48
Grande Pointe Condominiums (under construction)	29
Renaissance Place	32
2000 Green Bay Road Condominiums (under construction)	61
Subtotal	218
Grand Total	**382**

Source: City of Highland Park

As of the first quarter of 2001, there appears to be additional market demand for high-density, multiple-family development in the Central District. A number of areas north and south of the Pedestrian Commercial Core are prone to redevelopment as they are appropriately zoned for this type of development. However, each new high-density development removes other uses that may have less market support but have, nonetheless, important value to the community as transitions to single-family neighborhoods, as small independent businesses, and for the maintenance of affordable housing that is in short supply. A balance is needed to accommodate the demand for high-density housing and the other valued uses that are oftentimes in conflict with high-density residential development ventures. Encouraging high-density multiple-family development within the Downtown as part of mixed-use structures is one means of responding to market demand for such housing and reserving land in the surrounding neighborhoods for these other valued land uses.

High-Density, Multiple-Family Residential Plan Policies

- Encourage upper level residential development in the Pedestrian Commercial Core.

- Reduce the total amount of area zoned for high-density, multiple-family housing outside the Pedestrian Commercial Core.

- Lower the basic density in the various high-density developments in the range of 30 to 40 dwelling units per acre with adjustments for mixed-use applications.

3.1.3 COMMERCIAL LAND USE

Convenience Retail, the Pedestrian Commercial Core and Town Center and Transition Mixed-Use categories. There is a clear distinction between the Pedestrian Commercial Core and Community Convenience Retail having to do with the accessibility of the customer or employee associated with the businesses in these districts. Pedestrian Commercial Core is primarily oriented toward the pedestrian shopper while the Community Convenience Retail activities tend more towards a vehicular environment. As a consequence, there are four categories of commercial use indicated for the Central District in the Downtown. These are the Community pedestrian-oriented retail concentrations thrive in a compact form within a comfortable walking environment with convenient parking nearby. The Community Convenience Retail activities can be more spread out where easy ingress and egress can be provided to accommodate automobile dependence. Mixed-use commercial activities are best located at the perimeter or abutting the Pedestrian Commercial Core and, as the name suggests, developments would be multiple story with the ground floor containing non-residential uses and the upper floors providing office uses and dwellings.

PEDESTRIAN COMMERCIAL CORE

The Pedestrian Commercial Core is located in the heart of the Downtown, where the most intensive commercial development occurs. Streetfront retail activity is an important part of the development, along with streetscape treatments that incorporate pedestrian amenities. Development on the upper floors of structures in the district would include office and housing. Customer parking would be available on street, in private off-street parking lots or in municipal parking lots, developed through public private partnerships. The Pedestrian Commercial Core extends both east and west of the Metra train tracks and virtually coincides with the B5 Zoning District. At the edges of the B5 District, the two new MU districts will extend the pedestrian dominated precinct and provide for increased residential development in the Pedestrian Commercial Core. The pedestrian focus of the Downtown is along Elm Place (south side) Central Avenue, Laurel Avenue (north side), Green Bay Road (east side), Second Street, First Street, St. Johns Avenue, and Sheridan Road. These streets are and will be the primary retail shopping and restaurant streets in the Central District.

There are two separate parts to the Pedestrian Commercial Core that may be broadly categorized: the boutique district east of the Metra railroad tracks and the shopping goods/apparel district west of the railroad tracks. The recent opening of Renaissance Place will secure the shopping and apparel focus of the west side. It should serve local and sub-regional shoppers from the north shore. Residential and entertainment uses are included in the project as well and provide extra strength for evening activity complementing the current theatre and restaurant concentration in the Pedestrian Commercial Core. Future development in the Pedestrian Commercial Core should continue to provide mixed-uses in development plans. Residential, restaurant and entertainment uses in the core will help the area thrive as an activity center and commercial enterprise. Current demand for condominiums in the Central District can be accommodated, in part, within the Pedestrian Commercial Core itself, thereby meeting some of the demand without encroaching on nearby, single-family residential neighborhoods. Adjacent to the Pedestrian Commercial Core, the Plan identifies areas for office service-oriented mixed-uses. These areas will not compete directly with retail uses in the Pedestrian Commercial Core but will provide opportunities for mixed-office and residential buildings.

Pedestrian Commercial Core Plan Policies

- Encourage mixed-use development in and near the core, including retail shops, retail service establishments and restaurants on the ground floor, and combinations of office and residential on upper floors. Residential uses within the Pedestrian Commercial Core will increase the retail market and add to the vitality that is so important to the synergism of Pedestrian Commercial Core areas. The Zoning Ordinance should provide adequate bulk and height entitlement to accommodate mixed-use developments within a limited area defined by the B5 District or a part thereof.

- Encourage office-oriented mixed-use developments at the northeast and southwest corners of the Pedestrian Commercial Core.

- Locate parking to the rear, and along the edges, of the Pedestrian Commercial Core primary streets in a manner that is both comfortable and convenient to the shopper. Office and residential parking should

be oriented toward long-term use in decks or underground garages developed as part of new mixed-use projects.

- Institute two new zoning districts for mixed-use developments (to be designated MU1, Town Center Mixed-Use and MU2, Transition Mixed-Use) to be located strategically around the edges of the Pedestrian Commercial Core. Town Center Mixed Use would allow four story structures while MU2, Transition Mixed Use, would be limited to three story structures. Upper story housing is required to be located in new structures in these proposed zoning districts.

COMMERCIAL: COMMUNITY RETAIL/OFFICE

Community retail and office land uses are oriented towards the daily retail and service needs of City residents or persons employed by businesses in the Central District. Typical uses in this category are auto-oriented in that businesses must provide customer parking on-site for bulk purchases such as groceries, dry cleaning and the like. These types of uses generate frequent vehicular trips by employees and customers and thus need to provide accessible and convenient parking. Future uses would include a wide range of convenience retail businesses such as grocery stores, financial services, automobile service and repair businesses, cleaners, and real estate and insurance offices. The community retail and office areas are located at the edges of the downtown where off-street parking can be accommodated on site.

Highland Park is fortunate to have a full service grocery store in the Central District to anchor the community retail and office activities in the Central District. The food store, supported by three drug and variety stores, secures the area as a place where daily shopping can take place. The diversity of the retail uses provided to the community allows for the Central District to meet a broad range of shopping needs. Add to this a pleasing environment as well as the restaurant and entertainment functions and the elements for a healthy commercial district have a strong foundation. The Plan policies must provide for maintaining the anchor uses to assure the ongoing economic health of these enterprises.

Commercial: Community Retail/Office Plan Policies

- The general area to be formed by Green Bay Road, Central Avenue and the proposed Water Tower Boulevard should be carefully managed and cooperatively planned with the property owners to assure full development potential of this area for community retail and office use in the future. Planning should include attention to architecture and site design to make this area a main gateway to the Pedestrian Commercial Core and a prime contributor to the character and quality of design for the Downtown.

- Community Retail and Office uses that front Central Avenue on relatively narrow lots should be restricted to the area east of Hickory Street on the south side of Central Avenue and to the proposed Osco store west of the proposed Water Tower Boulevard on the north side of Central Avenue to discourage additional strip commercial development in the Central District.

- Retain places for community-serving businesses such as automotive service and repair establishments, back office operations, and medical clinics, along with businesses that cannot afford the higher rents associated with the Pedestrian Commercial Core, such as dry cleaners and small appliance repair. The area traditionally accommodating such uses, defined by Elm Place, First Avenue and Green Bay Road, should continue to play this role.

- Encourage the U.S. Post Office to locate its retail operations in the Pedestrian Commercial Core and relocate its other operations to a more suitable location outside the Central District. This will allow the opportunity for future use of the site to be more compatible with the low intensity park use to the north, thereby opening views of the park to the entire community and providing an excellent gateway in to the commercial core of the Central District.

Even though auto oriented commercial uses are accommodated in the Community Retail and Office areas, effective pedestrian facilities and access shall be considered and provided in development and redevelopment activities in these areas.

MIXED-USE AREAS: TOWN CENTER AND TRANSITION

The two Mixed-Use categories proposed for areas surrounding the Pedestrian Commercial Core are appropriate for combinations of small offices, limited retail, business services and residential uses. Medical offices, but not clinics, would be most appropriate for such locations and structures. Retail uses such as small pharmacies, clothing shops or bookstores are also harmonious with the mixed-use concept. Retail uses that involve heavy deliveries or perishable items, or that emit odors are not appropriate since such uses will impact the residential uses that will be above them.

Residential uses would be required within each building developed within mixed-use areas. The retail or commercial service uses can serve to support downtown businesses as well as neighborhood retail functions. They can also provide for the expansion of boutique shops and apparel stores that define areas close to the proposed locations of mixed-use zoning.

The scale and intensity of buildings in mixed-use areas must have the bulk and height latitude to accommodate two or more land uses such as retail and residential within the same building. Two levels of use intensity are recommended; a high-density category permitting four story structures and a more moderate density one in which building would be limited to three stories. Structure parking, most likely underground, is essential with the inclusion of residential use.

Areas within the Pedestrian Commercial Core are appropriate for the higher density mixed-use developments. The block at the southwest corner of Green Bay Road and Central Avenue just west of the Pedestrian Commercial Core between Green Bay and McGovern Street is currently a mixture of land uses and would be appropriate for the lower density mixed use development category. This designation would provide a transition to the residential neighborhood to the south and west of this block. Some of the downtown's newest multi-family housing is in the general area as well as some of its oldest businesses. This area is within walking distance for commuters using the Metra train and is ideally suited for higher

intensity development that could take advantage of the proximity to regional transportation facilities. Parcels in the vicinity of Sheridan and Park Avenues, are other examples of appropriate mixed-use areas.

Mixed-Use Developments Plan Policies

- Develop two new zoning districts to enable mixed-use developments of different densities that are appropriate for a blending of uses. Essential provisions of this district will include requirements such as:
    - Developments shall be a minimum of two floors;
    - The ground floor shall be occupied by a commercial use(s);
    - One floor above the ground floor shall be devoted entirely to residential use;
    - Building height shall be limited to four stories and fifty feet in the Mixed-use Town Center and three stories and fourty feet in the Mixed-use Transition category.
    - Minimum residential unit size shall be 650 square feet;
    - Density shall be approximately 25 dwelling units to the acre in the Town Center category and 15 units to the acre in the Transition category with density bonuses of up to 20 percent for the inclusion of affordable housing in either category.
    - To achieve the maximum height, a conditional use process whereby the applicant demonstrates substantial public benefits from the development would be required.

- A number of mixed-use areas are suggested along the edge of the. (Refer to the Future Land Use Policy Plan, Figure 4)

3.1.4 PUBLIC AND QUASI-PUBLIC USES

This group of land uses includes a wide variety of community facilities and services that contribute to the quality of life in the City. Four general land use categories have been identified that encompass private, as well as public, facilities. These uses include places of worship and faith-based organizations, municipal and other government uses, not-for-profit museums, and community centers. These uses reflect the richness of community life and the variety of interests that comprise the life of the City. Such uses are important to the City and its residents and belong in the Central District. Many such uses provide a transition from the commercial uses within the commercial core to the surrounding residential neighborhoods. Together with schools and parks in the Central District these uses provide a strategic buffering for residential neighborhoods and allow for the development of the commercial core within the tolerances of the community design values.

Public and Quasi-Public Uses Plan Policies

- Retain the public and quasi-public uses in the Central District. Actively seek appropriate reuse of such facilities with similar uses if vacancies arise.

- Design, setback, bulk and parking standards for such uses should be sensitive to adjacent and nearby residential houses.

- Seek appropriate locations for additional cultural facilities, such as a performing arts center, community art center, and museums within the Central District.

- Encourage the U.S. Post Office to locate its retail operations in a development in the Pedestrian Commercial Core and relocate its other operations to a more suitable location outside the Central District. This will allow the opportunity for future use of the site to be more compatible with the low intensity park use to the north, thereby opening views of the park to the entire community and providing an excellent gateway in to the commercial core of the Central District.

3.1.5 PARKS, OPEN SPACE AND RECREATION FACILITIES

Park, open space and recreation facilities include active, passive, outdoor and indoor facilities that are either publicly or privately owned. Park and recreation uses are an important component in preserving the mixture of uses in the Central District and enhancing the pedestrian scale and character of the district. Major facilities include both public and private facilities and land areas.

Sunset Woods Park is a major asset to the businesses and residents of the Central District. The park has both passive and active areas. The passive areas of the park, with seating and picnicking areas, serves the older population in the surrounding neighborhoods, while the active playfields serve children and their parents. Laurel Park and Memorial Park are small parks on the east side of the district that provide visual relief and passive facilities to area residents. There are a number of park and recreation facilities adjacent

to the Central District that also service the Central District. Facilities include Moraine Park, Park Avenue Beach and Central Park along Lake Michigan, and the Hidden Creek Aquapark. Each of these facilities is within walking distance, or a short drive, for most Central District residents.

The Karger Recreational Center is expected to remain an important facility within the Downtown. Karger's recreation functions are likely to be relocated to a new building at the Highland Park Country Club. The current building will remain for potential nursery school and daycare center. The Firehouse Activity Center will remain at its present location, adjacent to Karger, and serve youths.

The Exmoor Country Club is a private facility providing golf and social activities for its members. The course is expected to remain for the long-term with no known changes in ownership or redevelopment. Another private facility, the Birchwood Tennis Club, is located west of Wolters Field and there are no known changes anticipated for this facility either. Should either of these facilities be redeveloped, very careful review of such development plans will be required.

Parks, Open Space and Recreation Facilities Plan Policies

- Reserve public park lands for recreation purposes only.
- Provide specific zoning district protection for park areas.
- Maintain and expand, if possible, the indoor recreation opportunities within the Central District in a manner that coordinates activities and facilities with those that are, or may be, located at the Highland Park Country Club Complex.
- Rezone the Exmoor Country Club property to a new open space zoning district to assure the community has the full opportunity to consider the appropriate reuse of this large parcel, should that use change in the future.

3.1.6 SCHOOLS

Central District schools include public and private elementary and secondary schools. Fortunately, the public schools that are within the Central District are located such that they add to the transition between the district's commercial areas and surrounding residential neighborhoods. At present, Highland Park High School is planning an expansion along St. Johns Avenue north of the main building.

Schools Plan Policies

- Rezone the schools in the Central District to a Public Activity Zoning District.
- Maintain the schools that currently exist within the Central District.

- Continue to protect Central District schools from excessive traffic conditions and land use situations that may be incompatible.

- Work with the Elementary School and High School Districts to improve citizen and City input on school associated projects.

3.1.7 HOSPITAL AND MEDICAL-RELATED ACTIVITIES

Hospital and Medical-Related Activities are land uses strongly represented in the Central District. These uses are anchored by Highland Park Hospital. Medical-related facilities include medical and dental offices and clinics, elderly housing and housing for special populations, and day care facilities. In the volatile health care industry, this may change again over the long run. At the present time, current hospital policy suggests expansion of hospital facilities will be restricted to the existing campus.

The hospital campus is expected to be contained within an area west of Midlothian Avenue and south of Vine Avenue, east of Exmoor Country Club and north of West Park Avenue. Any related uses such as clinics, or specialized residential or medical offices, are to be located within the hospital campus as it now exists with the addition of a few residential lots it already owns along the south side of Vine Avenue.

Hospital/Medical Related Activities Plan Policies

- Encourage medical offices and clinics within the Pedestrian Commercial Core and Community Convenience Retail areas of the Central District.

- Maintain hospital-related zoning on the existing hospital campus to encourage the compact development of medical facilities.

- Provide adequate buffers between the hospital and new or expanded campus structures, and neighboring homes and residential neighborhoods to the east, north and south.

- Continue the public process of amending the Healthcare District Master Plan when expansion or modification of hospital facilities are proposed.

3.1.8 Transit Support and Parking Uses

Transit support and parking are those uses which are located along the Metra rail line and support the commuter function with parking and traffic access designed to facilitate the picking up and dropping off of passengers. In addition, municipal parking is located throughout the commercial core and provides an important resource for various downtown users. In order for the downtown to continue to be successful, existing parking areas have to be maintained and possibly expanded in strategic locations.

Transit Support and Parking Uses Plan Policies

- Maintain current commuter parking facilities. As with all parking facilities, seek additional ways to promote shared use in non-peak commuter periods such as weekends.

- Continually analyze the supply of, and need for, off-street parking facilities.

- Provide adequate on-street and off-street parking for consumers and employees, at appropriate locations, through joint cooperation between the public and private sector.

- Continue to market the existing public parking options currently available in the commercial core area of the Central District.

- Structure access and parking to assure that the Central District is convenient to use and can accommodate contemporary business, shopping and living style mandates.

- Support automobile access to the downtown core from the north and south of the pedestrian and shopping corridor along Central Avenue.

- Integrate structured as well as surface parking lot facilities into developments that can serve the pedestrian shopping areas of the commercial core.

- Design and locate parking facilities in a manner that does not detract from the pedestrian environment.

3.2 URBAN DESIGN

If the Future Land Use Policy Plan sets forth guidelines for what uses go where, urban design policies sets forth how redevelopment changes are made and how they might be coordinated and related to other uses in the Central District. Urban design is derived from a complex array of principals that address the arrangement of physical elements such that they function in unison, and create a built environment consistent with the community's vision and goals. Under successful urban design, the components that make up the Central District buildings, sidewalks, streets, railroad right-of-way, landscaping and green space, street furniture, signs, utility poles, parking lots and garages will work together efficiently and present a pleasing environment in which to live, work and shop. Urban design is people-oriented. The perception of a pleasing environment and the expectation of proper functioning are judgments that people make as they respond to their environment.

3.2.1 GENERAL URBAN DESIGN PRINCIPLES

Urban design policies are also driven by the vision and objectives for the Central District. The watchwords connecting the vision and related objectives to the urban design policies are character, density and quality. The following general urban design policies need to be considered in all future public and private approval and investment decisions. The Central District's urban design framework builds upon the successful retail and residential base, conserves traditional character-giving elements while allowing for appropriate new economic and cultural development.

General Urban Design Plan Policies

- Provide the infrastructure and allow land uses that support a mix of uses that will define the Central District as the city center.

- Create a pleasing environment that will contribute the elements that will induce people to choose the Central District as a place to live, shop and work.

- Encourage compact development and facilities that will encourage and support pedestrian use in the Pedestrian Commercial Core area of the Central District.

- Integrate residential options throughout the Central District including the Pedestrian Commercial Core area.

- Provide for a variety of activities, gatherings and community events that will support retail and restaurant usage and make the Central District everyone's neighborhood.

- Establish Central Avenue, Second Street, Sheridan Road, and St. Johns, south of Central, as primary character streets in the Central District. Encourage the conservation of building facades and general scale of development along these street frontages through the City's development approval particularly the design review process.

- Restrict the bulk and height of structures in the Central District through zoning provisions in order to conserve the traditional character of the area.

Figure 5, General Urban Design Framework, illustrates the location dimensions of these general policies. Together the urban design policies link together the main elements of the Central District - the Pedestrian Commercial Core area, the Community Convenience Retail area, the hospital campus and Sunset Woods Park. In a sense, the overall urban design expands the center of activities somewhat to the north to take advantage of improved access afforded by proposed Water Tower Boulevard with Second Street highlighted as a northern approach and major gateway into the Pedestrian Commercial Core area. The

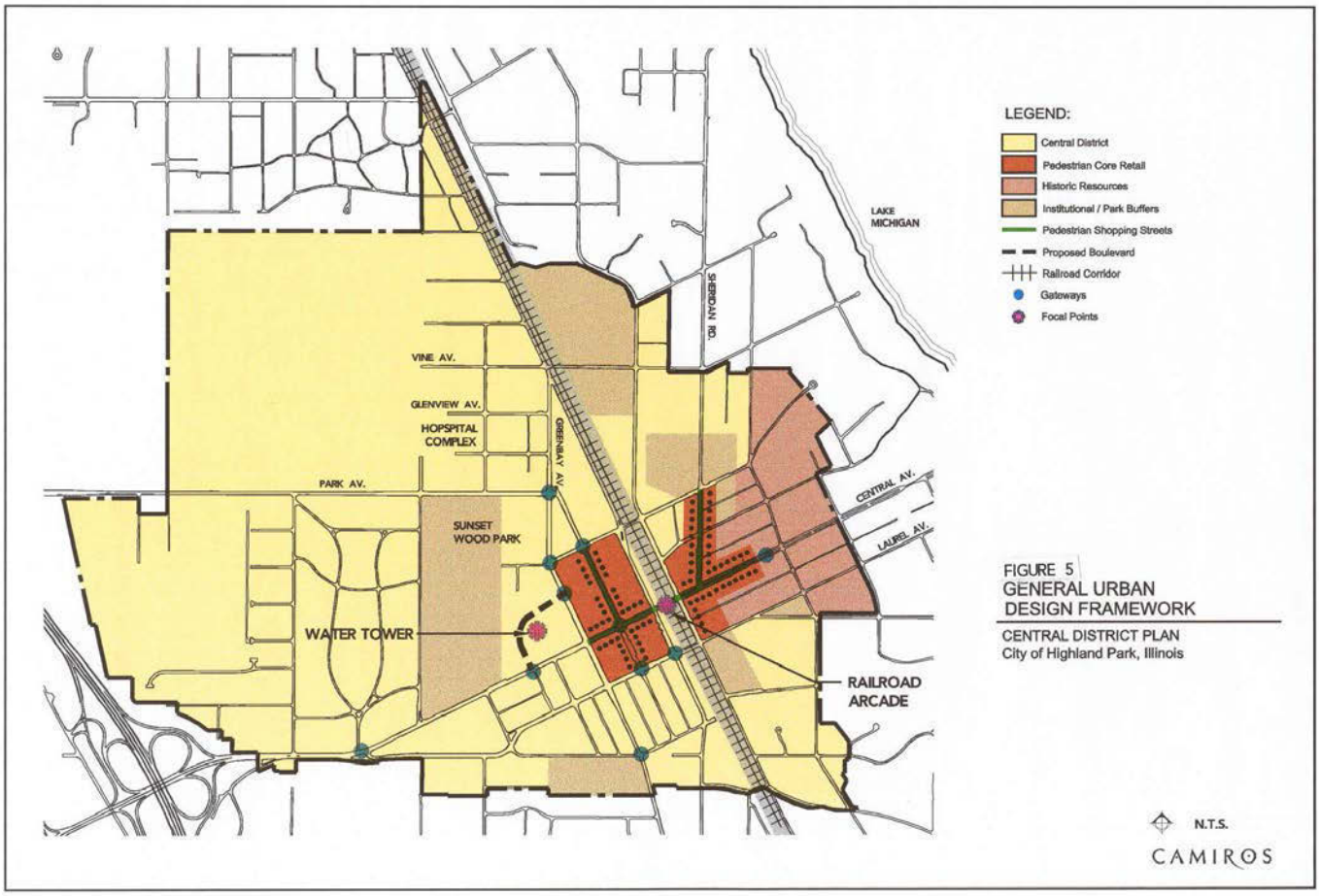
southern section of the core area takes on a residential emphasis blended with retail, office, public functions and transportation.

3.2.2 BULK, INTENSITY AND BUILDING HEIGHT

A traditional urban design principal for downtowns in America has always been one that places the highest intensity in the center and reduces intensity moving away from the center. In the Central District this principal has generally been followed with adjustments made for the hospital complex, the high school, and the high-density condominium areas north and south of the Pedestrian Commercial Core. Overall bulk and building height are very important in setting the design character of the Central District and to the residents of the City in general.

The allowable height in the center determines the sense of intensity for not only the center but also all the rest of the District since with few exceptions, other areas and uses will not be as high. Considerable attention has been placed on determining the correct design height for zoning controls in this process of planning the Central District. The general consensus of the Plan Commission is that the current allowable building heights are too permissive. Few buildings (only two to three) are now built to the allowable zoning height of sixty feet. The policy herein is to lower the allowable height in the center and adjust the height of other surrounding zoning district in harmony with this adjustment.

FIGURE 5: GENERAL URBAN DESIGN FRAMEWORK



Additional condominium development activity will continue on those parcels now zoned for residential development outside the commercial core. Many parcels have already been utilized for condominium development although additional condominium activity may occur especially in the RM1 and mixed-use zones.

Urban Design Policies Regarding Building Bulk Regulations

- Reduce overall building height in the Pedestrian Commercial Core area to a maximum of four stories (through a conditional use permit approval process).

- Adjust height limits on character streets in the B5 zoning district and the proposed Mixed Use – Town Center district to allow greater height further away from the building front.

- Adjust height restrictions accordingly to maintain the highest buildings in the center, reducing heights as one moves away from the center.

- Increase the ability to introduce residential uses on upper floors of buildings in the Pedestrian Commercial Core area by adjusting density restrictions to make residential in mixed-use buildings a physical and economic possibility.

- Allow adequate building height allowances to accommodate peaked roofs on structures, particularly mixed-use and multiple-family structures.

Areas reserved for convenience commercial use in the Central District do not need to be more than three stories in height. Indeed, most will want to be no more than two stories in height. Mixed-use buildings can be one story higher to accommodate commercial uses on the lower floors and dwellings on the upper floors. Four stories should be adequate to accommodate buildings with one or two commercial stories and two to three residential stories designed with a peaked roof.

3.2.3 CHARACTER STREETS

Highland Park's Central District has a character that is appealing to residents and one that most want to retain. Much of this character is perceived from streets that traverse the Central District and which front the traditional retail building and shops that are familiar to residents. Central Avenue between Green Bay Road and First Street is perhaps the most important character street on the west side of the Central District. Second Street between Elm Place and Laurel Avenue has the potential to become a major source of character for the future and is therefore consider a character street for the purposes of this Plan. Laurel Avenue also has a great deal of potential for the future. It may be possible to install median planters in the center of this roadway to embellish this important entry into the Pedestrian Commercial Core. This can be coupled with intense parkway landscaping to further the beautification of the entryway into the core area. On the east side of the Metra railroad tracks, Sheridan Road between Central Avenue and Park Avenue, and St. Johns between Laurel Avenue and Central Avenue constitute the character streets that warrant particular attention.

Urban Design Policies for Character Streets

- Provide a continuous pedestrian promenade mid-block between Central Avenue and Elm Place, and First Street and Green Bay Road. This will be a continuation of the promenade already provided in Renaissance Place eastward all the way to First Street

- Upgrade the Second Street corridor with major streetscape improvements and appropriate new development that will connect West Park Avenue to the Pedestrian Commercial Core and extend southward to Laurel Avenue.

- Conserve the commercial street frontage on Central Avenue from Green Bay Road to Linden Avenue and on Sheridan Road from Central Avenue to Park Avenue.

- Institute a landscaped median and parkway landscaping program for Laurel Avenue from Deerfield Road to First Street. Make visual improvements to the Laurel Avenue Bridge using planters, landscaping and creative painting.

- Treat Central Avenue, Elm Place (south side), Laurel Avenue (north side), Green Bay Road (east side), Second Street, First Street, Sheridan Road and St Johns Avenue south of Central as "character streets" for the Central District emphasizing gateway planting and landscaping, selected building façade maintenance, and comprehensive signage treatment. Put into place controls and review procedures with the intent of conserving the facades of historic and to be identified "character buildings" buildings along these signature streets.

3.2.4 BEAUTIFICATION OF PLACES AND VIEWS

Significant and relatively low cost beautification improvement can be made throughout the Central District with special emphasis on the Pedestrian Commercial Core. These areas are now visually appealing yet possess the potential for beautification improvements. The City should prepare a detailed beautification design plan for the Central District that would identify locations for special landscape treatment, select motifs for planting and containers, and signage improvements that would take this policy to a point of implementation

Urban Design Policies for the Beautification of Places and Views

- Advance the visual appeal, convenience and facilities in the commercial core to support pedestrian use.

- Create a "garden" focal point around the City water tower that is linked to the park.

- Add small gardens, passive parks and entry features at high visibility locations throughout the Central District. Potential locations are suggested on the Future Land Use Policy Plan, (see Figure 4).

- Develop an entry gateway along the north and south sides of Central Avenue where the Skokie Highway interchange channels traffic onto eastbound Central Avenue. Duplicate the same gateway design motif at the Central Avenue/Deerfield Road split. Other major gateways into the Central district should be constructed at; West Park Avenue and Green Bay Road, Deerfield Road and Green Bay Road, and Central Avenue just west of Linden Avenue.

- Other gateways should be given attention as entry points into the Pedestrian Commercial Core area. Important locations include intersections at Second Street at Laurel Avenue, Central Avenue and Elm Place. The Laurel Avenue Metra Underpass Bridge and the First Street/Laurel Avenue intersection could be significantly enhanced. Each end of the proposed Water Tower Boulevard and the Green Bay Road intersection with Elm Place can be designed as a single gateway and certainly warrant such treatment.

3.3 RESIDENTIAL CONSERVATION POLICIES

Residential conservation includes policies that maintain existing building and neighborhood character. Three values combine to suggest these conservation policies. They are the preservation of irreplaceable historic homes around the edges of the downtown core, maintaining neighborhood areas that contain somewhat smaller homes that offer more affordable options for homeownership in the Central District, and limiting the teardown phenomenon in those areas where consistency in house to lot size would be lost with the introduction of oversized residential structures.

3.3.1 PRESERVING HISTORIC HOMES

The eastern side of the downtown core contains a number of historic homes that warrant preservation of the structures themselves and the settings in which they are located. Preservation in this context does not mean museum type restoration with onerous regulations concerning what owners can and cannot do to their properties. Rather it provides support to the owners of these properties to maintain them in a condition that preserves the integrity of their historic origins. Such support should take the form of a protective zoning policy, celebration and acknowledgement of these wonderful resources to provide continuing education about them and the people who built them for the entire community, and perhaps preservation policies that will assure owners that their neighbors and the area in general will have stability that will justify their continued stewardship over their homes which also happen to be community resources at the same time.

Policy to Preserve Historic Homes.

- Institute rezoning of key historic parcels on the east side of the Commercial core from multiple-family to an appropriate single-family zoning category.

- Study the potential for designation of these areas as a historic district.

3.3.2 MAINTAINING AFFORDABLE NEIGHBORHOODS

Early development in the City brought a housing stock to the community that is much different than what is currently being built. Neighborhoods around the downtown core were composed of simple cottages for working families. In later years, newer neighborhoods were developed reflecting lot size, building materials, design and homes size customs of their era. The earlier neighborhoods now represent the City's more affordable housing stock. Maintaining a supply of affordable housing within the City is seen as an important community objective. Diversity in the housing stock provides the option to continue to have a population that has a range of income and age characteristics and offers those workers critical to the City functioning; teachers, public safety employees and employees of the City's retail sector, the ability to live in Highland Park.

Not all such neighborhoods are suitable for long-term maintenance. Long standing zoning patterns in some areas have induced speculation and expectations that are now matched by market pressure. Areas south of the downtown core that have been and continue to be zoned RO and RM-2 will continue to be redeveloped for higher density condominium uses that reflect long-term City zoning policy. Adjacent areas long zoned RM-1 will also see change in the coming years. However, this lower density zoning offers the City the option to mix new development with a rehabilitation program for certain of the smaller cottage homes along with the introduction of town homes that can be realized under a City sponsored affordability program if sponsored by the City Housing Commission.

Two neighborhoods located north of the downtown core and west of Green Bay Road can be maintained in their current configuration. The Vine Triangle neighborhood that is bounded by Vine Avenue, Green Bay Road and Exmoor Avenue, carries a zoning that reflects the neighbors' desires for retention of their homes and the general character of the neighborhood. The neighborhood immediately east of the Highland Park Hospital campus is the other area appropriate for long-term conservation as an area of relatively affordable single-family homes, duplexes and small apartment structures. The hospital's change of direction makes it timely to reassess the land use policy of this neighborhood. Rezoning this area to R7 will meet the neighbor's desires for their area and maintain dwellings in a price range that is becoming scarce. Most of the multiple family neighborhood east and north of the Highland Park Theatre, west of Linden Avenue and south of Elm Place is currently zoned RM2 but developed to RM1 intensity and density with some older single family residences remaining. Reducing the densities permitted in the area to RM1 and R5 will accomplish a better transition to the single family neighborhood to the east of Linden Avenue, will retain the more affordable garden apartments that currently exist in this area, and reflect neighborhood desires to preserve existing character.

Policy to Maintain Affordability of the Housing Stock.

- Rezone the area east of Midlothian Avenue frontage between West Park Avenue and Vine Avenue to the City's R7 single and two-family zoning district.

- Rezone areas currently zoned RM2 but developed as low-density multiple-family (predominantly on the east side of the Pedestrian Commercial Core) to RM1 to remove the possibility of future redevelopment at higher densities.

For additional information regarding Affordable Housing goals and policies, the Affordable Housing Needs and Implementation Plan, an element of the Master Plan, expands and provides direction on this issue.

3.3.3 LIMITING TEARDOWNS

"Teardown" refers to the private redevelopment of single-family residential lots in existing, fully developed neighborhoods. Often teardowns can result in disharmony in the scale of the replacement houses relative to original surrounding homes in the neighborhood. Generally, the replacement house is much larger than the original. Because of gracious lot sizes in areas such as Sunset Woods Subdivision, these large houses are perfectly legal from a zoning standpoint. Developers of such houses are within their legal rights to teardown the old structure and replace it with a larger, residential structure even if the result is severely out-of-scale with the rest of the neighborhood.

Lots susceptible to teardowns usually have a relatively large lot size improved with a more modest sized and priced house on the property. The ratio between the size of a lot and the size of the home on the lot is a prime indicator of its vulnerability to teardown. For example, a small house on a larger than average lot is likely to be targeted for redevelopment. A small home on an average lot, but located in a neighborhood where the average home size is already much larger might also be a candidate to teardown. In either case, the driving force is the desirability and resultant high value of the area and the teardown lots.

Over seventy percent of the single-family home sites in the Central District have buildings that cover less than twenty percent of their lot. Lots that currently contain dwellings that cover twenty percent or less of the lot are viewed as susceptible to teardown. An added factor, although seemly of less importance, is housing costs. The median cost of a home in Highland Park was about $374,000 in 1999 according to a Chicago Tribune survey. Houses valued less than this median can be considered even more vulnerable to becoming candidates for teardown redevelopment in the future. In 1999, just over thirty-five percent of the homes in the Central District had values under the median using data from the Lake County Assessors office as a base and factoring market value from assessment values.

To stabilize these susceptible areas and discourage teardowns that lead to scale problems, techniques and regulations may be put into place through the community's zoning authority. Essentially, the entitlement to build extremely large homes can be reduced by adjusting selected bulk regulations in those zoning districts that are susceptible to teardowns.

Policy to Control Disharmonious Residential Teardowns.

- Institute provisions that will discourage teardowns in the R6 and R7 neighborhoods where susceptibility to teardowns may lead to the construction of replacement houses that are severely out-of-scale with surrounding homes and neighborhood character.

3.4 Zoning Policies

The zoning policies discussed herein result from combining land use and urban design policies including those addressing the bulk and character issues which are so critical to the future of the Central District. Zoning Policies distill land use and urban design policies to identify applicable regulations that the City can apply to achieve the Plan's objectives.

Zoning policies are not an official zoning map nor are they in anyway to be considered a part of the ordinance structure of the City's development codes. Figure 6, Existing Zoning, shows the existing official zoning map of the Central District for reference. Zoning Policies are instead meant to inform City officials on how development codes might be adjusted to be consistent with the policies of this Plan. They are presented in zoning terms for ease of use however, and thus look like zoning map information. Nevertheless, they are policy statements that, at the pleasure of the City Council, may be incorporated into the City's zoning ordinance at a later date and then only after extensive analysis and public hearings.

This section of the policy chapter of the Plan supports three types of policy changes to the City zoning ordinance. They are; changes to the provisions of some of the existing zoning districts, remapping of existing zoning districts and the addition of five new zoning districts. The changes suggested to provisions are not extensive, but the remapping of existing districts is significant. The five new districts: Mixed Use Town Center (MU-TC), Mixed Use Transition (MU-TR), Townhouse (TH); Public Activity (PA); and Open Space (OS) will cover large areas of the Central District.

Changes to district provisions are focused on adjustments to bulk, density and height requirements to the B5, B4, and RM-2 zoning districts. With regard to the B4 and B5 districts the policy is structured to lower the allowable building height in the Pedestrian Commercial Core and the Community Convenience Retail areas of the Central District. The building height provisions of the RM-2 district would be lowered from 45 feet to 40 feet under this policy with a limit of three stories. That would have the effect of lowering the height of any additional multiple family structures in the area surrounding the Pedestrian Commercial Core.

All the existing zoning districts would have changes to the areas where they are now mapped under the zoning policies of this Plan. Figure 7: Zoning Policies, shows the proposed mapping of the current districts and the application of the five new zoning districts suggested herein. Some are minor, such as the changes to the R5 and R6 district mapping that actually cover existing residential development. Others represent significant changes. For example, the RM-2 district designation is significantly reduced in area coverage.

The new districts cover large areas as well. These are protective adjustments not meant to either encourage or discourage future development. The PA is applied to all public and quasi-public land uses including City Hall, the Highland Park Public Library, the Highland Park Community House, the former American Legion Hall, various houses of worship and other similar uses. The OS is applied to open land whether publicly owned or privately owned. In both cases, the intent is to assure that any future change in use of these areas could only be effected with deliberate zoning change and therefore in the control of the City Council with counsel from the Planning Commission.

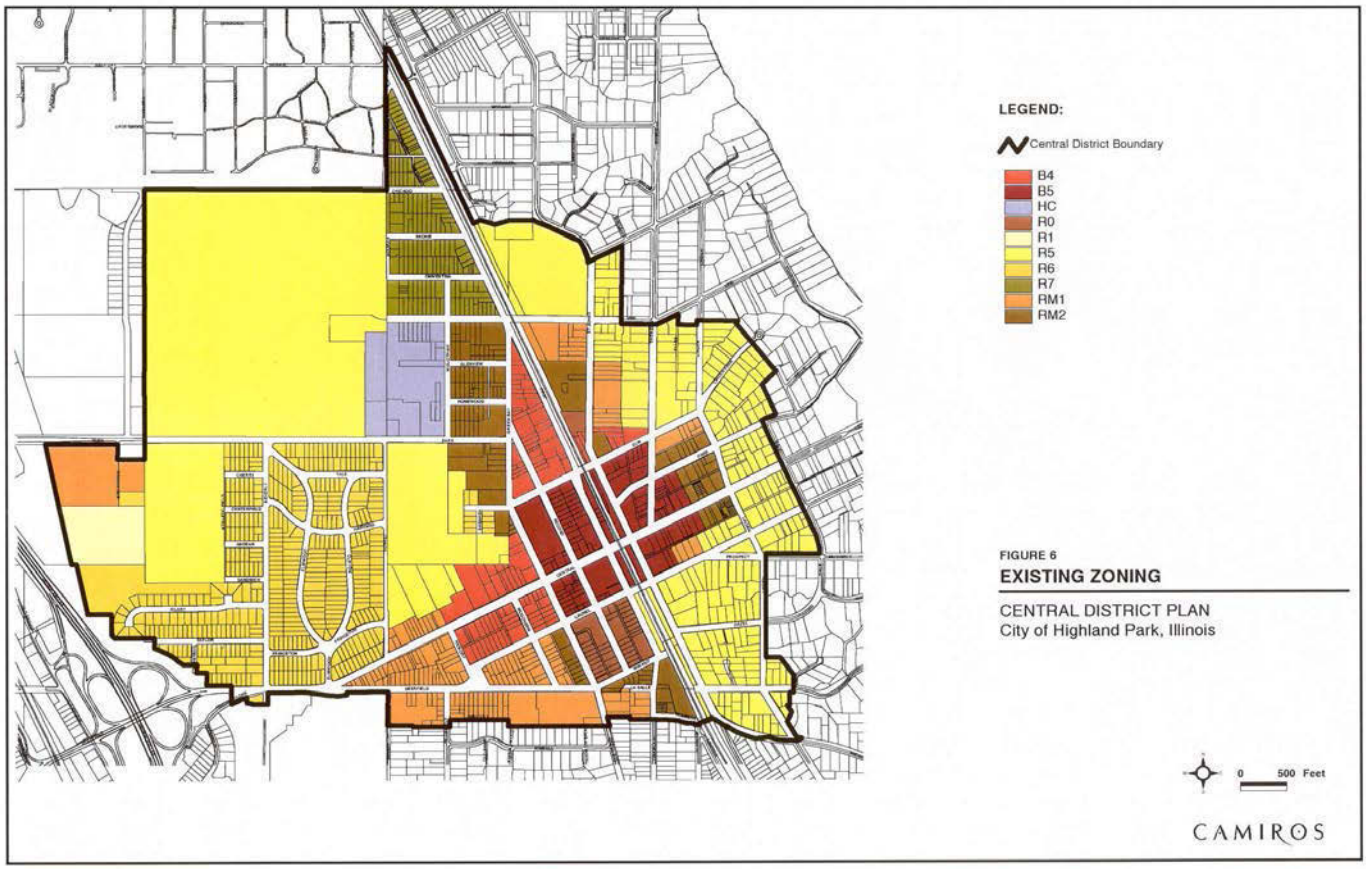
Since these zoning policies are to lead to detailed consideration, study and public hearing before being considered as ordinance changes, highlighting the major elements suffices for the purposes of this Plan. The policies are considered as those affecting the business zones of the Central District, the residential districts, and those that are entirely new districts.

3.4.1 BUSINESS DISTRICT ZONING POLICIES

The City's business zoning districts within the Downtown includes the B5 and B4 zoning districts. Under this Plan, the policies regarding these two important zoning districts change the provisions of both districts and reduce the area covered by the B4 slightly. A new district is recommended for the Pedestrian Commercial Core. It is the MU-TC, Mixed-Use Town Center District, one of two mixed use district recommended in this Plan. The MU-TC district will be designed to provide flexibility in use and residential options for areas within and immediately around the Pedestrian Commercial Core.

These changes provide adequate height for the type of uses envisioned and permitted in the business districts and allow for options in the roofline and architectural style of new buildings without overwhelming the residential buildings, park setting and general neighborhood character that surround the business district

FIGURE 6: EXISTING ZONING



Zoning Policies for the Central District Pedestrian Commercial Core

- Establish step back height provisions (sometimes referred to as a ziggurat building design) in the B5 zoning district.

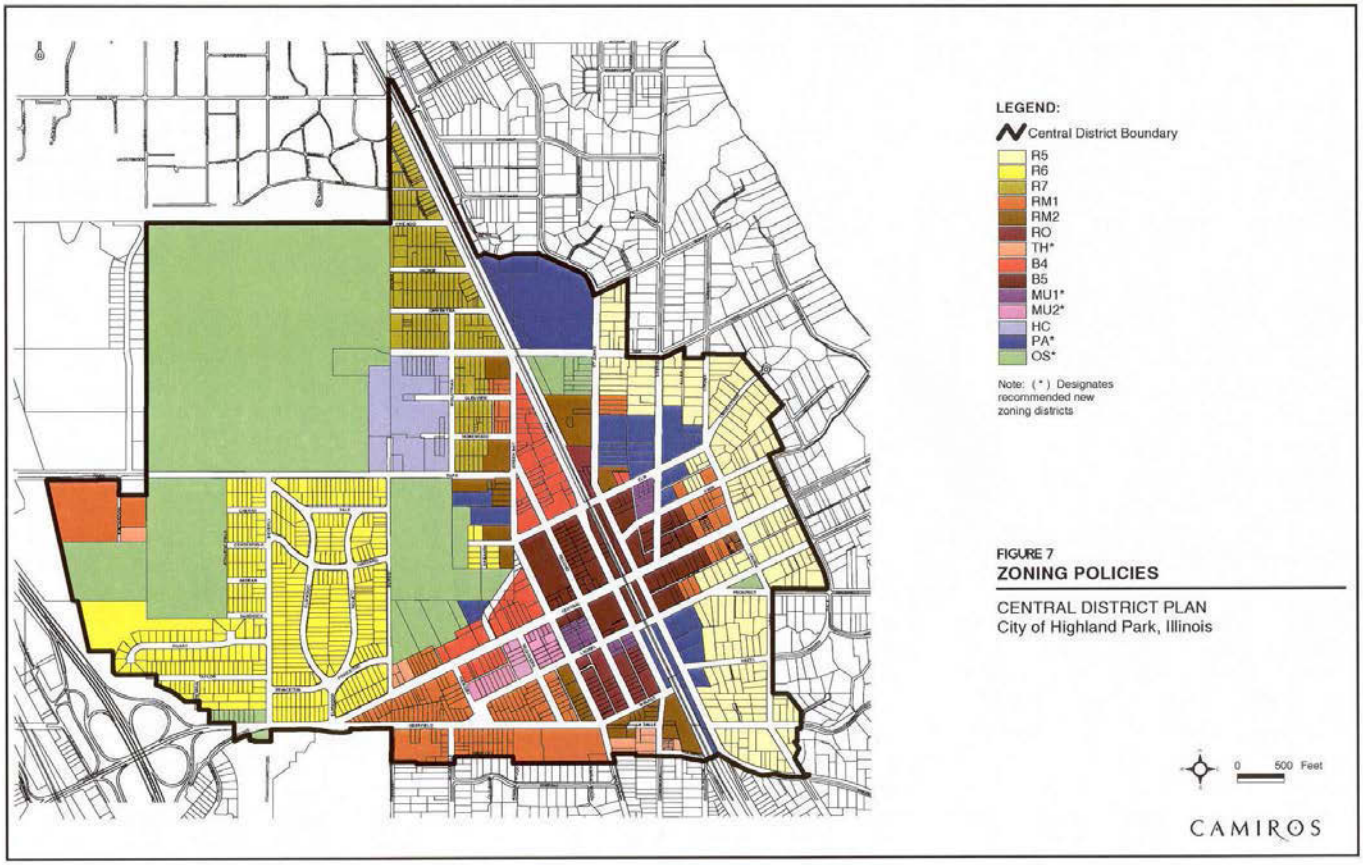
- Reduce the maximum allowable building height in the B5 District from 60 feet to 40-feet/3 story along the street frontage and a maximum 50-feet/4 story away from the street frontage consistent with the step back height provisions.

- Lower the maximum allowable building height in the B4 zoning district from 45 feet to 40-feet/3 story height limitation.

- Create two new mixed-use zoning districts to be called; MU-TC, Mixed Use Town Center and MU-TR, Mixed Use Transition respectively. These two districts shall be essentially the same with regard to allowable uses and differentiated by height and density. The MU-TC will permit a structure 50 feet in height but limited to four stories, while the MU-TR will allow three stories and 40 feet maximum height. Both mixed-use districts would require a minimum two-story building with commercial use of the ground floor and a minimum of one full floor of residential use on upper floors. The types of commercial uses permitted would be somewhat more restrictive than the B4 or B5 to assure that the residential component of each building would not be negatively impacted by inappropriate commercial uses. A residential density of the two mixed-use districts shall be determined by when the final district provisions are adopted as amendments to the zoning ordinance but they shall be lower than the density of the RM-2 since the first floor of structures in these districts will be taken up by a retail, office or service use as permitted under the ordinance. A minimum unit size of 650 square feet is envisioned for the two mixed-use districts. Incentives could be added to these districts to advance the goal of adding diversity to the City's housing resources.

- Apply the Conditional Use permit approval process to developments seeking to build in higher than 3 story/40 feet in the B5 and MU-TC districts. The City shall consider the provision of substantial public benefit in a development prior to approving projects of 4 stories/50 feet of building height.

FIGURE 7: ZONING POLICIES



3.4.2 RESIDENTIAL ZONING POLICIES

Policies covering the residential use areas of the Central District focus on stabilizing lower density neighborhoods and allowing for continued multiple-family (primarily condominium development) at appropriate places throughout the Central District.

In the Central District, the R6, Single Family District, provides zoning for the Sunset Woods Subdivision. Teardowns in this subdivision have affected this neighborhood in recent years. Zoning adjustments may be instituted to discourage such actions. Consequently zoning policy changes that increase the yards and reduce allowable lot coverage might be considered for the R6 Single-Family Zoning District. Further study is recommended to determine if there is a need for similar action in neighborhoods that are recommended to be zoned R7, Single and Two-Family Residential. The R7 zoning district allows single and two-family dwelling along with the normal mix of neighborhood institutional uses, places of worship, parks and schools etc.

The RM-2, Multiple-Family Residential zoning district is subject to extensive zoning map changes under these policies. The effect of changes to the RM-2 is a significant reduction in the areas zoned for high density multiple family residential land use. Furthermore, it is recommended that building height in the RM-2 be limited to a maximum of 3 story/40 feet. Certainly, other zoning districts will allow multiple-family residential such as the MU Mixed-Use District and the B5.

Mapping of the RM1 District also changes significantly. The multiple-family area at the far eastern section of the commercial core extending to Linden Avenue is recommended to become RM1 under the policy directives of this Plan. Most of this area is currently zoned RM2 but developed to RM1 intensity and density. This will accomplish a better transition to the single-family neighborhood to the east of Linden Avenue and it will retain more affordable garden apartments that currently exist in this areas.

A proposed new town home district is intended for application where low scale multiple-family structures can best ease the transition from the commercial core or higher density residential to the single-family neighborhoods that surround the commercial core of the Central District.

Zoning Policies for the Central District Residential Areas

- Apply the R7 Residential Zoning District to selected areas in the neighborhood directly east of Highland Park Hospital. As shown in Figure 7: Zoning Policies, areas that do not front Green Bay Road and that are currently zoned RM-2, are recommended to be rezoned in the R7 district. This policy is designed to preserve and encourage the retention of traditional single-family homes in this neighborhood, as a resource for affordable housing in the City.

- Rezone from RM2 to RM1 those parcels fronting Green Bay Road in the neighborhood directly east of the Highland Park Hospital that have not been developed to RM2 standards.

- Rezone the garden apartment area east of the Highland Park Theatre from RM2 to RM1.

- Add new districts to the Highland Park Zoning Ordinance: The TH, Townhome; the PA, Public Activity, the OS, Open Space; and, the abovementioned MU-TC, Mixed-Use Town Center and MU-TR, Mixed Use Transition zoning districts. Map the new districts as shown on Figure 7, Zoning Policies.

- Develop the TH district regulations to provide density consistent with that of the RM1 zoning district.

3.5 Traffic Circulation, and Parking Policies

The access component of this Central District Plan incorporates the existing pattern of vehicular access and identifies road network improvements that would facilitate movement through the Central District. Findings

and recommendations regarding road improvements, and changes to circulation and traffic operations, can be found in the CBD Traffic Task Force Study presented to the City Council in 1999.

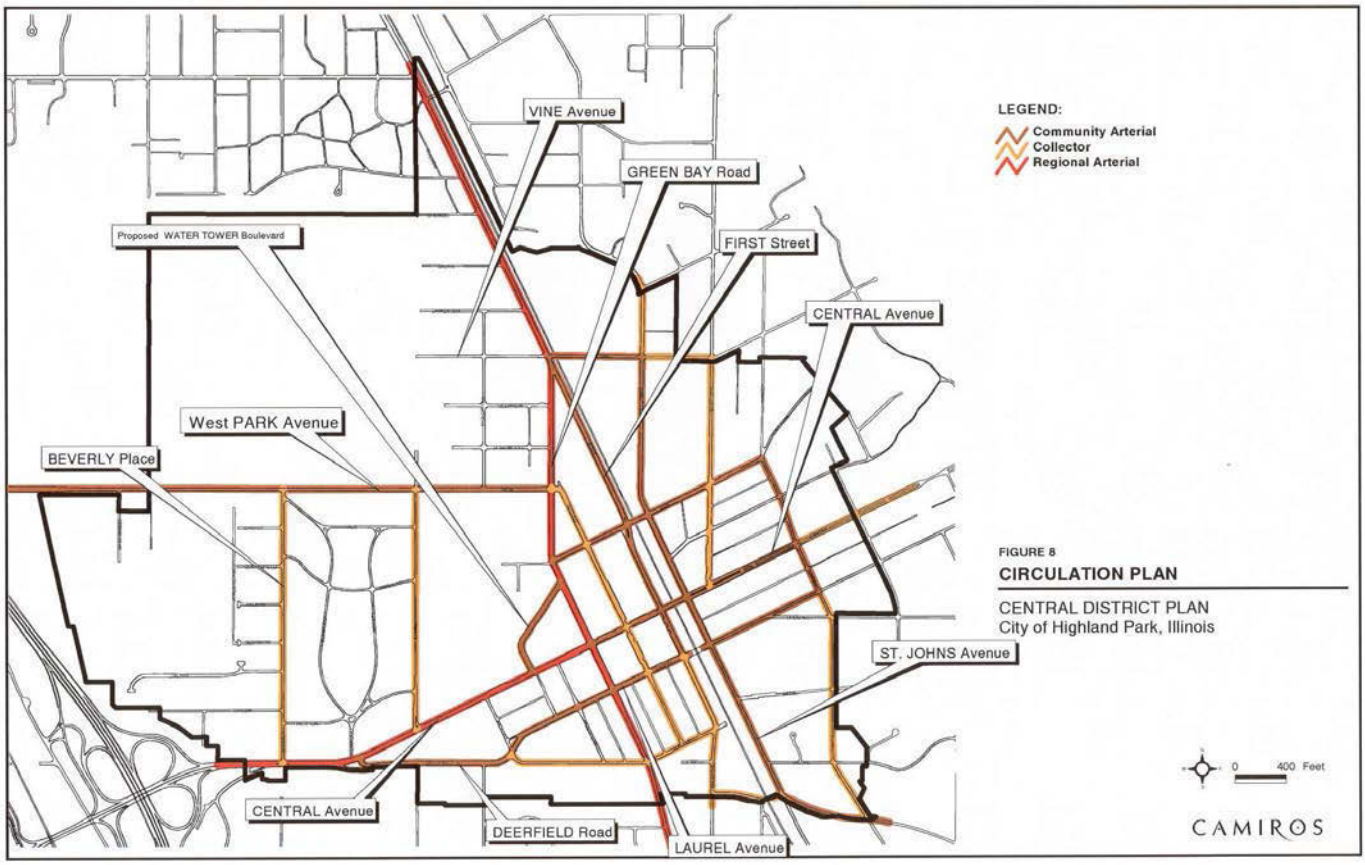
This Central District Plan incorporates a pedestrian pathways network to augment the vehicular circulation system (see Figure 8: Circulation Plan). The pedestrian pathways plan has been developed to suggest how direct connections to local destinations, such as schools, parks, and public facilities, can be accomplished without every trip requiring a vehicle or access to a major arterial roadway.

3.5.1 ROAD NETWORK

The road network should be efficient and allow free circulation between various neighborhoods in the Central District. Local streets should be safe for children, comfortable for bicycling and pleasant to walk along. Efforts should be made to accommodate vehicles, buses and pedestrians along major thoroughfares in the district.

Streets are categorized on the basis of their major traffic carrying function. Typically, streets fall into one of four categories: Regional Arterials, Arterials, Collectors and Local Streets. Regional arterial streets are defined as the major traffic carrying streets which carry through traffic over relatively long distances. Arterial streets interconnect and augment the regional system and provide service to trips of moderate length at a somewhat lower level of travel mobility. Collector streets are streets that penetrate neighborhoods and collect traffic from local streets in the neighborhoods, and channel it to the arterial street system. Local streets primarily provide direct access to abutting land uses and carry travelers to the higher classifications of streets.

FIGURE 8: CIRCULATION PLAN



The Regional Arterial Streets in the Central District consist of the following:

- Green Bay Road is a major regional highway serving virtually all of the north shore communities.
- Central Avenue from Skokie Valley Road to Green Bay Road. Central Avenue provides access to the downtown from Skokie Valley Road and to other western suburbs via a connection with Deerfield Road.

The following streets serve as Arterial Streets in the Central District:

- Park Avenue West from Green Bay Road to Skokie Valley Road.
- Vine Avenue from Green Bay Road to St. John's Avenue.
- Elm Place from Green Bay Road to Linden Avenue.
- Central Avenue from Green Bay Road to Linden Avenue.
- Deerfield Road/Laurel Avenue from Central Avenue to Linden Avenue.
- Linden Avenue from Elm Place to Laurel Avenue.
- Sheridan Road from Linden to St. John's Avenue.
- St. John's Avenue from Sheridan Road to Vine Avenue.
- Water Tower Boulevard (new bypass street to be built from Green Bay Road to Central Avenue.)

Central District Collector Streets include:

- Vine Avenue from St. John's Avenue to Sheridan Road.
- St. John's Avenue from Vine Avenue to Maple Avenue (extending to Bloom Street).
- Sheridan Road from Central Avenue to Moraine Park.
- Central Avenue from Linden Avenue to Central Park.
- Linden Avenue from Laurel Avenue to Sheridan Road.
- Deerfield Road/Walnut Street from Central Avenue to First Avenue.
- Sunset Road from Park Avenue West to Central Avenue.
- Beverly Place from Park Avenue West to Central Avenue.
- Mulberry Place between Oakwood Avenue and Sheridan Road.

All remaining streets in the Central District are considered local streets. Alleys, present in a few neighborhoods, provide access to the back of lots and buildings.

3.5.2 SYSTEM IMPROVEMENTS

Appropriate design and operation of the road network is of key importance to the proper functioning and economic health of the Central District. Numerous recommendations are listed in the 1999 CBD Traffic Task Force Study. The City Council, working with staff input, will continue to monitor the Central District traffic situation and implement those improvements deemed most productive in achieving efficient traffic flow and ease of circulation on an as needed basis.

3.5.3 PEDESTRIAN NETWORK

In moving towards a notion of a community that is more sensitive and respectful to the environment, it is hoped that residents will rely less on their cars and more on walking, bicycles and public transit. Safe and convenient pedestrian movement throughout the Central District is an important and integral component of the Plan. The pedestrian framework is designed to link major destinations and activities within the Central District as well as attractions and destinations in other parts of the City. A hierarchy of functional classifications of pedestrian ways can be used to describe the intent of the Central District Plan.

The area where the City should focus pedestrian enhancements is bounded by the south side of Elm Place, Sheridan Road/ St. Johns Avenue, the north side of Laurel Avenue and the east side of Green Bay Road, as well as Central Avenue between Green Bay Road and Linden Avenue. The major pedestrian precinct is the promenade associated with the main shopping and signature streets of Central Avenue, Sheridan Road and Second Street. The Central Avenue promenade extends from a mid-block point between Sheridan Road and Linden Avenue on the east to Green Bay Road on the west. The Second Street segment extends from Elm Place on the north to Laurel Avenue on the south. Sheridan Road extends from Central north to park Avenue. A third segment of the Pedestrian Shopping Promenade would cross mid-blocks and extend from First Street to Green Bay Road. This segment would link retail and parking located on First Street to the shopping concentration on Second Street and would establish a connection with Renaissance Place and Sunset Food grocery store. The Central Avenue and Second Street promenades should receive the highest priority of pedestrian improvements.

These improvements include:

- Preferential treatment of pedestrians in crosswalks.
- Lighting, seating, landscaping and other specialized street furniture oriented to the pedestrian.
- Year-round maintenance to remove ice, snow and other by-products of weather.

The second level pathway system that will traverse the Central District is the Pedestrian Community Promenade. It consists of a system of specially signed and marked sidewalks and off-street pedestrian paths that connect specific destinations or activity areas in the Central District. The pathways would contain special crosswalk markings, possibly sidewalk surface treatment and signage to indicate the preferential treatment for the pedestrian. Trail segments were labeled and identified in order to distinguish the focus of their routes.

The major destinations include the following:

- The "educational path" connects Highland Park High School, Indian Trail School and Wolters Field.
- The "public facilities path" connects City Hall, the Library, Karger Recreational Center and Highland Park Hospital.
- The "park path" connects Manor Park, Sunset Woods Park and the beach parks along Lake Michigan.

The "neighborhood paths" connect each of the surrounding residential areas to the downtown and other destinations in the Central District.

3.5.4 DOWNTOWN PARKING POLICY

Every downtown district is perplexed with the issue of providing adequate parking for retail customers, employees and office workers. Although it is a difficult issue to evaluate objectively, it is an issue that must be addressed in order to maintain a successful and vital downtown. "Perception" and "problem" are two words that often come up in many discussions regarding parking issues, especially those pertaining to downtown areas. For example, a central business area may have an appropriate supply of parking space available in relation to the amount of retail and office space located there, but the parking is located in an area viewed as inconvenient or unsafe by potential users. In general, few people desire to park more than 300 to 500 feet from their destination. Parking that is located further than that is largely viewed as too far away to use. Similarly, parking may be located in underground garages but sometimes these are perceived as dangerous or inconvenient to use. The key to successful parking solutions is locating available space in areas that are convenient, or least perceived as such, by the user.

Highland Park's downtown parking issues are very common problems encountered by many downtown areas. People, in general, like to park as close to their destination as possible. However, there is limited on-street space located directly in front of the downtown stores and offices. Employees of these businesses compete with shoppers and visitors to the downtown. The search for close parking is then compounded by people driving around looking for on street parking close to their destination and employees parking in prime spaces.

FIGURE 9: PEDESTRIAN SHOPPING PROMENADE

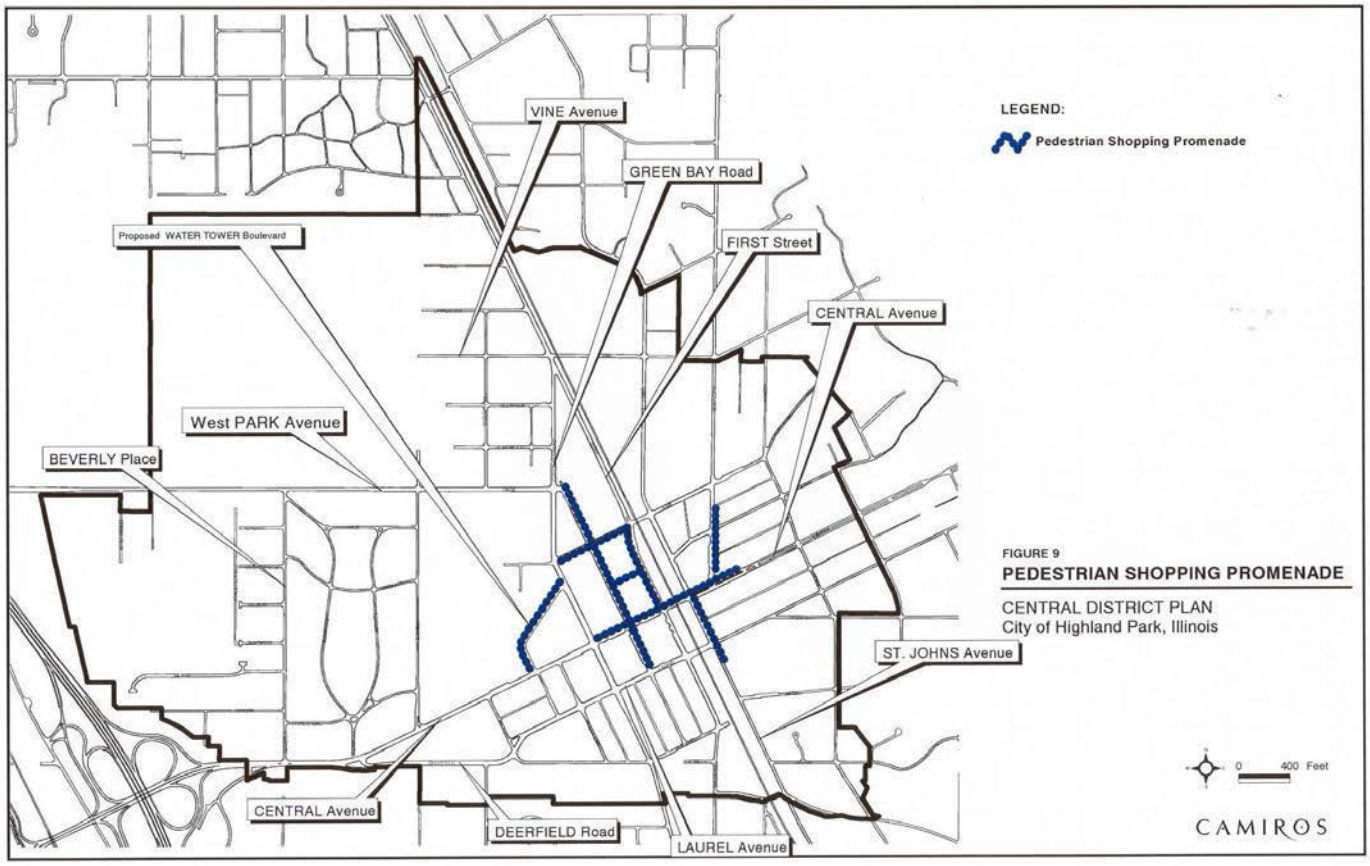
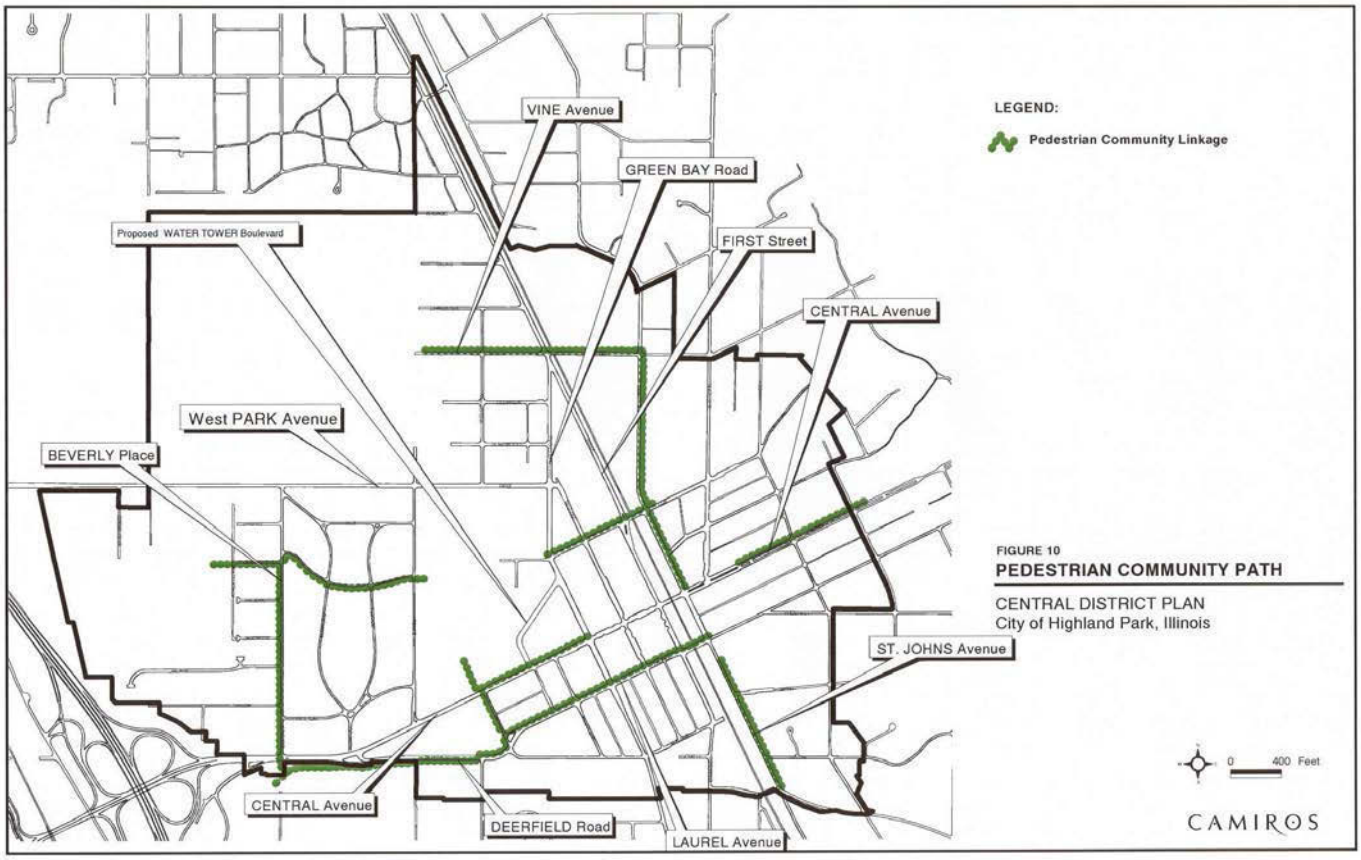


FIGURE 10: PEDESTRIAN COMMUNITY PATH



In March, 1999, a Highland Park Department of Community Development Department inventory indicated a total of more than 1,800 parking spaces in the Pedestrian Commercial Core area located in surface lots, garages and on streets. Given recent development activity, it is possible that the current parking supply may not be sufficient to support a higher level of development intensity in the Pedestrian Commercial Core area. However, it should be noted that downtown areas that thrive usually do so in spite of parking limitations, not because ideal parking exists.

Highland Park now has below grade parking north and south of Central Avenue in the Pedestrian Commercial Core. Some persons object to using underground parking from a safety standpoint. Others see it as a benefit to be out of the weather. However, the use of garage parking as at least part of the parking supply is necessary if a true pedestrian environment is going to prevail in the Pedestrian Commercial Core – that core area being defined by the boundaries formed by Green Bay Road, Laurel Avenue, Linen Avenue, and Elm Place. Parking in the core area is compounded by the use of significant area for Metra commuter parking. Surface lots and "behind the store" parking is scattered throughout the core area with a significant amount located east of the Metra railroad tracks. These surface lots are heavily used and empirical experience indicates that employee and office users make use of these parking spaces as they are usually filled early in the day before most stores and shops are open.

There is no doubt that parking is important factor for the continued success of the Pedestrian Commercial Core Area. The status of parking in the area is a current area of study. The downtown parking supply is being evaluated through a separate parking analysis study that takes into consideration the finalized circulation plan and improvement recommendation from the CBD Traffic Task Force Study. To this end, the City Council commissioned a parking study for the Pedestrian Commercial Core area in the third quarter of the year 2000. This study will determine the current and future demand for area parking and, if there is such a need, suggest means to address that need. The parking study will be presented to the ICPC, a commission established by the City Council to monitor the parking study and subsequently to recommend what appropriate implementation measures should take place.

Standard parking ratios for retail and office uses are 5 and 3.5 per 1.000 square feet of gross floor area, respectively. These standard parking ratios are based on suburban-type development where all users arrive via cars and no reduction in parking demand occurs through transit, walking, or multiple purpose trips. In a downtown area, the parking ratio should be less than suburban development. The parking ratios designated in the Highland Park Zoning Ordinance for most retail and office uses range from 2.5 to 4 per 1,000 square feet of gross floor area, with most commercial core uses requiring 3.3 spaces per 1000 square feet of leasable floor area. Given current conditions in the commercial core, a parking ratio covering both retail and office use of 3.3 spaces per 1,000 square feet of floor area would be suitable for purposes of assessing overall parking needs. Residential apartments typically require 1.5 to 2 spaces per dwelling unit.

The Pedestrian Commercial Core area has a strong supply of parking in that there is a wide variety of different types of parking, total number of spaces and the dispersal of parking facilities throughout the area. Of course, what everyone wants is an available parking space immediately in front of one's destination when they want to be there. This cannot function as a standard however and the accommodations the shopper/visitor to the Central District makes are part of the equation in determining if parking is a problem or not and if that problem is real or perceived.

The best approach to parking improvement may be work toward a series of incremental enhancements specifically tailored to meet identified need. Then each parking improvement should be evaluated to determine its effect on the system as a whole. However, parking access in the Pedestrian Commercial Core area can be made more accommodating to the user through customer service oriented methods as well as physical improvements. Convenient parking can be incorporated into the retail core are by constructing parking garages above or below ground level retail and office space. This allows for close proximity of parking to the downtown without taking up valuable downtown retail land. Another method to make finding available parking less frustrating would be through a coordinated parking program for the entire area emphasized through a unified signage plan, directional signs, and availability options communicated to parking space seekers through signs, garage attendants or digital electronic display boards. There are good examples of that kind of communication in the area now, channeling parkers to the Laurel Avenue entrance to the Port Clinton garage. Ways should be sought to expand that approach so that the shopper/visitor is given direction to parking as they pass through one of the gateways to the district and the core retail area within the district. Ideally, that person should feel they are being greeted and helped from the moment they enter one of these gateways.

Parking Policies for the Pedestrian Commercial Core Area

- The present off-street parking strategy - locating parking around the outer edges of the Pedestrian Commercial Core Area of the Central District should be continued and expanded when necessary due to intensification through new development or the identification of localized shortages in one part or another of the Pedestrian Commercial Core Area. Figure 3, Illustrative Concept, indicates possible outer edge locations for such parking.

- If warranted through a detailed parking study, a public parking structure dedicated for shopper/visitor patrons should be considered to be located where the existing parking lots adjacent to the METRA tracks presently exist. The primary focus area shall be from Elm Place to Laurel Avenue between St. Johns Avenue and First Street. Such a structure should be designed to present a gracious wall enclosing the Pedestrian Commercial Core Area from the open, parking dominated space on either side of the Metra railroad tracks.

- Structure parking should be incorporated into the design of any major retail, residential and mixed-use developments in the Pedestrian Commercial Core Area.

- On-street parking should be retained to the maximum degree possible, but allow for alterations where key pedestrian/aesthetic improvements intersect with new development projects and new structure parking development.

- Parking should be accommodated through a combination of private parking facilities for new developments and common or shared off-street parking for existing local businesses. This can be accomplished through agreements made with owners of commercial core office buildings, churches, transit or other lot owners for use of their parking at "off-time" hours

- Consider adjustments to regulations for on-street parking in the form of "preferred zone" parking. This approach provides special on-street parking privileges for certain types of users within a defined area. Establishing retail, residential, and employee parking zones within specific areas of downtown that would encourage on-street parking, based on the land use emphasis of a given area. It would also preserve on-street parking in the core shopping area for retail use.

4 DEVELOPMENT OPPORTUNITIES

Redevelopment of parcels in the Central District especially the Downtown and Pedestrian Commercial Core remains a real option for the future. Under this plan a significant amount of redevelopment can take place whenever the market demand will support further development. Projects that come forward will undoubtedly be significantly more intense than the building and uses that now occupy potential redevelopment parcels. Many of these parcels are older structures that do not represent major investments in site improvements. Market demand is the only real barrier to further development and reasonable intensification in the Central District.

The sections that follow present opportunities for development in the various sub-areas that combine to form the Central District. There are twelve of them covering both the commercial and residential dominated areas covered by this plan. Figure 11, Central District Sub-Areas, locates each sub-areas and indicates by figure number where the reader can find the individual map series that show; existing land-use, existing zoning and the planned zoning policies that will enable development opportunities.

At the time of adoption of this plan (the second quarter of 2001), there appears to be significant demand for more residential development in the form of relatively high-priced condominium. This type of development adjacent to and within the Pedestrian Commercial Core is very positive for growth in the market for other uses, as it brings more people with substantial disposable income into the immediate market area. There is, of course, a finite limit to the numbers of new units that can be added over time. Market demand cannot grow indefinitely. As a classic single-sided market, like other north shore communities, Highland Park has limitation to its retail development potential caused by its geographic location on the shore of Lake Michigan. For now, however, the Central District population is growing due to the condominium development activity of recent years. As redevelopment sites outside the Pedestrian Commercial Core are reduced in number, pressure will be brought to add such units inside the Pedestrian Commercial Core itself.

Other kinds of development that are not particularly market driven are also supported by this plan. Of particular importance is the addition of affordable housing units to assure that the community will have reasonable balance in its housing supply for families of diverse income levels. Community and cultural facilities also have a place in the Central District as they enrich the lives of all Highland Park residents.

This Plan supports such development. It will add strength to the retail and commercial activities on which a healthy downtown anywhere is dependent. It also offers the potential to greatly improve the quality of the buildings and architecture on many of the streets inside the Pedestrian Commercial Core Area. While total retail space will increase slightly perhaps, the engine to drive new and more substantial buildings can come from a strategy that encourages residential development within the core. The challenge to the City is fivefold:

1. Assure that new development has the kind of design excellence that Highland Park residents have come to appreciate and demand.

   Balance the amount and scale of new, mixed-use development with the shared community value of maintaining community identity and traditions, and the familiar look of the Central District. Pacing the rate of change can help, as can advanced zoning and architect design techniques. Provisions such as the addition of story limitations to the control of building height, the requirement for peaked roof lines and the application of the ziggurat principle on signature streets will add to the City's control over what the character of new development will be in the future.

2. Manage the parking system to make the Pedestrian Commercial Core appealing and convenient to the resident, shopper and visitor.

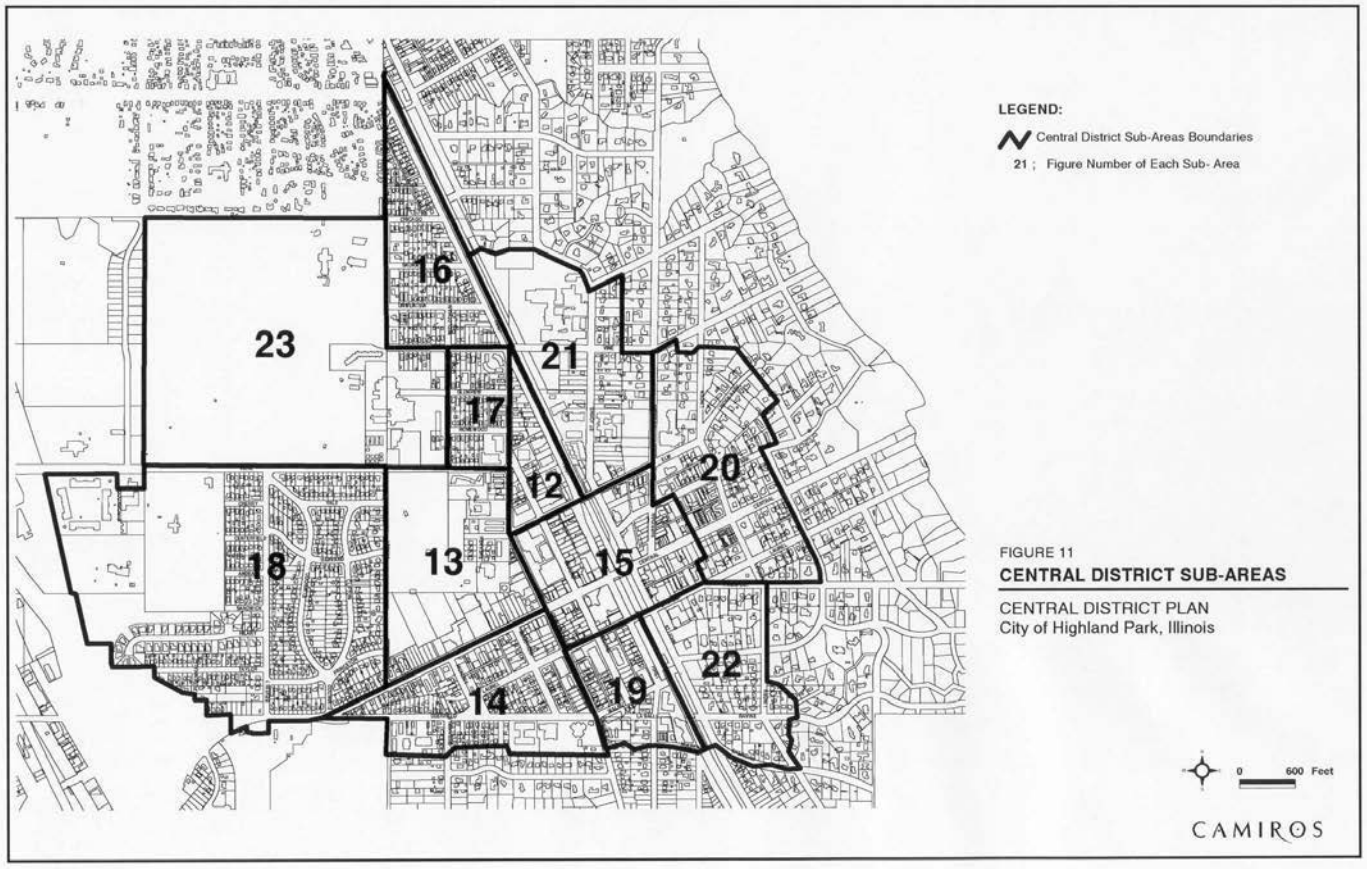
3. Continue to encourage cultural and entertainment activities within the core area.

4. Increase the attention put into beautifying the Pedestrian Commercial Core.

All of these strategies are included in this Plan. As a package they can make healthy change and balanced growth a very positive thing for the community. Redevelopment requires intensification in all but a very few instances. The overall excellent health of the Central District allows the community to manage intensification so that it remains within acceptable scale and that what does arise is well done and adds to the community.

Suggestions regarding land use and character of development are general and should be seen as such. It is primarily each individual property owner, within the parameters of established land use regulations and community design review that primarily determines actual redevelopment of any site. Parking is the wildcard however. In most cases public/private cooperation or partnerships will be needed for other large-scale developments such as Renaissance Place. Such participation can provide much greater project control that will give the community confidence in the outcome of any such future projects.

FIGURE 11: CENTRAL DISTRICT SUB-AREAS



4.1 COMMERCIAL AREA OPPORTUNITIES

A number of development opportunities exist within the Central District due to the strength and success of the area and the exiting zoning provisions that have long been a part of the City's planning and zoning policies for the area. Among this Plan's basic assumptions is the need to adjust zoning and land use regulations to be more responsive to prevailing community values that include the desire to maintain the City's traditional sense of character and scale. In response, this Plan proposes policies that suggest reducing permitted building heights from that currently permitted as a matter of right.

Yet significant development potential remains because of the vast difference between what is now built and the historic zoning allowance even after downward adjustments. The challenge before the City during the life of this Plan is to maintain the balance between traditional, familiar elements of the Downtown physical environment with the equally important element of providing a framework for land use change thorough redevelopment that can maintain a healthy commercial core.

The Illustrative Concept on Figure 3, is meant to indicate the possibilities for development that exist in the prime target areas within the Pedestrian Commercial Core and immediate surrounding neighborhoods. These concepts suggest projects in order to illustrate potential and quality standards that the City expects from any new development. They do not represent City policy in any manner and, most particularly, they do not imply City policy regarding the removal, acquisition or redevelopment of any individual property shown in the Illustrative Concept itself. Redevelopment in any of these areas is expected be initiated by property owners, not by the City.

The maps associated with each of the sub-areas discussed below shown present conditions through existing land use, the present zoning of each area and recommendations for adjusting zoning for each area; in effect zoning policy covering the prime development sites in the Central District. These maps indicate directly the City's policy for what it would like to see happen for these key sites.

4.1.1 ELM PLACE/GREEN BAY ROAD/FIRST STREET TRIANGLE

This area, bounded by Green Bay Road, Elm Place and First Street is located north of the Pedestrian Commercial Core Area streets that border and traverse the area, forming it into two triangular parcels - one large, the other much smaller. Elm Place has relatively new developments (Walgreens and Elm Place Shops) and serves as the base of each. Automotive service stations occupy the point of each of the two triangles where Second Street meets Green Bay Road and where First Street meets Green Bay Road.

Significant redevelopment and updating appears on the horizon for much of this area. The area is characterized by older structures, many of which were originally built to service automobiles and many of which still remain automotive-oriented. Along Green Bay Road older residential remnants await redevelopment. Other commercial building fronting on Green Bay Road remain viable for a variety of eclectic shops that cannot afford to pay the higher rents typical of the Pedestrian Commercial Core stores. A number of these building can remain and be made part of an overall development scheme with careful site design.

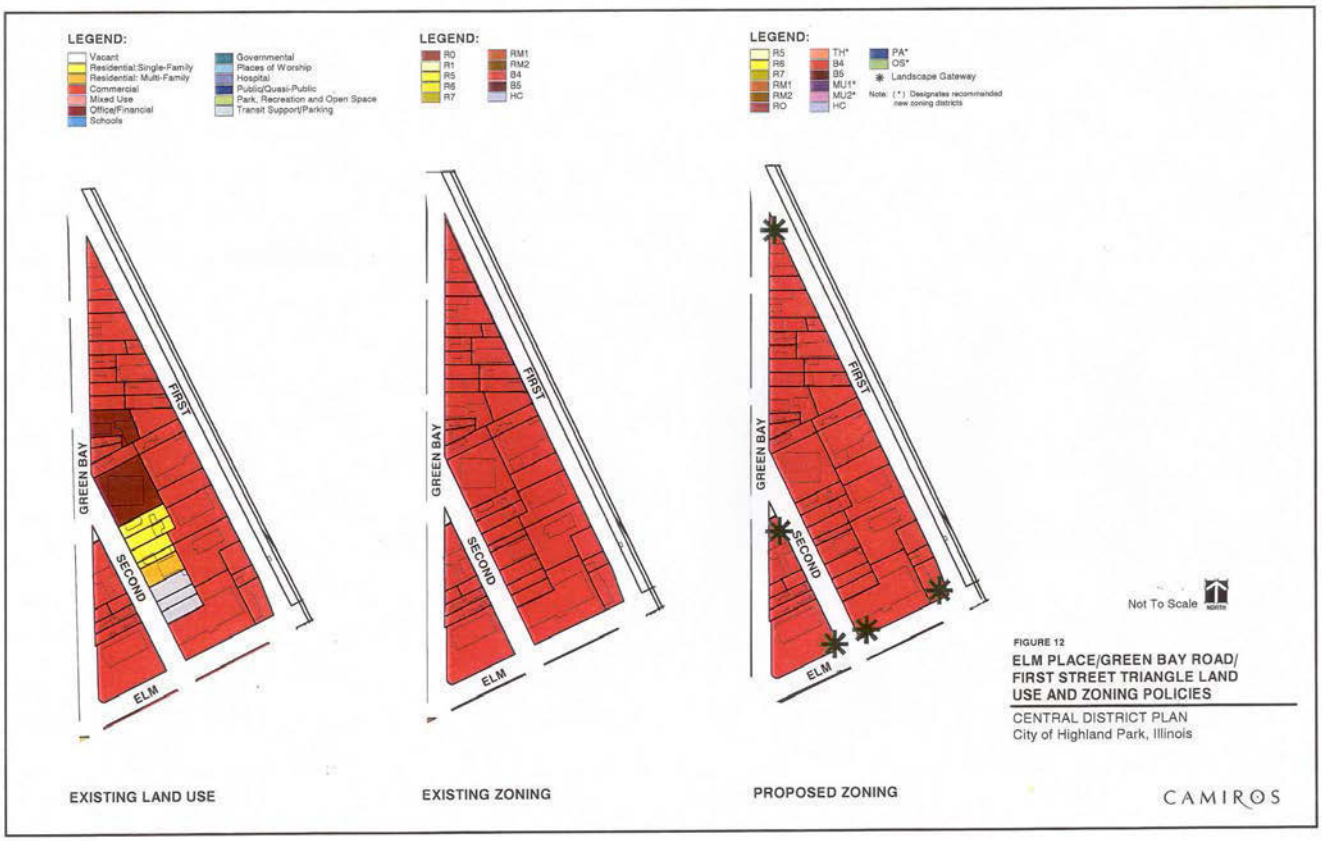
Proposed land use for this area under this Plan is Community Convenience Commercial. The Plan's recommended zoning policy for this area maintains the entire area B4 commercial, the same as it has been under the current (year 2000) Zoning Ordinance. Land uses that now exist serve an important function in the community - housing businesses that cannot, and for the most part should not, be located in the

Pedestrian Commercial Core Area. Examples include the car wash, fast food restaurants and gasoline service stations. These types of uses are important for the accommodation of community residents.

Within this land use context, redevelopment opportunities still exist. The most appealing areas for such redevelopment may be the frontage along Green Bay Road, more or less across from the Homewood Avenue intersection, and further to the south along the Second Street frontage between West Park Avenue and Elm Place. Figure 12, Elm Place/Green Bay Road/First Street Triangle Land Use and Zoning Policies, indicates one example of what may result from redevelopment actions in this area over time.

Opportunity exists to enhance and beautify the northern approach to the Pedestrian Commercial Core Area of the City in this area. The intersection of Green Bay Road, Second Street and Park Avenue is planned to become a gateway into the downtown. Streetscape treatment of the intersection can be significantly improved. A significant gateway feature, such as an obelisk, fountain or sculpture, would be a strong feature at this intersection; a similar treatment may be considered for the point formed by Green Bay Road and First Street where Vine Avenue intersects.

FIGURE 12: ELM PLACE/GREEN BAY ROAD/FIRST STREET TRIANGLE LAND USE AND ZONING POLICIES



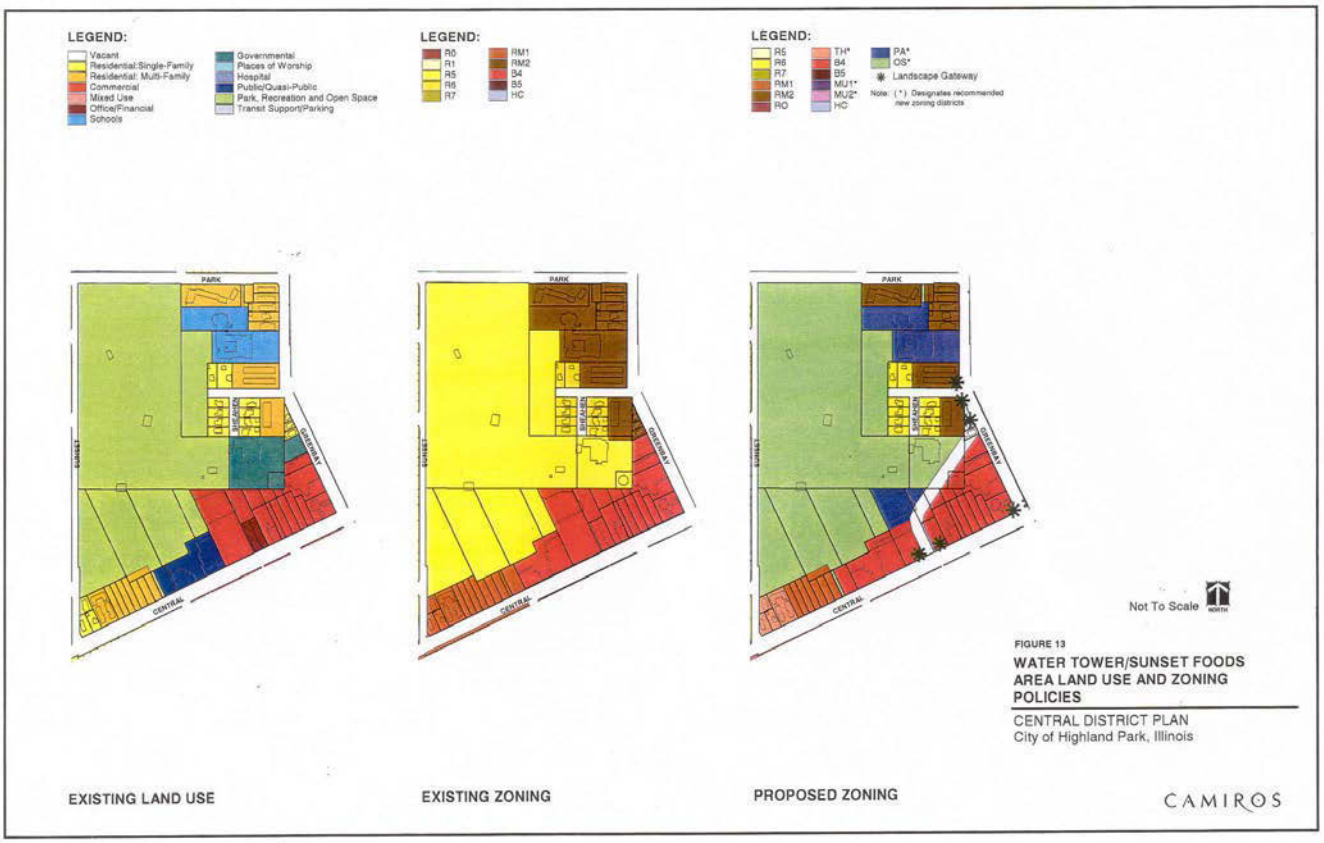
4.1.2 WATER TOWER AREA

Green Bay Road, Central Avenue and the proposed Water Tower Boulevard bdefines the Water Tower Area. It is located west of the Pedestrian Commercial Core and is dominated by the Sunset Foods grocery store (see Figure 2: Existing Land Use). The area has a significant grade change from east to west falling 20 to 30 feet from Green Bay Road to the planned termination of Water Tower Boulevard. An automotive service station occupies the northwest corner of the intersection of Green Bay Road and Central Avenue. Sunset Foods and attendant off-street parking occupy most of the balance of the area. Two older commercial buildings front on Central Avenue to the west of the gas station and the former Jewel supermarket site and the existing Post Office compose the west end of this planning area.

The future for this area should be sensitive to two major elements, one economic and the other an urban design element. First, it is important to recognize the Plan policy of strongly encouraging Sunset Foods to remain in its present location and to provide necessary assistance to enable Sunset to modernize and expand their facilities. Second, the City water tower has a role as a visual icon in the community and defines the gateway to the Downtown. The opportunity exists to greatly enhance its immediate base area and to encourage its use by adding landscaping and other inviting improvements, and linking it to both Karger Center and the pedestrian concourse emerging through the center of Renaissance Place. Such improvements would induce people to enjoy it more and come to view it as a unique piece of the pedestrian and open space resources of the community.

Proposed land use for this area are Community Convenience Commercial and a small passive park around the water tower with pedestrian links to Karger Center, Sunset Woods Park and Renaissance Place. Under this development scenario, anticipated redevelopment may include relocating the existing food store in a new and larger facility. Finding adequate space for off-street parking for the new store will be a development challenge for this action. Key to commercial redevelopment of this area is reversing the current relationship of off-street parking areas and buildings to Central Avenue and Green Bay Road. The Illustrative Concept depicts the storefronts moved toward Central Avenue, thus continuing the building scheme established along the street east of Green Bay Road. Off-street parking is illustrated to the north (behind) the commercial frontage. Site planners and architects will be challenged by the change in grade of the land in this area. The grade change may offer a means to incorporate structure parking into the redevelopment plan and should be studied as the project is designed in detail.

FIGURE 13: WATER TOWER/SUNSET FOODS AREA LAND USE AND ZONING POLICIES



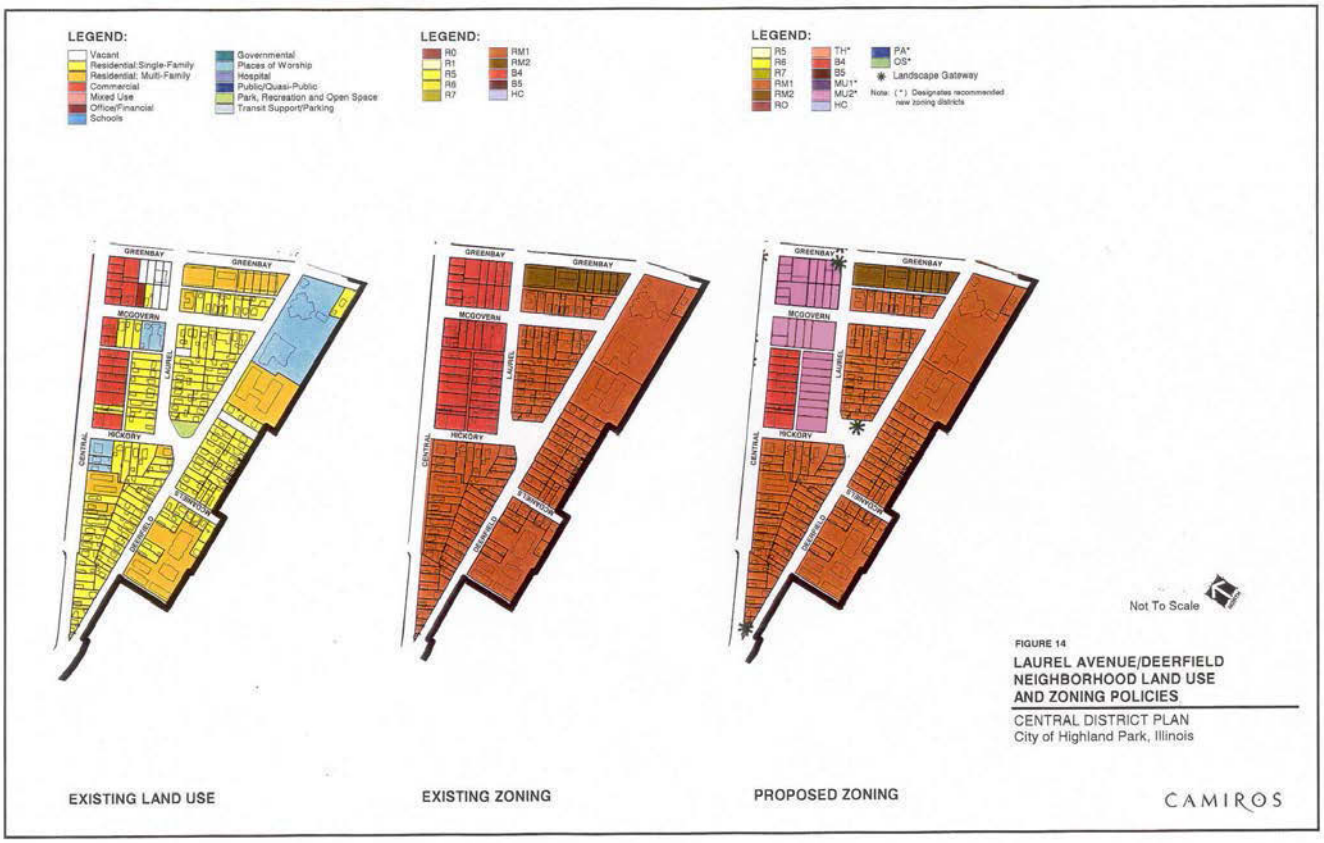
4.1.3 LAUREL/DEERFIELD NEIGHBORHOOD

This triangular area, bounded by Central Avenue, Green Bay Road, and the rear lot line of lots along the south side of Deerfield Road. The area contains a mix of single family cottages and multiple family residences as well as three religious institutions. Elderly housing occupies the site of a former school along the south side of Deerfield Road. The frontage along Central Avenue between Hickory and Green Bay is commercial. The area has been zoned for multiple family residential with commercial zoning again between Hickory and Green Bay, Central and Laurel east of Hickory. Only a few pockets of multiple family have appeared over the past years as a result of the RM1 zoning. Property owners are anticipating that market forces will prompt redevelopment of the RM1 in the near future. Numerous site are available for such residential intensification through redevelopment. In most cases adjoining parcels will have to be joined for logical redevelopment to occur.

There is a major commercial site in this neighborhood as well. It is the former fire station located at the southwest corner of Laurel and Green Bay Road. The face of the block (facing Central Avenue) is occupied by a relatively new structure confirming continued retail and business use of the block. However, the block also transitions into the residential area south and west in the heart of the Laurel/Deerfield Neighborhood. This suggests that the most logical plan for this block may be to reserve it for mixed-use development at the lower intensity proposed for the MU Transition District (MU2 on the Zoning Policies Map). The MU2 provides for non-retail mixed use at the lower height and corresponding lower density as well. Zoning policies for this proposed new zoning district call for structures not higher than three stories instead of four stories. As the name implies, this district transitions the retail and commercial Pedestrian Commercial Core into the Residential enclave along Deerfield Road and Laurel Avenue that lies to the west and south

It is anticipated that any new development will have residential units on the upper floors and a variety of office/service uses on the ground and perhaps even the second floor. Parking for any such new development will most certainly have to be a combination of structure parking and surface parking. If and when new development occurs along the Laurel Avenue frontage, streetscape for the Laurel Avenue frontage should be an important part of the City's development approval criteria. A detailed beautification plan for Laurel Avenue should be in place prior to any redevelopment actions along Laurel Avenue in this area.

FIGURE 14: LAUREL/DEERFIELD NEIGHBORHOOD LAND USE AND ZONING POLICIES



4.1.4 SECOND AVENUE PLAZA

This area, bounded by Elm Place, First Street, Central Avenue and Second Street, is in the heart of the Pedestrian Commercial Core. There is a solid front along Central Avenue made up, primarily, of one-story structures that are fully occupied with thriving retail stores and offices. The existing buildings currently fronting Central Avenue are part of the familiar physical context of the Pedestrian Commercial Core, however, they do not begin to approach the zoning potential of the B5 zoning designation even under the expected reduction in building height recommended in the Plan. Nor does this line of buildings exhibit particular architectural excellence or traditional character that help define the Pedestrian Commercial Core. If they were to be replaced with new structures, it would not be unexpected to realize buildings of better design that better contribute to the community values that promote the concept and policy of signature streets in the Pedestrian Commercial Core.

Improvements behind the Central Avenue frontage, to the north, contain a mix of buildings, and unused and unorganized space along with surface parking lots. Some of these buildings have the traditional character of older commercial building; others, with multiple stories represent a degree of investment that would make wholesale redevelopment difficult in the near future. However, a large number of the structures in this area are both undistinguished and of low value relative to the zoning entitlement of the land they occupy. A unique feature of this block is the continuous open space behind buildings that front First Street and Second Street, offering an opportunity to create a pedestrian concourse in this block that corresponds to the concourse designed in Renaissance Place. In contrast, some older buildings along the north end of Second Street have excellent design characteristics and historical quality and have been redeveloped in recent years to accommodate modern uses. As future redevelopment occurs in this area, planners should be sensitive to incorporating these older buildings into plans that may modify this end of Second Street.

The major development opportunity exists mid-block along Second Street, directly across from the concourse that traverses Renaissance Place, that now contain surface parking lots and single story retail buildings. The central feature of an ideal community development in this area would be a formal plaza with enough size to accommodate events surrounded by mixed-use, retail and condominium buildings that will frame the plaza and, in turn, use the plaza to distinguish the project.

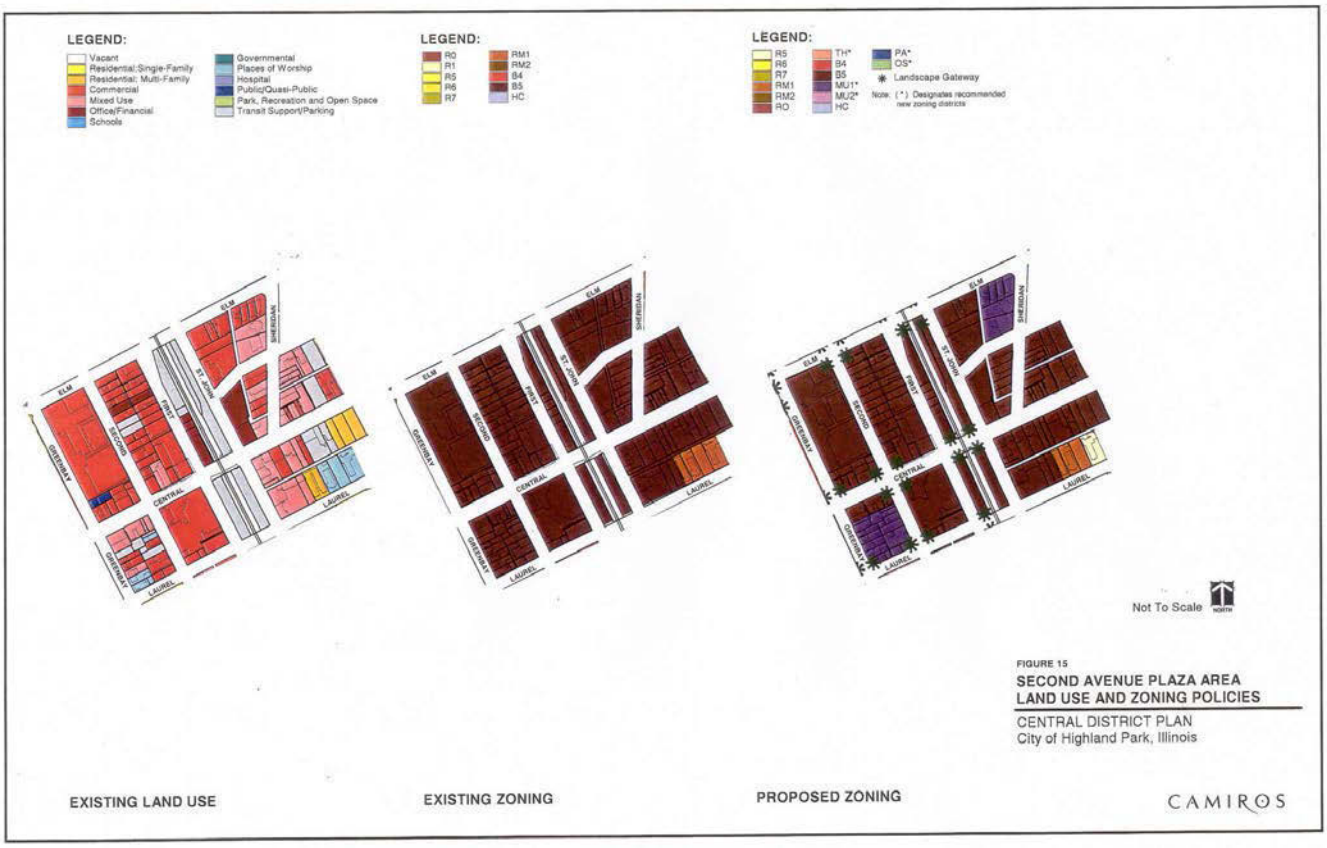
Underground parking would have to be included in any such project that included condominium development on upper floors to promote project feasibility. Pedestrian links can be designed into the block to provide access from parking along First Street and the surface lots that front First Street. It is anticipated that the entire interior of the block would be designed and landscaped to present an extremely appealing pedestrian/shopper environment.

Additional opportunities for mixed-use retail and condominium development may also exist along the Elm Place face of the block. Here, the existing one-story buildings and single story strip commercial developments might give way to more mixed-use retail and residential projects. The unknown is the degree to which off-street surface parking will foreclose other use options. Large mixed-use projects with City assistance may be able to handle off-street parking in a manner that integrates the required parking within the new structure. Certainly the approach would produce better design solutions for the strategic pedestrian environment that is the foundation of the Plan policies for the Pedestrian Commercial Core Area. In reality, both approaches to solving the parking requirement will be necessary – surface and structure parking. A fully integrated, public and private parking system should be considered the essential infrastructure for the continued success of the Central District core area.

Updating of the streetscape is proposed along Second Street. The new streetscape would respond to the elements that define the outside areas of Renaissance Place. New trees would be planted and seating areas offered. New signage would unify the design theme of the area into a single place anchored by the plaza.

The most striking feature of this Plan is the creation of a mid-block plaza and attendant pedestrian approaches. The plaza and pedestrian concourse would knit together the north side of the downtown, build on and secure the success of the Renaissance Place, and give Highland Park another distinguishing element making it the premier downtown among the Chicago suburban communities.

FIGURE 15: SECOND AVENUE PLAZA AREA LAND USE AND ZONING POLICIES



4.2 RESIDENTIAL AREA OPPORTUNITIES

Residential uses surround the downtown. These are mature residential neighborhoods that developed during the early growth of the community. The neighborhoods are distinct in the size and character of homes within each area. Six neighborhood units have been delineated based on the physical conditions such as streets, parks and non-residential land uses, which frame or bound the areas. There is no "official" status or recognition of these neighborhoods and their names are based on landmarks or major streets in the area.

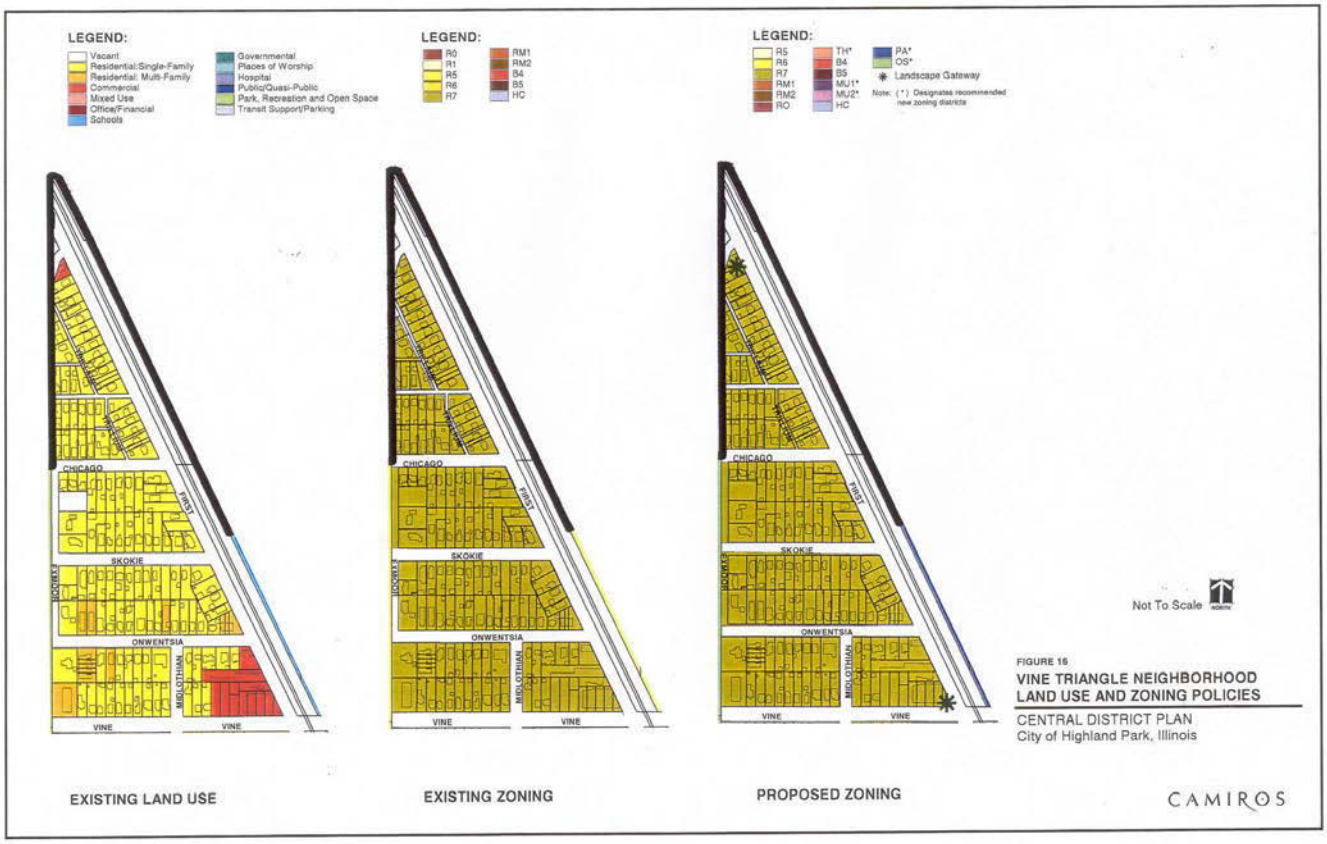
4.2.1 VINE TRIANGLE NEIGHBORHOOD.

This neighborhood comprises the area bounded by Vine Avenue on the south, Green Bay Road, which extends in a southeast-northwest direction, and Exmoor Avenue. The redevelopment pressure in this neighborhood is moderate. The neighborhood has expressed a clear desire to remain single-family in character and was recently rezoned to the R7, single- and two-family zoning category to achieve that purpose. There exists at the corner of Green Bay Road and Vine Avenues long standing commercial uses including offices, retail and service uses that are non-conforming uses to their current zoning district.

Planning recommendations for this area sets a strict conservation policy for this neighborhood maintaining the single-family character under the R7 zoning category and suggesting that the City neighborhood improvement process be applied periodically to assist in maintaining and upgrading the physical condition and the quality of life in the neighborhood.

The plan also recommends that all existing non-conforming commercial uses in the area be allowed to continue by removing the amortization provisions for such non-conformities from the zoning ordinance. Further, the Plan Commission and City Council shall explore amendments to the zoning ordinance that would allow the continuation of non-conforming commercial uses through the designation of such uses as conditional uses.

FIGURE 16: VINE TRIANGLE NEIGHBORHOOD LAND USE AND ZONING POLICIES



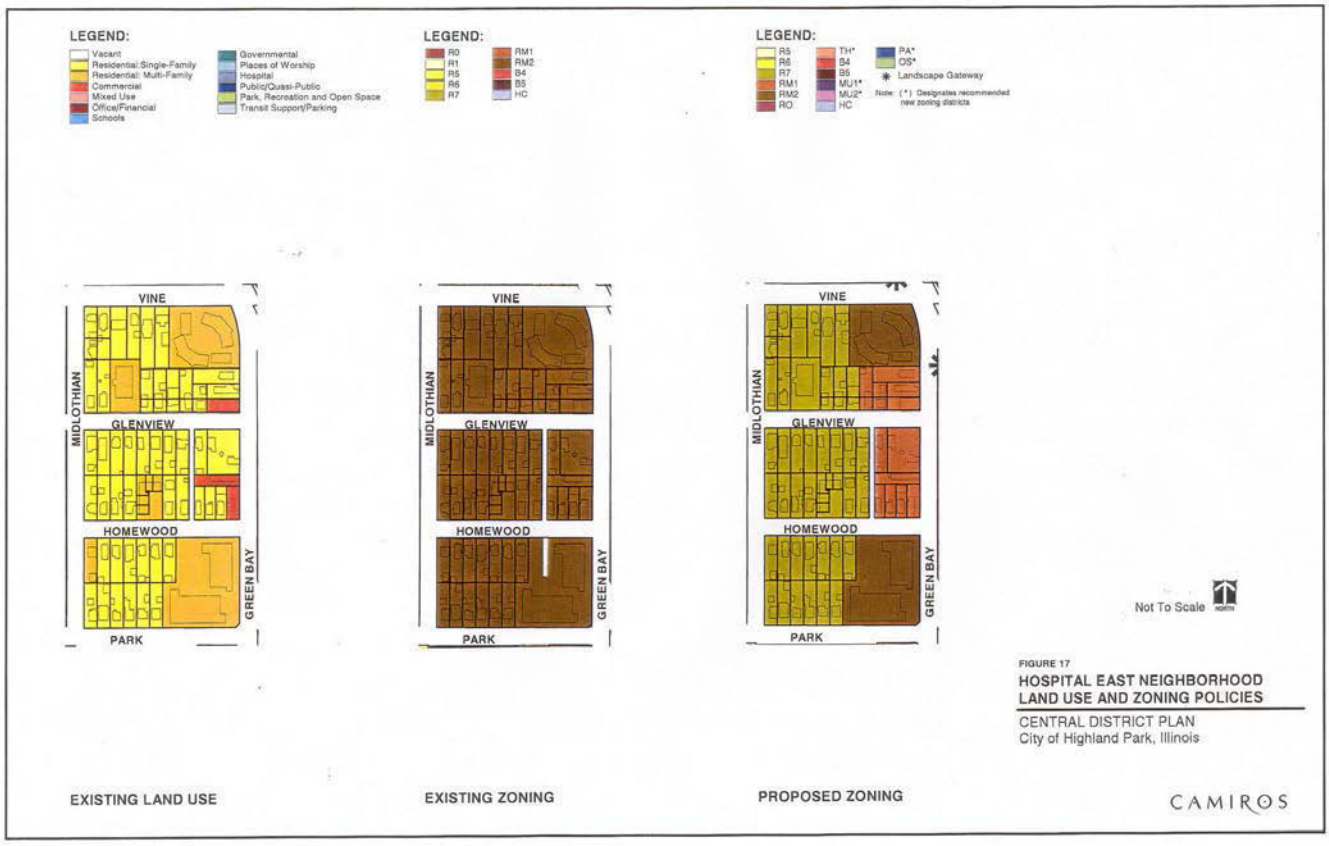
4.2.2 HOSPITAL EAST NEIGHBORHOOD.

As implied by the name, this neighborhood consists of the residential area that is immediately east of Highland Park Hospital. Its boundaries are: Vine Avenue on the north, Green Bay Road on the east, Midlothian Avenue on the west and West Park Avenue on the south. This area has, until very recently, been undergoing redevelopment pressure from previous expansion plans for the hospital and hospital-related activities. With a change in ownership and subsequent shift in the hospital's plans for the future, the Hospital East Neighborhood has a different future and the option to select the nature of that future. Some higher density residential uses have developed in the area. However, most of the residential uses remain single-family in nature even though there are a scattering of small-scale multiple-family units inside the neighborhood. Of course, along the Green Bay Road frontage to the neighborhood at West Park and Vine Avenues, higher density condominium projects have previously been developed.

The Plan sets forth a new conservation-oriented planning policy for this neighborhood. It is to be maintained as a residential neighborhood as it is at present, rather than a hospital expansion reserve. Accordingly, zoning designation should change from RM2 to a combination of R7 west of the immediate Green Bay Road frontage, with a combination or existing RM2 zoning and RM1 designation along the Green Bay Road frontage. Along Green Bay Road, the existing multiple family developments at Green Bay Road and Vine Avenue shall maintain the RM2 zoning designation and the intervening areas should be rezoned to the RM1 zoning district.

Because of years of multiple-family zoning, there will be a limited number of smaller scale multiple-family structures mixed in with the predominant single-family and two-family dwellings. The policy of change for this neighborhood recognizes and acknowledges this historic fact and accepts these multiple-family structures in their present numbers as consistent and a part of the neighborhood varied housing fabric. Recent changes to the provisions for non-conforming residential uses in the Zoning Ordinance enable these structures to continue to exist within the R7 zoning districts without undue regulatory burden.

FIGURE 17: HOSPITAL EAST NEIGHBORHOOD LAND USE AND ZONING POLICIES



4.2.3 SUNSET WOODS NEIGHBORHOOD.

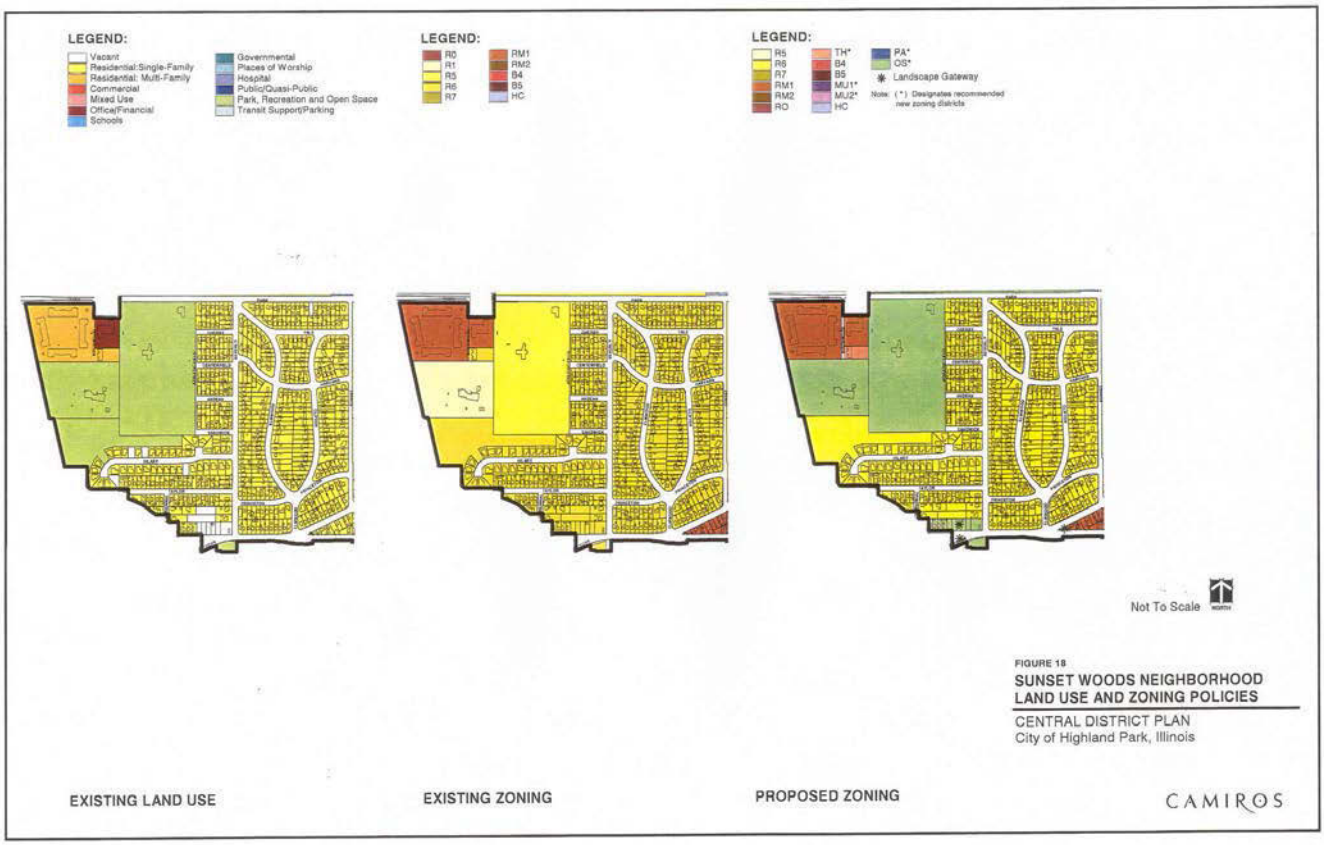
This relatively large, single-family residential area lies between Sunset Woods Park and the Skokie River, and from West Park Avenue on the north to Central Avenue on the south. The area is stable, with some pressure being felt on the perimeter, especially along Central Avenue, for redevelopment. It is an area built under the City's R6 zoning district and remains under that land use and density regulatory framework. It is an area of fine, well kept homes, close to Sunset Woods Park and the downtown core, with well-defined boundaries and a strong sense of neighborhood connection. It is an area that is vulnerable to teardowns due to its desirability and the relatively large lot area that is characteristic of the neighborhood. A number of large new homes have been built on Hilary Lane that has solidified the western part of the neighborhood as a single-family area. Traffic is an issue and a concern in the neighborhood. Beverly Place has been designated for the testing of traffic calming measures to reduce the impact of "cut through" vehicles using the neighborhood to avoid the Green Bay Road/Central Avenue intersection.

The Plan establishes a conservation planning policy for this neighborhood with special attention to controlling the nature and amount of teardown activity in the area. The neighborhood should remain in its present R6 zoning district category. As one alternative, the frontage on the north side of Central Avenue west of Beverly Place should be considered for use as an open space entry feature to the Central District.

Areas along and south of West Park Avenue west of the High School athletic fields, represent a mix of uses including a sports club, offices townhouses and multifamily residential. All these uses co-exist harmoniously and are likely to remain in their present configuration unless market values force redevelopment due to shifts in the market. Long-term plan recommendations include single-family use for the sports club and townhouse residential for the balance of the area.

In the Sunset Park neighborhood, benefits will flow from application of the City's continuous neighborhood improvement program. Anticipated outcomes from this program will help in the effort to maintain the housing stock in the neighborhood by underpinning value and thus making teardown that much less economically feasible. However, a more directed policy to inhibit teardowns is required to truly make a difference in stopping this trend. A zoning ordinance policy that would reduce the ability to cover more of an individual zoning lot with building footprint may be considered.

FIGURE 18: SUNSET WOODS NEIGHBORHOOD LAND USE AND ZONING POLICIES



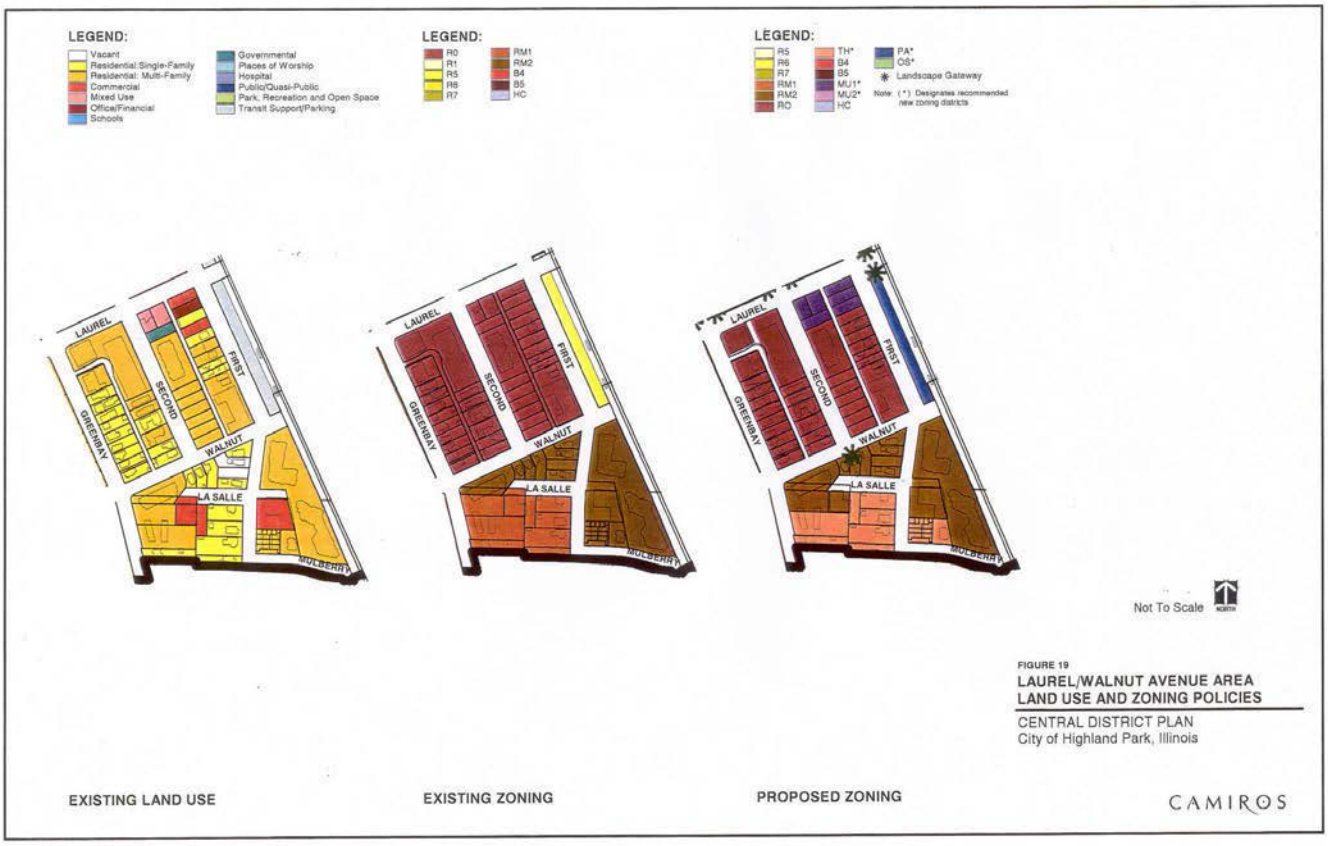
4.2.4 LAUREL/WALNUT NEIGHBORHOOD.

This neighborhood continues to be an area of change. Many homes in the eastern portion of the area, in the vicinity of First Street and Walnut Street and Second Street and Green Bay Road, have been acquired and replaced, or are about to be replaced, with multi-family residences, primarily condominiums. The proximity of this area to the Metra station and the downtown makes it a desirable location for commuters and those who desire to be near to the conveniences of the downtown. A portion of the western part of the neighborhood is expected to serve as a buffer between the commercial activities of the downtown and the single-family homes along Deerfield Road. Low-density, multi-family uses, such as low-rise garden apartments and condominiums and townhouses, are proposed for a portion of this neighborhood.

The Plan reaffirms a policy seeking redevelopment of most of the lots in this neighborhood to a higher density then currently is the case. Six zoning categories are applied to this neighborhood in the Plan: RO, RM-2, RM-1 and the newly proposed districts TH (Townhouse district) and the MU-TC (Mixed-Use Town Center District). The mixed-use category is applied along the south side of Laurel Avenue between Second Street and First Street encouraging a mix of residential with the commercial opportunities.

Zoning policy for the residential areas of this neighborhood invite redevelopment at higher densities throughout most of the area. The Townhouse district is strategically placed at the south end of the neighborhood to act as a transition between the highest uses (RM-2 and RO districts) and nearby single-family residential uses to the south of the Central District.

FIGURE 19: LAUREL AVENUE/WALNUT LAND USE AND ZONING POLICIES

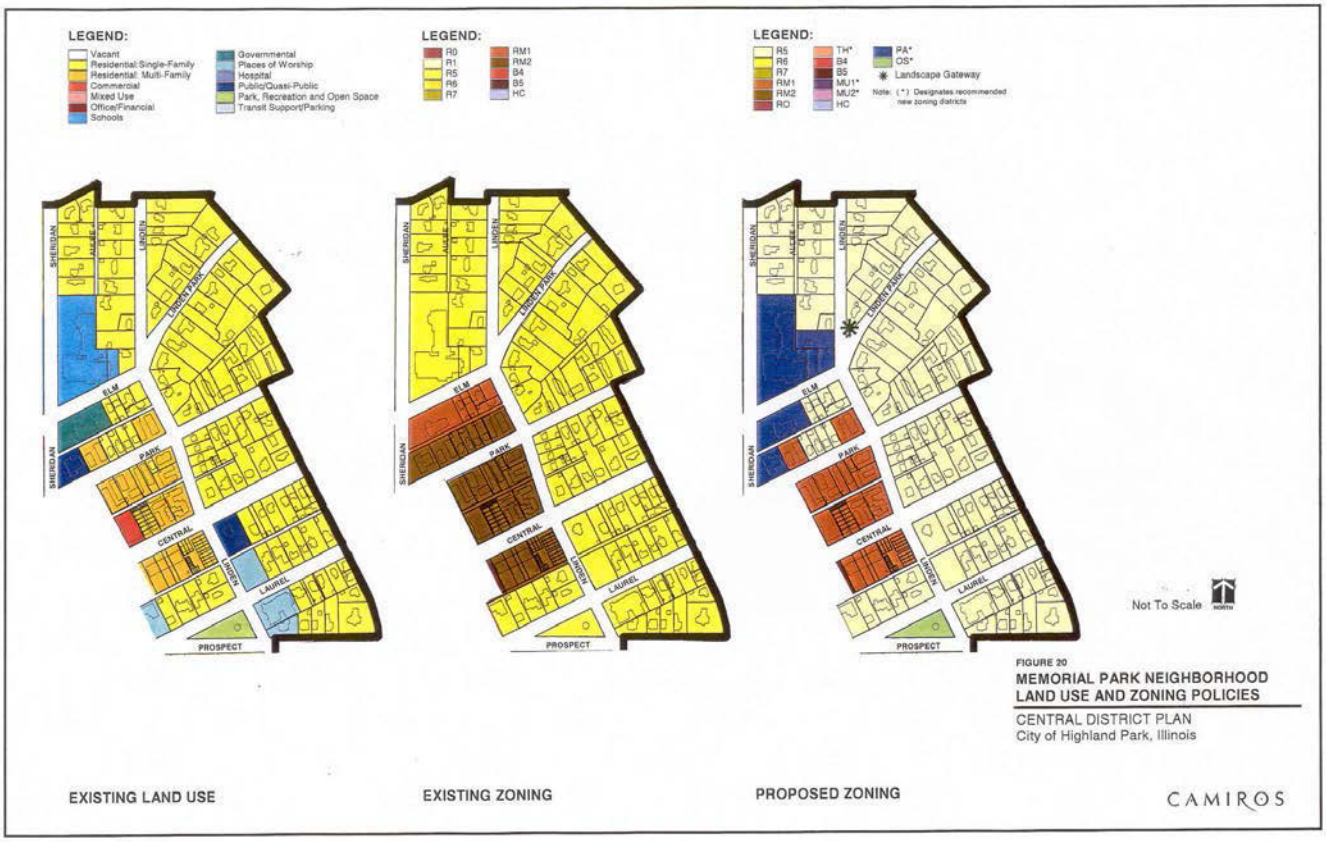


4.2.5 MEMORIAL PARK NEIGHBORHOOD.

Located east of the Metra train tracks and generally south of the east side of the downtown core, this neighborhood reflects the stately homes of the lakefront residential areas in the City. A number of local and national structures are listed in the National Register and a portion of the Hazel Avenue/Prospect Avenue National Historic Register District is in this neighborhood.

The Plan recommends a strict conservation policy for this neighborhood in the eastern section of the Central District. The single family precincts generally east of Linden Avenue are designated to remain as they are now - maintaining its present R5 zoning and subject to the City's neighborhood improvement program, as are other Central District neighborhoods. The multiple family areas now zoned RM-2 that lie west of Linden Avenue are to be down zoned to RM-1 with small areas along Park and Elm Place suggested to be rezoned to R5. These lots contain historic homes that are a resource for the community and should be encouraged to remain as part of the housing legacy of the community.

FIGURE 20: MEMORIAL PARK NEIGHBORHOOD LAND USE AND ZONING POLICIES

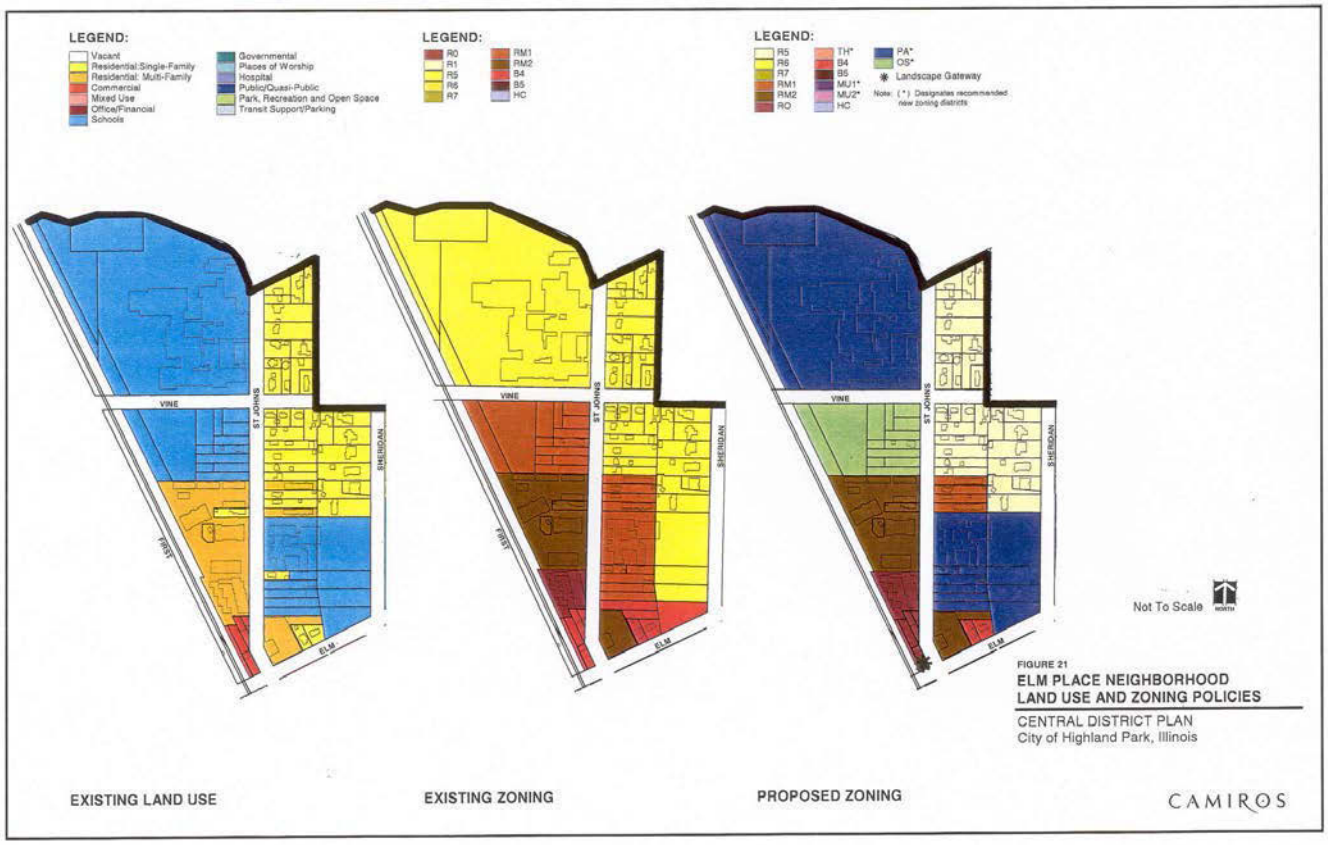


4.2.6 ELM PLACE NEIGHBORHOOD.

This neighborhood is located north of the retail core and east of the Metra train tracks. It is similar in character to the Memorial Park Neighborhood in type and character of housing. Portions of two historic districts, the Maple Avenue/Maple Lane National Register District and the Linden Park Place and Belle Avenue District, are in this neighborhood. Low density multiple family buildings are located along Linden Place and provide a source of relatively affordable housing in the Central District.

The Plan treats the Elm Place Neighborhood much the same as the single-family portions of the Memorial Park neighborhood. The Elm Place Neighborhood is designated for strict conservation of its present quality character. R5 single-family zoning should remain in place. The City should extend an anti-teardown policy and related techniques for this historic neighborhood, as it is also susceptible to the teardown phenomenon that is found throughout the City's lakefront residential areas.

FIGURE 21: ELM PLACE NEIGHBORHOOD LAND USE AND ZONING POLICIES



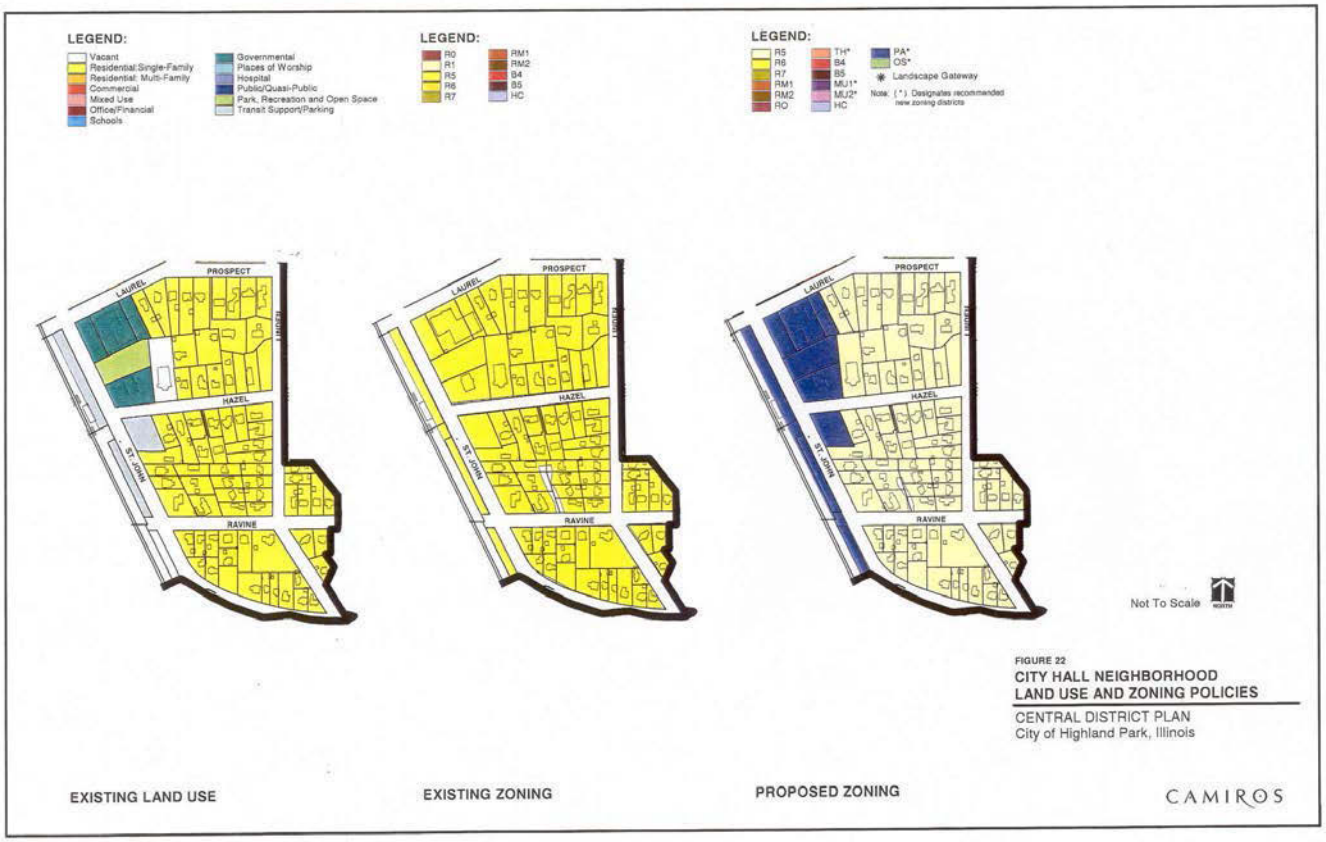
4.2.7 CITY HALL NEIGHBORHOOD

This neighborhood is anchored by the Civic buildings located along St Johns Avenue generally south of Prospect Avenue extending to Linden on the east and Sheridan Road on the south. The neighborhood is made up of the civic buildings, Library and City Hall and fine single-family homes on relatively large lots for the Central District

The Plan treats the City Hall Neighborhood is much the same as other east side neighborhoods. The City Hall Neighborhood is designated for strict conservation of its present character. R5 single-family zoning should remain in place. The City should extend an anti-teardown policy and related techniques for this historic neighborhood, as it is also susceptible to the teardown phenomenon that is found throughout the City's lakefront residential areas.

This policy will preserve the low density, single-family dwellings and maintain the character of this important neighborhood.

FIGURE 22: CITY HALL NEIGHBORHOOD LAND USE AND ZONING POLICIES



4.2.8 EXMOOR/HIGHLAND PARK HOSPITAL DISTRICT

This district is not a true neighborhood but rather the balance of the Central District made up of two large landholds; the Exmoor Country Club and the Highland Park Hospital campus. Housing does exist in this district however it is hospital owned housing for employees located at the west end of the hospital campus.

The Plan recommends that the hospital campus remain within its present boundaries east of Midlothian Avenue and south of Vine Avenue. The hospital is zoned in a special HC, Hospital zoning district that suit its needs and those of the surrounding residential neighborhood.

The largest single parcel of land n the central District is the Exmoor Country Club with its golf course and grounds. This major open space is a environmental benefit for the community and should be encouraged to remain in its present function. Zoning the area as Open Space in the new OS district will act to protect the community from a change in use should the golf club use cease for whatever reason. Under this zoning, a future user would be encouraged to petition the City for a rezoning for a new use for this large parcel. As such, the City would have significant control over the future use of the land. As a matter of future land use policy, this parcel should be primarily single family residential in nature. However, the size of the parcel would tend to encourage a planned development approach to any kind of redevelopment opening the possibility for some variety in housing type, price level and occupancy mix.

FIGURE 23: EXMOOR/HOSPITAL NEIGHBORHOOD LAND USE AND ZONING POLICIES

5 IMPLEMENTATION

Change is inevitable in any active and vibrant commercial district. The challenge for City officials and planners - and developers for that matter - is to manage change so that the downtown's economic health is maintained, the tax base of the community protected for the long-term, and the valued elements that connect residents to their heritage are preserved. This requires recognition of three interrelated policies that are responsive to these realities.

First, the competitive alignment facing the retail business community of downtown Highland Park is evolving continuously and, as it does, presents an ever-changing challenge to the retailers. Retailing itself is in flux as new entries in the marketplace appear and new methods of retailing arise. This dynamic environment requires that downtown Highland Park retailing change and evolve to stay competitive. At the present time, the retail structure of downtown Highland Park appears quite viable and the introduction of Renaissance Place has an excellent chance of further securing the competitive strength of the downtown.

Second, protection of all of the components of the City's tax base is good management of the community's resources. The downtown tax base is an important part of the City's total tax base. State sales tax rebates are another critical economic component for the City to manage. Downtown retail sales compose a significant component of overall retail sales and this sales tax base needs to be preserved and promoted for the long-term.

Third, preserving the critical elements of the City's heritage - places, structures and ambiance that are the shared icons of the community - need to be assured as part of an overall response to the community reaction to intense redevelopment in Highland Park.

This chapter presents strategies aimed at balancing the strengths and weaknesses of Highland Park, both real and perceived. As a group, these strategies seek to attract desirable and realistic uses, which augment existing uses and help to achieve the vision for the Central District.

5.1 IMPLEMENTATION STRATEGIES

The early and middle 1990s were a very active time for development. The economy was "robust," existing office and retail space - part of the 1980's construction boom - was generally filled, and development financing for a range of projects was relatively easy to secure. The development history of downtown Highland Park presents a clear enough example of how the national economy, as well as other forces, can hinder or initiate the development process.

Therefore, the proposed development strategies balance downtown needs with development realities and identify opportunities for improvement. With that construct in mind, the strategies described here identify a series of projects to help achieve the Downtown Vision.

5.1.1 RENAISSANCE PLACE SPIN-OFF DEVELOPMENT ALTERNATIVE

The Renaissance Place development went through a long and complicated approval and construction process and expectations are that it will succeed economically. The anticipated success of this project will likely create demand for additional users in the downtown who want to be as close to the project as possible. Opportunities for additional commercial development have been identified herein and the Plan Commission and City Council will be required to manage other complex planning processes including, most likely, significant public and private initiatives.

5.1.2 RETAINING A GROCERY STORE

Until recently, downtown Highland Park was fortunate to have two full service grocery stores. Chain grocery stores have very specific marketing areas and needs for physical space. Such stores typically require 70,000 square feet of space and a location within a shopping center. The Jewel-Osco chain moved out of the downtown because the acreage necessary to accommodate such a development was not available. The remaining store, Sunset Foods, is a local "institution" in the community and offers personal service not offered by the larger chains. The quality and consistency of such service is valued highly by City residents.

It is unlikely nor desired that the downtown attract one of the new "super" food stores or one of the "warehouse" type food stores which have lower prices but limited service. The "geography" of the community, as mentioned earlier, does not lend itself to a large market area. Therefore, it is imperative that the community retain a local grocer. The Plan recommends that the long-range site and space needs of the store be discussed with the owners and public/private partnerships to facilitate redevelopment be explored.

5.1.3 AUTO MAINTENANCE AND REPAIR

There are a number of auto maintenance and repair facilities in downtown Highland Park surrounding the commercial core. These uses are well-suited for downtown because of the central location and customer access to Metra rail and Pace bus facilities. However, the appearance of some of the existing auto repair uses requires improvement in order to enhance the downtown's appearance.

One option for addressing this problem is that the existing facilities be made more attractive. Numerous examples exist of gas stations and similar uses (even at the entries to downtown areas) that are attractively landscaped and present a clean appearance. However, most of these facilities in downtown Highland Park

have limited space for even modest landscape improvements. These uses negatively affect the visual entry to the Pedestrian Commercial Core Area. Several are located along Green Bay Road at the north end of the downtown. The service stations along Green Bay Road should be encouraged to put much greater effort into their site landscaping, especially at the "points" where Green Bay Road intersects First Street and Second Street.

Given these concerns, a number of sites should be considered for redevelopment or expansion as auto-related uses. A number of properties are located along First Street, north of Elm Place, which could accommodate auto-related uses. The location and shape of these sites will require creative site planning, focusing on several factors. Special attention should be given to fencing and landscaping between these uses and adjacent residential uses. Also, in pursuing this option, the City should work with existing downtown auto maintenance and repair users to assess their interest and the potential for this type of redevelopment.

5.1.4 ENTERTAINMENT

The entertainment function in the Central District is not currently developed to its full potential. Few residents come downtown primarily for entertainment. During the past few years, however, a number of eating and entertainment establishments have located in the Pedestrian Commercial Core Area. The development of Renaissance Place also includes a restaurant and a movie theater, as well as destination-type retail stores. The goal for the City should be to promote the shopping environment as an attraction which will, in turn, generate the entertainment component of the downtown.

The entertainment strategy for the downtown cannot be a single activity or use, but a series of activities, some of which already exist. Note that those activities come in two varieties - those unique to downtown Highland Park and those that may be found elsewhere. The entertainment uses present a variety of attractions and, to the extent possible, each should be expanded. The special activities include the theater at the Apple Tree Theater, the numerous events at the Highland Park Community House, and the annual Port Clinton Art Festival. These activities cannot be found in every community; they are destinations that serve a broader market. They also bring character and identity to the downtown. Events and attractions such as these do not directly bring shoppers' downtown, but are intended to expand the awareness of available business and appreciation of the Central District.

A major initiative of the Plan is to organize community resources to realize a performing arts center to be located within the Central District. Such a facility would be an additional draw for downtown businesses and an added attraction for the quality-of-life in Highland Park.

5.2 DOWNTOWN AESTHETIC STRATEGIES

Strategies to enhance the appearance of downtown must be seen as supportive, and part, of the other strategies and plans. Simply improving the aesthetics of the downtown will not revitalize the area or change its image. Conversely, redevelopment of the downtown without aesthetic improvements will not create the downtown character described by the Plan's goals and policies. Therefore, a strategy to continually augment downtown's physical appearance is essential. The program for implementing this strategy is described in Chapter 3 of this Plan in the section covering Urban Design. Previous urban design studies have been prepared by the City and these too should be looked to for direction in pursuing the urban design policies embodied in this Plan. Some of the major elements are as follows.

5.2.1 STREETSCAPE

Public Space for the Public. Apply the principles of good urban public space design, so that existing areas can be reinforced and new areas can be created that will be used and appreciated by the public.

Building Entrances. Encourage street level entrances instead of interior, “mall type" entrance corridors for better interaction between businesses and the public environment.

Pedestrian Amenities. Continue to enhance the pleasurable public experience of being downtown by maintaining the existing pedestrian amenities and exploring new ways to add interactive urban design elements like fountains and art in public areas.

Maintenance of Alleys. Encourage the use of existing alleys for loading, garbage pick-up, utilities, and, in some instances, parking. Also, encourage joint property access easements in the rear of lots where alleys have previously been vacated. Discourage alley vacations that will be impediments to existing, or future, site servicing needs.

Front Setbacks. Consider adopting "build to front lot line" requirements downtown to continue the setback pattern, preserve the existing pedestrian scale and reinforce the visual aesthetics of the pathways.

Scale. Maintain and enhance the existing pedestrian scale of the downtown. Redevelopment and new development should strike a balance between street width and building mass, while paying particular attention to the details at, and near, the pedestrian level(s). There should also be a general consistency between new and existing building widths and the vertical rhythm (piers) in the facade.

Height. Set a minimum building height standard of two stories for new infill development in the downtown area. When surrounding buildings are three stories or taller, require new buildings to be of a relatively compatible height - not to exceed current zoning height - in order to strengthen the height continuity of downtown. Employ the ziggurat concept where building height is permitted to increase as buildings setback further from the street in the B5 District.

5.2.2 ARCHITECTURAL CHARACTER

Attention to details in architectural design and streetscape design should be encouraged. This would help to soften, as well as elaborate on, the urban environment that is the downtown. Such details include, but are not limited to, soldier brick courses and other ornate materials used to breakup the monotony of facades, window size, placement and repetition, cornices, rooflines and roof pitches, and projections and recessions of building walls, which add architectural rhythm and help to breakup the monotony of facades. Also, decorative brick paving patterns in the sidewalk, formally spaced street trees, uniform decorative lighting, and comfortable, well-placed benches along the sidewalks and at corners can contribute to architectural character definition.

5.2.3 PARKING

Parking Structures. Explore the possibility of converting some parking areas along the Metra train tracks from surface to structure parking. For example, adding just one level of parking to both public lots on the

east side of St. Johns Avenue, straddling both sides of Central Avenue, would increase their capacity by over 200 spaces.

On-Site Parking. Consider prohibiting new developments from building on-site parking lots in front of building(s). Instead, encourage parking behind buildings when possible, or on the side when appropriate.

5.3 CONCLUSION

It is not often that communities undertake comprehensive planning for their central areas when times are good and the area is prospering. More often, such planning is propelled by crisis or the demise of the downtown economy. Highland Park has not had to react in this way. Instead, the City has planned rationally at a peak of Central District success. This represents both thoughtful and rational stewardship of one of the most important areas of the City.

The process that has been followed to create this Plan has included stakeholders and residents, City Officials, and professionals in the fields of real estate, law and design. The results represent a consensus on many individual issues that will affect land use and zoning decisions within the Central District for many years ahead. Not everyone agrees with every conclusion or policy contained in the Plan, but it is safe to say everyone will agree that all viewpoints were heard and carefully considered. The final Plan policies are in many ways different that they were in the initial drafts of the document. That is due to the interest and participation of committed residents and property owners and the willingness of City Officials to carry out true participatory planning as it should be done.

Highland Park's Central District is in very good shape in the year 2000. This Plan is intended to keep it that way. The Plan is structured to conserve what is best in the Central District, and to maintain the character and scale of development that residents have come to appreciate over the years. Yet the Plan allows for healthy and balanced change. There is room under the Plan policies for substantial development and redevelopment actions in the years ahead. Given the excellence of the Central District in its present state, the focus in implementing this Plan should be on fine-tuning the quality of the physical environment and adding facilities and improvements that will advance the quality of life for the entire community. Highland Park has a rare opportunity – the chance to make its Central District one of the finest examples of community building in the nation and one of the most enjoyable places anywhere in which to live, work and shop.

DISTRICT REQUIREMENTS

6-11-2. - D1 DOWNTOWN FRINGE DISTRICT.

6-11-2-1. - PURPOSE STATEMENT.

The downtown fringe district is intended to provide for business and office development at compact locations. The massing and scale of structures within the district should be reflective of established uses and should provide suitable transition between the adjacent residential districts and the more intense downtown districts. Mixed use development is encouraged within the district through the use of planned developments.

(Ord. 43-0-93)

6-11-2-2. - PERMITTED USES.

The following uses are permitted in the D1 district:

Artist studio.

Commercial indoor recreation.

Cultural facility.

Dwelling—Multiple-family.

Financial institution.

Food store establishment (provided the store shall not be opened for business later than 12:00 midnight CST).

Government institution.

Hotel.

Membership organization.

Office.

Public utility.

Religious institution.

Residential care home—Category I (subject to the general requirements of Section 6-4-4 of this Title).

Residential care home—Category II (subject to the general requirements of Section 6-4-4 of this Title).

Restaurant—Type 1.

Retail goods establishment.

Retail services establishment.

(Ord. 43-0-93)

6-11-2-3. - SPECIAL USES.

The following uses may be allowed in the D1 district, subject to the provisions set forth in Section 6-3-5 of this Title:

Assisted living facility.

Banquet hall.

Boarding house.

Business or vocational school.

Convenience store.

Craft-brewery.

Daycare center—Adult (subject to the general requirements of Section 6-4-3 of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2 of this Title).

Drive-through facility (accessory or principal).

Educational institution—Private.

Educational institution—Public.

Funeral services excluding on site cremation.

Independent living facility.

Long term care facility.

Neighborhood garden.

Open sales lot.

Planned development (subject to the requirements of Section 6-11-1-10 of this Chapter and Section 6-3-6 of this Title).

Resale establishment.

Retirement home.

Retirement hotel.

Sheltered care home.

Transitional shelter (subject to the special requirements of Section 6-3-5-11 of this Title).

Urban farm, rooftop.

Wholesale goods establishment.

(Ord. 43-0-93; amd. Ord. 39-0-95; Ord. 33-0-99; Ord. 58-0-02; Ord. 114-0-02; Ord. 122-0-09; Ord. No. 129-O-12, § 10, 1-14-2013; Ord. No. 3-O-14, § 10, 2-10-2014; Ord. No. 57-O-14, § 10, 6-9-2014; Ord. No. 81-O-14, §§ 11, 37, 8-11-2014)

6-11-2-4. - LOT SIZE.

The minimum lot size requirements for the D1 district are as follows:

(A) *Nonresidential:* There is no minimum lot size requirement for nonresidential lots in the D1 district.

(B) *Residential:* The minimum lot size for a building or structure in the D1 district that includes residential uses shall at no time be less than five thousand (5,000) square feet. The minimum lot size per dwelling unit in the D1 district shall be at no time less than four hundred (400) square feet.

(Ord. 43-0-93)

6-11-2-5. - LOT WIDTH.

There is no minimum lot width in the D1 district.

(Ord. 43-0-93)

6-11-2-6. - YARDS.

The yard requirements for the D1 district are as follows:

(A)	Front	Fifteen (15) feet; surface parking prohibited
(B)	Side yard abutting a street	Fifteen (15) feet; surface parking prohibited

(C)	Side yard when abutting a nonresidential district	None; surface parking, five (5) feet
(D)	Side yard when abutting a residential district	Buildings and parking garages, fifteen (15) feet; surface parking, ten (10) feet
(E)	Rear	Buildings and parking garages, ten (10) feet; surface parking, five (5) feet

Notwithstanding the foregoing, buildings existing in the D1 district as of the effective date hereof, shall, for the purpose of the district and the requirements of this Ordinance, be deemed complying with the D1 district yard requirements.

(Ord. 43-0-93)

6-11-2-7. - BUILDING HEIGHT.

The maximum building height in the D1 district is forty-two (42) feet. Notwithstanding the foregoing, buildings existing in the D1 district as of the effective date hereof, shall, for the purpose of the district and the requirements, be deemed complying with the D1 district building height requirements.

(Ord. 43-0-93)

6-11-3. - D2 DOWNTOWN RETAIL CORE DISTRICT.

6-11-3-1. - PURPOSE STATEMENT.

The D2 downtown retail core district is intended to define and support the traditional downtown retail shopping function of Evanston. The district is characterized by street level retail storefronts and structures that accent a pedestrian scale. Mixed use developments shall be encouraged within the district as shall the reuse of structures that assist in perpetuating the established pedestrian retail character in terms of scale, architecture and street front continuity as identified in the adopted "plan for downtown Evanston." Planned developments are encouraged as a special use in the D2 district. Where D2 zoned lots or areas are overlaid with the oRD redevelopment overlay district designation, a planned development is required in order to ensure that proposed development in these areas is consistent with the objectives and policies of the adopted "plan for downtown Evanston."

(Ord. 43-0-93)

6-11-3-2. - RETAIL USE OF GRADE LEVEL.

In recognition of the traditional retail character of the district and in order to preserve and enhance retail trade activity, all buildings and structures within the district shall devote a minimum of seventy-five percent (75%) of the sidewalk grade level exterior to retail trade activity. For the purposes of this requirement, type 1 restaurants shall be considered retail trade activity.

(Ord. 43-0-93)

6-11-3-3. - PERMITTED USES.

The following uses are permitted in the D2 district:

Artist studio.

Commercial indoor recreation (when located above the ground floor).

Cultural facility.

Dwellings (when located above the ground floor).

Financial institution (excluding drive-through facilities).

Food store establishment.

Funeral services excluding on site cremation.

Government institution.

Hotel.

Membership organization.

Office.

Residential care home—Category I (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).

Restaurant—Type 1.

Retail goods establishment.

Retail services establishment.

(Ord. 43-0-93; amd. Ord. 58-0-02; Ord. No. 15-O-16 , § 1, 3-14-2016)

6-11-3-4. - SPECIAL USES.

The following uses may be allowed in the D2 district, subject to the provisions set forth in Section 6-3-5 of this Title:

Assisted living facility (when located above the ground floor).

Banquet hall.

Business or vocational school.

Commercial indoor recreation (at the ground level).

Convenience store.

Craft-brewery.

Daycare center—Child (subject to the general requirements of Section 6-4-2 of this Title).

Educational institution—Private.

Educational institution—Public.

Independent living facility (when located above the ground floor).

Neighborhood garden.

Open sales lot.

Performance entertainment venue.

Planned development (subject to the requirements of Section 6-11-1-10 of this Chapter and Section 6-3-6 of this Title).

Religious institution.

Resale establishment.

Residential care home—Category II (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).

Restaurant—Type 2 (excluding drive-through facilities).

Urban farm, rooftop.

(Ord. 43-0-93; amd. Ord. 39-0-95; Ord. 33-0-99; Ord. 2-0-00; Ord. 114-0-02; Ord. 122-0-09; Ord. No. 129-O-12, § 11, 1-14-2013; Ord. No. 3-O-14, § 11, 2-10-2014; Ord. No. 57-O-14, § 11, 6-9-2014; Ord. No. 81-O-14, §§ 12, 38, 8-11-2014)

6-11-3-5. - LOT SIZE.

The minimum lot size requirements for the D2 district are as follows:

(A) *Nonresidential:* There is no minimum lot size requirement for non-residential lots in the D2 district.

(B) *Residential:* The minimum lot size for a building or structure in the D2 district that includes residential uses shall at no time be less than five thousand (5,000) square feet. The minimum lot size per dwelling unit in the D2 district shall at no time be less than four hundred (400) square feet.

(Ord. 43-0-93)

6-11-3-6. - LOT WIDTH.

There is no minimum lot width in the D2 district.

(Ord. 43-0-93)

6-11-3-7. - FLOOR AREA RATIO.

The maximum floor area ratio in the D2 district is 2.75.

(Ord. 43-0-93)

6-11-3-8. - YARDS.

The yard requirements for the D2 district are as follows:

(A)	Front yard	Building to front property line is permitted if setbacks on the same public right of way of any existing street-facing facades of principal buildings on abutting properties, together with setbacks on same block and side of the public right of way of any existing street-facing facades of other principal buildings, form a substantially continuous setback along the public right of way; and if the proposed setback allows a minimum five (5) feet clear width for pedestrian passage between the building's outermost projection and any objects lawfully occupying the public right of way, including, but not limited to, trees, parking meters, utility poles, bicycle racks, planter boxes and planting areas, newspaper vending boxes, fire hydrants, traffic signs, and bus shelters
		Open, unenclosed parking and appurtenant areas at grade, including driveway aisles and ramps, prohibited between building and public right of way

(B)	Side yard when abutting street	Building to side property line is permitted if setbacks on the same public right of way of any existing street-facing facades of principal buildings on abutting properties, together with setbacks on same block and side of the public right of way of any existing street-facing facades of other principal buildings, form a substantially continuous setback along the public right of way; and if the proposed setback allows a minimum five (5) feet clear width for pedestrian passage between the building's outermost projection and any objects lawfully occupying the public right of way, including, but not limited to, trees, parking meters, utility poles, bicycle racks, planter boxes and planting areas, newspaper vending boxes, fire hydrants, traffic signs, and bus shelters
		Open, unenclosed parking and appurtenant areas at grade, including driveway aisles and ramps, prohibited between building and public right of way
(C)	Side yard when abutting nonresidential district	None; surface parking, five (5) feet
(D)	Side yard when abutting side property line in residential district	Buildings and parking garages, five (5) feet; surface parking, ten (10) feet

(E)	Rear yard	Buildings and parking garages: none; surface parking: five (5) feet, except when abutting or adjacent to a residential district side or rear yard: buildings and parking garages, fifteen (15) feet, surface parking, ten (10) feet

(Ord. 13-0-05)

6-11-3-9. - BUILDING HEIGHT.

The maximum building height in the D2 district is forty-two (42) feet. Building height (floors or stories) when seventy-five percent (75%) or more of the gross floor area is devoted to accessory parking decks, up to a maximum of four (4) stories or forty (40) feet, whichever is less, shall be excluded from the calculation of building height. Notwithstanding the foregoing, buildings existing in the D2 district as of the effective date hereof, shall, for the purpose of the district and the requirements of this Ordinance, be deemed complying with the D2 district building height requirements.

(Ord. 43-0-93)

6-11-4. - D3 DOWNTOWN CORE DEVELOPMENT DISTRICT.

6-11-4-1. - PURPOSE STATEMENT.

The D3 downtown core development district is intended to provide for the highest density of business infill development and large scale redevelopment within downtown Evanston. The district is also intended to encourage and sustain mix of office, retail, and residential uses. Planned developments are encouraged as a special use in the D3 district. Where D3 zoned lots or areas are overlaid with the oRD redevelopment overlay district designation, a planned development is required in order to ensure that proposed development in these areas is consistent with the objectives and policies of the adopted "plan for downtown Evanston."

(Ord. 43-0-93)

6-11-4-2. - PERMITTED USES.

The following uses are permitted in the D3 district:

Artist studio.

Commercial indoor recreation.

Commercial parking garage.

Cultural facility.

Dwellings (when located above the ground floor).

Financial institution.

Food store establishment.

Funeral services excluding on site cremation.

Government institution.

Hotel.

Medical broadcasting station.

Membership organization.

Office.

Public utility.

Residential care home—Category I (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).

Restaurant—Type 1.

Retail goods establishment.

Retail services establishment.

(Ord. 43-0-93; amd. Ord. 58-0-02; Ord. No. 15-O-16 , § 2, 3-14-2016)

6-11-4-3. - SPECIAL USES.

The following uses may be allowed in the D3 district, subject to the provisions set forth in Section 6-3-5 of this Title:

Apartment hotel.

Assisted living facility (when located above the ground floor).

Banquet hall.

Business or vocational school.

Convenience store.

Craft-brewery.

Daycare center—Adult (subject to the general requirements of Section 6-4-3 of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2 of this Title).

Drive-through facility (accessory or principal).

Educational institution—Private.

Educational institution—Public.

Independent living facility (when located above the ground floor).

Neighborhood garden.

Open sales lot.

Performance entertainment venue.

Planned development (subject to the requirements of Section 6-11-1-10 of this Chapter and Section 6-3-6 of this Title).

Religious institution.

Resale establishment.

Residential care home—Category II (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).

Restaurant—Type 2.

Urban farm, rooftop.

(Ord. 43-0-93; amd. Ord. 39-0-95; Ord. 33-0-99; Ord. 2-0-00; Ord. 114-0-02; Ord. 122-0-09; Ord. No. 129-O-12, § 12, 1-14-2013; Ord. No. 3-O-14, § 12, 2-10-2014; Ord. No. 57-O-14, § 12, 6-9-2014; Ord. No. 81-O-14, §§ 13, 39, 8-11-2014)

6-11-4-4. - LOT SIZE.

The minimum lot size requirements for the D3 district are as follows:

(A) *Nonresidential:* There is no minimum lot size requirement for non-residential lots in the D3 district.

(B) *Residential:* The minimum lot size for a building or structure in the D3 district that includes residential

uses shall at no time be less than five thousand (5,000) square feet. The minimum lot size per dwelling unit in the D3 district shall at no time be less than three hundred (300) square feet.

(Ord. 43-0-93)

6-11-4-5. - LOT WIDTH.

There is no minimum lot width in the D3 district.

(Ord. 43-0-93)

6-11-4-6. - FLOOR AREA RATIO.

The maximum floor area ratio in the D3 district is 4.5.

(Ord. 43-0-93)

6-11-4-7. - YARDS.

The yard requirements for the D3 district are as follows:

(A)	Front yard	Building to front property line is permitted if setbacks on the same public right of way of any existing street-facing facades of principal buildings on abutting properties, together with setbacks on same block and side of the public right of way of any existing street-facing facades of other principal buildings, form a substantially continuous setback along the public right of way; and if the proposed setback allows a minimum five (5) feet clear width for pedestrian passage between the building's outermost projection and any objects lawfully occupying the public right of way, including, but not limited to, trees, parking meters, utility poles, bicycle racks, planter boxes and planting areas, newspaper vending boxes, fire hydrants, traffic signs, and bus shelters
		Open, unenclosed parking and appurtenant areas at grade, including driveway aisles and ramps, prohibited between building and public right of way

(B)	Side yard when abutting street	Building to side property line is permitted if setbacks on the same public right of way of any existing street-facing facades of principal buildings on abutting properties, together with setbacks on same block and side of the public right of way of any existing street-facing facades of other principal buildings, form a substantially continuous setback along the public right of way; and if the proposed setback allows a minimum five (5) feet clear width for pedestrian passage between the building's outermost projection and any objects lawfully occupying the public right of way, including, but not limited to, trees, parking meters, utility poles, bicycle racks, planter boxes and planting areas, newspaper vending boxes, fire hydrants, traffic signs, and bus shelters
		Open, unenclosed parking and appurtenant areas at grade, including driveway aisles and ramps, prohibited between building and public right of way
(C)	Side yard when not abutting street	Buildings and parking garages: none; surface parking: five (5) feet, except when abutting to a side property line in a residential district: building, fifteen (15) feet; surface parking, ten (10) feet

(D)	Rear yard	Buildings and parking garages and surface parking: none except when abutting a residential district side yard or rear yard; buildings and parking garages, fifteen (15) feet; surface parking, ten (10) feet

(Ord. 13-0-05)

6-11-4-8. - BUILDING HEIGHT.

The maximum building height in the D3 district is eighty-five (85) feet. Building height (floors or stories) when seventy-five percent (75%) or more of the gross floor area is devoted to accessory parking decks, up to a maximum of four (4) stories or forty (40) feet, whichever is less, shall be excluded from the calculation of building height.

(Ord. 43-0-93)

6-11-5. - D4 DOWNTOWN TRANSITION DISTRICT.

6-11-5-1. - PURPOSE STATEMENT.

The D4 downtown transition district is intended to provide for business infill development and redevelopment within downtown Evanston. The massing and scale of structures within the D4 district should be reflective of established uses and should provide suitable transition between downtown districts and those districts adjacent to the downtown. The district is also intended to encourage and sustain a mix of office, retail, and residential uses. Planned developments are encouraged as a special use in the D4 district. Where a lot zoned D4 is overlaid with an oRD redevelopment overlay district designation, a planned development is required in order to ensure that proposed development in these areas is consistent with the objectives and policies of the adopted plan for downtown Evanston.

(Ord. 43-0-93)

6-11-5-2. - PERMITTED USES.

The following uses are permitted in the D4 district:

Artist studio.

Commercial indoor recreation.

Cultural facility.

Dwelling (when located above the ground floor).

Financial institution.

Food store establishment.

Government institution.

Hotel.

Membership organization.

Office.

Public utility.

Residential care home—Category I (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).

Restaurant—Type 1.

Retail goods establishment.

Retail services establishment.

(Ord. 43-0-93; Ord. No. 15-O-16 , § 3, 3-14-2016)

6-11-5-3. - SPECIAL USES.

The following uses may be allowed in the D4 district, subject to the provisions set forth in Section 6-3-5 of this Title:

Assisted living facility (when located above the ground floor).

Banquet hall.

Business or vocational school.

Commercial parking garage.

Convenience store.

Craft-brewery.

Daycare center—Adult (subject to the general requirements of Section 6-4-3 of this Title).

Daycare center—Child (subject to the general requirements of Section 6-4-2 of this Title).

Drive-through facility (accessory or principal).

Educational institution—Private.

Educational institution—Public.

Funeral services excluding on site cremation.

Independent living facility (when located above the ground floor).

Neighborhood garden.

Open sales lot.

Performance entertainment venue.

Planned development (subject to the requirements of Section 6-11-1-10 of this Chapter and Section 6-3-6 of this Title).

Religious institution.

Resale establishment.

Residential care home—Category II (when located above the ground floor and subject to the general requirements of Section 6-4-4 of this Title).

Restaurant—Type 2.

Urban farm, rooftop.

(Ord. 43-0-93; amd. Ord. 39-0-95; Ord. 33-0-99; Ord. 2-0-00; Ord. 58-0-02; Ord. 114-0-02; Ord. 122-0-09; Ord. No. 129-O-12, § 13, 1-14-2013; Ord. No. 3-O-14, § 13, 2-10-2014; Ord. No. 57-O-14, § 13, 6-9-2014; Ord. No. 81-O-14, §§ 14, 40, 8-11-2014)

6-11-5-4. - LOT SIZE.

The minimum lot size requirements for the D4 district are as follows:

(A) *Nonresidential:* There is no minimum lot size requirement for nonresidential lots in the D4 district.

(B) *Residential:* The minimum lot size for a building or structure in the D4 district that includes residential uses shall at no time be less than five thousand (5,000) square feet. The minimum lot size per dwelling unit in the D4 district shall be at no time less than four hundred (400) square feet.

(Ord. 43-0-93)

6-11-5-5. - LOT WIDTH.

There is no minimum lot width in the D4 district.

(Ord. 43-0-93)

6-11-5-6. - FLOOR AREA RATIO.

The maximum floor area ratio in the D4 district for structures not containing residential dwelling units is 4.5. The maximum floor area ratio in the D4 district for structures containing residential dwelling units is 5.4.

(Ord. 43-0-93)

6-11-5-7. - YARDS.

The yard requirements for the D4 district are as follows:

(A)	Front yard	Building to front property line is permitted if setbacks on the same public right of way of any existing street-facing facades of principal buildings on abutting properties, together with setbacks on same block and side of the public right of way of any existing street-facing facades of other principal buildings, form a substantially continuous setback along the public right of way; and if the proposed setback allows a minimum five (5) feet clear width for pedestrian passage between the building's outermost projection and any objects lawfully occupying the public right of way, including, but not limited to, trees, parking meters, utility poles, bicycle racks, planter boxes and planting areas, newspaper vending boxes, fire hydrants, traffic signs, and bus shelters

		Open, unenclosed parking and appurtenant areas at grade, including driveway aisles and ramps, prohibited between building and public right of way
(B)	Side yard when abutting street	Building to side property line is permitted if setbacks on the same public right of way of any existing street-facing facades of principal buildings on abutting properties, together with setbacks on same block and side of the public right of way of any existing street-facing facades of other principal buildings, form a substantially continuous setback along the public right of way; and if the proposed setback allows a minimum five (5) feet clear width for pedestrian passage between the building's outermost projection and any objects lawfully occupying the public right of way including, but not limited to, trees, parking meters, utility poles, bicycle racks, planter boxes and planting areas, newspaper vending boxes, fire hydrants, traffic signs, and bus shelters
		Open, unenclosed parking and appurtenant areas at grade, including driveway aisles and ramps, prohibited between building and public right of way

(C)	Side yard when not abutting street	Buildings and parking garages: none; surface parking, five (5) feet
(D)	Rear yard	Buildings and parking garages: none; surface parking, five (5) feet, except when abutting a residential district side yard or rear yard: buildings and parking garages, fifteen (15) feet; surface parking, ten (10) feet

(Ord. 13-0-05)

6-11-5-8. - BUILDING HEIGHT.

The maximum building height in the D4 district for structures not containing residential dwelling units is eighty-five (85) feet. The maximum building height in the D4 district for structures containing residential dwelling units is one hundred five (105) feet. Building height (floors or stories) when seventy-five percent (75%) or more of the gross floor area is devoted to accessory parking decks, up to a maximum of four (4) stories or forty (40) feet, whichever is less, shall be excluded from the calculation of building height.

(Ord. 43-0-93)

CHAPTER 18 - DEFINITIONS

SECTION:

6-18-1. - DEFINITIONS GENERALLY.

For the purposes of this Ordinance, certain terms and words are defined in this Chapter, and are used in this Ordinance in that defined context. Any words not defined in this Chapter, shall be construed as defined in normal dictionary usage.

6-18-2. - RULES FOR GENERIC DEFINITIONS.

6-18-2-1. - PURPOSE OF GENERIC DEFINITIONS.

Certain terms in this Chapter are defined to be inclusive of many uses in order to eliminate overlay detailed listings of uses in the zoning districts established by this Ordinance. These terms shall be referred to in this Ordinance as "generic" definitions. Examples of generic definitions used in this Ordinance are "retail goods establishment," "commercial indoor recreation" and "light manufacturing."

6-18-2-2. - COMPONENTS OF GENERIC DEFINITIONS.

A generic definition has three (3) components: a) a brief listing of examples of uses intended to be included within the scope of the definition; b) an identification (where appropriate) of certain uses that are not meant to be included by the term; and c) a statement that for the purposes of each zoning district, any other uses specifically listed within the particular zoning district shall not be construed as falling within the generic definition.

6-18-2-3. - USES NOT LISTED OR NOT WITHIN SCOPE OF GENERIC DEFINITIONS.

A use that is not specifically listed in a zoning district or does not fall within a generic definition as defined in this Chapter, or as interpreted by the Zoning Administrator pursuant to Section 6-3-10 of this Ordinance, "Enforcement," is prohibited.

6-18-3. - DEFINITIONS.

For the purposes of this Ordinance, the following terms shall have the following meanings:

(Ord. 13-0-98)

ABUTTING:	Having a common property line or district line.
ACCESSORY USE OR STRUCTURE [25]:	A structure or use that: a) is subordinate to and serves a principal building or a principal use, except for a drive-in facility; b) is subordinate in area, extent, and purpose to the principal structure or principal use served; c) contributes to the comfort, convenience, or necessity of the occupants, business, or industry of the principal structure or principal use served; and d) is located on the same lot as the principal structure or principal use served, except as otherwise expressly authorized by the provisions of this Ordinance. Accessory parking facilities may be authorized to be located elsewhere. An accessory structure attached to a principal building in a substantial manner by a wall or roof shall be considered part of the principal building.

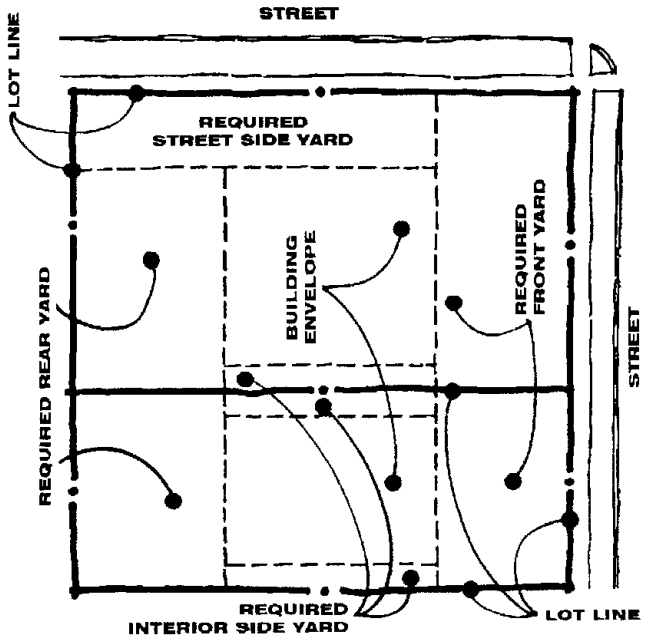
ADJACENT:	Nearby, or next to, but not necessarily touching or abutting. (e.g., across from a street or alley).
ADJOINING:	Touching or joining at any one (1) point, line, or boundary.
ADULT DAYCARE:	A community-based, structured comprehensive program of a variety of health, social, and related support services in a protective setting for persons who for reasons of physical or mental impairment are in need of such services during any part of a day not exceeding twelve (12) hours in a twenty-four-hour period.
ALLEY:	A public or private right of way that affords a service access to abutting property.
ANIMAL HOSPITAL:	A use or structure intended or used primarily for the testing and treatment of the disorders of animals, including the indoor boarding of animals for such purpose, but not the training or grooming of animals, or outdoor cages, pens, or runs for the animals.
ANTENNA:	An apparatus, external to or attached to the exterior of a building, together with any supporting structure, for sending or receiving electromagnetic waves.
APARTMENT:	See definition of Dwelling, Multiple-Family.
AQUAPONICS:	The symbiotic propagation of plants and fish in an indoor or outdoor re-circulating environment that results in the harvest of said plants or fish. (Ord. No. 56-O-14, § 2, 5-27-2014)
ASSISTED LIVING FACILITY:	A facility for adults in need of some protective oversight or assistance due to functional limitations that provides a living arrangement integrating shelter, food and other supportive services to maintain a resident's functional status. Those facilities that include personal care such as assistance with activities of daily living shall be licensed as sheltered care facilities pursuant to provision of the Evanston City Code.

ATTIC:	The top story of a building under a sloping roof with no finished floor and/or finished ceiling; rather, the area is defined by the top of the ceiling beams of the story immediately below the top story and the roof rafters. An attic may be further defined as a half-story, provided the sum of all areas of the top story where the vertical clearance is seven and one-half (7½) feet or more does not exceed sixty percent (60%) of the story immediately below the top story (as measured within the outer face of all exterior walls). (Ord. 13-0-98)
AUTOMOBILE BODY REPAIR ESTABLISHMENT:	A building, property, or activity the principal use of which is automobile body repair or auto detailing other than those types of repairs permitted at automobile service stations (gas stations) and automobile repair service establishments.
AUTOMOBILE REPAIR SERVICE ESTABLISHMENT:	A building, property, or activity the principal use of which is the repair or replacement of parts, oils, coolants, lubricants, tires, and other similar services. "Automobile repair establishment" shall include, but is not limited to, muffler shops, oil change shops, car care centers, tire centers and other uses similar in nature and impact. "Automobile repair establishment" shall not include an automobile body repair establishment or a car wash or other use that is otherwise in a zoning district as a permitted or special use.
AUTOMOBILE SERVICE STATION (GAS STATION):	A building, property, or structure the principal use of which dispenses or offers for retail sale of automotive fuels or oils and incidental convenience goods; having pumps and storage tanks thereon, and where battery, tire and other similar services, are rendered, but only if rendered wholly within lot lines. "Automobile service stations" shall not include an automobile body repair establishment or a car wash.
BANQUET HALL:	A principal use consisting of a large room or hall that is available for rent for use for specific banquets, exhibitions, and/or meetings that may include the provision of food, drink, and/or entertainment. (Ord. No. 129-O-12, § 2, 1-14-2013)

BASEMENT:	A portion of a building located partly underground but having less than one-half (½) its clear floor-to-joist height below the average grade of the adjoining ground. (See also definition of Cellar.)
BED AND BREAKFAST ESTABLISHMENT [26]:	An owner-occupied single-family or two-family dwelling where short-term lodging and morning meals are provided for compensation.
BERM:	A hill or contour of land that acts as a visual barrier between a lot and adjacent properties, alleys, or streets.
BLOCK:	A tract of land bounded by streets or by a combination of one (1) or more streets and public parks, cemeteries, railroad rights of way, bulkhead lines or shorelines of waterways, or corporate boundary lines.
BOARDING HOUSE:	A building or portion thereof where lodging and meals are provided to five (5) or more persons who are not members of the operator's family, and by prearrangement for definite periods of time and for compensation, whether direct or indirect.
BUILDING:	Anything constructed for the shelter or enclosure of persons, animals, or movable property of any kind and that includes a roof and is permanently affixed to the land.
BUILDING, COMPLETELY ENCLOSED:	A building separated on all sides from the adjacent open space, or from other buildings or other structures, by a permanent roof and by exterior walls having only windows and normal entrance or exit doors, or by party walls.
BUILDING ENVELOPE:	The three-dimensional space within which a structure is permitted to be built on a zoning lot and that is defined with respect to such bulk regulations as height, yards, building coverage, and floor area ratio.

BUILDING ENVELOPE (For Review of Fences Only):	That area of a zoning lot within which a structure may be built and consisting of that area not within the required front yard, required street side yard, required side yard(s), and required rear yard (see Figure 6-18-3, "Zoning Lot Components," of this Section).

FIGURE 6-18-3
ZONING LOT COMPONENTS



(Ord. 15-0-99)

BUILDING HEIGHT, ABSOLUTE:	The perpendicular distance above the established grade to the highest point of the building, including parapet walls, but excluding chimneys, spires, and mechanical penthouses, provided the penthouses cannot be seen from the street. The highest point of turrets, towers, belfries, cupolas, lanterns, window's walks, and similar structures or features are used as the highest point of the structure when said structure or structure feature is: a) the highest point of the structure, and b) has an outer perimeter enclosing an area of sixteen (16) square feet or more regardless of the presence of floors. Said structure or feature is a spire when it has an outer perimeter enclosing an area of less than sixteen (16) square feet. Said structures or structure features include: turrets, towers, belfries, cupolas, lanterns, widow's walks or similar structures. (Ord. 112-0-03)
BUILDING HEIGHT, MEAN:	(A) The perpendicular distance measured from the established grade to the high point of the roof for a flat roof, the deck line of a mansard roof, and to the mean height level for gable, hip or gambrel roofs. Mean height level is computed as the average of the height of the high point of the roof and the highest level where the plane of the main roof, excluding dormers, intersects the plane of an outside wall below the main roof. Chimneys and spires shall not be included in calculating the height nor shall mechanical penthouses or solar collectors, provided the penthouses and collectors cannot be seen from the street. The highest point of the following structures or structure features is used as the high point of the roof in computing mean height level when said structure or feature is: 1) the highest point of the structure and 2) has an outer perimeter enclosing an area of sixteen (16) square feet or more regardless of the presence of floor. Said structure or feature is treated as a spire when having an outer perimeter enclosing an area of less than sixteen (16) square feet. Said structures or features include: turrets, towers, belfries, cupolas, lanterns, window's walks or similar structures.

	(B) The height of any story of a structure shall be excluded from the calculation of its height when seventy-five percent (75%) or more of the gross floor area of such story consists of parking required for the structure (excluding mechanical penthouse or solar collector). This exclusion of required parking from the calculation of building height shall be applicable to all permitted and special uses in the B3, D2, D3, and D4 zoning districts including planned developments. Where the required parking exclusion is applicable, it shall in no case be greater than four (4) stories or forty (40) feet, whichever is less.
	(C) Anywhere in this zoning ordinance where the words building height are indicated without designation of mean building height or absolute building height the reference is to mean building height. (Ord. 35-0-08; Ord. No. 121-O-15 , § 3, 10-26-2015)
BUILDING MATERIALS ESTABLISHMENT:	A building, property or activity, the principal use of which is the selling of lumber or other associated building material and supplies in bulk to contractors and the general public. "Building materials establishment" shall not include a retail goods establishment or a wholesale goods establishment.
BUILDING, NONCOMPLYING [27]:	A lawfully established building that by virtue of the adoption hereof does not comply with all the applicable requirements of this Title governing height, bulk and location on a lot.
BUILDING, PRINCIPAL:	A building in which the business of the principal use of the lot on which the building is located is conducted.
BUILDING, RESIDENTIAL:	A principal building arranged, designed, used or intended to be used for residential occupancy by one (1) or more families. "Residential building" shall include, but is not limited to, the following types: a) single-family dwelling, b) two-family dwelling, c) multiple-family dwelling, and d) a row of single-family attached dwellings developed initially under single ownership or control.

BUILDING, TEMPORARY:	A building not designed or intended to be permanently placed or affixed on the lot upon which it is located.
BULK:	A composite characteristic of a given building or structure as located upon a given lot, not definable as a single quantity but involving all of these characteristics: 1) size and height of building or structure, 2) location of exterior walls at all levels in relation to lot lines, streets or to other buildings or structures, 3) floor area ratio, 4) all open spaces allocated to the building or structure, and 5) amount of lot area provided per dwelling unit, and 6) lot coverage.
BUSINESS:	An occupation, employment, or enterprise that occupies time, attention, labor, and materials, or wherein merchandise is exhibited, bought or sold, and/or where services are offered for compensation.
BUSINESS OR VOCATIONAL SCHOOL:	A privately-owned or publicly-owned post-secondary school, other than a community college or four-year "college/university institution," providing occupational or job skills in a variety of technical subjects and trades for specific occupations. (Ord. No. 3-O-14, § 2, 2-10-2014)
CANDLEPOWER:	The total luminous intensity of a light source expressed in footcandles. Maximum (peak) candlepower is the largest amount of footcandles emitted by any lamp, light source, or luminaire.
CAR WASH:	A building or portion thereof where facilities for washing, cleaning and detailing automobiles are provided, that involve machine or hand-operated mechanical devices or equipment.
CATERER:	A building, property, or activity, the principal use or purpose of which is the preparing and serving and delivering of meals or food items only for consumption off the premises at public or private functions such as: weddings, receptions, dinners or banquets. Over-the-counter sales of prepared food items shall be prohibited in conjunction with this use. (Ord. 39-0-95)

CELLAR:	The portion of a building located partly or wholly underground and having one-half (1/2) or more than one-half (1/2) of its clear floor-to-joist height below the average grade of the adjoining ground.
CERTIFICATE OF OCCUPANCY:	The official certification that a premises conforms to the provisions of the Zoning Regulations and Building Code and may be used or occupied. A certificate of occupancy must be issued before a structure may be occupied.
CERTIFICATE OF ZONING COMPLIANCE:	A written certification that a structure, use, or parcel of land is, or will be in compliance with the requirements of this Ordinance. (See Section 6-3-2.)
CHILD RESIDENTIAL CARE HOME:	A dwelling unit shared by four (4) to eight (8) unrelated persons, under the age of twenty-one (21) years, exclusive of staff, who require assistance and/or supervision while pursuing a primary or secondary education curriculum, and who reside together in a family-type environment as a single housekeeping unit. "Child residential care home" shall not include a home for persons who are currently addicted to alcohol or narcotic drugs or who are criminal or juvenile offenders serving on work release, probationary or court-ordered supervisory programs for offenders; nor a dormitory, fraternity/sorority dwelling, boarding house, rooming house or nursing home. (Ord. 40-0-95)
COACH HOUSE:	A secondary or accessory dwelling located on the same zoning lot as the principal dwelling unit.
COLLEGE/ UNIVERSITY INSTITUTION:	A privately-owned or publicly-owned institution providing full-time or part-time education, other than "business or vocational school," beyond the high school level, including any lodging rooms or housing for students or faculty. (Ord. No. 3-O-14, § 2, 2-10-2014)

COMMERCIAL INDOOR RECREATION:	Public or private recreation facilities, tennis ball, racquet or other courts, swimming pools, bowling alleys, skating rinks, or similar uses that are enclosed in buildings and primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. "Commercial indoor recreation" shall include, but not be limited to, health and fitness establishments or any accessory use, such as snack bars that sell prepackaged food items, pro shops, and locker rooms that are designed and intended primarily for the use of patrons of the principal recreational use. "Commercial indoor recreation" shall not include cultural facilities, community centers and recreation centers, or any use that is otherwise listed specifically in a zoning district as a permitted or a special use. For purposes of this definition, the term "commercial purpose," as defined in this Section, shall not apply. (Ord. No. 47-O-13, § 2, 6-10-2013)
COMMERCIAL OUTDOOR RECREATION:	Public or private swimming pools, tennis courts, ball fields, ball courts, and fishing piers that are not enclosed in buildings and are operated on a commercial or membership basis primarily for the use of persons who do not reside on the same lot as that on which the recreational use is located. "Commercial outdoor recreation" shall include any accessory uses, such as snack bars, pro shops, and clubhouses that are designed and intended primarily for the use of patrons of the principal recreational use. "Commercial outdoor recreation" shall not include skateboarding courses, water slides, mechanical rides, go-cart or motorcycle courses, raceways, drag strips, stadiums, marinas, overnight camping, or gun firing ranges, or any use that is otherwise listed specifically in a zoning district as a permitted or special use.
COMMERCIAL PARKING GARAGE:	A privately or publicly owned and used structure used for parking or storage of automobiles, generally available to the public, and involving payment of a charge for such parking or storage.

COMMERCIAL PARKING LOT:	An area reserved or used for parking or storage of automobiles, which is either privately or publicly owned generally available to the public, and involving payment of a charge for such parking or storage.
COMMERCIAL PURPOSE:	An occupation, employment or enterprise that is carried on for profit by the owner, lessee or licensee, except for activities carried on by a not for profit organization that utilizes the proceeds of such activities solely for the purposes for which it is organized.
COMMERCIAL SHOPPING CENTER:	A concentration of related commercial establishments with one (1) or more major anchor tenants, shared parking, and unified architectural and site design. A shopping center normally has single or coordinated ownership/operations/management control and may include out parcels as well as architecturally connected units.
COMMERCIAL STORAGE FACILITY:	A commercial land use consisting of the rental of fully enclosed interior building space for the storage of personal property (miniwarehouse). An industrial warehouse is not considered commercial storage facility. (Ord. 43-0-93)
COMMUNITY CENTER:	A place, structure, area or other facility that is open to the public, under the jurisdiction of a public or nonprofit agency, and is used for community recreation, education and/or service activities. A community center may include, but is not limited to, the following uses: auditorium, multipurpose room, gymnasium, meeting space, open space, playground, playing courts, playing field, and swimming pool. Community center does not include retail services, membership organizations, commercial indoor recreation, commercial outdoor recreation, transitional shelter, transitional treatment facility, short or long term care facility. (Ord. 67-0-09)

CONFERENCE FACILITY (COLLEGE/ UNIVERSITY):	A building or portion thereof operated by a college/university institution used for holding assemblies, conferences, conventions, public meetings, seminars, workshops, or other similar activities. Such a facility may include executive level training programs and executive level educational seminars but may not include classrooms or other facilities used for regular college or university degree program classes. A conference facility may include dining facilities for the use of participants, as well as other compatible accessory uses but may not include sleeping or dwelling quarters or lodging as an accessory use to the conference facility.
CONFERENCE FACILITY (NONCOLLEGE/ UNIVERSITY):	A building or portion thereof used for holding assemblies, conferences, conventions, public meetings, seminars, trade shows, workshops, or other similar activities that is not a conference facility (college/university). A conference facility may include dining facilities for the use of participants, as well as other compatible accessory uses but may not include sleeping or dwelling quarters or lodging as an accessory use to the conference facility. (Ord. 82-0-98)
CONGREGATE HOUSING:	Rental housing which provides a living arrangement of self-contained units that integrates shelter, food service and other services for independent adults who do not require twenty-four (24) hour oversight. Services may include meals, laundry, transportation, housekeeping and organized activities which create opportunities for socialization.
CONVENIENCE STORE:	Any food store establishment having a building size or occupying a sales floor space under three thousand two hundred (3,200) square feet. (Ord. 114-0-02)

CRAFT-BREWERY:	A commercial facility that produces fermented malt beverages on site in quantities 0 to 930,000 gallons (30,000 barrels) per year and may include an accessory tasting room. Product sampling or retail sale as may be defined and regulated by Title 3, Chapter 4 of the City Code at the facility allows customers to taste samples of products manufactured on-site and purchase related sales items. Any sale of alcohol in the tasting room or otherwise in the facility which is manufactured outside the facility is prohibited. A craft-brewery does not include restaurants with accessory brewing facilities. (Ord. No. 57-O-14, § 2, 6-9-2014)
CULTURAL FACILITY:	An indoor theater, auditorium, or other building or structure designed, intended, or used primarily for musical, dance, dramatic, or other performances, or a library, museum or gallery operated primarily for the display, rather than the sale, of works of art. A "cultural facility" does not include a performance entertainment venue. (Ord. 2-0-00)
DAYCARE CENTER — ADULT:	Any place other than a family home in which persons receive adult daycare services during any part of a day not exceeding twelve (12) hours in a twenty-four (24) hour period licensed pursuant to this Code.
DAYCARE CENTER — CHILD:	Any place other than a family home in which children nine (9) years of age and under receive child daycare services during any part of a day not exceeding twelve (12) hours in a twenty-four (24) hour period licensed pursuant to this Code.
DAYCARE HOME — ADULT [28]:	A family home in which not less than four (4) and not more than eight (8) persons receive adult daycare services during any part of a day not exceeding twelve (12) hours in a twenty-four (24) hour period.

DAYCARE HOME — CHILD [29]:	A family home that receives not less than four (4) and not more than eight (8) children, nine (9) years of age and under, for care during any part of the day not exceeding twelve (12) hours in a twenty-four (24) hour period. The maximum of eight (8) children includes the family's natural or adopted children under age eighteen (18) and those children who are in the home under full time care.
DAYCARE CENTER—DOMESTIC ANIMAL:	Any establishment for which the principal use or purpose is the housing of domestic animals for periods of time that shall neither exceed twelve (12) hours in any twenty-four (24) hour period, nor include overnight stays. Multiple animals shall be permitted outside on the premises when accompanied by staff and only between the hours of 8:30 a.m. and 4:30 p.m. on any day. Individual animals shall be permitted outside on the premises to relieve themselves at any time during the Center's hours of operation when accompanied by staff. Prior to beginning operation of any such Center, the operator shall submit to the Zoning Administrator a contingency plan for those times when an owner fails to claim his/her animal(s) before the Center closes for the day, and, thereafter, comply with said plan. The operator of any such Center shall comply with the applicable regulations of Title 8, Chapter 4, and Title 9, Chapter 4 of the City Code, as amended. (Ord. No. 67-O-11, § 2, 9-12-2011)
DECK:	A structure which is either freestanding or attached to a principal or accessory building, located in the rear yard or side yard and constructed above grade and unenclosed by solid or nonsolid walls or a roof. If located in the side yard, an attached deck must meet principal building setbacks. (Ord. No. 165-O-15 , § 10, 5-23-2016)
DESIGN AND PROJECT REVIEW COMMITTEE (DAPR):	The committee addressed by Ordinance 50-O-14, as amended, whose major purpose is to review development plans pursuant to the provisions of this Title. (Ord. No. 50-O-14, § 21, 10-27-2014)

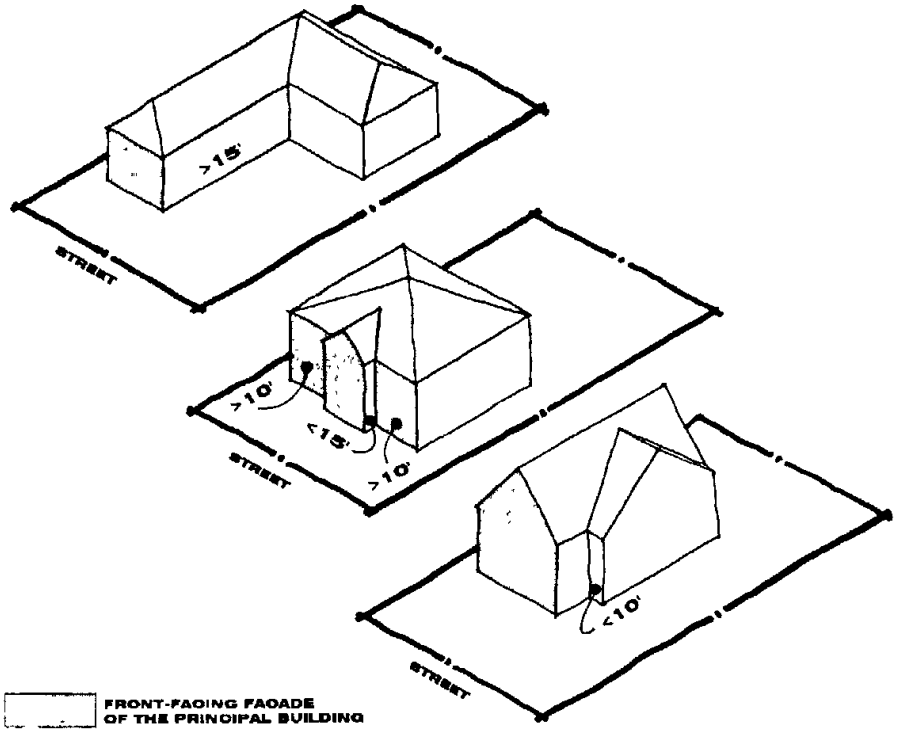
DISABLED:	As defined pursuant to Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendment Act of 1988, a person having: a) a physical or mental impairment that substantially limits such person's ability to live independently; b) a record of having such an impairment; or c) being regarded as having such an impairment. "Disabled" shall not include current illegal use of or addiction to a controlled substance, nor shall it include any person whose residency in the home would constitute a direct threat to the health and safety of the other individuals.
DISTRICT OVERLAY:	An overlay district is a second set of regulations applied to any part or all of a zoning district or any number of districts. The overlay district regulations may relax or further restrict the number or types of uses allowed as well as the way permitted activities operate within the overlay district boundaries. Such districts are mapped on the City of Evanston zoning map.
DORMER:	A structure projecting from a slanting roof to accommodate a window.
DORMITORY:	A building or portion thereof that contains living quarters for students, staff, or members of an accredited college, university, boarding school, theological school, hospital, religious order, or comparable organization; provided that said building is owned or managed by said organization and contains not more than one (1) cooking and eating area; and further provided that said building complies with the rooming house ordinance of the City.
DRIVE-THROUGH FACILITY:	A facility, establishment or portion thereof that is designed, intended or used for transacting business with customers located in motor vehicles. "Drive-through facility" shall only be permitted in connection with a listed permitted or special use. (Ord. 39-0-95)
DRIVEWAY:	A private access way that provides direct access from a street to a parking space.

DRIVEWAY, SHARED:	Private way for vehicular use by two (2) or more owners.
DWELLING:	A residential building or portion thereof. "Dwelling" shall not include a hotel, motel, boarding house, rooming house, dormitory, nursing home, mobile home, or institution.
DWELLING, FRATERNITY/ SORORITY:	A building that is occupied only by a group of university or college students who are associated together in a fraternity/sorority that is chartered by a national or international fraternity/sorority or is officially recognized by the university or college and who receive from the fraternity/sorority lodging and/or meals on the premises for compensation.
DWELLING, MULTIPLE-FAMILY:	A detached residential building containing three (3) or more dwelling units, including what is commonly known as an apartment building, but not including group, row, or town houses.
DWELLING, SINGLE-FAMILY ATTACHED (GROUP, ROW, OR TOWN HOUSES):	Three (3) or more dwelling units joined side by side.
DWELLING, SINGLE-FAMILY DETACHED:	A residential building containing not more than one (1) dwelling unit entirely surrounded by open space on the same lot.
DWELLING, TWO-FAMILY:	A residential building containing not more than two (2) dwelling units entirely surrounded by open space on the same lot.

DWELLING UNIT:	A room or group of contiguous rooms that include facilities used or intended to be used for living, sleeping, cooking and eating, and that are arranged, designed or intended for use exclusively as living quarters.
EDUCATIONAL INSTITUTION - PRIVATE:	A privately owned preschool, elementary school, middle school, or high school.
EDUCATIONAL INSTITUTION - PUBLIC:	A publicly owned preschool, elementary school, middle school, or high school, or a facility owned by a public school district containing classrooms, and libraries, offices or similar support facilities for one (1) or more of the following district purposes: educational services and related programs for faculty and staff and for students, preschool age children and their families; district administrative staff offices. A zoning lot developed as an educational institution must be principally used for classrooms for preschool, elementary school, middle school, or high school students. (Ord. 24-0-01)
EFFICIENCY UNIT:	A dwelling unit consisting of one (1) principal room together with bathroom, kitchen, hallway, closets and/or dining room alcove directly off the principal room, provided such dining alcove does not exceed one hundred twenty-five (125) square feet in area. An efficiency unit created after December 2, 1960, shall contain at least three hundred (300) square feet of floor area.
EMERGENCY PHONE STRUCTURE:	A structure with a phone specifically provided for making calls to emergency services for security and safety precaution in public areas. Emergency phone structures are typically highly visible due to high intensity lighting. Examples include, but are not limited to: emergency phones, phone stanch ions, call stations, and call boxes. (Ord. No. 66-O-15 , § 36, 6-22-2015)
EVANSTON LANDMARK:	A landmark of historic importance as defined in the Evanston preservation ordinance, Ordinance 23-0-75, as amended.

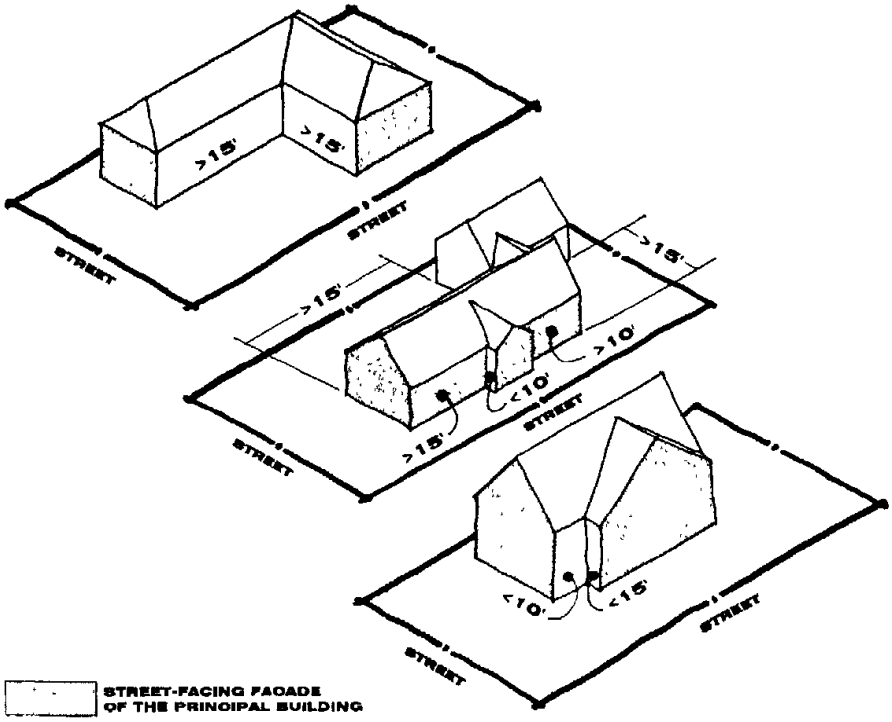
FACADE OF THE PRINCIPAL BUILDING, FRONT-FACING:	Any facade of the principal building which approximately parallels the front lot line, exceeds ten (10) feet in length, and is located within fifteen (15) feet of that portion of, or is, the facade of the principal building closest to the front lot line (see Figure 6-18-3, front-facing facade of the principal building).

FIGURE 6-18-3
FRONT-FACING FACADE OF THE PRINCIPAL BUILDING



FACADE OF THE PRINCIPAL BUILDING, STREET FACING:	Any facade of the principal building which approximately parallels a street lot line(s), exceeds ten (10) feet in length, and is located within fifteen (15) feet of that portion of, or is, the facade of the principal building closest to the corresponding street lot line (see Figure 6-18-3, "Street-Facing Facade of the Principal Building," of this Section).

FIGURE 6-18-3
STREET-FACING FACADE OF THE PRINCIPAL BUILDING



(Ord. 15-0-99)

FAMILY:	(A) Type (A) Family: One (1) or more persons related by blood, marriage, or adoption living together as a single housekeeping unit in a dwelling unit.
	(B) Type (B) Family: Two (2) unrelated persons and their children living together as a single housekeeping unit in a dwelling unit.
	(C) Type (C) Family: A group of not more than three (3) unrelated persons living together as a single housekeeping unit in a dwelling unit.

	(D) Type (D) Family: A group of two (2) or more persons containing within it one (1) or more families, as defined in Subsections (A) and (B) of this definition, including a husband and wife married to one another and their children, as well as adults, living together in a dwelling unit as a single housekeeping unit and management, in premises in which the adult occupants are affiliated with a bona fide not for profit corporation organized for religious purposes chartered by the state of Illinois, that owns or rents the property and has been in existence for at least five (5) years prior to seeking certification by the director of planning and zoning as provided herein; provided, that in no case shall the total occupancy of the dwelling unit exceed two (2) persons per bedroom, nor shall the premises be utilized for religious public assembly. This type (D) family may occupy a dwelling unit only in accordance with the procedures in Section 6-4-1-14 of this Title.
	"Family" shall not be construed to mean a club, a lodge or a fraternity/sorority house.
FENCE [30]:	A structure, other than a building, that is a barrier and used as a boundary or means of protection or confinement. (Ord. 43-0-93)
FENESTRATION:	The design and placement of windows in a building. (Ord. 5-9-08)
FIELD HOUSE:	A place, structure, or other facility used for and providing athletic and recreational programs for a college/university institution. "Field house (college/university)" shall include any accessory uses, such as, but not limited, to locker rooms, snack bars, administrative offices and classrooms which are designed and intended primarily for the use of college/university related persons and patrons of the principal recreational use.

FINANCIAL INSTITUTION:	A building, property or activity, the principal use or purpose of which is the provision of financial services, including but not limited to banks, facilities for automated teller machines ("ATMs"), credit unions, savings and loan institutions, and mortgage companies. "Financial institution" shall not include any use or other type of institution that is otherwise listed specifically in a zoning district as a permitted or special use.
FIREARM RANGE:	Any indoor establishment where the discharging of a firearm, as defined in Section 9-8-1, is allowed for a sporting event or for practice, instruction, testing, or training in the use of a firearm. A firearm range may also include rental of a firearm for allowable uses within the establishment and a firearm dealer as defined and regulated by Title 9, Chapter 8 — Weapon of the City Code. (Ord. No. 51-O-15 , § 4, 6-22-2015)
FLOOR AREA (GROSS FLOOR AREA):	The sum of the gross horizontal areas of the several floors of a building, except a cellar floor, measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) buildings. The "floor area" of a building shall also include, but not be limited to, basements, all attic space, finished or unfinished, having five (5) feet or more space from floor to rafters, interior balconies and mezzanines; and enclosed porches or porches covered by a roof suitable for covering a habitable room. Any space devoted to required off-street parking or loading for the building shall not be included in "floor area." The following areas shall be excluded from calculations for "floor area": elevator shafts, stairwells, space used solely for heating, cooling, mechanical, electrical and mechanical penthouses, refuse rooms and uses accessory to the building.

FLOOR AREA OF A DWELLING UNIT OR A LODGING ROOM:	The sum of the gross horizontal areas of the rooms constituting the dwelling unit or lodging room, including closets, baths, utility rooms, enclosed porches and hallways when accessible only to the occupants of said dwelling unit or lodging room and not accessible to other occupants of the building or to the general public, and only when such rooms, halls or other areas are an integral part of said dwelling unit or lodging room. Floor area shall be measured from the interior faces of the outermost walls defining the dwelling unit or lodging room but shall not include any unfinished space or finished space having a head room of less than five (5) feet.
FLOOR AREA, GROUND:	The sum of the gross horizontal area of the ground floor of a building, measured from the exterior faces of the exterior walls or from the center line of walls separating two (2) buildings. The ground floor area of a building also shall include recessed, unenclosed, or partially enclosed areas under a floor above exterior stairways, porches, and similar areas but excluding open terraces.
FLOOR AREA RATIO:	The numerical value obtained by dividing the gross floor area of a building or buildings by the lot area on which such building or buildings are located.

FOOD STORE ESTABLISHMENT:	A building or portion thereof where the direct retail sale of food items such as meats, cereals, grains, produce, baked goods, dairy products, canned and frozen prepared food products, beverages, cleaning supplies, pet food and supplies, pharmaceuticals, over-the-counter medicines, personal products, household goods, books and magazines, plants, and other sundry and similar items are available to be purchased by the consumer. "Food store establishments" shall include, but not be limited to, a candy or confectionery store, grocery store, a food and drug supermarket, meat or fish market, fruit and vegetable market, retail bakery, and other uses similar in nature and impact. "Food store establishment" shall not include any use or other type of establishment that is otherwise listed specifically in a zoning district as a permitted or special use. Seating for the consumption of food and/or beverages by customers is prohibited. (Ord. 39-0-95)
FOOT-CANDLE:	A unit of illumination produced on a surface, all points of which are one (1) foot from a uniform point source of one (1) standard candle.
FOSTER CHILD:	A child giving, receiving, and sharing affection and care in a family other than his or her biological family, as if related by blood or as if legally adopted.
GARAGE, PRIVATE:	An accessory building or an accessory portion of the principal building, including a carport, that is intended for and used for storing the privately owned motor vehicles, boats, and trailers of the family or families resident upon the premises, and in which no business, service, or industry connected directly or indirectly with motor vehicles, boats, and trailers is carried on.
GARAGE, STORAGE:	A building or premises used for the housing only of motor vehicles, boats, and trailers and where no equipment or parts are sold and vehicles are not rebuilt, serviced, repaired, hired or sold.

GOVERNMENT INSTITUTION:	A building or structure owned and operated by a municipal, state, federal, or other taxing body institution in which governmental services are provided or conducted.
GRADE, ESTABLISHED:	The elevation established for regulating the height of buildings. Established grade shall be the mean level of the public sidewalk, where present, or if no sidewalk, the mean finished surface of the ground off the subject property immediately adjacent to the front lot line. (Ord. 112-0-03)
GUEST, PERMANENT:	A person who occupies or has the right to occupy a residential accommodation for a period of thirty (30) days or more.
GUEST, TRANSIENT:	A guest who does not have a lease and occupies an apartment, lodging room, or other living quarters on a daily or weekly basis.
HEALTH HAZARD:	A classification of a chemical for which there is statistically significant evidence based on at least one (1) study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed persons. The term "health hazard" includes chemicals that are carcinogens, toxic or highly toxic agents, reproductive toxins, irritants, corrosives, sensitizers, hepatotoxins, nephrotoxins, agents which act on the hematopoietic system, and agents which damage the lungs, skin, eyes, or mucous membranes.
HISTORIC LANDMARK:	See definition of Evanston Landmark.
HOME OCCUPATION:	An accessory use of a dwelling unit that is used for a gainful activity involving the provision, assembly, processing or sale of goods and/or services that is incidental and secondary to the use of a dwelling unit, but excluding the provision of shelter or lodging. (See Chapter 5 of this Title.)

HOSPITAL:	An institution licensed by state law providing health services and medical or surgical care to patients and injured persons. (See Section 6-15-10 of this Title.)
HOSPITAL BASED SPECIALIST:	A medical practitioner licensed by the state of Illinois to practice medicine who restricts his/her practice to one (1) of the following seven (7) medical specialties: a) emergency medicine; b) radiology; c) nuclear medicine; d) pathology; e) anesthesiology; f) neonatology; and g) perinatology. These physicians see essentially all of their patients in the hospital facilities.
HOTEL:	A building in which lodging is offered with or without meals principally to transient guests and that provides a common entrance, lobby, halls and stairways.
HOTEL, APARTMENT:	A hotel with dwelling units in which all accommodations are provided in dwelling units and in which at least twenty-five percent (25%) of the guestrooms are for occupancy by transient guests. An apartment hotel may have a dining room open to the public that is accessible only from an inner lobby or corridor.
IMPERVIOUS SURFACE:	Any hard surfaced, manmade area that does not readily absorb or retain water, including but not limited to any paved, asphalt or concrete areas, parking and graveled driveway areas and sidewalks. (Ord. No. 165-O-15 , § 9, 5-23-2016)
INDEPENDENT LIVING FACILITY:	A living arrangement of dwelling units or rooming units for older adults who do not require any oversight or assistance with personal or medical care needs. Facility may provide general services such as meals, transportation, housekeeping, and opportunities for socialization. (See definitions of Retirement Hotel and Congregate Housing.)

INDOOR RECREATION FACILITY (COLLEGE/ UNIVERSITY):	A place, structure, or other facility used for and providing indoor recreation facilities, tennis, ball, racquet or other courts, swimming pools, bowling alleys, or similar uses that are enclosed in buildings and are operated primarily for the use of college/university related persons. "Indoor recreation facilities (college/university)" shall include any accessory uses, such as, but not limited to, cafeterias, administrative offices, classrooms and locker rooms, which are designed and intended primarily for the use of college/university related persons and patrons of the principal recreational use. "Indoor recreation facilities (college/university)" shall not include theaters, cultural facilities, commercial recreation centers, community centers and recreation centers, or any use which is otherwise listed specifically in the zoning districts as a permitted or special use.
INDUSTRIAL SERVICE ESTABLISHMENT:	A building, property, or activity of which the principal use or purpose is the provision of industrial oriented services directly to the industrial use establishments. This term shall include, but will not be limited to, tool shops, machine repair and service shops, blade sharpening shops and similar establishments. "Industrial services establishments" shall not include any use or other type of establishment that is otherwise listed specifically in a zoning district as a permitted or special use.
INSTITUTION:	An organization or establishment providing religious, educational, charitable, medical, cultural, or governmental services.
INVISIBLE PET FENCE:	An electronic system designed to keep a pet or other domestic animal within a set of predefined boundaries without the use of a visible barrier. (Ord. No. 22-O-15, § 7, 4-13-2015)
JOINT PARKING FACILITY:	A parking facility used for joint parking by two (2) or more businesses or other establishments.

JUNKYARD:	An open area where discarded, used, or secondhand materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled including, but not limited to, scrap iron and other metals, paper, rags, rubber tires and bottles. Junkyard includes wrecking yards, but does not include landfills, waste transfer stations or uses carried on entirely within enclosed buildings. (Ord. 43-0-93)
KENNEL:	Any establishment for which the principal use or purpose is the housing of domestic animals, including overnight stays. Multiple animals shall be permitted outside on the premises when accompanied by staff and only between the hours of 8:30 a.m. and 4:30 p.m. on any day. Individual animals shall be permitted outside on the premises to relieve themselves at any time during the Center's hours of operation when accompanied by staff. Prior to beginning operation of any such Kennel, the operator shall submit to the Zoning Administrator a contingency plan for those times when an owner fails to claim his/her animal(s), and, thereafter, comply with said plan. The operator of any such Kennel shall comply with the applicable regulations of Title 8, Chapter 4, and Title 9, Chapter 4 of the City Code, as amended. (Ord. No. 67-O-11, § 2, 9-12-2011)
KNEE-WALL, EXTERIOR:	That portion of a building, with vertical walls, located between the top full story and a half story. Exterior knee-walls shall not exceed three (3) feet in height. In order to allow for additional height while minimizing bulk, exterior knee-walls above the second story are not allowed except on buildings with gable or hip roofs. (Ord. No. 72-O-12, § 11, 10-22-2012)

LIVE-WORK UNIT:	A structure or portion of a structure: a) that combines an allowed commercial or manufacturing activity with a residential living space for the owner or proprietor of the commercial or manufacturing activity, and that person's household; b) where the resident owner or proprietor of the business is responsible for the commercial or manufacturing activity performed; and c) where the commercial or manufacturing activity conducted takes place pursuant to a valid business license or permit associated with the premises. (Ord. 67-0-09)
LODGING:	A place of business including the following uses: hotels, motels, inns, and other uses similar in nature and impact.
LODGING ROOM (ROOMING UNIT):	A room or group of rooms forming a single habitable unit that is not physically a part of a dwelling unit or, though physically a part of a dwelling unit, is used or intended for use by a person or persons other than members of the family occupying said dwelling unit, and that is used or intended to be used as sleeping and living quarters, but without facilities for cooking, eating, food storage or food preparation.
LONG TERM CARE FACILITY:	A facility that provides personal, sheltered, intermediate or skilled care for persons in need of such care, regardless of age. (Ord. 43-0-93)
LOT:	A parcel of land located within a single block which shall be either a "lot of record" or a "zoning lot" and shall have frontage upon a "street." (Ord. 10-0-95)
LOT AREA:	The area of horizontal plane bounded by the vertical planes through front, side, and rear lot lines.
LOT, CORNER:	A lot situated at the junction of and abutting on two (2) or more intersecting streets; or a lot at the point of deflection in alignment of a single street, the interior angle of which does not exceed one hundred thirty-five degrees (135°).

LOT COVERAGE, BUILDING:	The ratio between the ground floor areas of all buildings or structures, including covered decks attached to the principal building or free-standing, on a lot and the total area of the lot. (Ord. No. 165-O-15 , § 9, 5-23-2016)
LOT DEPTH:	The mean horizontal distance between the front lot line and the rear lot line of a lot, measured within the lot boundaries.
LOT, FLAG:	A lot with access provided to the bulk of the lot by means of a narrow corridor.
LOT LINE:	A line dividing one (1) lot from another lot or from a street or alley.
LOT LINE, FRONT:	A lot line that is a street lot line. Any street lot line of a corner lot may be established by the owner as the front lot line.
LOT LINE, REAR:	That boundary of a lot that is most distant from and is, or is approximately, parallel to the front lot line. If the rear lot line is less than ten (10) feet in length, or if the lot forms a point at the rear, the rear lot line shall be deemed to be a line ten (10) feet in length within the lot, parallel to and at the maximum distance from the front lot line.
LOT LINE, SIDE:	Any boundary of a lot that is not a front or rear lot line. On a corner lot, a side lot line may be a street lot line.
LOT, NONCONFORMING:	A use or activity that lawfully existed prior to the adoption, revision, or amendment of this Ordinance, but that fails by reason of such adoption, revision, or amendment to conform to the requirements of the zoning district in which it is located. (See Chapter 6 of this Title.)
LOT OF RECORD:	Is a lot that is part of a subdivision, the plat of which has been recorded in the office of the recorder of deeds of Cook County, or a parcel of land, the deed to which was recorded in the office of said recorder of deeds prior to the adoption of this Ordinance.

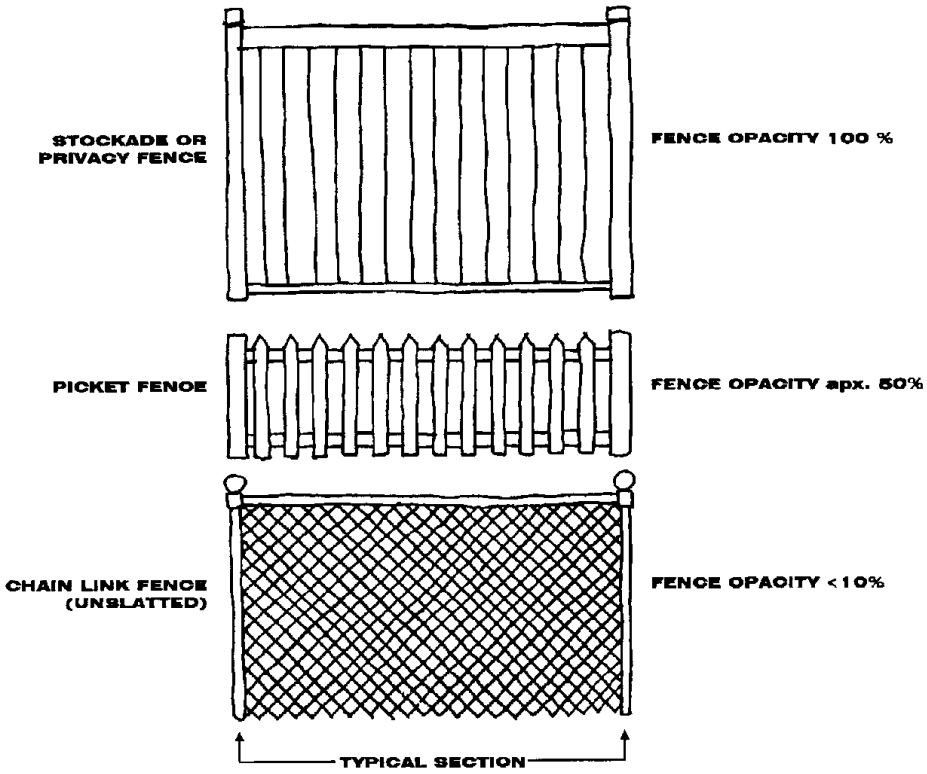
LOT, OPEN SALES:	Any zoning lot or portion of a zoning lot used for retail sales in which said sales or the inspection of merchandise by prospective purchasers predominantly occurs outside of an area enclosed by walls. Open sales lot does not include the following uses: uses allowed and/or regulated in Section 6-4-8-3, "Permitted Temporary Use Regulations," of this Title; automobile and recreational vehicle sales and/or rental; truck sales and/or rental; sales of plants for landscaping or gardening; the "farmers' market" as defined and regulated by Title 3, "Business Regulations," Chapter 25, "Farmers' Market" of this Code. (Ord. 114-O-02; Ord. No. 154-O-15 , § 4, 2-8-2015)
LOT, REVERSED CORNER:	A corner lot where the street side lot line is substantially a continuation of the front lot line of the first lot to its rear.
LOT, THROUGH:	A lot with lot lines on two (2) streets, that is not a corner lot. All street lot lines shall be deemed front lot lines. (Ord. 18-0-94)
LOT WIDTH:	(A) The distance between the side lot lines measured across the rear of the required front yard; or
	(B) One hundred twenty-five percent (125%) of the distance between the side lot lines at the point where said side lot lines intersect the street, whichever is shorter.
LOT, ZONING:	A single tract of land located within a single block that, at the time of filing for a building permit, is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. Therefore, a "zoning lot or lots" may or may not coincide with a lot of record.

MANUFACTURING, HEAVY:	The assembly, fabrication, or processing of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent property in terms of noise, smoke, fumes, visual impact, odors, glare, or health and safety hazards, or that otherwise do not constitute "light manufacturing," or any use where the area occupied by outdoor storage of goods and materials used in the assembly, fabrication, or processing exceeds twenty-five percent (25%) of the floor area of all buildings on the property. Heavy manufacturing generally includes processing and fabrication of large or bulky products made from extracted or raw materials or products involving flammable or explosive materials and processes that require extensive floor areas or land areas for the fabrication and/or incidental storage of the products. "Heavy manufacturing" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or special use.
MANUFACTURING, LIGHT:	The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such assembly, fabrication, or processing takes place, where such processes are housed entirely within a building, or where the area occupied by outdoor storage of goods and materials used in such processes does not exceed twenty-five (25) percent of the floor area of all buildings on the property. Light manufacturing generally includes processing and fabrication of finished products predominantly from previously prepared materials and includes processes that do not require extensive floor areas or land areas. "Light manufacturing" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or special use.

MEDIA BROADCAST STATIONS:	A building or portion thereof used for the production and broadcast of media related programming. This term shall include, but will not be limited to, radio and television broadcasting stations and other uses similar in nature and impact.
MEMBERSHIP ORGANIZATION:	Lands, buildings or portions thereof, or premises owned or operated by an organization of a professional, business, trade, civic, social, fraternal, political, or religious nature operating on a membership basis and engaged in promoting the interest of their members. (Ord. 43-0-93)
MICRO-DISTILLERY:	A facility that produces alcoholic beverages in quantities not to exceed thirty-five thousand (35,000) gallons per year and includes an accessory tasting room. A tasting room allows customers to taste samples of products manufactured on-site and purchase related sales items. Sales of alcohols manufactured outside the facility are prohibited. (Ord. No. 71-O-10, § 2, 10-25-2010; Ord. No. 38-O-13, § 2, 5-13-2013)
MINIMUM LINEAR FENESTRATION:	A minimum total horizontal distance along a facade containing fenestration that meets the specified criteria, usually in terms of height and placement of windows and doors. (Ord. 5-0-08)
MODULE WIDTH, DOUBLE LOADED (OF PARKING SPACES):	The distance between parking spaces (stalls) on both (2) sides of any access aisle as measured perpendicular to said aisle and from the farthest point of spaces (stalls) on one (1) side of said aisle to the farthest point of spaces (stalls) on the other side of said aisle.
MODULE WIDTH, SINGLE LOADED (OF PARKING SPACES):	The distance between parking spaces (stalls) on one (1) side of an access aisle as measured perpendicular to said aisle from the farthest point of said spaces (stalls) and including the width of said aisle (at its minimum dimension).

MOTOR VEHICLE:	A self-propelled wheeled vehicle designed primarily for transportation of persons or goods along public streets.
NEIGHBORHOOD GARDEN:	A principal use that provides space for people to grow plants for non-commercial purposes, such as beautification, education, recreation, or harvest, and is managed by a specific person or group responsible for maintenance and operations. (Ord. No. 81-O-14, § 2, 8-11-2014)
NURSERY SCHOOL:	See definition of Daycare Center—Child.
OFFICE:	A use or structure where business or professional activities are conducted and/or business or professional services are made available to the public, including, but not limited to, tax preparation, accounting, architecture, legal services, medical clinics and laboratories, dental laboratories, psychological counseling, real estate and securities brokering, and professional consulting services, but not including drive-through service windows, the cutting or styling of hair, or recreational facilities or amusements. "Office" shall not include any use that is otherwise listed specifically in a zoning district as a permitted or special use.
OPACITY, FENCE:	A measurement of the amount of vision blocked by the various components of a fence, expressed as a percent. Fence opacity shall be measured across a typical section of fence, from the vertical centerline of one (1) fence post to the vertical centerline of a second fence post (see Figure 6-18-3, "Fence Opacity," of this Section).

FIGURE 6-18-3
FENCE OPACITY



(Ord. 15-0-99)

OPEN SPACE:	An area of naturally existing or planted vegetation adjacent or surrounding a land use, unoccupied in its entirety by any enclosed structure, or portion of such land use, used as a buffer for the purposes of screening and softening the effects of the use, building or structure, no part of which buffer is used for parking or outdoor storage.

OUTDOOR RECREATION FACILITY (COLLEGE/ UNIVERSITY):	A place or other facility used for and providing outdoor recreation facilities, tennis, ball, racquet or other courts, swimming pools, golf courses and fishing piers which are not enclosed in buildings and are operated primarily for the use of college/university related persons. "Outdoor recreation facilities (college/university)" shall include any accessory uses, such as, but not limited to, clubhouses, locker rooms, or bleachers which are designed and intended primarily for the use of college/university related persons and patrons of the principal recreational use. "Outdoor recreation facilities (college/university)" shall not include skateboarding courses, go-cart or motorcycle courses, stadiums, field houses, marinas, overnight camping, or gun firing ranges, or any use which is otherwise listed specifically in the zoning districts as a permitted or special use.
OUTDOOR STORAGE:	The keeping or storage of any goods, material, equipment, part or merchandise in an enclosed, but open to the sky, area, for more than a twenty-four (24) hour period. "Open storage" shall not include junkyard or salvage yard establishments or landfills.
OWNER:	Any full or part owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety with legal or beneficial Title to the whole or to part of a structure or land.
PARKING AREA:	One (1) or more parking spaces including access drives, aisles, ramps and maneuvering area, serving a principal building located on the same lot.
PARKING LOT:	An area reserved or used for parking or storage of motor vehicles, hauling trailers or boats on premises on which there is no principal building.

PARKING SPACE:	An accessible area used or intended for use for temporary storage of one (1) motor vehicle, hauling trailer or trailer mounted boat; said parking space may be located in a private or storage garage, a private or public parking lot, a parking garage, a carport or in the open. Temporary storage is further limited to include only the storage of vehicles that are fully capable of legal operation on the public streets. Any other storage of vehicles shall be considered as the storage of goods and shall be prohibited except where specifically permitted by this Ordinance.
PARKING STRUCTURE, DECK, OR GARAGE:	A structure used for the parking or storage of motor vehicles.
PATIO:	A portion of a lot which is improved with a hardscape material at grade detached anywhere on a lot or attached to the house in side or rear yards. (Ord. No. 165-O-15 , § 10, 5-23-2016)
PAWNBROKER:	A building or use, the principal purpose of which is the lending of money on deposit or pledge of personal property, or dealing in the purchase of personal property on condition of selling the same back at a stipulated price and that is licensed pursuant to Title 3, Chapter 12 of this Code. (Ord. 43-0-93)

PAYDAY LOAN OR CONSUMER LOAN ESTABLISHMENT:	Any business that makes or offers a loan transaction where a cash advance, post-dated check, or other financial instrument, which the parties agree will be held for a period of time before presentment for payment or deposit, is accepted as collateral for the loan, or by which a loan transaction is made or offered in lieu of a title to personal or real property, in an amount not exceeding twenty-five thousand dollars ($25,000.00), that is not expressly done through a bank, savings and loan association, or credit union. No payday loan or consumer loan establishment shall be permitted within one thousand (1,000) feet, measured property line to property line, of another such establishment. (Ord. No. 35-O-12, § 2, 3-26-2012)
PEDESTRIAN AREA:	The area between the front facade of a building and the curb. The pedestrian area consists of a sidewalk clear zone closest to the building, and a parallel parkway/street furniture zone that is between the sidewalk and the curb. (Ord. 5-0-08)
PERFORMANCE ENTERTAINMENT VENUE:	A commercial land use in which the principal activity is the provision of performance entertainment in a nontheatrical setting without a theatrical stage other than a raised platform or without fixed seating. A performance entertainment venue may or may not, subject to all applicable legislation, include the service of alcoholic liquor, and may or may not allow dancing. A performance entertainment venue is not an establishment in which the principal use is the service of prepared food and beverages and in which the land user provides entertainment as an accessory or incidental to the service of prepared food and beverages, nor is a performance entertainment venue a cultural facility in which performance entertainment is provided in a theatrical setting or with fixed seating.
	A performance entertainment venue includes, without limitation:
	(A) Live music venues;

	(B) Venues for the provision of musical entertainment which is not live for compensation;
	(C) Dance or "DJ" (disc jockey) halls or clubs in which for compensation live or recorded musical entertainment is provided with or without a dance floor;
	(D) Comedy clubs; and
	(E) Rap clubs.
	A performance entertainment venue does not include poetry clubs or the use of the property of nonprofit institutions for theatrical or musical performances accessory to the nonprofit institution or by another nonprofit organization. (Ord. 2-0-00)
PERSON:	An individual, corporation, governmental agency, business trust, estate, trust, partnership, association, two (2) or more persons having a joint or common interest, or any other legal entity.
PLANNED DEVELOPMENT [31]:	A tract of land that is developed as a unit under single ownership or control. One (1) or more principal buildings may be located on a single lot.
POND, DETENTION:	An area containing a temporary pool of water and with the capacity to detain storm water for long periods of time.
POND, RETENTION:	An area containing a permanent pool of water as well as capacity to detain additional storm water for long periods of time.
PORCH:	An open or enclosed area attached to the building and located between the exterior wall of a building and the right-of-way. A porch may be covered by a roof which may be attached to a side wall or common with the main roof of the building. (Ord. No. 165-O-15 , § 10, 5-23-2016)

PREMISES:	A distinct portion of real estate, land or lands with or without buildings or structures. It may or may not have the same meaning as "lot," "building" or "structure."
PRESERVATION ORDINANCE:	Ordinance 14-0-83, as amended, of the City of Evanston.
PUBLIC TRANSPORTATION CENTER:	A building or portion thereof used as a terminus for rail or bus passenger service. This term shall include, but not be limited to, train and bus stations and other uses similar in nature and impact.
PUBLIC UTILITIES:	A building or portion thereof used for providing, monitoring, and housing utilities for public consumption or use. This term shall include, but will not be limited to, operations providing water, sewer, gas, public works facilities, and other uses similar in nature and impact.
READY MIX/ CONCRETE:	A place, structure, or activity primarily engaged in the manufacturing and sale of Portland cement concrete. "Ready mix/concrete" shall include, but not be limited to, establishments engaged in the production and sale of central mixed concrete, shrink mixed concrete, and truck mixed concrete.
RECREATION CENTER:	A place, structure, area or other facility used for and providing recreation programs and facilities generally open to the public and designed to accommodate and serve significant segments of the community.
RECYCLING DROP OFF STATION:	An accessory use, structure, or set of outdoor containers designed or intended for the depositing or collection of clean, source separated, and recyclable papers, glass, metals, or plastics, but having no mechanical facilities for the processing of such materials.

RELIGIOUS INSTITUTION:	A church, synagogue, temple, meetinghouse, mosque, or other place of religious worship, including any accessory use or structure, such as a school, daycare center, or dwelling.
REPAIR (For Review Of Fences Only):	Any action in which a person fixes, mends, restores, or removes that portion of a fence which provides its opacity (e.g., vertical boards, slats, pickets, chainlink) and/or associated horizontal supports. Repair shall include any action to an existing fence not specifically included within the definition of "replace." (Ord. 43-0-93)
REPLACE (For Review Of Fences Only):	Any action in which a person removes more than twenty-five percent (25%) of the number of posts within a fence, except any action in which a person removes three (3) or fewer posts. (Ord. 15-0-99)
RESALE ESTABLISHMENT:	A building, property, or activity, the principal use or purpose of which is the resale of used clothing, furniture, and/or other goods, products or merchandise directly to the consumer. "Resale establishment" shall not include businesses that sell primarily cars, antiques, books, recorded music, and/or artwork. (Ord. 122-0-09)
RESEARCH AND DEVELOPMENT INDUSTRIES:	A building, property, or structure in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the building, property, or structure.
RESIDENTIAL CARE HOME - CATEGORY I [32]:	A dwelling unit shared by four (4) to eight (8) unrelated persons, exclusive of staff, who require assistance and/or supervision and who reside together in a family type environment as a single housekeeping unit. "Residential care home - category I" shall not include a home for persons who are currently addicted to alcohol or narcotic drugs or are criminal offenders serving on work release or probationary programs.

RESIDENTIAL CARE HOME — CATEGORY II [33]:	A dwelling unit shared by nine (9) to fifteen (15) unrelated persons, exclusive of staff, who require assistance and/or supervision and who reside together in a family type environment as a single housekeeping unit. "Residential care home — category II" shall not include a home for persons who are currently addicted to alcohol or narcotic drugs or are criminal offenders serving on work release or probationary programs. (Ord. 43-0-93)
RESTAURANT, TYPE 1:	An establishment in which the principal use is the service of prepared food and beverages for consumption on the premises. All service of prepared food and beverages for consumption on the premises shall require customers to order at a table, booth, or dining counter with service by a waiter or waitress at said table, booth, or dining counter and shall also require the use of reusable (nondisposable) flatware and dishware. Drive-through facilities are prohibited.
RESTAURANT, TYPE 2:	An establishment in which the principal use is the service of prepared food and/or beverages for consumption on and/or off the premises and that is not a "restaurant, type 1" as defined herein. This definition shall not include establishments where incidental prepared food and beverage service is accessory to a bakery, food establishment, convenience store, food store establishment, meat market, or similar principal use nor shall it include cafeterias that are accessory to hospitals, colleges, universities, schools or other similar principal uses. (Ord. 9-0-10)

RETAIL GOODS ESTABLISHMENT:	A building, property, or activity, the principal use or purpose of which is the sale of goods, products, or merchandise directly to the consumer. "Retail goods establishment" shall include, but not be limited to, department stores, hardware stores, apparel stores, art galleries, and other uses similar in nature and impact. "Retail goods establishment" shall not include dealers in firearms, handguns, or ammunition, or any use or other type of establishment that is otherwise listed specifically in a zoning district as a permitted or a special use.
RETAIL SERVICES ESTABLISHMENT:	A building, property, or activity, the principal use or purpose of which is the provision of personal services directly to the consumer. The term "retail services establishment" shall include, but shall not be limited to, barbershops, beauty facilities, laundry and dry cleaning establishments (plant off premises), tailoring shops, shoe repair shops and the like. "Retail services establishment" shall not include: businesses that exchange, loan, rent, manufacture, service, alter, repair, or otherwise transfer for consideration, firearms, handguns, or ammunition; tattoo facilities; or any use that is otherwise listed specifically in a zoning district as a permitted or a special use. (Ord. 126-0-08)
RETIREMENT COMMUNITY:	Housing developed, planned, designed, and operated to provide a full range of accommodations and services for older adults including independent living, assisted living, sheltered care, and nursing home care. Residents may move from one (1) level to another as needs change. This term shall include, but will not be limited to, continuing care communities and life care retirement communities.
RETIREMENT HOME (HOME FOR THE AGED):	A facility for older adults that provides services and rooming units, dwelling units of any type, sheltered care, or intermediate or skilled nursing care services.

RETIREMENT HOTEL:	An establishment where meals are provided as part of the price of the accommodations, that caters primarily to nontransient guests and either holds itself out to the public as a retirement facility, selectively caters to or solicits the elderly, or has admission standards based on age. A retirement hotel may not offer any type of long term care, including nursing or sheltered care services.
RIGHT OF WAY:	A strip of land dedicated to or owned by the public for use as a roadway, walk or other way. (Ord. 43-0-93)
ROOMING HOUSE:	A building or portion thereof containing lodging rooms that accommodate more than three (3) persons who are not members of the keeper's family, and where lodging, excluding food service, is provided for compensation, whether direct or indirect. (Ord. 49-0-09)
SATELLITE DISH ANTENNA [34]:	A device incorporating a reflective surface that is solid, open mesh, or bar configured and is in the shape of a flat plate, shallow dish, cone, horn or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based equipment. This term shall include, but will not be limited to, what are commonly referred to as satellite earth stations, television receive only antennas (TVROs) and satellite microwave antennas or towers.
SCOREBOARD:	A display device, appurtenant to an athletic facility, that enables spectators and/or participants in an athletic contest to be informed of the progress of such contest.
SCREENING:	A structure erected, and earth mound constructed, vegetation planted or some combination of these devices used for concealing the area behind it from view.

SHELTER FOR ABUSED PERSONS:	A building, or portion thereof, in which residential accommodations are provided on an emergency basis for persons who are victims of abusive treatment.
SHELTERED CARE HOME:	An establishment that provides shelter, food, assistance with meals, assistance with activities of daily living, and twenty-four (24) hour supervision and monitoring of the mental and health status of residents who are incapable of maintaining a private independent residence or incapable of managing themselves.
SHORT TERM CARE FACILITY:	An establishment that provides personal care, sheltered care, and intermediate or skilled care for persons in need of such care, regardless of age.
SITE PLAN AND APPEARANCE REVIEW COMMITTEE (SPARC):	The committee established by ordinance 31-0-93 [35], as amended, whose major purpose is to review submitted site plans pursuant to the provisions of this Title. (Ord. 43-0-93)
SLOPE RATIO:	The ratio of the vertical rise of a sloped surface to its horizontal run (e.g., a surface that rises two (2) inches within a run of twelve (12) inches has a slope ratio of 2:12). (Ord. No. 72-O-12, § 11, 10-22-2012)
SOLAR COLLECTOR:	A silent device, structure, or part of a device or structure, which is used primarily to transform solar energy into thermal, chemical, or electrical energy. The solar collector shall be used as part of a system which makes use of such energy for the purposes of water heating, space heating or cooling, or power generation. (Ord. 35-0-08)
STADIUM:	An enclosed athletic or sports ground with tiers of seats for spectators. (Ord. 43-0-93)

STEPBACK:	An additional setback that applies to upper stories of a building. Stepbacks can be effective in reducing the perception of building mass at ground level, reducing potential "wind tunnel" effects, increasing the amount of sunlight at ground level, providing increased articulation of the street wall, and avoiding a "canyon effect" for corridors. (Ord. 5-0-08)
STORY:	That portion of a building included between the surface of any floor and the surface of the floor above; or if there is no floor above, the attic, or space between the floor and the ceiling above. A basement shall be counted as a story, except in residential districts. A cellar shall not be counted as a story.
STORY, HALF:	That portion of a building between a sloped roof and the building's top story or exterior knee-wall, if applicable. The minimum slope ratio of any roof above a half story shall be 2:12. (Ord. 13-0-98; Ord. No. 72-O-12, § 10, 10-22-2012)
STREET (AVENUE, COURT, PLACE, ROAD, TERRACE OR PARKWAY):	A publicly dedicated right of way not less than thirty-three (33) feet in width or a permanently reserved easement of access approved by the City Council, that affords a primary means of access to abutting property.
STREET, TYPE 1:	A street or portion thereof upon which the City Council has found by ordinance that fences are permitted in the required front or required street side yards of properties adjacent to said street or portion thereof. (Ord. 15-0-99)
STRUCTURAL ALTERATIONS:	Any change, other than incidental repairs, in the supporting members of a building or structure such as bearing walls or partitions, columns, beams or girders, or any substantial change in the roof or exterior walls.

STRUCTURE:	Anything erected, the use of which requires more or less permanent location on the ground or attachment to something having a permanent location on the ground.
STUDENT RELIGIOUS ORGANIZATION MEETINGHOUSE:	A building or premises owned or operated by a religious organization primarily engaged in providing religious, educational and other services, meals and socialization to a limited segment of the university and student population. There shall be no overnight sleeping accommodations permitted in a student religious organization meetinghouse. "Student religious organization meetinghouse" shall not include a student union, recreational facility or any other facility that is designed and intended to serve the university or college population as a whole or which otherwise is specifically listed as a permitted or special use in the university housing, university athletic facilities, university lakefront campus or transitional campus districts. (Ord. 20-0-97)
SUBSTANTIAL REHABILITATION AND SUBSTANTIAL ADDITIONS:	Construction or proposed construction that increases the floor area of the principal structure by thirty-five percent (35%) or more including as added floor area any newly constructed areas at or above the first floor with an interior vertical clearance of seven (7) feet or more. (Ord. 112-0-03)
TATTOO FACILITY [36]:	Any place, except a hospital or other facility operated by a licensed medical practitioner, where the act of puncturing the skin and inserting indelible colors to form a permanent design is performed, regardless of whether a fee is involved. (Ord. 100-0-97)
TERRACE:	An uncovered outdoor surface attached to the building and located between the building and the right-of-way. When roofed, a terrace shall be considered a porch. (Ord. No. 165-O-15 , § 10, 5-23-2016)
TOWNHOUSE:	See definition of Dwelling, Single-Family Attached (Group, Row Or Town Houses).

TRADE CONTRACTOR:	A building or portion thereof used for the housing of where building and construction trade services are provided to the public. "Trade contractor" shall include, but will not be limited to, contractor offices, including landscaper's showrooms, construction supplies and storage including plumbing, heating, air conditioning, and building equipment, materials, sales, and other uses similar in nature and impact.
TRANSITION LANDSCAPE STRIP:	A designated area, located primarily along lot lines, consisting of vegetative screening, earth berms or mounds, fencing or decorative walls that creates a transition between districts or incompatible uses. (All transition landscape strips shall be designed and built in accordance with the City's "Manual Of Design Guidelines.")
TRANSITIONAL HEIGHT PLANE:	A two-dimensional, geometric plane that defines the upper boundary (i.e., maximum permitted height) of the buildable area of a higher intensity district that is adjacent to a lower intensity residential district. The effect of a transitional height plane (plane) is to progressively lower the allowable building height of a higher intensity district as one approaches that district's boundary and the adjacent lower intensity residential district. The plane does not supersede other building height restrictions; it is an additional height restriction that must be considered in conjunction with any other height restrictions imposed.
	A transitional height plane extends over the higher intensity district, upward and away from all adjacent lower intensity residential districts, as follows:
	(A) The origin of the plane is a horizontal line in space in the higher intensity district at the location of the defined setback closest to the adjacent lower intensity residential district, and having a height the same as the defined maximum building height of the adjacent lower intensity residential district.

	(B) The plane extends orthogonally from this line of origin away from the lower intensity residential district and upward over the higher intensity district at an elevation of forty-five degrees (45°) from horizontal, as measured from the grade directly below the line of origin.
	(C) If the higher intensity district is adjacent to a lower intensity residential district(s) on more than one (1) side, transitional height planes must be calculated for each such adjacent side. (Ord. 5-0-08)
TRANSITIONAL SHELTER [37]:	A building, or portion thereof, in which sleeping accommodations are provided on an emergency basis for the temporarily homeless.
TRANSITIONAL TREATMENT FACILITY [38]:	A facility licensed by the state of Illinois that provides supervision, counseling and therapy through a temporary living arrangement for individuals recovering from addiction to alcohol or narcotic drugs in order to facilitate their transition to independent living. Residents of this facility have been previously screened in another treatment setting and are determined to be sober/drug free but require twenty-four (24) hour staff supervision and a peer support structure in order to strengthen their recovery/sobriety. Transitional treatment facility shall not include any facility for persons awaiting adjudication by any court of competent jurisdiction or any facility for persons on parole from correctional institutions.
URBAN FARM:	Indoor or outdoor principal use that includes growing plant products for wholesale or retail sales and may include one (1) or more of the following: washing; packaging; storage. Typical urban farms may include growing beds, greenhouses, and orchards. (Ord. No. 81-O-14, § 2, 8-11-2014)

URBAN FARM, ROOFTOP:	A rooftop operation that includes growing plant products for wholesale or retail sales and may include one (1) or more of the following: washing; packaging; storage. Typical urban rooftop farms may include growing beds, greenhouses, and orchards. (Ord. No. 81-O-14, § 2, 8-11-2014)
USE:	The purpose or activity for which the land, building or structure thereon is designed, arranged or intended, or for which it is occupied or maintained.
USE, ALLOWED:	Listed use either permitted or special, principal or accessory.
USE, INSTITUTIONAL:	A use of land employed by public or quasi-public organizations providing services to the public that individuals cannot readily provide for themselves. Institutional uses include, but are not limited to, churches, cemeteries, hospitals, nursing homes, libraries, museums, government buildings, facilities of fraternal orders, school, community centers, schools or homes for the disabled, religious retreats, monasteries, convents, and group homes.
USE, NONCONFORMING [39]:	A use of land, buildings, structures, or premises that was lawfully established as of the date of the adoption of this Ordinance and is not listed as a permitted use, special use or a unique use, under the provisions of this Ordinance.
USE, PERMITTED:	Any use of land, buildings, structures or premises that is a listed permitted use in the zoning district in which such use is located.
USE, PRINCIPAL:	The main use of land, building, or structure as distinguished from a subordinate or accessory use.

USE, R1 RESIDENTIAL PRESERVATION UNIQUE:	A use determined by the City Council to be a residential use which is not listed as an authorized use, but that will be of substantial land use or economic benefit to the City, whose authorization would not be appropriate through a zoning amendment. Such a land use may be approved only as follows:
	(A) It is in an R1 residential district;
	(B) It is in a designated Evanston preservation district;
	(C) It is in a structure designated by ordinance as an Evanston landmark;
	(D) The parcel for which application for the use is made is a minimum of two (2) acres;
	(E) The parcel for which application for the use is made is improved with a structure with a minimum gross floor area of fourteen thousand five hundred (14,500) square feet as defined in Subsection 6-3-7-10(H) of this Title;
	(F) Any multi-family structure for which the use is approved must contain no more than four (4) dwelling units. A development plan for an R1 residential preservation unique use exception may provide for more than one (1) principal use on a single zoning lot; and
	(G) All resultant dwelling units created shall have a minimum floor area, as defined in this Section, of two thousand (2,000) square feet. (Ord. 49-0-04)
USE, SPECIAL [40]:	Any building, structure or use that, on the effective date hereof, complies with the applicable regulations governing special uses in the zoning districts in which such building, structure, or use is located.

USE, TEMPORARY:	A land use of a duration less than ninety (90) days or as listed, allowed and regulated in Section 6-4-8-3 of this Title. (Ord. 114-0-02)
USE, UNIQUE [41]:	A use determined by the City Council, to be an unusual one of a kind use that is not listed as an authorized use, but that will be of substantial land use or economic benefit to the City and whose authorization would not be appropriate through a zoning amendment. (Ord. 49-0-04)
VEHICLE SALVAGE:	A place, structure, or activity, the principal use of which is the salvaging of motorized vehicles, including buses. "Vehicle salvage" shall not include automobile and recreation vehicle sales, automobile repair service, automobile service station establishments and vehicle storage establishments.
VEHICLE STORAGE ESTABLISHMENT:	A building, property, or activity, the principal use of which is the storage of nondisabled motorized vehicles, including buses. "Vehicle storage establishment" shall not include automobile and recreational vehicle sales, automobile repair service, automobile service station establishments, and vehicle salvage establishments.
VEHICLE TOWING ESTABLISHMENTS:	A building, property, or activity, the principal use of which is the retrieving or securing of distressed, disabled, abandoned, or illegally parked motorized vehicles.
WAREHOUSE:	A building or portion thereof used for the storage of goods and/or materials. This term shall include, but not be limited to, commercial storage facilities, miniwarehouses, and other uses similar in nature and impact.

WHOLESALE GOODS ESTABLISHMENT:	A building, property, or activity, the use or purpose of which is the sale of goods, products, or merchandise, in bulk quantities to retailers or persons who will in turn sell the goods, products, or merchandise directly to the consumer. "Wholesale goods establishment" shall not include any use or other type of establishment that is otherwise listed specifically in a zoning district as a permitted or a special use.
YARD:	An open space on a lot that is unoccupied and unobstructed from its lowest level to the sky, except as otherwise permitted in this Ordinance. A required yard extends along a lot line and at right angles to such line to a minimum depth or width specified in the yard regulations for the district in which such lot is located.
YARD, FRONT:	A yard extending along the full width of a front lot line between side lot lines and from the front lot line to the front building line in depth.
YARD, FRONT REQUIRED (For Review Of Fences Only):	That area on a zoning lot between the front lot line, two (2) side lot lines (interior or street), and the line established by the front yard requirement of each zoning district of Subsection 6-4-1-9(A)3 or (A)5 of this Title (see Figure 6-18-3, "Zoning Lot Components," of this Section).
YARD, INTERIOR SIDE REQUIRED (For Review Of Fences Only):	That area on a zoning lot between the interior side lot line, the line established by the front yard requirement of each zoning district or Subsection 6-4-1-9(A)3 or (A)5 of this Title, the line established by the rear yard requirement of each zoning district, and the line established by the side yard requirement of each zoning district (see Figure 6-18-3, "Zoning Lot Components," of this Section). (Ord. 15-0-99)
YARD, REAR:	The portion of the yard on the same lot with the principal building located between the building and the rear lot line extending for the full width of the lot.

YARD, REAR REQUIRED (For Review Of Fences Only):	For zoning lots that are not also corner lots, that are on a zoning lot between the rear lot line, two (2) side lot lines, and the line established by the rear yard requirement of each zoning district. For zoning lots that are also corner lots, that area on a zoning lot between the rear lot line, the interior side lot line, the line established by the side yard abutting a street requirement of each zoning district, and the line established by the rear yard requirement of each zoning district (see Figure 6-18-3, "Zoning Lot Components," of this Section). (Ord. 9-0-01).
YARD, SIDE:	A yard extending along a side lot line between the front and rear yards, except that a side yard abutting a street shall be defined as the yard extending along a side lot line between the front yard and the rear lot lines.
YARD, STREET SIDE REQUIRED (For Review Of Fences Only):	That area on a zoning lot between the street side lot line, the line established by the front yard requirement of each zoning district or Subsection 6-4-1-9(A)3 or (A)5 of this Title, the rear lot line, and the line established by the side yard abutting a street requirement of each zoning district (see Figure 6-18-3, "Zoning Lot Components," of this Section). (Ord. 9-0-01)
YARD WASTE TRANSFER FACILITY:	A nongovernmental facility that accepts yard waste, as defined in City Code Section 8-4-1, as amended, and/or landscape waste, as defined in 415 ILCS 5/3.270, as amended, for sorting and/or consolidation prior to transfer to an off-site recycling and/or composting facility. Yard/landscape waste shall remain onsite before such transfer for no longer than twenty-four (24) hours or other time period designated in 415 ILCS 5/39.2(o), as amended. Composting onsite is prohibited. Any mechanical facilities used for the processing of such yard/landscape waste must be incidental in nature. (Ord. No. 46-O-13, § 2, 5-28-2013)
ZIGGURAT SETBACK:	A design characteristic in three-dimension (3-D) that forms one (1) or more setbacks to a vertical plain.

ZONING ADMINISTRATOR:	The staff person or persons to whom the administrative responsibilities under this Ordinance are assigned by the director of planning and zoning.
ZONING MAP:	The official map delineating the boundaries of the zoning districts established in Section 6-7-2 of this Title.

Footnotes:

Chapter 17.58 - CBD CENTRAL BUSINESS DISTRICT ZONES REGULATIONS

Sections:

FOOTNOTE(S):

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Editor's note— Ord. No. 12955, § 2(Exh. A), adopted July 21, 2009, repealed and reenacted Chapter 17.58 in its entirety to read as herein set out. Formerly, Chapter 17.58, §§ 17.58.010—17.58.210, pertained to similar subject matter, and derived from the prior planning code, §§ 4825, 4827.1, 4828—4834, 4838—4840, 4842, 4844—4849; Ord. No. 11807, § 3, adopted 1995; Ord. No. 11854, §§ 7, 8, adopted 1996; Ord. No. 11904, §§ 5.31, 5.42, 5.60, adopted 1996; Ord. No. 12021, § 5, adopted 1997; Ord. No. 12138, § 5, adopted 1999; Ord. No. 12224, §§ 3, 4, adopted 2000; Ord. No. 12266, § 5, adopted 2000; Ord. No. 12450, § 11, adopted 2002; Ord. No. 12606, Att. A, adopted 2004; Ord. No. 12626, § 4, adopted 2004; Ord. No. 12776, § 3(Exh. A), adopted 2006; Ord. No. 12872, § 4, adopted 2008; Ord. No. 12884, § 2, adopted 2008; Ord. No. 12899, § 4(Exh. A), adopted 2008, and Ord. No. 12939, § 4(Exh. A), adopted June 16, 2009.

17.58.010 - Title, purpose, and applicability.

A. Intent. The provisions of this Chapter shall be known as the CBD Central Business District regulations. The intent of the CBD regulations is to:

1. Encourage, support, and enhance the Central Business District as a high density, mixed use urban center of regional importance and a primary hub for business, communications, office, government, urban residential activities, technology, retail, entertainment, and transportation.
2. Encourage, support, and enhance a mix of large-scale offices, commercial, urban high-rise residential, institutional, open space, cultural, educational, arts, entertainment, services, community facilities, and visitor uses.
3. Enhance the skyline and encourage well-designed, visually interesting, and varied buildings.
4. Encourage and enhance a pedestrian-oriented streetscape.
5. Encourage vital retail nodes that provide services, restaurants, and shopping opportunities for employees, residents, and visitors.
6. Preserve and enhance distinct neighborhoods in the Central Business District.

B. Description of zones. This Chapter establishes land use regulations for the following four zones:

1. **CBD-R Central Business District Residential Zone.** The intent of the CBD-R zone is to create, maintain, and enhance areas of the Central Business District appropriate for residential development with small-scaled compatible ground-level commercial uses.
2. **CBD-P Central Business District Pedestrian Retail Commercial Zone.** The intent of the CBD-P zone is to create, maintain, and enhance areas of the Central Business District for ground-level, pedestrian-oriented, active storefront uses. Upper story spaces are intended to be available for a wide range of office and residential activities.
3. **CBD-C Central Business District General Commercial Zone.** The intent of the CBD-C zone is to create, maintain, and enhance areas of the Central Business District appropriate for a wide range of ground-floor office and other commercial activities. Upper-story spaces are intended to be available for a wide range of residential and office or other commercial activities.
4. **CBD-X Central Business District Mixed Commercial Zone.** The intent of the CBD-X zone is to designate areas of the Central Business District appropriate for a wide range of upper story and ground level residential, commercial, and compatible light industrial activity.

C. Description of Combining Zone. This Chapter establishes interim land use regulations for the following combining zone:

1. **CH Chinatown Interim Commercial Combining Zone.** The intent of the CH combining zone is to allow for expanded commercial uses in the core of the Chinatown commercial area, which is located within the Lake Merritt Station Area Plan boundaries. When an above base zone is combined with the CH combining zone, the permitted uses in CH combining zone supersede those of the base zone. These interim land use regulations anticipate the adoption of more comprehensive and detailed regulations for the entire area within the Lake Merritt Station Area Plan boundaries. Therefore, these regulations shall remain in place and be effective through until the City Council takes further action to regulate the area in connection with the Lake Merritt Station Area Plan.

(Ord. No. 13172, § 3(Exh. A), 7-2-2013; Ord. No. 13090, § 4(Exh. A), 10-4-2011; Ord. No. 13064, § 2(Exh. A), 3-15-2011; Ord. No. 12955, § 2(Exh. A), 7-21-2009)

17.58.020 - Required design review process.

Except for projects that are exempt from design review as set forth in Section 17.136.025, no Designated Historic Property, Potentially Designated Historic Property, Building Facility, Telecommunications Facility, Sign, or other associated structure shall be constructed, established, or altered in exterior appearance, unless plans for the proposal have been approved pursuant to the design review procedure in Chapter 17.136, and when applicable, the Telecommunications regulations in Chapter 17.128, or the Sign regulations in Chapter 17.104.

(Ord. No. 13028, § 2(Exh. A), 7-20-2010; Ord. No. 12955, § 2(Exh. A), 7-21-2009)

17.58.030 - Conditional use permit for large projects.

No development that involves more than two hundred thousand (200,000) square feet of new floor area, or a new building or portion thereof of more than two hundred fifty (250) feet in height, shall be permitted except upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure). This requirement shall not apply to developments that have been approved according to the planned unit development procedure (see Chapter 17.140 for the PUD procedure).

(Ord. No. 13172, § 3(Exh. A), 7-2-2013; Ord. No. 12955, § 2(Exh. A), 7-21-2009)

17.58.040 - Permitted and conditionally permitted activities.

Table 17.58.01 lists the permitted, conditionally permitted, and prohibited activities in the CBD-R, CBD-P, CBD-C and CBD-X zones. The descriptions of these activities are contained in Chapter 17.10.

"P" designates permitted activities in the corresponding zone.

"C" designates activities that are permitted only upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure) in the corresponding zone.

"L" designates activities subject to certain limitations or notes listed at the bottom of the Table.

"—" designates activities that are prohibited except as accessory activities according to the regulations contained in Section 17.010.040.

Table 17.58.01: Permitted and Conditionally Permitted Activities

Activities	Primary Zones				Combining Zones*	Additional Regulations
	CBD-R	CBD-P	CBD-C	CBD-X	CBD-P/CH	

Residential Activities						
Permanent	P	P(L1)	P(L1)	P	P(L1)	
Residential Care	P(L2)	P(L1)(L2)	P(L1)(L2)	P	P(L1)(L2)	17.103.010
Service-Enriched Permanent Housing	C(L2)	C(L1)(L2)	C(L1)(L2)	C	C(L1)(L2)	17.103.010
Transitional Housing	C(L2)	C(L1)(L2)	C(L1)(L2)	C	C(L1)(L2)	17.103.010
Emergency Shelter	C(L2)	C(L2)	C(L2)	C	C(L2)	17.103.010
Semi-Transient	C	C(L1)	C(L1)	C	C(L1)	
Bed and Breakfast	P	P	P	P	P	17.10.125
Civic Activities						
Essential Service	P	P	P	P	P	
Limited Child-Care Activities	P(L3)	P(L5)	P	P	P	
Community Assembly	C	C(L6)	C	C	C	
Recreational Assembly	P(L3)(L4)	P(L5)	P	P	P	
Community Education	P(L3)(L4)	P(L5)	P	P	P	
Nonassembly Cultural	P(L3)(L4)	P(L4)	P	P	P	
Administrative	P(L4)(L7)	P(L5)	P	P	P	
Health Care	P(L3)(L4)	P(L4)(L5)	P	P	P(L4)	
Special Health Care	—	C(L6)(L8)	C(L8)	C(L8)	C(L6)(L8)	17.103.020
Utility and Vehicular	C	C	C	C	C	
Extensive Impact	C	C	C	C	C	

Commercial Activities						
General Food Sales	P(L4)(L7)	P(L4)	P	P	P	
Full Service Restaurants	P(L4)(L7)	P	P	P	P	
Limited Service Restaurant and Cafe	P(L4)(L7)	P	P	P	P	
Fast-Food Restaurant	—	C	C	C	C	17.103.030 and 8.09
Convenience Market	C(L7)	C	C	C	C	17.103.030
Alcoholic Beverage Sales	C(L7)	C	C	C	C	17.103.030 and 17.114.030
Mechanical or Electronic Games	—	C	C	C	C	
Medical Service	P(L4)(L7)	P(L5)	P	P	P	
General Retail Sales	P(L4)(L7)	P	P	P	P	
Large-Scale Combined Retail and Grocery Sales	—	—	—	—	—	
Consumer Service	P(L4)(L7)(L9)	P(L4)(L9)	P(L9)	P(L9)	P(L9)	
Consultative and Financial Service	P(L4)(L7)	P(L5)	P	P	P	
Check Cashier and Check Cashing	—	C(L10)	C(L10)	C(L10)	C(L10)	17.103.040
Consumer Cleaning and Repair Service	P(L4)(L7)	P(L5)	P	P	P	
Consumer Dry Cleaning Plant	C(L7)	C	C	C	C	
Group Assembly	C(L7)(L11)	P(L4)(L11)	P(L11)	P(L11)	P(L4)(L11)	

Personal Instruction and Improvement Services	P(L4)(L7)	P(L5)	P	P	P	
Administrative	P(L4)(L7)	P(L5)	P	P	P	
Business, Communication, and Media Services	P(L4)(L7)	P(L5)	P	P	P	
Broadcasting and Recording Services Commercial Activities	—	P(L5)	P	P(L4)	P	
Research Service	P(L4)(L7)	P(L5)	P	P	P	
General Wholesale Sales	—	—	—	C	—	
Transient Habitation	C(L12)	C(L6)	P	C	C	17.103.050
Building Material Sales	—	—	—	—	—	
Automobile and Other Light Vehicle Sales and Rental	—	—	—	C	—	
Automobile and Other Light Vehicle Gas Station and Servicing	—	—	C(L13)	C(L13)	—	
Automobile and Other Light Vehicle Repair and Cleaning	—	—	—	—	—	
Taxi and Light Fleet-Based Services	—	—	C(L13)	C(L13)	—	
Automotive Fee Parking	C(L14)	C(L14)	C(L14)	C(L14)	C(L14)	
Animal Boarding	—	—	—	—	—	
Animal Care	—	C(L6)	C	C	C	
Undertaking Service	—	—	C	C	—	
Industrial Activities						

Custom Manufacturing				C(L13)		
Light Manufacturing				C(L13)		
General Manufacturing				—		
Heavy/High Impact	—	—	—	—	—	
Research and Development	—	—	C(L13)	C(L13)	—	
Construction Operations	—	—	—	—	—	
Warehousing, Storage, and Distribution						
A. General Warehousing, Storage and Distribution	—	—	—	C(L13)	—	
B. General Outdoor Storage	—	—	—	—	—	
C. Self- or Mini Storage	—	—	—	—	—	
D. Container Storage	—	—	—	—	—	
E. Salvage/Junk Yards	—	—	—	—	—	
Regional Freight Transportation	—	—	—	—	—	
Trucking and Truck-Related	—	—	—	—	—	
Recycling and Waste-Related						
A. Satellite Recycling Collection Centers	—	—	C	C	—	
B. Primary Recycling Collection Centers	—	—	—	—	—	
Hazardous Materials Production, Storage, and Waste Management	—	—	—	—	—	

Agriculture and Extractive Activities						
Crop and animal raising	—	—	—	—	—	
Plant nursery	—	—	—	—	—	
Mining and Quarrying	—	—	—	—	—	
Accessory off-street parking serving prohibited activities	C	C	C	C	C	17.116.075
Activities that are listed as prohibited, but are permitted or conditionally permitted on nearby lots in an adjacent zone	C	C	C	C	C	17.102.110

Limitations:

* If the base zone (CBD-P) also has the CH Combining Zone, the CH regulations supersede the base zone.

L1. These activities may not be located within thirty (30) feet of the front lot line on the ground floor of the principal building with the exception of incidental pedestrian entrances that lead to one of these activities elsewhere in the building.

L2. Residential Care is only permitted upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP procedure) when not located in a One-Family Dwelling Residential Facility. No Residential Care, Service-Enriched Permanent Housing, Transitional Housing, or Emergency Shelter Residential Activity shall be located closer than three hundred (300) feet from any other such Activity or Facility.

L3. These activities may only be located above the ground floor of a building upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure).

L4. With the exception of parcels facing Broadway, Telegraph Avenue, and 14th Street, the total floor area devoted to these activities on the ground floor by any single establishment may only exceed seven thousand five hundred (7,500) square feet upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure).

L5. If located both on the ground floor of a building and within thirty (30) feet from any street-abutting property line, these activities are only permitted upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure). Incidental pedestrian entrances that lead to one of these activities elsewhere in the building are exempted from this conditional use permit requirement. In addition to the criteria contained in Section 17.134.050, these conditionally permitted ground floor proposals must also meet each of the following criteria:

a. The proposal will not impair a generally continuous wall of building facades;

b. The proposal will not weaken the concentration and continuity of retail facilities at ground-level, and will not impair the retention or creation of an important shopping frontage; and

c. The proposal will not interfere with the movement of people along an important pedestrian street.

L6. These activities are only permitted upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure). In addition to the criteria contained in Section 17.134.050, when these activities are located within thirty (30) feet of the front of the ground floor of the principal building (with the exception of incidental pedestrian entrances that lead to one of these activities elsewhere in the building) the proposed activities must also meet the criteria contained in Note L5, above.

L7. These activities may only be located on or below the ground floor of a building with the following exceptions:

a) If the floor area devoted to the activity is less than two thousand (2,000) square feet and the activity takes place in a Local Register property, then the activity is permitted above the ground floor upon the granting of a Conditional Use Permit (see Chapter 17.134 for the CUP process).

b) An activity located on the ground floor may extend to the second floor of a building if each: 1) the floor area devoted to nonresidential activities in the building is less than the floor area devoted to residential activities; 2) the activity on the second floor is the same as, or accessory to, the ground floor activity and part of the same business or establishment; and 3) there is a direct internal connection between the ground floor and the second story activities.

L8. No new or expanded Special Health Care Civic Activity shall be located closer than two thousand five hundred (2,500) feet from any other such activity or five hundred (500) feet from any K-12 school or Transitional Housing, Enriched Housing, or Licensed Emergency Shelters Civic Activity. See Section 17.103.020 for further regulations regarding Special Health Care Civic Activities.

L9. See Section 17.102.170 for special regulations relating to massage services. Also, no new or expanded laundromat shall be located closer than five hundred (500) feet from any existing laundromat. See Section 17.102.450 for further regulations regarding laundromats.

L10. No new or expanded Check Cashier and Check Cashing Commercial Activity shall be located closer than one thousand (1,000) feet from any other such activity or five hundred (500) feet from any Community Education, Community Assembly, or Recreational Assembly Civic Activity; State or Federally chartered bank, savings association, credit union, or industrial loan company; or certain Alcoholic Beverage Sales Commercial Activities. See Section 17.103.040 for further regulations regarding Check Cashier and Check Cashing Commercial Activities.

L11. No new or expanded adult entertainment activity shall be located closer than one thousand (1,000) feet to the boundary of any residential zone or three hundred (300) feet from any other adult entertainment activity. See Section 17.102.160 for further regulations regarding adult entertainment activities.

L12. The total floor area devoted to these activities by any single establishment shall not exceed three thousand (3,000) square feet.

L13. These activities, including accessory activities, are only allowed to be performed indoors. This requirement includes, but is not limited to: vehicles stored before and after servicing, general storage, vehicle and other repair, and automotive cleaning. This requirement excludes parking for customers currently at the business and automotive fueling.

L14. Auto fee parking is permitted upon the granting of conditional use permit (see Chapter 17.134 for the CUP procedure) if it is located in either a parking structure that is at least three (3) stories high or in a below grade parking lot. Auto fee parking is otherwise prohibited.

(Ord. No. 13172, § 3(Exh. A), 7-2-2013; Ord. No. 13090, § 4(Exh. A), 10-4-2011; Ord. No. 13064, § 2(Exh. A), 3-15-2011; Ord. No. 12999, § 4(Exh. A), 3-16-2010; Ord. No. 12955, § 2(Exh. A), 7-21-2009)

17.58.050 - Permitted and conditionally permitted facilities.

Table 17.58.02 lists the permitted, conditionally permitted, and prohibited facilities in the CBD-R, CBD-P, CBD-C, and CBD-X zones. The descriptions of these facilities are contained in Chapter 17.10.

"P" designates permitted facilities in the corresponding zone.

"C" designates facilities that are permitted only upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure) in the corresponding zone.

"L" designates facilities subject to certain limitations listed at the bottom of the Table.

"—" designates facilities that are prohibited

Table 17.58.02: Permitted and Conditionally Permitted Facilities

Activities	Zones				Additional Regulations
	CBD-R	CBD-P	CBD-C	CBD-X	
Residential Facilities					
One-Family Dwellings	(L1)	—	—	—	
One-Family Dwelling with Secondary Unit	P	—	—	—	17.103.080
Two-Family Dwelling	P	—	—	—	
Multifamily Dwelling	P	P	P	P	
Rooming House	P	P	P	P	
Mobile Home	—	—	—	—	
Nonresidential Facilities					
Enclosed Nonresidential	P	P	P	P	
Open Nonresidential	C	C	C	C	
Sidewalk Cafe	P	P	P	P	17.103.090
Drive-In Nonresidential	—	—	—	C	

Drive-Through Nonresidential	—	—	—	C (L2)	17.103.100
Telecommunications Facilities					
Micro Telecommunications	C	P	P	P	17.128
Mini Telecommunications	C	P	P	P	17.128
Macro Telecommunications	C	C	C	C	17.128
Monopole Telecommunications	C	C	C	C	17.128
Tower Telecommunications	—	—	—	—	17.128
Sign Facilities					
Residential Signs	P	P	P	P	17.104
Special Signs	P	P	P	P	17.104
Development Signs	P	P	P	P	17.104
Realty Signs	P	P	P	P	17.104
Civic Signs	P	P	P	P	17.104
Business Signs	P	P	P	P	17.104
Advertising Signs	—	—	—	—	17.104

Limitations:

L1. See Chapter 17.114, Nonconforming Uses, for additions and alterations to legal nonconforming One-Family Dwellings.

L2. No new or expanded Fast-Food Restaurants with Drive-Through Nonresidential Facilities shall be located closer than five hundred (500) feet of an elementary school, park, or playground. See Sections 17.103.030 and 17.103.100 for further regulations regarding Drive-Through Nonresidential Facilities.

(Ord. No. 13172, § 3(Exh. A), 7-2-2013; Ord. No. 13090, § 4(Exh. A), 10-4-2011; Ord. No. 12999, § 4(Exh. A), 3-16-2010; Ord. No. 12955, § 2(Exh. A), 7-21-2009)

17.58.060 - Property development standards.

A. Zone Specific Standards. Table 17.58.03 below prescribes development standards specific to individual zones. The number designations in the right-hand column refer to the additional regulations listed at the end of the Table.

Table 17.58.03: Property Development Standards

Development Standards	Zones				Additional Regulations
	CBD-R	CBD-P	CBD-C	CBD-X	
Minimum Lot Dimensions					
Width	25 ft	25 ft	50 ft	50 ft	1
Frontage	25 ft	25 ft	50 ft	50 ft	1
Lot area	4,000 sf	4,000 sf	7,500 sf	7,500 sf	1
Minimum/Maximum Setbacks					
Minimum front	0 ft	0 ft	0 ft	0 ft	2
Maximum front and street side for the first story	None	5 ft	5 ft	10 ft	3
Maximum front and street side for the second and third stories or 35 ft, whatever is lower	None	5 ft	5 ft	None	3
Minimum interior side	0 ft	0 ft	0 ft	0 ft	4
Minimum corner side	0 ft	0 ft	0 ft	0 ft	
Rear	10 ft	0 ft	0 ft	0 ft	5
Design Regulations					
Ground floor commercial facade transparency	55%	65%	55%	55%	6
Minimum height of the ground floor	15 ft	15 ft	15 ft	15 ft	7

Minimum separation between the grade and ground floor living space	2.5 ft	Not Applicable	Not Applicable	2.5 ft	8

Additional Regulations:

1. See Section 17.106.010 and 17.106.020 for exceptions to lot area, width and street frontage regulations.

2. See Section 17.108.040 for the minimum front yard setback when fifty percent (50%) or more of the frontage on the same block and side of the street is in a residential zone.

3. The following notes apply to the maximum yard requirements:

a. The requirements only apply to the construction of new principal buildings and to no more than two property lines. One of these property lines shall abut the principal street.

b. The requirements do not apply to lots containing Recreational Assembly, Community Education, Utility and Vehicular, or Extensive Impact Civic Activities or Automobile and Other Light Vehicle Gas Station and Servicing Commercial Activities as principal activities.

c. In the CBD-P, CBD-C, and CBD-X zones, these maximum yards apply to seventy-five percent (75%) of the street frontage on the principal street and fifty percent (50%) on other streets, if any. All percentages, however, may be reduced to fifty percent (50%) upon the granting of regular design review approval (see Chapter 17.136 for the design review procedure). In addition to the criteria contained in Section 17.136.035, the proposal must also meet each of the following criteria:

i. Any additional yard area abutting the principal street is designed to accommodate publicly accessible sidewalk cafes and restaurants;

ii. The proposal will not impair a generally continuous wall of building facades;

iii. The proposal will not weaken the concentration and continuity of retail facilities at ground-level, and will not impair the retention or creation of an important shopping frontage; and

iv. The proposal will not interfere with the movement of people along an important pedestrian street.

d. The maximum yard requirements above the ground floor may be waived upon the granting of a conditional use permit (see Chapter 17.134 for the CUP procedure). In addition to the criteria contained in Section 17.134.050, the proposal must also meet each of the following criteria:

i. It infeasible to both accommodate the use proposed for the space and meet the maximum yard requirement;

ii. The proposal will not weaken the street definition provided by buildings with reduced setbacks; and

iii. The proposal will not interrupt a continuity of 2nd and 3rd story facades on the street that have minimal front yard setbacks.

4. In the CBD-R zone, portions of a building over fifty-five (55) feet in height shall have a setback of at least one (1) foot from the required interior side yard for every five (5) feet that portion is above fifty-five (55) feet. This setback, however, need not exceed forty (40) feet. Also, see Section 17.108.080 for the

required interior side and rear yard setbacks on a lot containing two or more living units and opposite a legally-required living room window. See Section 17.108.130 for allowed projections into required yards.

5. In the CBD-R zone, portions of a building over fifty-five (55) feet shall setback at least one (1) foot from the required rear yard for every five (5) feet that portion is above fifty-five (55) feet. This regulation shall not apply when the rear yard faces a street. This setback, however, need not exceed forty (40) feet. The following other minimum rear yard setback regulations apply in all CBD zones:

a. A minimum ten (10) foot rear yard setback is required whenever a rear lot line abuts any portion of a lot in a residential zone; and

b. See Section 17.108.130 for allowed projections into required yards.

6. This percentage of transparency is only required for principal buildings that include ground floor nonresidential facilities and only apply to the facade facing the principal street. On all other street facing facades, the requirement is one-half (½) the standard for the facade facing the principal street. The area of required transparency is between two (2) feet and nine (9) feet in height of the ground floor and must be comprised of clear, non-reflective windows that allow views out of indoor commercial space or lobbies. Glass block does not quality as a transparent window. Exceptions to this regulation may be allowed by the Planning Director for unique facilities such as convention centers, gymnasiums, parks, gas stations, theaters and other similar facilities.

7. This height is required for all new principal buildings and is measured from the sidewalk grade to the second story floor.

8. This regulation only applies to ground floor living space located within fifteen (15) feet of a street frontage.

B. Design Standards Applying to All Zones. The following regulations apply to all of the zones:

1. Entrance. Newly constructed principal buildings shall have at least one prominent pedestrian entrance facing the principal street. Entrances at building corners facing the principal street may be used to satisfy this requirement. Building entrances include doors to one or more shops, businesses, lobbies, or living units. Entrances shall be made prominent through some combination of projecting or recessing the door area, change in material, an awning above a door, additional detailing, stairs leading to the door, and/or other features. The entrance for nonresidential facilities shall be at grade.

2. Ground Floor Treatment. All ground-floor building materials shall be durable, of high quality, and display a sense of permanence. Such materials include, but are not limited to stone, tile, brick, metal panel systems, glass, and/or other similar materials. Further, the ground level of a newly constructed building shall be designed to enhance the visual experience for pedestrians and distinguish it from upper stories. This is achieved by designing a building base that is distinct from the rest of the building through the use of some combination of change of material, enhanced detailing, lighting fixtures, cornices, awnings, canopies, and/or other elements. For buildings with nonresidential ground floor space, visual interest shall also be achieved through modulating the ground floor into a regular cadence of storefront sized windows and entrances.

3. Active Space Requirement. For newly-constructed principal buildings, parking spaces, locker areas, mechanical rooms, and other non-active spaces shall not be located within thirty (30) feet from the front of the ground floor of the principal building except for incidental entrances to such activities elsewhere in the building. Driveways, garage entrances, or other access to parking and loading facilities may be located on the ground floor of this area as regulated by subsection (E4).

4. Parking and Loading Location. For newly constructed principal buildings, access to parking and loading facilities through driveways, garage doors, or other means shall not be from the principal street when alternative access is feasible from another location such as a secondary

frontage or an alley. Open parking areas shall not be located between the sidewalk and a principal building.

5. Massing. The mass of newly-constructed principal buildings shall be broken up into smaller forms to reduce the scale and enhance the visual interest of the streetscape. The massing requirements contained in this note shall be applied on all visible facades and achieved through some coordinated combination of changes in plane, building articulation, varied materials, contrasting window patterns and treatments, varying roof heights, separating upper-story floor area into two or more towers, contrasting colors, a distinct base, middle, and top, or other methods.

6. Upper Story Windows. An ample placement of windows above the ground floor is required at all street-fronting facades. To create visual interest, the placement and style of windows shall contribute to a coherent and appealing composition on the facade. Less window space is only permitted in exceptional cases if it contributes to a specific objective of the visual style and aesthetic effect of the building. Whenever possible, windows should be on all sides of a tower.

7. Building Terminus. The top of each newly-constructed principal building shall include an element that provides a distinct visual terminus. The visual terminus shall be integrated into the design concept of the building. Examples include, but are not limited to, curvilinear or stepped forms that soften the truncated tops of buildings, cornices, and other architectural forms. These rooftop elements shall be sized, shaped, and sited to screen all rooftop mechanical equipment from view.

8. Utility Storage. For newly-constructed buildings, areas housing trash, storage, or other utility services shall be located in the garage or be otherwise completely concealed from view of the public right-of-way. Backflow prevention devices shall be located in a building alcove, landscaped area, or utility room within the building, outside of the public right-of-way, and completely screened from view from the public right-of-way unless required otherwise by a department of the City.

C. Height, Bulk, and Intensity. Table 17.58.04 below prescribes height, bulk, and intensity standards associated with the height/bulk/intensity areas described in Map 17.58A (see Section 17.58.080). The numbers in the right-hand column refer to the additional regulations listed at the end of the Table.

Table 17.58.04 Height, Density, Bulk, and Tower Regulations

Regulation	Height/Bulk/Intensity Area							Notes
	1	2	3	4	5	6	7	
Maximum Density (Square Feet of Lot Area Required Per Unit)								
Dwelling unit	300	200	90	90	90	90	90	1,2
Rooming unit	150	100	45	45	45	45	45	1,2
Maximum Floor Area	4.5	6.0	8.0	14.0	17.0	20.0	20.0	2

Ratio								
Maximum Height								
Building base	55 ft	85 ft	55 ft	85 ft	85 ft	85 ft	120 ft	3
Total	No tower permitted	No tower permitted	170 ft	275 ft	400 ft	No height limit	No height limit	3
Minimum Height								
New principal buildings	None	None	None	45 ft	45 ft	45 ft	45 ft	4
Maximum Lot Coverage								
Building base (for each story)	Not applicable	Not applicable	100% of site area	100% of site area	100% of site area	100% of site area	100% of site area	
Average per story lot coverage above the base	Not applicable	Not applicable	50% of site area or 7,500 sf, whichever is greater	75% of site area or 10,000 sf, whichever is greater	75% of site area or 10,000 sf, whichever is greater	75% of site area or 10,000 sf, whichever is greater	85% of site area or 10,000 sf, whichever is greater	5
Tower Regulations								
Maximum average area of floor plates	Not applicable	Not applicable	10,000 sf	15,000 sf	20,000 sf	25,000 sf	No maximum	6
Maximum building	Not applicable	Not applicable	115 ft	150 ft	175 ft	195 ft	No maximum	7

length								
Maximum diagonal length	Not applicable	Not applicable	145 ft	180 ft	210 ft	235 ft	No maximum	
Minimum distance between towers on the same lot	Not applicable	Not applicable	40 ft	40 ft	40 ft	40 ft	No minimum	

Notes:

1. See Chapter 17.107 for affordable and senior housing density incentives.

2. For mixed use projects in the Central Business District (CBD) Zones, the allowable intensity of development shall be measured according to both the maximum nonresidential Floor Area Ratio (FAR) allowed by the zone and the maximum residential density allowed by the zone. The total lot area shall be used as a basis for computing both the maximum nonresidential FAR and the maximum residential density.

3. In Height Areas 4, 5, and 6, lots having frontage on Broadway, San Pablo Avenue, or Telegraph Avenue where the width of the right of way is greater than eighty-five (85) feet shall have a maximum base height equal to the width of that right of way. Also, see Section 17.108.030 for allowed projections above height limits and Section 17.108.020 for increased height limits for civic buildings.

4. This minimum height excludes the height of the allowed projections into the height limit contained in 17.108.030.

5. The average floor area of the stories above the base cannot exceed this percentage of lot area, with the following qualifications:

a. When a project contains more than one tower above the base, the floor area of a story is calculated by adding the square footages of the equivalent story in each tower. For example, if there are two towers above the base and the 5 th story of one tower is fifteen thousand (15,000) square feet and the 5 th story of the other tower is twenty thousand (20,000) square feet, then the total floor area of the 5 th story is thirty-five thousand (35,000) square feet.

b. To allow a variety of articulation in a building, the floor area of an individual story can be as much as fifteen percent (15%) greater than the maximum average per story floor area above base.

c. A story that is more than fifteen percent (15%) less than the maximum average floor area is not included in the average per story floor area above the base.

6. The average floor plate of an individual tower cannot exceed this area, with the following qualifications:

a. The floor area of an individual tower floor plate cannot be more than fifteen percent (15%) greater than the maximum average tower floor plate.

b. An individual tower floor plate that is more than fifteen percent (15%) less than the maximum average tower floor plate is not included in the maximum average tower floor plate area calculation.

7. The following regulation applies to lots that both: 1) are designated as Special Area A on Map 17.58; and 2) have either a west or east side property line that is more than ninety (90) feet in length: the cumulative building length of the east or west elevation of all towers on such a lot shall be no more than two-thirds (2/3) the length of any east or west side property line.

(Ord. No. 13172, § 3(Exh. A), 7-2-2013; Ord. No. 13064, § 2(Exh. A), 3-15-2011; Ord. No. 12955, § 2(Exh. A), 7-21-2009)

17.58.070 - Usable open space standards.

A. General. This section contains the usable open space standards and requirements for residential development in the CBD zones. These requirements shall supersede those in Chapter 17.126

B. Definitions of CBD usable open space types. The following includes a list of available usable open space types eligible to fulfill the usable space requirements of this Chapter and the definitions of these types of open space:

1. "Private Usable Open Space". Private usable open space is accessible from a single unit and may be provided in a combination of recessed and projecting exterior spaces.

2. "Public Ground-Floor Plaza". Public ground-floor plazas (plazas) are group usable open space (see Section 17.127.030) located at street-level and adjacent to the building frontage. Plazas are publicly accessible during daylight hours and are maintained by the property owner. Plazas shall be landscaped and include pedestrian and other amenities, such as benches, fountains and special paving.

3. "Rooftop Open Space". Rooftop open space, a type of group usable open space, includes gardens, decks, swimming pools, spas and landscaping located on the rooftop and accessible to all tenants.

4. "Courtyard". A courtyard is a type of group usable open space that can be located anywhere within the subject property.

C. Standards. All required usable open space shall be permanently maintained and shall conform to the following standards:

1. Area. On each lot containing residential facilities with a total of two or more living units, usable open space shall be provided for such facilities at a rate of seventy-five (75) square feet per dwelling unit and thirty-eight (38) square feet per rooming unit.

2. Size and Shape. An area of contiguous space shall be of such size and shape that a rectangle inscribed within it shall have no dimension less than the dimensions shown in the following table:

Table 17.58.05: Required Dimensions of Usable Open Space

Type of Usable Open Space	Minimum Dimension	Notes

Private	10 ft for space on the ground floor, no dimensional requirement elsewhere.	
Public Ground-Floor Plaza	10 ft	
Rooftop	15 ft	1
Courtyard	15 ft	

Note:

1. Areas occupied by vents or other structures which do not enhance usability of the space shall not be counted toward the above dimension.

3. Openness. There shall be no obstructions above the space except for devices to enhance its usability, such as pergola or awning structures. There shall be no obstructions over ground-level private usable open space except that not more than fifty percent (50%) of the space may be covered by a private balcony projecting from a higher story. Above-ground-level private usable open space shall have at least one exterior side open and unobstructed, except for incidental railings or balustrades, for eight (8) feet above its floor level.

4. Location. Required usable open space may be located anywhere on the lot except that not more than fifty percent (50%) of the required area may be located on the uppermost roof of any building. There is no limitation on rooftop open space on rooftop podiums that are not the uppermost roof of a building.

5. Usability. A surface shall be provided which prevents dust and allows convenient use for outdoor activities. Such surface shall be any practicable combination of lawn, garden, flagstone, wood planking, concrete, asphalt or other serviceable, dustfree surfacing. Slope shall not exceed ten percent (10%). Off-street parking and loading areas, driveways, and service areas shall not be counted as usable open space. Adequate safety railings or other protective devices shall be erected whenever necessary for space on a roof, but shall not be more than four (4) feet high.

6. Accessibility. Usable open space, other than private usable open space, shall be accessible to all the living units on the lot. It shall be served by any stairway or other accessway qualifying under the Oakland Building Code as an egress facility from a habitable room. Private usable open space may be located anywhere on the lot except that ground-level space shall not be located in a required minimum front yard and except that above-ground-level space shall not be located within five feet of an interior side lot line. Above-ground-level space may be counted even though it projects beyond a street line. All private usable open space shall be adjacent to, and not more than four feet above or below the floor level of, the living unit served. Private usable open space shall be accessible to only one living unit by a doorway to a habitable room or hallway.

D. Landscaping requirements. At least fifty percent (50%) of rooftop or courtyard usable open space area shall include landscaping enhancements. At least thirty percent (30%) of public ground floor plaza shall include landscaping enhancements. Landscaping enhancements shall consist of permanent features, such as trees, shrubbery, decorative planting containers, fountains, boulders or

artwork (sculptures, etc.) The remainder of the space shall include user amenities such as seating, decorative paving, sidewalk cafes, or playground structures.

(Ord. No. 13064, § 2(Exh. A), 3-15-2011; Ord. No. 12955, § 2(Exh. A), 7-21-2009)

17.58.080 - Other zoning provisions.

A. Parking and Loading. Off-street parking and loading shall be provided as prescribed in the off-street parking and loading requirements in Chapter 17.116

B. Bicycle Parking. Bicycle parking shall be provided as prescribed in the bicycle parking regulations in Chapter 17.117

C. Home Occupations. Home occupations shall be subject to the applicable provisions of the home occupation regulations in Chapter 17.112

D. Nonconforming Uses. Nonconforming uses and changes therein shall be subject to the nonconforming use regulations in Chapter 17.114

E. General Provisions. The general exceptions and other regulations set forth in Chapter 17.102 shall apply in the CBD-R, CBD-P, CBD-C, and CBD-X zones.

F. Recycling Space Allocation Requirements. The regulations set forth in Chapter 17.118 shall apply in the CBD-R, CBD-P, CBD-C, and CBD-X zones.

(Ord. No. 13042, § 4(Exh. A), 10-19-2010)

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Palo Alto looks to beef up retail requirements downtown

City prepares to tighten definition of 'retail' along University Avenue, while allowing more flexibility on peripheral blocks

by Gennady Sheyner / Palo Alto Weekly

Yoga studios, barbershops and nail salons will not be allowed to open shop on the ground floor of buildings in Palo Alto's busiest commercial strip under a proposed "retail protection" ordinance that the City Council will discuss Monday night.

Palo Alto is a new ordinance that would tighten the definition of "retail" on University Avenue. Photo by Veronica Weber

Instead, the new retail-protection ordinance will restrict uses along University Avenue to business like restaurants, bars, shops and theaters, as well as hotels and entrances to non-retail buildings.

The new law, which planning staff is in the midst of crafting, is a sequel to the interim retail-protection ordinance that the council established last year, which is set to expire in April 2017.

With the deadline approaching, city officials are preparing a new ordinance that would narrow the types of retail allowed on University Avenue and expand the parameters of the downtown area where ground floors are limited to retail.

What kind of retail? That depends on the downtown location. University Avenue would have the strictest parameters. In addition to creating a more restricted definition of allowed retail, which excludes barbershops and nail salons, the new ordinance would take away the ability of landlords to obtain conditional-use permits for office, educational and commercial-recreation uses, according to a new report from the planning department.

Moving away from University, the definition of retail would expand to allow personal services such as medical offices, schools and gyms -- uses that "promote active street life," according to staff.

With the exception of medical offices, office use would be prohibited in this area. The area where ground-floor retail (with the less restrictive definition) is required would also be broadened to include portions of Emerson Street, south of University Avenue.

In addition, the new law would create districtwide regulations relating to architectural design of new retail establishments. This includes taller heights on the first floor of retail establishments, more window transparency and a requirement that most retail shops have transparent glazing that allows passersby to view the display and sales areas from the outside.

The new ordinance is part of a recent effort by the council to prevent conversions of downtown retail establishments to office use. The conversions became a hot issue after several longtime shops and popular restaurants (among them Jungle Copy and Zibibo's) shuttered and made way for the more lucrative office use.

The string of conversions prompted the council to pass an "urgency" ordinance prohibiting the conversion of ground-floor retail to office use.

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The provisions that the council will discuss Monday pertains specifically to the downtown area, though they are expected to be feature in the citywide ordinance that will be adopted before the current one expires in April.

One question that remains unresolved is what to do about those parcels in the peripheral sections of downtown where property owners have been unable to find retail tenants, namely the South of Forest area, also known as SOFA II, that includes the Alma Street block that until recently housed Addison Antiques.

Recently, the property owner had requested a waiver from the retail requirement, arguing that the location is too remote to attract retailer tenants. The council agreed in August to deny the waiver, but to expand the uses that would be allowed in this area to also include educational uses.

That decision, however, became moot earlier this month, when the council failed to muster the needed seven votes to approve the expanded definition (as an "urgency" measure it would have required a supermajority approval).

On Oct. 4, the council voted 5-4 to approve educational use for the SOFA II area, with Councilwoman Karen Holman, Councilmen Tom DuBois and Eric Filseth and Vice Mayor Greg Schmid all voting against it. Without seven votes, the motion failed.

In opposing the expanded definitions for the Alma Street parcels, council members argued that retail is indeed possible in these locations, provided that the rent is reasonably set.

Holman said at the Oct. 4 meeting that she believes there are "certainly businesses that would like to be in the less-than-core retail locations that cannot afford the core retail locations."

Since the August hearing, Holman said she had spoken to one person who tried, and failed, to set up shop on the Alma Street block.

"A retail-use tried to rent that space and were offered a very high price," Holman said.

DuBois also opposed the idea of creating expanded rules for just a few parcels.

"I feel this is spot zoning," DuBois said in registering his dissent.

The debate over what type of uses should be allowed in SOFA II and other blocks on downtown's periphery will continue in the coming month, as staff conducts a series of stakeholders meetings and brings the new retail-protection ordinance to the Planning and Transportation Commission and, ultimately, the City Council.

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Comments

Posted by **Jerry** 15 people like this
a resident of College Terrace
on Oct 13, 2016 at 10:18 am

Snake oil. A little too late. Funny how this comes up when election time is around the corner.

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Posted by **Resident** 17 people like this
a resident of Midtown
on Oct 13, 2016 at 10:43 am

This is sickening. Government should really not interfere with business to such an extent.

Email Town Square Moderator Report Objectionable Content

Posted by **john_alderman** 38 people like this
a resident of Crescent Park
on Oct 13, 2016 at 11:06 am
john_alderman is a registered user.

I'd rather have a barbershop or yoga studio or nail salon than another Palantir satellite office.

Email Town Square Moderator Report Objectionable Content

Posted by **wondering**
a resident of Crescent Park
on Oct 13, 2016 at 11:15 am

22 people like this

Scharff and Burt have been pushing for allowing "educational use" in a retail zone. Can't help wondering whether there is a private client they have in mind.

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Posted by **john_alderman**
a resident of Crescent Park
on Oct 13, 2016 at 11:32 am
john_alderman is a registered user.

12 people like this

@ wondering - Good question, we already have the tech funded Alt School on Emerson and Berlitz on Homer.

Email Town Square Moderator Report Objectionable Content

Posted by **Kattiekhiba**
a resident of College Terrace
on Oct 13, 2016 at 11:54 am

8 people like this

@Resident

This is sickening. Business should really not interfere with local life to such an extent.

Email Town Square Moderator Report Objectionable Content

Posted by **Curmudgeon**
a resident of Downtown North
on Oct 13, 2016 at 12:39 pm

18 people like this

Palantir ain't gonna like this.

Email Town Square Moderator Report Objectionable Content

Posted by **Andy**
a resident of Esther Clark Park
on Oct 13, 2016 at 12:53 pm

7 people like this

We really are living in the People's Republic of Palo Alto...

Email Town Square Moderator Report Objectionable Content

Posted by **wondering**
a resident of Crescent Park
on Oct 13, 2016 at 12:56 pm

4 people like this

[Post removed.]

Email Town Square Moderator Report Objectionable Content

Posted by **Agreed!**
a resident of Midtown
on Oct 13, 2016 at 1:30 pm
Agreed! is a registered user.

13 people like this

What is wrong with a yoga studio? I can understand a hair or nail salon-- though it's preferable to a huge takeover by Palantir, or Amazon, or Deutsche Bank, or AmEx, or SAP, etc.

Funny that leases at Stanford Shopping Center cost less than leases downtown.....I think anyone can see what's wrong with that picture!

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CAMP CONNECTION

2017 guide to summer camps

Looking for something for the kids to do this summer, learn something new and have fun? The 2017 Summer Camp Guide features local camps for all ages and interests.

FIND CAMPS HERE

Posted by **Gale Johnson**
a resident of Adobe-Meadow
on Oct 13, 2016 at 2:46 pm

6 people like this

"Instead, the new retail-protection ordinance will restrict uses along University Avenue to business like restaurants, bars, shops and theaters, as well as hotels and entrances to non-retail buildings."

Like we need more restaurants and bars there!. I think, but don't know for sure, that the theaters we do have are struggling...maybe not Stanford but that isn't totally funded by ticket sales anyway. I think barbershops should not be included. Those folks living near downtown need haircuts. Nail salons can go. There are so many already and Cal Ave has many more also. So drive south and give Cal Ave some business or farther south to my end of town, Midtown, Charleston Center, stores on Charleston leading towards 101, and stores in the Costco shopping center. You will never have a parking problem.

"In addition, the new law would create district wide regulations relating to architectural design of new retail establishments. This includes taller heights on the first floor of retail establishments, more window transparency and a requirement that most retail shops have transparent glazing that allows passersby to view the display and sales areas from the outside."

Stop it! If this is going to include architectural design it will never go anywhere. It will never get approved. DOA!

"In opposing the expanded definitions for the Alma Street parcels, council members argued that retail is indeed possible in these locations, provided that the rent is reasonably set."

Hah! What's reasonable and how many owners will let someone else "set" the rental price? Name one!

Since the August hearing, Holman said she had spoken to one person who tried, and failed, to set up shop on the Alma Street block.

"A retail-use tried to rent that space and were offered a very high price," Holman said.

"DuBois also opposed the idea of creating expanded rules for just a few parcels."

I think we've already heard the answer. Rents are too high to attract retail businesses. We won't get the retail the dreamers like me (the old retail from days of yore) would like to come back. It's gone forever. So in the end I have a hunch the pro growth...office builder proponents...will have their way. Sad, but probably true.

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Posted by **margaret heath**
a resident of Evergreen Park
on Oct 13, 2016 at 3:07 pm
margaret heath is a registered user.

17 people like this

During the dot.com bust owners of unrented retail spaces on the downtown side streets asked council for permnission to convert retail to offices.

Council came up with a formula that if a certain percentage of downtown retail space was unoccupied "temporary" conversion from retail to office would be allowed. With the proviso that these "temporary" office conversions revert back to retail in a few years if vacant retail space fell below that threshold. However, as far as I know the city did not follow up, so these "temporary" conversions have become permanent office spaces.

Retail streets need foot traffic, so retail becomes a downward spiral once retail is converted to office. Which sadly is fast happening in the California Avenue business district. On Cambridge between the Post Office and El Camino the only remaining neighborhood serving businesses are a barber shop. a couple of beauty salons, and the Pop Tea cafe.

A large percentage of commercial space both downtown and California Avenue has been owned by the same individuals for decades, or inherited, with extremely low property taxes. But of course there was no incentive for property owners to remind the city. Especially given the assumption that with the city's laissez faire attitude there was unlikely to be any follow up.

I hope the council will be able to save what little retail remains downtown, on California Avenue, in Midtown, and in Barron Park along El Camino.

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Posted by **David Theil** 15 people like this
a resident of Midtown
on Oct 13, 2016 at 3:40 pm

I can understand the rationale of excluding or limit office space to keep an area a viable shopping destination, whether I agree or not.

I am completely baffled at the elimination of personal services such as workout space and salons/barbershops, pet grooming, tailor, shoe repair, dry cleaning, etc. These are things that get people into the neighborhood where they might end up doing a little shopping while they are out. Silliness.

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Posted by **Curmudgeon** 13 people like this
a resident of Downtown North
on Oct 13, 2016 at 4:25 pm

[Post removed.]

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Posted by **Gale Johnson** 8 people like this
a resident of Adobe-Meadow
on Oct 13, 2016 at 4:50 pm

Just a little bit about endorsements that the candidates touted at the LWV forum. How much time did any of them spend, in one on one conversations with Anna Eshoo, Joe Simitian, or any of the previous mayors? I think none...it was a matter of 'if you're a Democrat, you're good'. And this isn't even supposed to be a party affiliated office. Hmmm? Well, we all know the deal. It really is party affiliated and dominated by them. Yes, there are many of us who are not aware of this and thus fooled by it, but I hope our electorate is getting smarter about how it works. Now, for all you CC members who are registered Democrats but come down on the residentialist side...I'll give you a pass. lol!

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Posted by **Mike** 18 people like this
a resident of University South
on Oct 13, 2016 at 4:53 pm

You forgot:

1.) Rudy's (Bar) - now office space.
2.) Laundromat (next to 7-11) - now iffice space.

...when wil it end?

Email Town Square Moderator Report Objectionable Content

Posted by **Throw the bums out** 6 people like this
a resident of Old Palo Alto
on Oct 13, 2016 at 7:40 pm

[Post removed.]

Email Town Square Moderator Report Objectionable Content

Posted by **A** 5 people like this
a resident of Stanford

on Oct 13, 2016 at 8:58 pm

This is strange to me. They will be effectively forcing all those barber shops, yoga studios, and nail salons to other areas of Palo Alto, creating less business diversity across town and forcing more to-and-fro trips by car.

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Posted by **Alex Fleat** 21 people like this
a resident of Downtown North
on Oct 14, 2016 at 6:38 am

Wow! It's good that the "residentialist" slate won a number of City Council seats last election to stop even more retail from converting to offices. I once owned a small business downtown. During the recession, my landlord actually RAISED the rent. I looked for other downtown offices - the rents were sky high and no one would negotiate even though some of the properties had been vacant for years. I couldn't figure out why. I later discovered the reason. A handful of owners own a huge percent of downtown property. Once vacancy rates hit a certain level, the City would allow them to convert retail space into higher paying office space. Which is exactly what happened - and why we now have offices on side streets just off University - that used to be dominated by retail. Thanks to Prop 13, long-time property owners pay extraordinarily low property taxes, so they can afford to keep properties vacant. The City Council should revert all surrounding streets around University and California Aves to retail to maintain a vibrant walking, shopping and dining culture. More retail space will also mean more small businesses can afford to be in these areas and we will have more diversity of experience.
Support City Council candidates who believe in supporting the community and not just these handful of property owners and developers.

Email Town Square Moderator Report Objectionable Content

Posted by **services are useful** 6 people like this
a resident of Palo Verde
on Oct 14, 2016 at 11:39 am

As a happy pedestrian shopper, I don't understand the restriction against salons, dry cleaners, and other such services. If they are selling a recurring service to customers, then they are essentially another form of retail. Certainly it seems these businesses are the ones most likely to generate repeat customers thus keeping the area more active for other retailers that sell "things".

I agree with the intention to reduce ground floor basic, boring office space that doesn't generate lively foot traffic in an area. But many walk-in services are really a form of retail.
What is the sales tax situation for these businesses. that's what we should also look at.

And the strategic jacking up of rents is problem.

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Posted by **Plane Speaker** 3 people like this
a resident of Crescent Park
on Oct 14, 2016 at 7:38 pm

This smacks of micromanagement. Is there really a strong need for this kind of regulation? Seems like it might be better to say that the first floors of anywhere can NOT be office space unless it is only one floor. Are we trying to encourage convenient businesses. I haven't read much about this, but what is the rationale here - it seems arbitrary and discriminatory?

Email Town Square Moderator Report Objectionable Content

Posted by **margaret heath** 2 people like this
a resident of Evergreen Park
on Oct 14, 2016 at 8:08 pm
margaret heath is a registered user.

As I understand council discussions, their intention is to plan for and encourage the future location of neighborhood services on the side streets adjacent to University Avenue and California Avenue. With the hope of preventing further erosion of core retail and slowing down the current trajectory of having only a few types of neighborhood service remaining. Although existing businesses would be grandfathered in. However, at this point this is rather like shutting the barn door after the horse has bolted. Too little too late.

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Posted by **Donna Brady** Like this comment
a resident of Los Altos
on Oct 15, 2016 at 2:31 pm

Three issues come to mind.
First, my guess is that barber shops were only added to the list to avoid the appearance of discrimination based on the sex of customers.
Second, the majority of nail salons are small business and minority owned. They couldn't just ban nail salons, because it smelled of the obvious racism that it is.
Third, this is anti-small business - the heart of local business traffic. I dine or shop in Palo Alto ONLY at small family-owned businesses - with a focus on minority-owned businesses.
If this proposal passes, I will pass on doing any business in Palo Alto.

Email Town Square Moderator Report Objectionable Content

Posted by **Polly Wanacracker** 5 people like this
a resident of Professorville
on Oct 15, 2016 at 6:16 pm

"City looks to beef up retail requirements downtown"

Why is the city discriminating against vegan and vegetarian establishments?

Email Town Square Moderator Report Objectionable Content

Posted by **margaret** Like this comment
a resident of Midtown
on Oct 17, 2016 at 11:09 am

lol...another useless debate by a useless council.... why not do something important? You only sound relevant to yourselves. Meanwhile the town goes to hell

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Uploaded: Tue, Apr 7, 2015, 1:21 am

Palo Alto moves ahead with 'urgency' law to protect retail

Interim ordinance would ban conversions from retail to office

by Gennady Sheyner / Palo Alto Weekly

With Palo Alto's shopping centers thriving, its sales-tax revenues rising and its downtown vacancies virtually nonexistent, a visitor might be startled to learn that the city is going through a retail crisis.

But with several local retail establishments recently shutting down to make way for offices, city leaders agreed on Monday night that the problem of retail loss demands an urgent response. To that end, the council voted 7-0 to pursue an "urgency ordinance" that would immediately prohibit the conversion of ground-floor retail to offices in all commercial districts.

In addition, council members agreed on Monday to pursue a more long-lasting solution in the coming months, including new ground-floor requirements at peripheral downtown blocks, a revised definition of "retail" and a limit on chain stores around California Avenue.

If things go as planned, the council will vote on the urgency ordinance on May 11. If the ordinance gets support from eight of the nine council members, it would go in effect immediately and remain active for 45 days, with an option to extend it for up to 22 months. Unlike normal ordinances, it does not require a hearing in front of the Planning and Transportation Commission, an environmental review or a 30-day waiting period to give opposition a chance to challenge the new law.

The unanimous vote on Monday all but assures that the council will be able to meet the high threshold for passing the urgency measure.

Councilwoman Liz Kniss, who was present for most of the discussion but left before the vote, said she would support the emergency ordinance that was later embraced by her seven colleagues.

Councilman Tom DuBois, who was absent, has often talked about protecting retail and is also expected to support it.

Ironically, the loss of retail is a symptom of downtown's economic success. Rising rents have pushed several restaurants and shops out of downtown and California Avenue, with the roster of the recently departed retail operations now including Shady Lane, University Art, Jungle Copy, Bargain Box and Avenue Florist.

The Institute of the Future offices are located in the former space of a home fixture and remodeling store at the corner of Emerson and Hamilton. Photo by Veronica Weber.

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Councilman Greg Scharff, a leading proponent of requiring more sections of the city to have ground-floor retail, cited the example of Zibibbo, a Mediterranean restaurant on Kipling Street that shuttered exactly a year ago and was replaced by offices. The block, he said, used to be much more lively when the restaurant operated. Scharff argued that the city should've had laws in place to require retail to replace the large space Zibibbo formerly occupied.

"That whole corner lost vibrancy because of loss of Zibibbo," Scharff said. "We have the wrong ordinances about where retail should go."

According to data from the Planning Department, the city lost about 70,514 square feet of retail between 2008 and 2014, even as it added 537,144 square feet of office and research-and-development space.

The retail-protection ordinance is the second "urgency" measure that the city is now pursuing in response to this trend. Last month, the council voted to move ahead with an interim law that sets an annual cap of 50,000 square feet for offices around University Avenue, California Avenue and El Camino Real.

Like the office cap, the retail-preservation officer moved ahead with no dissent. Staff will draft the ordinance and bring it back to the council for adoption on May 11. The law would apply to all commercial zones in the city and to all establishments that operated as retail as of March 2.

The proposal has its skeptics. Susan Graf, who owns a clothing boutique on Hamilton Avenue and High Street, urged the council to tread carefully in deciding which locations are suitable for retail and which are not.

"You cannot simply design a location and call it retail," Graf said. "It does not make it so."

Former Mayor Judy Kleinberg, who now serves as CEO of the Palo Alto Chamber of Commerce, also urged caution. She recalled a similar effort the city undertook in 2001, when she was on the council. The trend often comes in cycles, she said.

"If you're thinking about expanding commercial zones, do it with incredible care," Kleinberg said. "The more you dilute retail, the harder it is to create a pedestrian-friendly commercial zone."

Others argued that the action is long overdue. The group Palo Alto Neighborhoods has come out in favor of the retail-preservation ordinance and land-use watchdog Bob Moss advocated for it on Monday night.

"If you just say the economy will do what the economy wants, you'll hurt retail vitality and you'll hurt walkability and the ability of people who live in Palo Alto to shop in Palo Alto," Moss said.

Most council members agreed with Moss. Councilman Pat Burt said the city's problem is that locations that have supported retail for a long while are being driven out by offices, which can command higher rent. If left to market forces, downtown's peripheral blocks would be "hollowed out," with retail leaving and offices coming in.

Currently, the city has zoning laws in place that require University Avenue establishments to have retail on the ground floor. That rule, however, only applies to downtown's commercial core. Many of downtown's peripheral blocks, including areas around Hamilton and Forest avenues, don't have such ground-floor-retail protections and are vulnerable to office conversions.

The urgency ordinance would fix that in the short term. In the longer term, the city plans to move ahead with a regular "permanent" ordinance. In addition to having all the requirements that the urgency measure has, the permanent law would consider a host of other issues relating to retail preservation. This includes revisions to the definition of "retail" and possibly new ground-floor-retail requirements in the California Avenue Business District, including possibly on Cambridge Avenue.

Vice Mayor Greg Schmid was one of several members to lobby in favor of revising the definition of "retail" so that it includes functions that promote walking and socializing while excluding businesses like banks, which are currently classified as retail but that are not seen as particularly condusive to downtown vibrancy.

"We're trying to create a downtown or center that attracts people, that attracts walkability, that has people stop, socialize, gather ideas," Schmid said. "It doesn't even have to be a place where they're selling goods or selling services, just areas that attract and hold people, where you can go walk and experience that."

Despite the 7-0 vote, there were some disagreements. Scharff and Councilman Eric Filseth argued that the new rules should apply to proposed developments that are currently going through the city's application process.

Councilman Marc Berman disagreed and said it would be inappropriate to change the rules at the "last minute." And while Liz Kniss said she would support the short-term ordinance, she was more measured in her enthusiasm than her colleagues.

Kniss called the decision to move ahead with the urgency measure a "real test case" and said she was concerned about where the city will end up with these various changes. It's extremely rare, she said, for an urgency ordinance to apply to the entire city.

'We're covering A to Z in our city by doing this," Kniss said.

Comments

Posted by **Carla**
a resident of Downtown North
on Apr 7, 2015 at 3:12 am
Carla is a registered user.

+ 39 people like this

If you truly want walkability in the commercial district, close University Ave to the insanity of cars that pass through it and make it a place where people really want to commune. That would really make downtown fabulous.

Is there an urgency law that could be applied here?

Email Town Square Moderator Report Objectionable Content

Posted by **Downtown Worker**
a resident of Menlo Park
on Apr 7, 2015 at 8:33 am

+ 13 people like this

Carla, that's an interesting idea. University probably has the vibrancy to be able to do that. The Third Street Promenade in Santa Monica is a great example where this has worked well.

Also, most of the traffic on University seems to be cut-through traffic to El Camino, Page Mill, or Stanford - a lot of it goes right through and doesn't really service the neighborhood. The downtown workers are more likely to bike or take the train, according to surveys. The residents aren't taking University Ave. through the downtown area.

Unfortunately, there's not a lot of obvious routes where the traffic could go otherwise. Still, it would be interesting to do a traffic study.

Email Town Square Moderator Report Objectionable Content

Posted by **margaret**
a resident of Adobe-Meadow
on Apr 7, 2015 at 9:18 am

+ Like this comment

why does everything lead to shopping mall?

what are we missing?

Email Town Square Moderator Report Objectionable Content

Posted by **southbayresident**
a resident of another community
on Apr 7, 2015 at 9:54 am

+ 5 people like this

Carla,
Closing University Ave. to through traffic would be a recipe for killing the vibrancy of the downtown. Pedestrian malls are one of the significant failures of 60's and 70's urban renewal efforts. They had good intentions but rarely ever worked.

It seems counterintuitive but all those failures revealed the obvious: we may not like vehicular traffic but it is a critical component of practically every vibrant downtown district. People don't feel safe when they don't see other people around and then they avoid the area.

Think about what it would like to be on University Ave. after hours if it was a pedestrian mall. Ever visit the Palo Alto Transit Center (bus station) after hours? If so you will get the idea.

Even the most ardent pedestrian, bicycle and transit advocates (including New Urbanists) recognize cars and vehicular access as one of those "necessary evils" in effective urban design.

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2017 BEST OF

Best Of Palo Alto ballot is here

It's time to decide what local business is worthy of the title "Best Of Palo Alto" — and you get to decide! Cast your ballot online. Voting ends May 29th. Stay tuned for the results in the July 21st issue of the Palo Alto Weekly.

VOTE HERE

Posted by **Online Name** + 10 people like this
a resident of Embarcadero Oaks/Leland
on Apr 7, 2015 at 11:35 am

Closing University to car traffic would be a disaster since it's one of the 3 exits from 101. Where would all the traffic go? Onto residential streets.

I regularly use University when I'm near Town & Country and find Embarcadero -- one of the 3 exits to/from 101 -- so gridlocked it's quicker to go north to University than to try to get home via Embarcadero even though it's much much closer in distance.

Email Town Square Moderator Report Objectionable Content

Posted by **resident 1** + 11 people like this
a resident of Adobe-Meadow
on Apr 7, 2015 at 12:00 pm

I watched the PACC meeting last night. The idea of retail is to have interesting retail along the walk which draws people in. The absolute best was Border's Books at the theatre which was always full of people, if even to pick up a pastry and café. I was there every week - just to stop in and get a pastry - check out the latest in books and buy some for the children.
That was such a loss to the community. E-books just do not compare.

Email Town Square Moderator Report Objectionable Content

Posted by **Jean** + 2 people like this
a resident of Duveneck/St. Francis
on Apr 7, 2015 at 1:15 pm

Closing University to auto traffic is an excellent idea. It works very well in Boulder, Colorado and gives the stores and restaurants a chance to survive. I am all for proceeding with the closure!!!!

Email Town Square Moderator Report Objectionable Content

Posted by **Resident** + 8 people like this
a resident of Another Palo Alto neighborhood
on Apr 7, 2015 at 1:19 pm

The problem with retail on University is that unless I have a reason to go downtown, I will not visit the retail. What is the draw for downtown for those of us who live here? Do we go downtown to visit City Hall, an existing business for a meeting, a movie, to meet a friend at a restaurant?

I certainly don't go there just to wander around. Unless there are some draws then I am most likely to go elsewhere to browse.

Sorry.

Email Town Square Moderator Report Objectionable Content

Posted by **Shops in MV** + 15 people like this
a resident of Another Palo Alto neighborhood
on Apr 7, 2015 at 1:32 pm

"you'll hurt retail vitality and you'll hurt walkability and the ability of people who live in Palo Alto to shop in Palo Alto"
Sorry, Bob, but I have lived in Palo Alto for almost 20 years. And in that time, I have done little to no shopping in Palo Alto. Why?? Even 20 years ago there was little in the way of everyday shopping for a local resident like myself--small undersized grocery stores, pretentious boutique stores and an overpriced mall.
When I wanted real shopping, I go to Mountain View and points beyond--large grocery stores (ethnic grocery as well). Target, Wal Mart etc
There once was a Ross in downtown. I remember the owner of one of the boutique stores commenting how Ross did not belong in downtown PA. Well, there you have it.

And , Jean, closing University Avenue will never happen. Once people realize where the traffic from University will end up, there will be such an outcry that the council will never even consider that option.

Email Town Square Moderator Report Objectionable Content

Posted by **resident**
a resident of Midtown
on Apr 7, 2015 at 2:17 pm

+ 3 people like this

I agree with @Shops in MV. We live in Midtown. We rarely go downtown because there is so little diversity in the stores and restaurants. This has become worse as offices have crowded out many of old merchants. Mountain View is so much more interesting and easier to find parking as well.

Email Town Square Moderator Report Objectionable Content

Posted by **Online Name**
a resident of Embarcadero Oaks/Leland
on Apr 7, 2015 at 2:24 pm

+ 23 people like this

I moved here from Back East in 1985; I used to shop downtown, browse downtown, hear music downtown, run into friends downtown and make meal dates to meet downtown or just spontaneously decide to eat downtown. We'd go on pub crawls from The GateHouse to Henry's, the oldest bar on the Peninsula where the computer folks hung out. (It's now Pluto's, an anywhere-type sandwich place.)

The big Antiques Unlimited store-- now the Institute for the Future -- used to have wine parties with spotlights on Friday nights. Great for browsing; great for meeting people. There used to be open art gallery nights to get people browsing downtown until the ABC decided that unlicensed wine was a no-no so that stopped.

I'd go downtown at least once a week. Now if it's once every few months.

A group of about 12 of us from all over the Peninsula meet for dinner every Tuesday night. Some work at Stanford but I can't remember the last time we met downtown. Tonight we're in Menlo Park; last week it was Redwood City, the week before Mountain View.

The current Verizon store was once a fantastic Stacey's Books and then, when Amazon did it in, it became a decent enough housewares/kitchen place. Spirals was a unique garden and home store similar to Shady Lane but with larger goods. There were other stores I'd regularly browse -- Bell's Books, J Ferrari's Italian Grocery, Border's, etc. -- and I'd often find something unexpected.

You could hear jazz at the former Gatehouse on Lytton and get a fine meal inside or on the patio or just a drink while soaking up the wonderful old architecture. Then it became Stars and Wolfgang Puck (or similar upscale chain); now it's offices.

Where can you go to hear live music in Palo Alto now? Nowhere. You have to go to Redwood City or SF/Oakland/Berkeley.

"They paved Paradise to put up a parking lot. You don't know what you've got 'til it's gone."

And we don't even have the parking lots! FEH.

Email Town Square Moderator Report Objectionable Content

Posted by **resident 1**
a resident of Adobe-Meadow
on Apr 7, 2015 at 3:39 pm

+ 4 people like this

I think the people that go downtown are the people who come in for events at SU or high school games. They are the parents of the students that want to have time with their kids for something to eat. Given the amount of traffic generated by SU and its events that is a lot of people.

Also people who are visiting for business purposes. Those people do not live here so they do not have places to go in other towns.
They do have favorite places to go because of the limit of choices.

I also see a lot of people at the theatre on Emerson - lot of long lines there - and then go out to dinner. There is a lot of foot traffic downtown just to eat and hang out - don't see a lot of shopping going on.
People who live here go to Walmart, Cosco, Target, etc. Those are in other cities.

Email Town Square Moderator Report Objectionable Content

Posted by **mauricio** + 17 people like this
a resident of Embarcadero Oaks/Leland
on Apr 7, 2015 at 4:08 pm
mauricio is a registered user.

I actually don't know any Palo Alto resident, with the exception of those who catch a movie at the Aquarius once and while who goes downtown anymore. Everybody I know gives downtown a big thumbs down. I stopped going downtown at least 20 years ago, and so did many of my friends. The vast majority of downtown visitors come from outside of Palo Alto. The bars attract rowdy elements from various parts of the peninsula, east bay, even the Sacramento area. Downtown has become attractive to criminals because of Palo Alto's reputation as a very wealthy community. There are no places downtown that are attractive anymore to people who enjoy art, books, live music, etc. It's tacky, pretentious, overpriced, dangerous. Downtown was practically ruined at the altar of greed and vibrancy.

Email Town Square Moderator Report Objectionable Content

Posted by **chris** + 11 people like this
a resident of University South
on Apr 7, 2015 at 4:27 pm

The Aquarius is closed for some time for renovations.

The problem with people who don't like the shopping in Palo Alto seem to like to go to MV for big box stores. Also, more and more shopping has gone online. The amount of retail (as previously defined) square footage is declining in general, not just in Palo Alto.

Both sides of this issue are tilting at windmills. A big increase in office space in Palo Alto has been occurring in recent years. If healthy retail is desired in downtown Palo Alto, increased housing density downtown and shuttle service throughout Palo Alto is required.

Encouraging more people to drive downtown is no solution at all.

Email Town Square Moderator Report Objectionable Content

Posted by **Midtowner** + 3 people like this
a resident of Midtown
on Apr 7, 2015 at 4:46 pm

"Nobody goes there any more; it's too crowded. {Yogi Berra}

Email Town Square Moderator Report Objectionable Content

Posted by **Dennis** + Like this comment
a resident of Downtown North
on Apr 7, 2015 at 4:53 pm

Amen, Midtowner!

Email Town Square Moderator Report Objectionable Content

Posted by **Agenda** + 9 people like this
a resident of Another Palo Alto neighborhood
on Apr 7, 2015 at 5:07 pm

Mauricio-- there are 60000+ palo,alto residents -- how many do you actually know. Downtown is crowded in the evenings. Restauarnts are booked solid. On thread after thread you repeat the same downtown is "tacky, pretentious, overpriced, dangerous." Obviously a large number of people disagree with you.people flock downtown and they enjoy themselves. You have nit been downtown for 20+ years, so how would your really know personally know what is going on downtown!!!!

Email Town Square Moderator Report Objectionable Content

Posted by **jane** + 10 people like this
a resident of Evergreen Park
on Apr 7, 2015 at 5:19 pm

Retail may be declining overall but in downtown Los Alto it is thriving on Main Street, State Street, and the side streets. They have a policy to protect retail. It's a delightful place to shop. Although some shops couldn't survive the relandscaping and closed, they have been replaced. Now Palo Alto is going to protect retail on the street level so it doesn't have to compete with rent that only offices perhaps there will be an increase in retail if existing offices that have been converted from retail revert to retail when the existing tenant leaves.

For 40 years I have made a point of shopping in Palo Alto whenever possible, both to keep retail here and so my tax dollars go to the city. Even if the trade off cost me slightly more I value not having to drive any further than necessary.

Council member Kniss, while trying to appear reasonable, is predictably negative about protecting retail since she advocated for developers and building owners when she was on the council in the 1990's. Of course the big money wants to continue to convert retail to offices. Wondering why Susan Graf's council address last night and at the previous council discussion wondering why she is so negative I have come to the conclusion that consciously or unconsciously she doesn't want the competition.

Email Town Square Moderator Report Objectionable Content

Posted by **Crescent Park Dad**
a resident of Crescent Park
on Apr 7, 2015 at 5:41 pm

+ 7 people like this

We spend an evening downtown about every other week. I go there to workout at a gym 4 mornings a week and will grab breakfast or coffee now and then. I get my haircut downtown. We go to the Stanford Theater often. Stop by Letter Perfect at least once a month. One of our kids hits the beauty store on the corner of Uni and Ramona. The kids also go to NOLA and the Old Pro. Just bought some gifts at Lululemon and toy/Sport. Bought shoes at Vans. We enjoy many different restaurants as well. And did I mention that my spouse works downtown? She can run errands and shop as well.

Sorry to blow a hole in your statement...but here's at least one long-time resident that still goes downtown often.

Email Town Square Moderator Report Objectionable Content

Posted by **Woops**
a resident of Community Center
on Apr 7, 2015 at 5:47 pm

+ 18 people like this

Downtown thrives at night because of bars and restaurants, not retail. Most of the people one sees downtown day or night either work there or are visiting (or partying). Or are Stanford students (and partying)

I have lived here since childhood and have not seen a neighbor or friend (resident of PA) downtown since the early 90's. Up until two years ago, I would run into them on Cal Ave, but not even there, now!

Downtown is no longer for residents. Soon, Cal Ave won't be, either.

We need to reclaim what is ours--our city!

Email Town Square Moderator Report Objectionable Content

Posted by **Sparty**
a resident of another community
on Apr 7, 2015 at 5:51 pm
Sparty is a registered user.

+ 5 people like this

Do what Los Gatos does... 15mph limit on University.... Maybe from Caltrain to Middlefield.

Email Town Square Moderator Report Objectionable Content

Posted by **SteveU**
a resident of Barron Park
on Apr 7, 2015 at 6:59 pm
SteveU is a registered user.

+ 10 people like this

The last time I shopped downtown, it was at Borders. I rode my bike.

Shopping multiple stores is an invitation to the meter maid. You can't take your time and browse

Email Town Square Moderator Report Objectionable Content

Posted by **ME**
a resident of Midtown
on Apr 7, 2015 at 7:59 pm

+ 7 people like this

I'm a 52 year resident and boy, have I seen changes in downtown PA...both University Ave. area and California Ave. areas...most not all that good for residents. I stopped doing any shopping in the University area when those darned 2 or 3 hour color-coded parking restrictions started...and stayed despite many complaints. I am not the only one that now frequents and the San Antonio Road area shops almost exclusively. I do miss the mom and pop, local run shops in both places..I am glad to see some of them now located in Los Altos!

Email Town Square Moderator Report Objectionable Content

Posted by **Resident**
a resident of Professorville
on Apr 7, 2015 at 8:06 pm

+ 15 people like this

I recently walked into The Institute for the Future. I asked an employee what they sell in the store. The employee said, "yes, I know we are supposed to be a retail store, but we really aren't a retail store." The employee gave me a wink and a nod.
I have also spotted another non retail store downtown, on the historic part of Ramona Street. The non retail store is down a quaint alley like area, across the street from Nolas Restaurant. There used to be a children's bookstore down that walkway, several years ago. Instead of being a shop, there are lots of portable chairs lined up in the ground floor room. Obviously it is a conference room for some company, that probably occupies an upper story of the incredibly charming building. It appears they are pretending the area is just a lobby area for their office. But they are using it as a conference room for their company. That beautiful block of Ramona now has nail salons and a sex toy shop as its retail.

Email Town Square Moderator Report Objectionable Content

Posted by **Online Name**
a resident of Embarcadero Oaks/Leland
on Apr 7, 2015 at 8:27 pm

+ 19 people like this

1) Being able to drive down University at 15 mph would be fast.

2) Calling Institute For The Future retail is an absolute joke, a sad one considering the desirability of its location. Does anyone know the history of that?

Email Town Square Moderator Report Objectionable Content

Posted by **Palo Altan**
a resident of Old Palo Alto
on Apr 7, 2015 at 8:29 pm

+ 17 people like this

Palo Alto City Hall doesn't care about the real residents of Palo Alto. The homeowners. City staff only wants to cater to developers, companies and commuter office employees. Palo Alto is becoming an office park designed by the Hayes Architectural Group. Someone needs to do an investigative report on the Hayes Group. I bet there is corruption between Hayes and some high ranking employee at city hall. It needs to be investigated. Hayes needs to be run out of town. Hayes is no Birge Clark!

Email Town Square Moderator Report Objectionable Content

Posted by **mauricio**
a resident of Embarcadero Oaks/Leland
on Apr 8, 2015 at 7:28 am
mauricio is a registered user.

+ 11 people like this

Crescent Park Dad-very few Palo Altans go downtown anymore. There are tens of thousands of non residents who work in Palo Alto/Stanford, so obviously you will find them downtown. The restaurants/bars attract a large, young, sometimes quite rowdy crowd from all over the Bay area and

beyond. The real and perceived wealth of Palo Alto attracts a significant criminal element. There is absolutely nothing in downtown that would attract Palo Altans. No more local small retail, no more cool book stores, no more Varsity theatre, no more good affordable restaurants, no more live music. It's is now an office park during the day, and its tacky and dangerous at night.

Email Town Square Moderator Report Objectionable Content

Posted by **Shops in MV**
a resident of Another Palo Alto neighborhood
on Apr 8, 2015 at 8:36 am

+ Like this comment

Maurucio--I find your comments hard to believe. Yes, we get plenty of workers coming to town, but most of them do not go downtown, I am not sure how you know where all the downtown patrons come from, since you state that they are from all over the Bay area and beyond. You claim to not have been downtown for 20+ years, so most of your comments are not based on any facts whatsoever. FYI--there are plenty of good affordable restaurants downtown and they are patronized by plenty of palo altoans. I know. I go there to eat quite often.

Email Town Square Moderator Report Objectionable Content

Posted by **Online Name**
a resident of Embarcadero Oaks/Leland
on Apr 8, 2015 at 8:47 am

+ 17 people like this

1) Resident, you've inspired me with your comment about Institute For The Future. We should all go in there and ask for a gallon of multi-client studies.

2) One can figure out where many of the downtown patrons come from by reading the police blotter. Who knew that "possession of a milk crate not his/her own" was our city's biggest crime? There are about 6 citations for that every week.

[Portion removed.]

Ah, priorities. But what are they doing about putting security cameras in garages or doing something about all the lurkers in the garages?

Email Town Square Moderator Report Objectionable Content

Posted by **Shops in MV**
a resident of Another Palo Alto neighborhood
on Apr 8, 2015 at 9:04 am

+ Like this comment

"One can figure out where many of the downtown patrons come from by reading the police blotter."

That would be assuming that many of the downtown patrons commit crimes, which they do not. The overwhelming majority are just there to shop, eat or stroll. Claims about the origin of those that frequent downtown establishments are not based on any facts

Email Town Square Moderator Report Objectionable Content

Posted by **Good to know**
a resident of University South
on Apr 8, 2015 at 10:39 am

+ 1 person likes this

I believe I have learned from this thread that no one over 65 shops downtown anymore.

But there are many other residents, some in their 40s, 30s, and 20s. I think being in Palo Alto five years counts as a long-time resident. Many people just like restaurants, bars, and coffee houses more than antique shops.

I think downtown retail is doing pretty well. I don't think we're going to get back all these commenters who stopped going downtown in the 1990s - so let's focus on keeping retail that's popular with the people who do shop downtown.

Email Town Square Moderator Report Objectionable Content

Posted by **curmudgeon**
a resident of Downtown North

+ 6 people like this

on Apr 8, 2015 at 11:33 am

"Calling Institute For The Future retail is an absolute joke, a sad one considering the desirability of its location. Does anyone know the history of that?"

They were willing to move in and pay rent. The spot was vacant for a long time before that. Apparently they saw a future there.

Email Town Square Moderator Report Objectionable Content

Posted by **southbayresident** + 4 people like this
a resident of another community
on Apr 8, 2015 at 1:02 pm

Palo Altan,
Whether Hayes is "a Birge Clark" or not is completely irrelevant. Just remember that Birge Clark's later work was modernist in nature. If it was hypothetically possible for Birge Clark to be still alive and practicing architecture I can pretty much bet you he would not be designing the same sort of Spanish colonial revival stuff people like Douglas Smith have been idolizing. Like any capable and talented architect Birge Clark would of considered that "been there done that" territory.

No one can say whether Birge Clark would of approved Hayes work but all architect's work evolves over time. I find it just as likely Birge Clark would find Hayes work to be too timid and not modernist enough. Remember overall Hayes work is typically defined as contemporary and the only place it seems to be defined as "modernist" is in the pages of the Palo Alto Weekly.

For truly modernist commercial architecture you usually need to look beyond what's built in this area. Do some Googling and look what's being designed and built in Europe these days (and the past 75 years). Those people definitely know how to design good modernist architecture.

Email Town Square Moderator Report Objectionable Content

Posted by **Online Name** + 11 people like this
a resident of Embarcadero Oaks/Leland
on Apr 8, 2015 at 4:18 pm

curmudgeon, they may be willing to pay the higher rents that offices command but they are the perfect example of the "fake retail" loophole that's being discussed.

Email Town Square Moderator Report Objectionable Content

Posted by **debacle** + 12 people like this
a resident of Another Palo Alto neighborhood
on Apr 9, 2015 at 7:09 am

@Online Name
We lost not only Stacey's the bookstore but the beautiful tile work on the exterior. When Verizon redeveloped the site the ARB should have required this architectural feature be preserved and the facade not turned into a non-descript corporate look alike on University Ave destroying what was there to start with. Time and time again the ARB has failed in their job, in terms of color, scale, design, etc. The ARB in PA is a joke. I travel and this City is going in the opposite direction of other places I visit. What is taking place in Palo Alto is an absolute debacle, some kind of ugly time warp or regression into another time and another place, the City turning its back on itself in the process.

Email Town Square Moderator Report Objectionable Content

Posted by **SteveU** + 9 people like this
a resident of Barron Park
on Apr 9, 2015 at 7:55 am
SteveU is a registered user.

@curmudgeon
Places remain vacant because Landlords are holding out for BIGGER rents.
When a place remains vacant:
1)The county loses property Tax on the tenants Business Property (the contents)
2)The city loses the Business License and other fees
3)The landlord writes off his loses on his Federal Taxes
4)The Public loses diverse shopping experiences

The obvious solution. Get your congress critter to change the Tax Laws and get rid of ability to claim #3 once a property is occupied (Allows new construction speculation)

Make the landlord make up the lost (prior tenant) property tax until the property is lease-occupied by a new business property taxpayer.

Email Town Square Moderator Report Objectionable Content

Posted by **anon**
a resident of Evergreen Park
on Apr 9, 2015 at 8:23 am

+ 13 people like this

The Institute for the Future at 201 Hamilton is a good example of how the city has allowed non-retail operations to take over ground floor retail space.

The city considers the Institute a "trade school" (I kid you not), even though it's not registered with the State of California as a trade school. Rather the city defines "trade school" so loosely that just about anything offering some education in "business, commerce, language, or other similar activity or pursuit" qualifies. So if a software developer or venture capital firm offers occasional classes or seminars, it's (abracadabra) a trade school and can push out ground floor retail.

But it gets worse. The city actually isn't supposed to let trade schools and the like take over every bit of Downtown ground floor retail. Rather, the municipal code says that this can only happen when the city finds that "the location, access or design of the ground floor space of the existing building housing the proposed use, creates exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to property in the same district." In other words, the city had to find that there was something hopelessly unsuitable about 201 Hamilton for regular retail.

So what was that? It's a perfectly good retail location with lots of successful stores and restaurants nearby. Diddams and the Waterworks were long-time retail tenants. A woman even told the City Council this Monday night she tried to rent part of the building recently for her retail operation but the owner turned her down. No one can honestly claim it's unsuitable for retail. But city staff did so anyway and thus failed to follow the law. Let's hope our newspapers investigate who approved this and why.

Email Town Square Moderator Report Objectionable Content

Posted by **resident 1**
a resident of Adobe-Meadow
on Apr 9, 2015 at 10:01 am

+ 6 people like this

I think the older architecture on University is an extension of the architecture you would see on SU campus. SU is the drawing card for this specific town. Putting up a bunch of buildings that have no consistency with the overall point of this city is just a mish mash and looks ridiculous. It is not "progress" - it is poor planning and lack of focus. It is about a few people exercising their egos VS so they can say they are "progressive" - but no style points.

I went into FRY's yesterday and that place is a treasure trove of "stuff" of every imaginable type - a person could just walk through there and look at all of the products available. If we lose FRY's the people will be driving to every where else but here. They are selling what the techies are making - it is techy treasure and other stuff you Just NEED.

Email Town Square Moderator Report Objectionable Content

Posted by **southbayresident**
a resident of another community
on Apr 9, 2015 at 12:37 pm

+ Like this comment

resident 1,
If you enjoy homogeneity and a "paint by numbers" approach to architecture I suggest you move to Santa Barbara. Palo Alto is no Santa Barbara and it should be damn proud of that. Who wants to live in escapist Leisure Town U.S.A.? Don't you want to live in a real place that understands the proper roles of the past, present and future?

Email Town Square Moderator Report Objectionable Content

Posted by **resident 1**
a resident of Adobe-Meadow
on Apr 9, 2015 at 8:40 pm

+ 1 person likes this

Gee Southbay resident - I want to live in a town that looks like it reflects a good educational and financial status - that is what we pay for in our homes. Don't know where you live but we know how much our homes our worth and we want our town to look like it is recognizing the value of the whole scene. That takes good planning and focus. So what does your town look like?

Email Town Square Moderator Report Objectionable Content

Posted by **southbayresident**
a resident of another community
on Apr 10, 2015 at 2:08 pm

+ 6 people like this

Okay resident 1 unless I've misunderstood you I think you've confirmed my suspicions. Palo Alto is becoming more about money, property values and perceived financial status above and beyond all other issues. Palo Alto is my hometown where I spent my first 18 years and where my parents still live in same south Palo Alto house. The real dangers I see facing the city are it's growing protectionism and conservatism.

Maybe I am just another person bemoaning the "new Palo Alto" vs. the "old Palo Alto" but I remember the city as a diverse highly educated community with people that generally had a sophisticated understanding of design and architecture and could appreciate the fact Palo Alto was not another Santa Barbara, Carmel, or collection of anonymous Orange County style gated subdivisions.

From my perspective I actually see the "residentialist" as a greater threat to the future of the city. They are the ones that spent an exorbitant amount of money on their homes, now have a chip on their shoulder and are allowing their obsession with money and property values to shape the city into something it never was. These are the people so focused on their insular objectives they lose sight of issues facing the greater community beyond Palo Alto. They fight the construction of new housing in the city which means more people need to drive to jobs in the city and then they complain about all the traffic. They complain about traffic and then cripple all attempts to improve mass transit whether by Bus Rapid Transit or Caltrain. It's a never ending cycle and there is no solution until these people learn to recognize their city is not an island.

Email Town Square Moderator Report Objectionable Content

Posted by **resident 1**
a resident of Barron Park
on Apr 10, 2015 at 8:51 pm

+ Like this comment

South Bay - your parents are as concerned about what is going on as everyone else. South Palo Alto is under threat of too much traffic, Cubberley not being put back into the school system to relieve the pressure on the other schools, and overloading of students in the school system.

We are remapping our lawns like everyone else out there and trying to work with the county the same as every other town. Your parents s need to speak to this issue - you don't say where you are located.

Email Town Square Moderator Report Objectionable Content

Posted by **Robert**
a resident of another community
on Apr 10, 2015 at 10:13 pm

+ 1 person likes this

@resident 1

Obviously you can ignore the concerns of anyone growing up in Palo Alto; they're not homeowners and wont be able to afford to live here when they move out, so their own thoughts are irrelevant.

Email Town Square Moderator Report Objectionable Content

Posted by **resident 1**
a resident of Adobe-Meadow
on Apr 11, 2015 at 10:19 am

+ Like this comment

I am noting that Robert and South Bay do not identify the city they are living in - only making comments about what other people who live here think. If you can't say where you live then there is

no validity to what you are saying. You are trying to discredit people who live here and have a valid point of view while you just lurk around somewhere poking at other peoples' point of view.
You have to step up to the plate if you want to offer a constructive point of view that is yours alone.

Email Town Square Moderator Report Objectionable Content

Posted by **Black kettle** + 3 people like this
a resident of Barron Park
on Apr 11, 2015 at 10:44 am

Resident 1-- the kettle is calling their black, considering your comments of those PA residents that disagree with you on the airplane noise threads. Robert has right to his,opinion.

Email Town Square Moderator Report Objectionable Content

Posted by **Onine Name** + 8 people like this
a resident of Embarcadero Oaks/Leland
on Apr 11, 2015 at 1:33 pm

Speaking of non-residents, the office of the City Manager put out a bulletin inviting people who "Live OR Work in Palo Alto" to attend the all-day meeting in May on the comprehensive plan.

One of the city council members has urged all residents to try to register for this session because the deck is being stacked with outsiders who will outnumber those of us who live here and pay taxes here.

Remember the Health Care town meetings with Eshoo where all the outsiders who opposed health care reform were bussed in and shouted down residents trying to get straight answers? Expect more of the same!

Email Town Square Moderator Report Objectionable Content

Posted by **resident 1** + Like this comment
a resident of Adobe-Meadow
on Apr 12, 2015 at 1:09 pm

Robert merely pecks at other people's opinions.
Guess what - it is the residents who pay the property taxes, PAUSD Parcel Tax, Flood Insurance, and all other measures that promote the city governance. Land use is one of the hottest topics.

I do not go on other city on-line systems and poke at other city actions - I read about them in the Daily News but I do not feel compelled to remark because I do not live there. I do not undersatnd people who feel compelled to comment on other city actions if they are not paying the tab for entry.

However - Menlo Park is about to approve a beautiful downtown set of buildings - brick and mortar - so I will make the effort to tell them they are doing a great job. Come the next earthquake those buildings will still be there.

Email Town Square Moderator Report Objectionable Content

Posted by **southbayresident** + 2 people like this
a resident of another community
on Apr 12, 2015 at 11:19 pm

Sorry resident 1 but I have no obligation to tell you where I live. You can choose to believe what you want to believe and dismiss any other points of view as lacking in credibility if it makes you feel better about yourself and your point of view. That's 100% your choice. It's the freedom of the internet.

Sure by your standards I have no justification for giving a damn about Palo Alto as I am not a "dues paying member of the organization" as you might like to say. Sorry for having the naivety to think the Palo Alto is a community and not just just a glorified home owner's association akin to a massive gated community or condominium complex.

From what I detect it wouldn't be too far a stretch to predict the next thing you are going to say is renters living in Palo Alto shouldn't be allowed to comment here either. I assume you would expect the same restraint regarding issues concerning San Francisco, San Jose or Oakland.

How dare a former resident that just happened to spend the first 20 years of their life in a place and still has family living there 20 years after that dare to comment on an issue that concerns them! Who

cares about what someone with 40 years collective knowledge thinks when all we really care about is the person that purchased their home last year for 2 to 5 million! Those are the only people with credibility! The true stakeholders!

Just so you know my parents who still live in Palo Alto are constantly harassed by real estate agents and other unsolicited offers to purchase their property. What those people want to do with the property is obvious: tear down the house and replace it with a nasty oversized McMansion designed by and for people with no architectural taste. Are my parents not allowed to live out their retirement in peace or do they need to be harassed like this? Sorry for finding reason to be concerned when I guess I should keep my mouth shut.

You might be pleased to know people like my parents are on the losing side and you will fInd yourself surrounded by more and more "bonafide Palo Altans" who properly payed their way into the community and didn't just happen to buy a house in the 60's and pay it off. I guess it really is a shame we don't hear more from those people. To repeat what I said before money really is the most important concern in Palo Alto not culture or community.

Email Town Square Moderator Report Objectionable Content

Posted by **Crescent Park Dad**
a resident of Crescent Park
on Apr 13, 2015 at 5:51 pm

+ 2 people like this

Newsflash: Every homeowner in PA is besieged by Realtor inquiries and unsolicited offers.

Email Town Square Moderator Report Objectionable Content

Posted by **southbayresident**
a resident of another community
on Apr 13, 2015 at 7:25 pm

+ 2 people like this

Yes I know. It's swarming in Real Estate Whores.

Email Town Square Moderator Report Objectionable Content

Posted by **Unconstitutional Nonsense**
a resident of Midtown
on May 26, 2015 at 7:23 am

+ Like this comment

Clearly, most of these comments are made by people who have no ownership interest in the properties at issue. My family owns property in the area. The property was purchased more than 40 years ago. The property was purchased with specific rights. These rights are constitutionally protected.

No rational property owner would ever approve PA's unconstitutional attempt to change the rules decades after the owners relied on the rules, in place at the time, when the buyers agreed to pay the price they paid for property located in PA.

This is intended, in no way, to suggest renters don't have a voice about many issues in PA. Renters, however, don't have and should not have a say in current land use inconsistent with the land use that applied - and relied on - when the buyers of the properties bought the properties.

Remarkably, no one has yet mentioned that there is a simple solution. IF PA (or any of those who want to take away the property owners' rights to use the property in a way that is consistent with the rights they secured when they bought the property) wants to control my family's protected use of our property - and the properties of other owners in the town - then PA (or one of you people who think it acceptable to significantly destroy our property values) must buy the property. PA and/or you proponents can then use it for any purpose whatsoever.

For instance, if PA (or any of those of you who want to restrict the property owners' constitutional rights) wants to now demand that a property has to have a restaurant in it - go for it - but only after PA (or one of you) buys the property. PA (and its taxpayers) can even subsidize the rent by reducing the rent far below the market value of the property. This will be the only way for you people to choose to use the properties for business that could not economically survive without you subsidizing the rent. This approach - tax and revenue concessions - will negatively impact all tax paying property owners - even those who are against this nonsense.

Of course, the people supporting this Ordinance probably won't care about the loss of tax revenue and loss of income from the property by limiting the rent it will receive as a result of its decision to pick and choose the businesses to be located in each property.

Want a new bookstore, buy it and lease it for a bookstore. Pay market value for the property and then take tremendous losses each month and year, through below market rent. Again, this will only hurt the tax paying property owners. Unless - hold your breath - the people who claim they frequent the businesses in PA (and don't want the property owners to use the properties as they have a right to use the properties) are willing to put their money where their mouth is.

Here is another solution for you. After the city buys all the properties it seeks to inappropriately control, it can add a use tax to all patrons of these businesses to offset the loss of revenue that PA will otherwise be forcing on its property owners. The use tax, that can be added to each purchase/receipt, will fairly reflect the loss of revenue and the willingness of those who want to control the property rights of others. If you want an art boutique in a specific location - so be it - but it is not the obligations of tax paying property owners (who don't care about your desired boutique) to subsidize your desires to have a business that is not economically viable in a property of your choosing. Let's see how many of you are willing to step up and pay for this nonsense. Please chime in and let us know about your willingness to pay for all of this. Or, are you comfortable with putting all of this burden on PA's tax paying property owners? I am looking forward to learning about this.

Some of you will understand. Sadly, some of you never will.

Email Town Square Moderator Report Objectionable Content

Posted by **southbayresident**
a resident of another community
on May 28, 2015 at 2:05 am

+ Like this comment

@Unconstitutional Nonsense,
We can all feel fortunate (yourself included) to acknowledge that property owner's DO NOT have a constitutional right to do whatever they want with their property. The logical extension of your argument would be to claim you could stockpile stacks of old tires on your property in the middle of town and set them on fire if you like because "it's your property".

Remember this is the United States we live in not Guatemala. If you want 100% pure capitalism and unfettered "property rights" move to a 3rd world country. It's not always understood that the United States was in fact founded on the principles of Socialized Capitalism, not pure Capitalism. That's what's nice about living in a 1st world nation with (relatively) modern infrastructure and planning regulations where we don't have to worry about polluted air and groundwater contamination from our neighbors setting their stacks of tires on fire. Regulations against those things improve everyone's property values and standard of living.

I don't agree with everyone's decisions particularly on aesthetics and I think many of the traditionalists that want to legislate architectural style in the downtown will actually make it an uglier place but this is a democracy and it's their mistake to make. If Palo Alto becomes known as "that place with boring prescriptive architecture" so be it. The explanation will be simple: "the general population was uninformed on the decisions before them". Whether that ultimately helps or harms the city we don't know but you have to accept it will be the consequence of a community decision, just like in "olden days" when the U.S. Constitution was written.

Email Town Square Moderator Report Objectionable Content

Posted by **Unconstitutional Nonsense**
a resident of Downtown North
on May 28, 2015 at 6:50 am

+ Like this comment

@Southbay resident -

Nowhere did I ever say we should be able to take any action we wish. Your claimed "logical extension" is anything but logical and makes clear you failed to grasp the simple statements that led to your post.

We, as property owners, completely understand that our use of the property must comply with the "zoning" rights and restrictions in place when we purchased the property. The applicable zoning did NOT allow us to do such ignorant things nor would we have ever wanted to do so.

What you failed to comprehend is the clear constitutional rights property owners acquire when they buy property. Those zoning rights and limitations travel on with the property. PA cannot take away those vested rights because some people later decide they would like to exercise greater control over the property without regard to the attendant devaluation of the property. There is nothing about anything here that would support burning tires in downtown Palo Alto, through a "logical extension" or otherwise.

The logical extension of your argument is, because this is not a third world country, the local PA

commission can nilly willy decide someone's property must be used for a theatre, boutique shop, or a bookstore because they would like one of those to be located there.

It is not surprising that you failed to let us know if you are willing to pay a use tax if you ever shop in the properties forced to lose money due to the desires and whims of the few who own no property in downtown. As I explained, this tax revenue would be passed on to these property owners to help overcome the losses the property owners will otherwise suffer. Are you willing to accept this obligation?

And, you never attempted to address the option of Palo Alto, or someone like you, buying the property and using it for whatever purposes zoning allows. You can lower the rent to a level that will ensure significant losses to you, if you wish, so Palo Alto can be something it will never be. What Palo Alto cannot do is force these problems on the property owners.

The present modification to the zoning ordinance is unconstitutional.

Palo Alto is not alone. Other areas in California have tried to unreasonably control the rights of property owners. These towns are learning very expensive lessons. The laws are routinely struck down as unconstitutional. This is a lose - lose for the towns. They lose the zoning they attempted to enforce AND they loose tens of thousands of dollars through attorneys' fees and expenses. Ironically, guess who is actually straddled with payment of these unnecessary fees and expenses. The taxpaying property owners. Total BS.

Another result is possible. The town wins the constitutional argument but still looses. "Eminent domain" is powerful "United States'" law that protects property owners from the very actions Palo Alto is attempting to take. This law likely doesn't exist in 3rd world countries but I don't know. You may have the answer to this but it matters not for this discussion. The decisions being made in Palo Alto have nothing to do with 3rd world countries.

The simple explanation of eminent domain is that it is a rule of law that prohibits governments from exercising control over property to an extent that it has a material negative impact (economic or otherwise) on the property. If the government chooses to exercise its right of eminent domain, the government MUST fairly compensate the owners of the property. Granted, this is a gross simplification but I have neither the time nor desire to fully explain the powerful protections provided under the laws relating to eminent domain.

IF you owned property in the area, you would not want the government taking away your vested property rights. If it wouldn't bother you, we have a piece of property we will sell to you at full market value. Please let me know if you want to put your money where your keyboard is :-)

Email Town Square Moderator Report Objectionable Content

Posted by **southbayresident**
a resident of another community
on May 28, 2015 at 10:23 am

+ Like this comment

@Unconstitutional Nonsense

To be honest I have not specifically checked Palo Alto's ordinance to confirm whether or not the stockpiling and burning of tires on your downtown property would be an "approved use" but it would be safe bet to assume it's not. So if I understand you correctly you are saying that if burning of tires was an approved use at the time you bought your property it would be your constitutional right to burn tires there unless the city bought the property from you? I guess that's one argument you could make.

Email Town Square Moderator Report Objectionable Content

Posted by **Unconstitutional Nonsense**
a resident of Downtown North
on May 28, 2015 at 11:20 am

+ Like this comment

@ southbayresident Once again, you just don't get it and likely never will.

Buy some property and then evaluate what is fair when you have relied on zoning laws and a town chooses to take away your rights.

The zoning laws applicable when we bought the property would have never allowed us to burn tires just like our Constitution will not allow a few non-property owners on a city commission or council to tell us we can't use the property within the zoning rights, which vested when we purchased the property.

Your continued burning tire claims further demonstrates a lack of understanding of zoning and property rights. If an ordinance seeks to make clear that property owners cannot burn tires on their property and this change has no material impact on the property owner's rights, the change is permissible. BUT, if a proposed change to an ordinance will have a material negative impact (economic and otherwise) the change is not permitted.

To use your example to try to help you understand, hopeless as it will likely be. Farmer Joe lives on a 600 acres out in a very low population area. When farmer Joe bought his property he was allowed to burn rubbish without a permit or other inconvenience. The government later seeks to take away his rights to burn rubbish because some people don't like seeing the smoke rising into the sky for two hours when farmer Joe burns his rubbish 2 times each year. The ordinance would be totally unconstitutional.

BUT, if, as we have had in California, a terrible drought and the chance of burning rubbish now has a high probability of setting off an uncontrollable fire and burning thousands of acres and destroying other people's property, then an ordinance designed to limit this activity would be permissible because the government may have a "legitimate government purpose" for passing the ordinance. Even then, the actions of the government must be weighed against the rights of the property owner.

Moving ahead . . . Joe is in the business of burning rubbish. His property was zoned to allow this when he bought the property and his intended use of the property was known and approved. This is how Joe supported his family. And ordinance that shut down Joe's business and caused him significant losses, would be impermissible. In this instance, the government action would be considered "condemnation" and the rules of "eminent domain" would apply. The ordinance would be struck down as unconstitutional or the government would have to buy Joe's property and compensate him for his losses.

There is no "legitimate government interest" in deciding some would rather see what they perceive to be a cute little boutique when the ordinance required to make this change will destroy the property owner's right to use the property for office space, retail space or any other permissible use within the zoning rules applicable to that property when the property was purchased.

Still see you are not interested in paying your fair share of the losses property owners will suffer under this ignorant amendment to the ordinance. This is anything but surprising.

Sure . . . no non-property owners should ever worry about passing laws that significantly impair the property rights of property owners and drives down the value of their property. Buy property and see how that works for you.

I am sure you feel the same way about the loss of your rights when you buy a car - if you have ever done so - and the manufacturer changes its mind about honoring its warranty and refuses to honor the rules in place when you bought the car.

Heck, maybe you could even buy a time-share for a limited amount of money somewhere in a 3rd world country. A few years later some government group decides to pass an ordinance that you can no longer use the property as vacation property during your limited time there. You can only now use it as a lovely boutique because they no longer want tourist in their quaint little down. The value of your little time share is greatly reduced as a result. And, I suppose you will be happy with that.

Or, perhaps you have a bank account. You have specific rights with your bank. You deposit $500,000 into the bank based on the existing rights and obligations. Part of those rights include the right to withdraw 100% of your money at any time and on any day between M-F. Then, the bank later decides to change the rules to only allow you to withdraw $10,000 each year and you can only make withdrawals between the hours of 8:00 a.m. and 9:30 a.m. on Tuesdays. BUT, you have the opportunity to use this money to purchase a piece of property in Palo Alto that you believe will help you increase your rate of return on your money. The bank, however, doesn't care because a limited few officers in the bank have decided they prefer that your money be used as they prefer as opposed to you being able to use the money (property) as you are entitled. So . . . you suffer great loss and you are okay with that because you learn that the bank intends to use your money to help fund a park for a while. Sounds fair doesn't it.

Maybe you are in love with the place you rent. You plan to live there for many years. You are happy there and don't won't to more. But, along comes an ignorant ordinance requiring that the place you have been renting can only continue as rental property so long as you do not abandon (leave) the property for more than 7 consecutive days. BUT, you've been invited to go on an all expense paid trip to Europe for 3 weeks. You have dreamed about a trip like this for years. If you go on the trip, you will have to move and the owner will have to change the property to an animal shelter (a laudable idea) because some people believe that would be a more desirable use of the property. So, you lose and the property owner looses. And somehow people who don't own property simply don't get it.

As the old adage goes, a scar is only insignificant when it is on someone else face. History has proven that people who don't lose anything as a result of the actions of others, rarely care about the harms

to the others. That is especially true when they have the misplaced perception that the person supporting the change will somehow benefit. It matters not to such people that others will suffer the consequences.

I hope you get it now. If you don't, you surely never will.

Please excuse typos, I was rushed.

Email Town Square Moderator Report Objectionable Content

Posted by **Slow Down**
a resident of Community Center
on May 28, 2015 at 12:14 pm
Slow Down is a registered user.

+ Like this comment

@Unconstitutional Nonsense - No, not really. Zoning changes happen all the time and are not unconstitutional. Palo Alto could impose a single story zone on downtown right now with no issues. They couldn't then force two story buildings to be torn down. But the existing owners of one story buildings would not be allowed to build a second story. You don't get a grandfathered right based on previous zoning.

Long story short: cities are allowed to change zoning ordinances.

Email Town Square Moderator Report Objectionable Content

Posted by **Unconstitutional Nonsense**
a resident of Downtown North
on May 28, 2015 at 12:52 pm

+ Like this comment

@ slow down

If the owner bought the property based on the value when the zoning allowed 2 stories and that right increased the value of the property and increased the purchase price paid for the property, this would be an impermissible taking. No government can take away property owners' rights that result in losses to them without fairly compensating them.

Go buy property and get back with me.

If the government decides to try to pass ignorant laws that cause you to lose hundreds of thousands of dollars I'd like to hear back from you.

Otherwise, you probably won't understand there is no legitimate government interest in deciding to prohibit two-story buildings in a town where there are already two-story buildings among the one story buildings with the right to add an additional story. This means it cannot be done.

Email Town Square Moderator Report Objectionable Content

Posted by **Kazu**
a resident of Downtown North
on May 28, 2015 at 1:43 pm

+ 1 person likes this

Ok, so banning conversion from retail space to offices is going to decrease the rents and fix the parking problem? Who is going to go to Palo Alto to dine in mediocre restaurants with high prices and have problems finding parking? With the anti-development folks on the rampage, new developments are likely to be even more restricted than at present, pushing rents ever higher. And the solution to the parking problem? Why, we will just have permit only parking around downtown neighborhoods, further exacerbating the problem.

What we need is to lift the height restrictions on new buildings and require them to provide enough parking for the people they will attract. As it stands, Palo Alto is doing everything in its power to drive retail businesses and their customers out. Their efforts in this regard are bearing fruit, however bitter to some. Restricting growth helps keep rents and housing prices sky high, which is very good for some.

Email Town Square Moderator Report Objectionable Content

Posted by **Kazu**
a resident of Downtown North
on May 28, 2015 at 1:55 pm

+ Like this comment

@southbayresident wrote:

"Just so you know my parents who still live in Palo Alto are constantly harassed by real estate agents and other unsolicited offers to purchase their property. What those people want to do with the property is obvious: tear down the house and replace it with a nasty oversized McMansion designed by and for people with no architectural taste."

They aren't replacing those nice old homes with McMansions, they are replacing them with two no-yard, no parking townhouses. Some of the townhouses are butt ugly, a few are quite nice. The problem is that it is transforming the residential neighborhoods into much less desirable places to live, a nouveau riche ghettoization of sorts. The same thing was done ages ago in Naglee Park, once San Jose's nicest neighborhood. It is now nice only for the rats and the cockroaches. That is not to say it will happen to the same extent in Palo Alto, but screwing up our Mr. Rogers neighborhoods with ill-advised growth models is not a good idea. Better to leave the hoods as they are and build high-rise housing or mixed use towers near the Caltrain depot. Ten or fifteen stories would be nice.

Perhaps it is too late. Downtown Mountain View is the new downtown Palo Alto. Quite a few PA retailers have moved there or to downtown Los Altos.

"You might be pleased to know people like my parents are on the losing side and you will fInd yourself surrounded by more and more "bonafide Palo Altans" who properly payed their way into the community and didn't just happen to buy a house in the 60's and pay it off."

The Palo Altans who have been here since the 60s are the bona fide Palo Altans. The people who flooded in later and trashed the place, not so much. We were here first, back in the days when PA was well run (yes boys and girls, there really was such a time).

Email Town Square Moderator Report Objectionable Content

Posted by **Kazu**
a resident of Downtown North
on May 28, 2015 at 2:13 pm

+ Like this comment

@resident 1 wrote:

"Gee Southbay resident - I want to live in a town that looks like it reflects a good educational and financial status - that is what we pay for in our homes. Don't know where you live but we know how much our homes our worth and we want our town to look like it is recognizing the value of the whole scene. That takes good planning and focus. So what does your town look like?"

Those comments seem to indicate a very tenuous connection to Palo Alto. By good educational and financial status, do you mean awash in aesthetically challenged postmodern architecture and poor growth patterns? While it is true that Spanish Colonial Revival homogeneity is not feasible or even desirable, our city does need to show some class and perhaps a little taste. *That* is good planning and proper focus, and will result in the greatest property value appreciation over time. Of course, those intent on being short term residents will care only about short term profitability, even if it is harmful in the long run. I hope such sentiments will not prevail and residents will be able to find a sense of grounding and of place.

And who is this "we" of whom you speak? It certainly does not include me or many other Palo Alto residents.

Email Town Square Moderator Report Objectionable Content

Posted by **Slow Down**
a resident of Community Center
on May 28, 2015 at 2:34 pm
Slow Down is a registered user.

+ Like this comment

@Unconstitutional Nonsense - Changing zoning is obviously not unconstitutional. Otherwise downton Palo Alto would be lined with 15 story buildings. Thankfully, zoning was changed. You used to be able to build a two story guest houses in your backyard in Palo Alto, but zoning changed, and it wasn't unconstitutional.

When you buy property, you buy the property, not the future building rights. If you want to be a speculator, go for it, but don't cry when zoning changes.

Email Town Square Moderator Report Objectionable Content

Posted by **PAmoderate**
a resident of Old Palo Alto
on May 28, 2015 at 5:14 pm
PAmoderate is a registered user.

+ Like this comment

@Kazu says "They aren't replacing those nice old homes with McMansions, they are replacing them with two no-yard, no parking townhouses."

Um, much of the residential stock in Palo Alto is R-1, so no, they can't do that.

Email Town Square Moderator Report Objectionable Content

Posted by **Unconstitutional Nonsense**
a resident of Downtown North
on May 28, 2015 at 10:32 pm

+ Like this comment

@ slowdown

All zoning is not illegal and no one every claimed that to be the case. You are one of those who will clearly never get it.

Go buy property and let the government do whatever it wants to do with it.

Good luck to you and those like you.

Email Town Square Moderator Report Objectionable Content

Posted by **Kazu**
a resident of Downtown North
on May 29, 2015 at 12:36 am

+ Like this comment

It has been done on seven lots in a one and a half block area through which I walk regularly. There are several more nearby. Four were done within the last five years. One of the original houses was particularly beautiful, now replaced by a duplex that looks like it was ordered out of a J.C. Penney catalog.

Email Town Square Moderator Report Objectionable Content

Posted by **southbayresident**
a resident of another community
on May 29, 2015 at 2:04 am

+ Like this comment

Dear Unconstitutional Nonsense,

You sound like a real barrel of laughs! I wish you best of luck in finding a piece of property where you can burn your stacks of tires. The last I heard it's still legal on the outskirts of Livermore (or maybe that was Tracy).

In any case it's called an ANALOGY but then again to borrow your favorite expression maybe "you will never get it".

Email Town Square Moderator Report Objectionable Content

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Ordinance No. 5325
Urgency Interim Ordinance of the Council of the City of Palo Alto
Adopting a Temporary Moratorium on the Conversion of Ground Floor
Retail and "Retail Like" Uses to Other Uses Citywide

FINDINGS

A. The City of Palo Alto has long been considered the birth place of Silicon Valley. With its proximity to Stanford University, its international reputation, its deep ties to technology firms, its highly rated public school system and its ample public parks, open space and community centers, Palo Alto continues to serve as a hub for technology based business.

B. Palo Alto is considered one of Silicon Valley's most desirable office markets. According to one study Class A office rates have climbed 49 percent since the start of 2010. The same study reported Class B office space increasing by 114.4 % since 2010.

C. In particular, average commercial rental rates have gone up significantly from 2013 to 2015. In 2013 the average monthly rental rate citywide for office was $4.57 per square foot. That rate increased to $5.12 in 2015. While retail rents have also increased during this period, retail rents are considerably lower than office rents. The average monthly rental rate for retail in 2013 was $4.21 and in 2015 was $4.88.

D. Price increases have been even more significant in the downtown area. In 2013 the average downtown monthly office rent was $6.37. In 2015 the rate increased to $7.33.

E. At the end of 2014, Palo Alto's downtown vacancy rate was a low 2.83 percent, according to a report prepared by Newmark Cornish & Carey.

F. These record high monthly rental rates for office and low vacancy rates have created financial incentives to replace current retail use with office use where such conversions are permitted by the City's zoning ordinance. These economic pressures are more severe in the downtown and California Avenue commercial areas but exist throughout the City.

G. The data submitted by the City to support the Valley Transportation Authority's Congestion Management Plan (CMP) each fiscal year suggests that there has been a loss of approximately 70,000 square feet of retail-type uses in the period from 2008 to the present. The CMP data is broad in the sense that it includes uses like automotive services in the "retail" category even though they are considered separate uses in the City's zoning ordinance. However any overstatement of the trend towards less retail is likely to be offset by the data's reliance on a list of discretionary applications processed by the City, since there have also been recent conversions of retail space to office space that did not require discretionary approvals and are not included in the 70,000 square foot number.

H. City residents have seen this occurring in the City's commercial districts as the City's Architectural Review Board has considered projects like those affecting Spagos restaurant at 265 Lytton, Inhabiture at 240 Hamilton Ave, Palo Alto Bowl at 4301 El Camino Real, and Club Illusions Restaurant at 260 California Avenue. In addition, familiar retail businesses like the Zibibbo restaurant have closed and their spaces have been acquired and occupied by non-retailers. Likewise the old location for Fraiche Yogurt, which moved from Emerson Street to Hamilton Avenue, was immediately re-purposed as office space.

I. Based on these trends, on March 2, 2015, the Palo Alto City Council asked staff to consider whether zoning-based protections for ground floor retail uses need to be strengthened where they currently exist and expanded to areas of the City where they do not.

J. On April 6, 2015, the City Council discussed these issues in detail and directed staff to prepare an urgency ordinance that would preserve existing ground floor retail and retail-like uses until permanent zoning revisions can be prepared.

K. This direction is consistent with the City's existing Comprehensive Plan, which identifies the desirability of neighborhood serving retail (Policy L-16) and envisions inviting, pedestrian-scale "centers" with a mix of uses as focal points for neighborhoods (Goal L-4). Policy L-20 suggests that the City "encourage street frontages that contribute to retail vitality..." and Policy B-5 calls on the City to "maintain distinct business districts within Palo Alto as a means of retaining local services and diversifying the City's economic base."

L. Palo Alto is in the process of updating its Comprehensive Plan, and it is expected that the updated Comprehensive Plan will contain additional policies and programs designed to preserve existing retail uses in the City.

M. The public's health, safety and welfare are currently and immediately detrimentally affected as neighborhood-serving retail service and related uses are priced-out by rising rents and replaced by uses that do not provide similar services or activate the street frontage by creating pedestrian activity and visual interest (i.e. shop windows and doors). These changes affect neighborhood quality of life, and mean that local residents have to drive to similar retail destinations in other locations, diminishing the public health benefit when residents can walk to needed services and increasing traffic congestion, vehicle miles traveled and greenhouse gas emissions.

N. Unless abated, the City's actions to approve conversion of ground floor spaces from retail to other uses will exacerbate the reduction of retail and changes described above, resulting in the need for the proposed interim ordinance.

O. The City Council desires on an interim basis to temporarily suspend conversions of retail and retail like uses to office throughout the City as such conversions may be in conflict with the City's Comprehensive Plan and zoning proposal that the legislative body, planning commission or the planning department is considering or studying or intends to study

within a reasonable time.

P. The possible extension of this interim ordinance beyond 45 days would not have a material effect on the development of projects with a significant component of multifamily housing because a specific exemption has been included to address this requirement of State law.

Q. This urgency interim ordinance is adopted in accordance with the requirements of Government Code Section 65858 and Palo Alto Municipal Code Section 2.04.270 and is based on the need to protect the public safety, health and welfare as set forth in the above findings. A 4/5 vote is required for adoption.

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. Findings. The findings listed above are hereby incorporated.

SECTION 2. The following Section 18.85.100 (Retail Preservation) is added to a new Chapter 18.85 entitled "Interim Zoning Ordinances" to the Palo Alto Municipal Code to read as follows:

"18.85.100 Retail Preservation

18.85.101 Definitions. For the purposes of this Ordinance, the term "Retail" shall include a modified definition of "Retail Service" as well as the "Retail Like" uses defined below:

(a) Retail Service: A use predominantly engaged in providing retail sale, rental, service, processing, or repair of items primarily intended for consumer or household use, including but not limited to the following: groceries, meat, vegetables, dairy products, baked goods, candy, and other food products; liquor and bottled goods, household cleaning and maintenance products; drugs, cards, and stationery, notions, books, tobacco products, cosmetics, and specialty items; flowers, plants, hobby materials, toys, household pets and supplies, and handcrafted items; apparel, jewelry, fabrics, and like items; cameras, photography services, household electronic equipment, records, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, carpeting and floor covering, interior decorating services, office supplies, musical instruments, hardware and homeware, and garden supplies; bicycles; mopeds and automotive parts and accessories (excluding service and installation); cookie shops, ice cream stores and delicatessens.

(b) Retail Like Uses including but not limited to:
(1) Eating and drinking service as defined in Section 18.04 (47);
(2) Hotels as defined in Section 18.04 (73);
(3) Personal services as defined in Section 18.04.030 (115);
(4) Theaters;

(5) Travel agencies;
(6) Commercial recreation;
(7) Commercial nurseries;
(8) Auto dealerships defined in Section 18.040.030(a)(12.5);
(9) Day Care Centers defined in Section 18.040.030(a)(42);
(10) Service Stations; and
(11) Automotive Services.

To qualify as a Retail use under this definition, the use shall be generally open to the public.

18.85.102 Moratorium on Retail Conversions. The City Council hereby enacts this Urgency Interim Ordinance establishing a moratorium on the conversion of any ground floor Retail use permitted or operating as of March 2, 2015 or thereafter to any other non-Retail use anywhere in the City.

(a) 25% Exemption Suspended. During the pendency of this Ordinance, Section 18.30(C).020 permitting not more than twenty-five percent of the ground floor area not fronting on a street to be occupied by a non-retail service use otherwise permitted in the applicable underlying CD district shall be suspended.

(b) Conditionally Permitted Uses Suspended. During the pendency of this Ordinance, no ground floor Retail use operating as of March 2, 2015 may be replaced by any other non-Retail use, including uses for which Conditional Use Permits are currently allowed.

(c) Legal Nonconforming Uses. During the pendency of this Ordinance legal nonconforming Retail use shall remain as a grandfathered use and shall not be subject to the change, discontinuance, or termination provisions of Chapter 18.70.

(d) Conversion of Basements. During the pendency of this Ordinance, elimination of or conversion of basement space currently in Retail use or in use for retail support purposes shall be prohibited.

18.85.103 Exemptions. The following shall be exempt from this Ordinance:

(a) Pipeline Projects. Any Retail use where a discretionary permit or entitlement application to convert such Retail use to a non-Retail use was submitted to the City on or before March 2, 2015 and is currently pending. For purposes of this Ordinance a "Use and Occupancy" Permit Application shall not constitute a discretionary permit.

(b) Vested Rights. Any Retail use for which an applicant has received a valid building permit from the City and performed substantial work and incurred substantial liabilities in good faith reliance on such permit as of the date of this Ordinance.

18.85.104 Waivers and Adjustments. The following shall be grounds for a request for waiver or adjustment of this Ordinance:

(a) Economic Hardship. An applicant may request that the requirements of this Ordinance be adjusted or waived based on a showing that applying the requirements of this Ordinance would effectuate an unconstitutional taking of property or otherwise have an unconstitutional application to the property.

(b) Multi-family uses. Any project which (i) contains four or more housing units, (ii) the multi-family housing component constitutes at least one-third or more of the total square footage of the project and (iii) otherwise complies with all sections of the Zoning Code may apply for a waiver or modification from this Ordinance upon a finding that this Ordinance would have a material effect on the multi-family component of such project.

(c) Documentation. The applicant shall bear the burden of presenting substantial evidence to support a waiver or modification request under this Section and shall set forth in detail the factual and legal basis for the claim, including all supporting technical documentation.

Any such request under this section shall be submitted to the Planning and Community Development Director together with an economic analysis or other supporting documentation and shall be acted upon by the City Council.

18.85.105 Reconstruction. Any ground floor Retail use existing on or after March 2, 2015 may be demolished and rebuilt provided that the portion of square footage used as Retail use on or after March 2, 2015 is not reduced except that Retail square footage may be reduced by the minimum amount needed to provide access to any new upper floor and/or lower level parking.

18.85.106 Applicability to Current Requirements. Nothing in this ordinance shall alter requirements of site-specific Planned Community zoning ordinances or adopted conditions of approval. Nothing in the ordinance shall be construed to waive the requirement for a conditional use permit or other entitlement where such requirements currently exist."

SECTION 3. Study. The City Council directs the Department of Planning & Community Environment to consider and study possible amendments to the Comprehensive Plan and zoning ordinance to preserve existing Retail uses.

SECTION 4. Written Report. At least ten (10) days before this Urgency Ordinance or any extension expires, the City Council shall issue a written report describing the measures taken to alleviate the condition which led to the adoption of this Urgency Interim Ordinance.

SECTION 5. Severability. If any provision, clause, sentence or paragraph of this ordinance, or the application to any person or circumstances, shall be held invalid, such

invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 6. Effective Period. This Urgency Ordinance shall take full force and effect immediately upon adoption. In accordance with Government Code Section 65856, this Ordinance shall be in full force and effect for a period of forty-five (45) days from adoption. This Ordinance shall expire on June 25, 2015 unless this period is extended by the City Council as provided in Government Code Section 65858.

SECTION 7. CEQA. The City Council finds that this Ordinance falls under the California Environmental Quality Act (CEQA) exemption found in Title 14 California Code of Regulations Section 15061(b)(3) because it is designed to preserve the status quo.

INTRODUCED AND PASSED: May 11, 2015

AYES: BERMAN, BURT, DUBOIS, FILSETH, HOLMAN, KNISS, SCHARFF, SCHMID, WOLBACH

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

City Clerk

APPROVED:

Mayor

APPROVED AS TO FORM:

Senior Assistant City Attorney

City Manager

Director of Planning and Community Environment

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Ordinance No. 5407
Ordinance of the Council of the City of Palo Alto Limiting the Conversion of Ground Floor Retail and "Retail Like" Uses Citywide

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. Findings and Declarations.

A. The City of Palo Alto has long been considered the birth place of Silicon Valley. With its proximity to Stanford University, its international reputation, its deep ties to technology firms, its highly rated public school system and its ample public parks, open space and community centers, Palo Alto continues to serve as a hub for technology based business.

B. Palo Alto is considered one of Silicon Valley's most desirable office markets, leading to rapidly increasing rental rates for commercial property. In particular, average commercial rental rates have gone up significantly from 2013 to 2015. In 2013 the average monthly rental rate citywide for office was $4.57 per square foot. That rate increased to $5.12 in 2015. While retail rents have also increased during this period, retail rents are considerably lower than office rents. The average monthly rental rate for retail in 2013 was $4.21 and in 2015 was $4.88.

C. These record high monthly rental rates for office and low vacancy rates have created financial incentives to replace current retail use with office use where such conversions are permitted by the City's zoning ordinance. These economic pressures are more severe in the downtown and California Avenue commercial areas but exist throughout the City. In addition, these trends place particular pressure on small and medium-sized businesses.

D. Based on these trends, on March 2, 2015, the Palo Alto City Council asked staff to consider whether zoning-based protections for ground floor retail uses need to be strengthened where they currently exist and expanded to areas of the City where they do not.

E. This direction is consistent with the City's existing Comprehensive Plan, which identifies the desirability of neighborhood serving retail (Policy L-16) and envisions inviting, pedestrian-scale "centers" with a mix of uses as focal points for neighborhoods (Goal L-4). Policy L-20 suggests that the City "encourage street frontages that contribute to retail vitality…" and Policy B-5 calls on the City to "maintain distinct business districts within Palo Alto as a means of retaining local services and diversifying the City's economic base."

K. The City of Palo Alto enacted Urgency Interim Ordinance 5325 on May 11, 2015 to prevent the conversion of ground floor space to office or other non-retail uses, which was a trend in the City's commercial districts.

L. The urgency interim ordinance was extended through adoption of Ordinance 5330 on June 15, 2015, and is set to expire on April 30, 2017.

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M. The City's land use data shows that there was a loss of approximately 70,000 square feet of retail-type uses in the period from 2008 until the urgency interim ordinance was adopted. This loss of retail-type uses coincided with an increase in commercial office rents, such that property owners had an economic incentive to convert ground floor retail spaces to office use where this was permitted by the City's zoning regulations.

N. The economic conditions that favor conversion of retail space to office space remain in place because office rents remain higher than retail rents. According to the most recent data available, in the third quarter of 2016, Palo Alto's retail asking rates were higher than any other city in the South Bay. In tandem with these high retail lease rates, vacancy rates for retail spaces have remained low, averaging 2.6% over the first three quarters of 2016. Despite the strong demand for retail space, office lease rates in Palo Alto were 42% higher than retail rates, with similarly low vacancy rates.

O. Since the urgency interim ordinance was adopted, the City has adopted permanent retail protections for the California Avenue business district, and has adopted an ordinance closing a loophole in PAMC Section 18.16.050 that was allowing the loss of retail space along El Camino Real.

P. In anticipation of the expiration of the urgency interim ordinance (Ordinance 5330), and in order to provide protections for the entire City, the City Council desires to adopt permanent retail protections.

SECTION 2. Section 18.04.030 of Chapter 18.04 of the Palo Alto Municipal Code is hereby amended to amend definitions 114 and 125 and to add definition 125.1 as follows:

(114) "Personal service" means a use providing services of a personal convenience nature, and cleaning, repair or sales incidental thereto, including:

(A) Beauty shops, nail salons, day spas, and barbershops;
(B) Self-service laundry and cleaning services; laundry and cleaning pick-up stations where all cleaning or servicing for the particular station is done elsewhere; and laundry and cleaning stations where the cleaning or servicing for the particular station is done on site, utilizing equipment meeting any applicable Bay Area Air Quality Management District requirements, so long as no cleaning for any other station is done on the same site, provided that the amount of hazardous materials stored does not at any time exceed the threshold which would require a permit under Title 17 (Hazardous Materials Storage) of this code;
(C) Repair and fitting of clothes, shoes, and personal accessories;
(D) Quick printing and copying services where printing or copying for the particular service is done on site, so long as no quick printing or copying for any off-site printing or copying service is done on the same site;
(E) Internet and other consumer electronics services;

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(F) Film, data and video processing shops, including shops where processing for the particular shop is done on site, so long as no processing for any other shop is done on the same site; and

(G) Art, dance or music studios intended for an individual or small group of persons in a class (see "commercial recreation" for other activities).

(H) Fitness and exercise studios, or similar uses, of 1,800 square feet or fewer ~~intended for an individual or small group of 15 or fewer students/customers at one time~~ (see "commercial recreation" for other activities).

(125) "Retail service" means a use ~~generally~~ open to the public during typical business hours and predominantly engaged in providing retail sale, rental, service, processing, or repair of items primarily intended for consumer or household use~~, including but not limited to the following: groceries, meat, vegetables, dairy products, baked goods, candy, and other food products; liquor and bottled goods, household cleaning and maintenance products; drugs, cards, and stationery, notions, books, tobacco products, cosmetics, and specialty items; flowers, plants, hobby materials, toys, household pets and supplies, and handcrafted items; apparel, jewelry, fabrics, and like items; cameras, photography services, household electronic equipment, records, sporting equipment, kitchen utensils, home furnishing and appliances, art supplies and framing, arts and antiques, paint and wallpaper, carpeting and floor covering, interior decorating services, office supplies, musical instruments, hardware and homeware, and garden supplies; bicycles; mopeds and automotive parts and accessories (excluding service and installation); cookie shops, ice cream stores and delicatessens~~.

(A) "Extensive retail service," as used with respect to parking requirements, means a retail sales use having more than seventy-five percent of the gross floor area used for display, sales, and related storage of bulky commodities, including household furniture and appliances, lumber and building materials, carpeting and floor covering, air conditioning and heating equipment, and similar goods, which uses have demonstrably low parking demand generation per square foot of gross floor area.

(B) "Intensive retail service" as used with respect to parking requirements, means any retail service use not defined as extensive retail service.

(125.1) "Retail-Like Use" means a use generally open to the public during typical business hours and predominantly engaged in providing services closely related to retail services, including but not limited to:

(A) Eating and drinking services, as defined in Section 18.04.030 (47);
(B) Hotels, as defined in Section 18.04.030 (73);
(C) Personal services, as defined in Section 18.04.030 (114);
(D) Theaters;
(E) Travel agencies;
(F) Commercial recreation, as defined in Section 18.04.030 (33);

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(G) Commercial nurseries;
(H) Auto dealerships, as defined in Section 18.04.030 (12.5);
(I) Day Care Centers, as defined in Section 18.04.030 (42); and
~~(J) Automobile Service Stations, as defined in Section 18.04.030(13); and~~
~~(K) Automotive Services, as defined in Section 18.04.030 (14).~~

SECTION 3. Chapter 18.30(A) of Title 18 of the Palo Alto Municipal Code is hereby amended to amend section 18.30(A).040 and to add section 18.30(A).055:

18.30(A).040 Permitted Uses

Except to the extent a conditional use permit is required pursuant to Section 18.30(A).050, the following uses shall be permitted in an R district:

(a) Eating and drinking services, except drive-in and take-out services.
(b) Personal services, ~~not including beauty shops, nail salons, and barbershops~~ except the following on California Avenue: beauty shops; nail salons; barbershops; and laundry and cleaning services as defined in section 18.04.030(114)(B).
(c) Retail services.
(d) All other uses permitted in the underlying commercial district, provided they are not located on a ground floor.

* * *

18.30(A).055 Design Standards

The following design standards shall apply in the R combining district:

(a) Exterior windows on the ground floor shall use transparent glazing to the extent feasible. Low-e glass or minimal tinting to achieve sun control is permitted, so long as the glazing appears transparent when viewed from the ground level. ~~Opaque or reflective glazing is prohibited on the ground floor for ground floor exterior windows in the R combining district.~~

(b) Window coverings are not permitted on the ground floor during typical business hours. Where operations preclude transparency (e.g., theaters) or where privacy requires window coverings, sidewalk-facing frontage shall include items of visual interest including displays of merchandise or artwork; visual access shall be provided to a minimum depth of 3 feet.

SECTION 4. Chapter 18.30(C) of Title 18 of the Palo Alto Municipal Code is hereby amended to read as follows:

18.30(C).010 Specific Purpose

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The ground floor combining district is intended to provide design guidelines and modify the uses allowed in the ~~CD~~ commercial ~~downtown~~ districts and subdistricts to ~~allow only retail, eating and drinking and other service-oriented commercial development uses on the ground floor~~ promote active, pedestrian-oriented uses, with a high level of transparency and visual interest at the ground level. For the purposes of this chapter, "ground floor" means the first floor which is above grade. Where the ground floor combining district is combined with ~~the CD~~ a commercial district, the regulations established by this chapter shall apply in lieu of the uses normally allowed in the ~~CD~~ underlying district. Except for the regulations relating to uses set forth in this chapter, all other regulations shall be those of the applicable underlying ~~CD~~ district.

18.30(C).020 Permitted Uses

(a) The following uses shall be permitted in the GF combining district, subject to restrictions in section 18.40.160:

(1) Eating and drinking;
(2) Hotels;
(3) Personal services, except for parcels with frontage on University Avenue, where uses defined in 18.04.030(114) (B), (G), and (H) are not permitted;
(4) Retail services;
(5) Theaters;
(6) Travel agencies;
~~(7) Entrance, lobby or reception areas serving non-ground floor uses;~~
~~(8)~~(7) All other uses permitted in the underlying district, provided such uses are not on the ground floor.

(b) Elimination or conversion of basement space currently in Retail or Retail-Like use or related support purposes is prohibited.

~~(b) Notwithstanding subsection (a), not more than twenty-five percent of the ground floor area not fronting on a street may be occupied by a use permitted in the applicable underlying CD district.~~

(c) Entrance, lobby, or reception areas serving non-ground floor uses may be located on the ground floor to the extent reasonably necessary, provided they do not interfere with the ground floor use(s), and subject to the approval of the Director.

18.30(C).030 Conditional Uses

(a) The following uses may be conditionally allowed on the ground floor in the GF ground floor combining district, subject to issuance of a conditional use permit in accord with Chapter 18.76 (Permits and Approvals) and with the additional finding required by subsection (b), subject to restrictions in section 18.40.160:

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(1) Business or trade school;
(2) Commercial recreation;
(3) Day care;
(4) Financial services, except drive in services;
(5) General business service;
(6) All other uses conditionally permitted in the applicable underlying ~~CD~~ district, provided such uses are not on the ground floor.

(b) The director may grant a conditional use permit under this section only if he or she makes the following findings in addition to the findings required by Chapter 18.76 (Permits and Approvals):
(1) The location, access or design of the ground floor space of the existing building housing the proposed use, creates exceptional or extraordinary circumstances or conditions applicable to the property involved that do not apply generally to property in the same district.
(2) The proposed use will not be detrimental to the retail environment or the pedestrian-oriented design objectives of the GF combining district.

(c) Any use conditionally permitted pursuant to this section shall be effective only during the existence of the building that created the exceptional circumstance upon which the finding set forth in subsection (c) was made.

18.30(C).035 Design Standards

Where the GF combining district is combined with the CD-C subdistrict, the following design standards shall apply:

(a) Exterior windows on the ground floor shall use transparent glazing to the extent feasible. Low-e glass or minimal tinting to achieve sun control is permitted, so long as the glazing appears transparent when viewed from the ground level. ~~Opaque or reflective glazing is prohibited on the ground floor for ground floor exterior windows in the GF combining district.~~

~~(b) At least 70 percent of any sidewalk-facing frontage shall have transparent window/door openings between 2.5 and 10 feet above grade.~~

(b) Window coverings are not permitted on the ground floor during typical business hours. Where operations preclude transparency (e.g., theaters) or where privacy requires window coverings, sidewalk-facing frontage shall include items of visual interest including displays of merchandise or artwork; visual access shall be provided to a minimum depth of 3 feet.

18.30(C).040 Annual Monitoring of Ground Floor Retail Use

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A downtown retail vacancy rate and use survey shall be prepared annually in September of each year, and a report shall be prepared conveying that information to the Planning and Transportation Commission and City Council prior to the end of the year. The purpose of the survey is to assess changes in retail use in the downtown zones. The vacancy rate shall address all areas zoned CD-C or GF in downtown.

SECTION 5. Sections 18.85.010 through 18.85.060 of Chapter 18.85 of Title 18 of the Palo Alto Municipal Code, which establish the Retail Preservation Interim Ordinance, and which expire on April 30, 2017, are hereby deleted in their entirety.

SECTION 6. Section 18.40.160 of Chapter 18.40 of Title 18 of the Palo Alto Municipal Code is hereby added to read as follows:

18.40.160 Retail Preservation

(a) Conversion of Retail and Retail-Like Uses Prohibited.

(1) Any ground floor Retail or Retail-Like use permitted or operating as of March 2, 2015 may be replaced only by another Retail or Retail-Like use, as permitted in the applicable district.

(A) A ground floor Retail or Retail-Like use in the RT-35 district on properties with frontage on Alma Street between Channing Avenue and Lincoln Avenue may additionally be replaced by a Private Educational Facility use, provided that such use shall not be thereafter replaced by an Office use.

(2) The phrase 'use permitted or operating' as used in this section means:

(A) A lawfully established use conducting business, including legal non-conforming uses

(B) An established use conducting business without required city approvals, but is a permitted or conditionally permitted use in district

(C) For parcels vacant on March 2, 2015, the last use that was lawfully established, or established without required permits, and permitted or conditionally permitted in the district.

(b) Non-conforming uses.

(1) The requirements imposed by subsection (a) shall not apply to Retail or Retail-like uses that are no longer permitted or conditionally permitted in the applicable district.

(2) Nothing in this section shall modify the provisions of Chapter 18.70 regarding the expansion, change, discontinuance, or termination of a non-conforming use.

(c) Waivers and Adjustments.

(1) Grounds. The following shall be grounds for a request for waiver or adjustment of the requirements contained in this section:

(A) Economic Hardship. An applicant may request that the requirements of this section be adjusted or waived based on a showing that applying the requirements of this section would effectuate an unconstitutional taking of property or otherwise have an unconstitutional application to the property; or

(B) Alternative Viable Active Use. Except in the GF or R combining districts, an applicant may request that the requirements of this Section 18.40.160 be adjusted or waived based on a showing that: the ~~a~~ permitted retail or retail-like use is not viable; the proposed use will support the purposes of the zoning district and Comprehensive Plan land use designation; and the proposed use will encourage active pedestrian-oriented activity and connections.

(2) Documentation. The applicant shall bear the burden of presenting substantial evidence to support a waiver or modification request under this Section and shall set forth in detail the factual and legal basis for the claim, including all supporting technical documentation. Evidence in support of a waiver under subsection (c)(1)(B) must demonstrate the viability of existing and future uses on the site, based on both the site characteristics and the surrounding uses; specifically whether a substitute use could be designed and/or conditioned to contribute to the goals and purposes of the zoning district. Examples of such evidence include:

(A) A 10-year history of the site's occupancy and reasons for respective tenants vacating the site;

(B) A map that indicates all the existing surrounding uses, both residential and non-residential, within one City-block; include the corresponding zone district on the map;

(3) Any request under this section shall be submitted to the ~~Planning~~ Director together with ~~any~~ supporting documentation. The ~~Planning~~ Director, in his or her sole discretion, may act on a request for waiver or refer the matter to the City Council.

(A) A decision by the ~~Planning~~ Director shall be placed on the ~~may be appealed to the~~ City Council's consent calendar within 45 days. ~~by written form in the manner prescribed by the Planning Director.~~

(B) Removal of the recommendation from the consent calendar shall require three votes, and shall result in a new public hearing before the

City Council, following which the City Council shall take action on the waiver request.

(C) The decision of the Council is final.

(d) Reconstruction. Any ground floor Retail use existing on or after March 2, 2015 may be demolished and rebuilt provided that the portion of square footage used as Retail use on or after March 2, 2015 is not reduced except that Retail square footage may be reduced by the minimum amount needed to provide access to any new upper floor and/or lower level.

(e) Applicability to Current Requirements. Nothing in this section shall alter requirements of site-specific Planned Community zoning ordinances or adopted conditions of approval. Nothing in the section shall be construed to waive the requirement for a conditional use permit or other entitlement where such requirements currently exist.

SECTION 7. Section 18.13.030 of Chapter 18.13 of Title 18 of the Palo Alto Municipal Code is hereby amended to read as follows:

18.13.030 Land Uses

Table 1 specifies the permitted and conditionally permitted land uses in the multiple-family residence districts.

Table 1
Multiple Family Residential Uses
[P = Permitted Use • CUP = Conditional Use Permit Required]

	RM-15	RM-30	RM-40	Subject to Regulations in:
ACCESSORY AND SUPPORT USES				
Accessory Facilities and uses customarily incidental to permitted uses	P	P	P	Chapter 18.40
Home Occupations, when accessory to permitted residential uses	P	P	P	Chapter 18.42
Horticulture, Gardening, and Growing of food products for consumption by occupants of a site	P	P	P	
Surface Parking Facilities located on abandoned railroad rights-of-way		CUP	CUP	
EDUCATIONAL, RELIGIOUS, AND ASSEMBLY USES				
Churches and Religious Institutions	CUP	CUP	CUP	
Private Clubs, Lodges, or Fraternal Organizations, excluding any such facility operated as a business for profit			CUP	
Private Educational Facilities	CUP	CUP	CUP	

PUBLIC/QUASI-PUBLIC USES				
Community Centers	CUP	CUP	CUP	
Utility Facilities essential to provision of utility services but excluding construction or storage yards, maintenance facilities, or corporation yards.	CUP	CUP	CUP	
RECREATION USES				
Neighborhood Recreational Centers	CUP	CUP	CUP	
RESIDENTIAL USES				
Single-Family	P (1)	P (1)	P (2)	
Two-Family	P (1)	P (1)	P (1)	
Multiple-Family	P	P	P	
Village Residential	P	(3)	(3)	18.13.050
Mobile Homes	P	P	P	
Residential Care Homes	P	P	P	
SERVICE AND RETAIL USES				
Convalescent Facilities			CUP	
Day Care Centers	CUP	CUP	P	18.40.160
Small Family Day Care Homes	P	P	P	
Large Family Day Care Homes	P	P	P	
Small Adult Day Care Homes	P	P	P	
Large Adult Day Care Homes	CUP	CUP	CUP	
Eating and Drinking Services, except drive-in and take-out services		CUP	CUP	18.13.040(f), 18.40.160
Personal Services and Retail Services of a neighborhood-serving nature		CUP	CUP	18.13.040(f), 18.40.160
TEMPORARY USES				
Temporary Uses, subject to regulations in Chapter 18.42	CUP	CUP	CUP	18.42.050
P = Permitted Use	CUP = Conditional Use Permit Required			

(1) Permitted use only on lots less than 8,500 square feet in size.
(2) Permitted use only on lots less than 6,000 square feet in size.
(3) Permitted use only if lot is substandard in size, e.g., less than 8,500 square feet or less than 70 feet in width, or at the perimeter of a site in excess of one acre where used as a transition to low-density residential area.

SECTION 8. Section 18.16.040 of Chapter 18.16 of Title 18 of the Palo Alto Municipal Code is hereby amended to read as follows:

18.16.040 Land Uses

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The uses of land allowed by this chapter in each commercial zoning district are identified in the following tables. Land uses that are not listed on the tables are not allowed, except where otherwise noted. Where the last column on the following tables ("Subject to Regulations in") includes a section number, specific regulations in the referenced section also apply to the use; however, provisions in other sections may apply as well.

(a) Commercial Zones and Land Uses

Permitted and conditionally permitted land uses for each commercial zone are shown in Table 1:

TABLE 1
CD PERMITTED AND CONDITIONALLY PERMITTED USES
P = Permitted Use CUP = Conditional Use Permit Required

LAND USE	CN (4)	CC, CC(2)	CS (4)	Subject to Regulations In:
ACCESSORY AND SUPPORT USES				
Accessory facilities and activities customarily associated with or essential to permitted uses, and operated incidental to the principal use.	P	P	p	18.42
Drive-in services or take-out services associated with permitted uses(3)	CUP	CUP	CUP	18.42
Tire, battery, and automotive service facilities, when operated incidental to a permitted retail service or shopping center having a gross floor area of more than 30,000 square feet.		CUP		18.42, 18.40.160
EDUCATIONAL, RELIGIOUS, AND ASSEMBLY USES				
Business and Trade Schools		P	P	
Churches and Religious Institutions	P	P	P	
Private Educational Facilities	CUP	P	P	
Private Clubs, Lodges, or Fraternal Organizations	CUP	P	P	
MANUFACTURING AND PROCESSING USES				
Recycling Centers	CUP	CUP	CUP	
Warehousing and Distribution			CUP	
OFFICE USES				
Administrative Office Services			P	18.16.050
Medical Offices	CUP	CUP	CUP	18.16.050
Professional and General Business Offices	P	P	P	18.16.050
PUBLIC/QUASI-PUBLIC USES				

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Utility Facilities essential to provision of utility services but excluding construction or storage yards, maintenance facilities, or corporation yards.	CUP	CUP	CUP	
RECREATION USES				
Commercial Recreation	CUP	CUP	CUP	18.40.160
Outdoor Recreation Services	CUP	CUP	CUP	
RESIDENTIAL USES				
Multiple-Family	P(1)	P(1)	P(1)	18.16.060(b)
Home Occupations	P	P	P	
Residential Care Homes	P	P	P	
RETAIL USES				
Eating and Drinking Services, excluding drive-in and take-out services	P	P	P	18.40.160
Retail Services, excluding liquor stores	P	P	P	18.40.160
Liquor stores	CUP	P	P	18.40.160
Shopping Centers		P		18.16.060(e), 18.40.160
SERVICE USES				
Ambulance Services	CUP	CUP	CUP	
Animal Care, excluding boarding and kennels	P	P	P	
Boarding and Kennels			CUP	
Automobile Service Stations	CUP	CUP	CUP	18.30(G), ~~18.40.160~~
Automotive Services			CUP	~~18.40.160~~
Convalescent Facilities	CUP	P	P	
Day Care Centers	P	P	P	18.40.160
Small Family Day Care Homes	P	P	P	
Large Family Day Care Homes	P	P	P	
Small Adult Day Care Homes	P	P	P	
Large Adult Day Care Homes	CUP	P	P	
Banks and Financial Services ~~¥~~	CUP	P(2)	P(2)	
General Business Services		CUP	P	
Hotels		P	P	18.16.060(d), 18.40.160
Mortuaries	CUP	P	P	
Neighborhood Business Services	P			18.16.060(f)
Personal Services	P	P	P	18.16.060(f), 18.40.160
Reverse Vending Machines	P	P	P	

TEMPORARY USES				
Farmer's Markets	CUP	CUP	CUP	
Temporary Parking Facilities provided that such facilities shall remain no more than five years.	CUP	CUP	CUP	
TRANSPORTATION USES				
Parking as a principal use		CUP	CUP	
Transportation Terminals		CUP	CUP	
P = Permitted Use	CUP = Conditional Use Permit Required			

(1) Residential is only permitted as part of a mixed use development, pursuant to the provisions of Section 18.16.060(b), or on sites designated as Housing Opportunity Sites in the Housing Element of the Comprehensive Plan, pursuant to the provisions of Section 18.16.060(c).

(2) Except drive-in services.

(3) So long as drive up facilities, excluding car washes, provide full access to pedestrians and bicyclists. A maximum of two such services shall be permitted within 1,000 feet, and each use shall not be less than 150 feet from one another.

(4) For properties in the CN and CS zone districts, businesses that operate or have associated activities at any time between the hours of 10:00 p.m. and 6:00 a.m. require a conditional use permit.

(b) Late Night Use and Activities

The following regulations restrict businesses that operate or have associated activities at any time between the hours of 10:00 p.m. and 6:00 a.m., where such site abuts or is located within 50 feet of residentially zoned properties.

(1) Such businesses shall be operated in a manner to protect residential properties from excessive noise, odors, lighting or other nuisances from any sources during those hours.

(2) For properties located in the CN or CS zone districts, businesses that operate or have associated activities at any time between the hours of 10:00 p.m. and 6:00 a.m. shall be required to obtain a conditional use permit. The director may apply conditions of approval as are deemed necessary to assure that the operations or activities are compatible with the nearby residentially zoned property.

(c) CN District: Special Use Requirements in the Charleston and Midtown Shopping Centers

The following regulations shall apply to areas of Charleston Center and the Midtown Shopping Center as defined in Section 18.16.030.

Table 2 shows the uses permitted and conditionally permitted on the ground floor of the applicable areas of the Charleston Center and Midtown Shopping Centers. Permitted and conditional uses specified in subsection (a) of this section shall only apply to the ground floor of the areas of the Charleston and Midtown Shopping Centers as listed in Table 2. Uses lawfully existing on January 16, 2001 may be continued as non-conforming uses but may only be replaced with uses permitted or conditionally permitted under this subsection.

TABLE 2
CHARLESTON AND MIDTOWN SHOPPING CENTERS GROUND FLOOR USES
P = Permitted Use CUP = Conditional Use Permit Required X = Prohibited Use

LAND USES	Charleston Shopping	Midtown Shopping	Subject to Regulations in:

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	Center	Center	
ACCESSORY AND SUPPORT USES			
Accessory facilities and uses customarily incidental to permitted uses.	P	P	
EDUCATIONAL, RELIGIOUS, AND ASSEMBLY USES			
Churches and Religious Institutions	CUP	CUP	
Private Educational Facilities	CUP	CUP	
MANUFACTURING AND PROCESSING USES			
Recycling Centers	CUP	CUP	
OFFICE USES			
Neighborhood-serving offices that do not exceed 2,500 square feet in floor area.	P		18.16.050
Neighborhood-serving offices exceeding 2,500 square feet in floor area.	CUP		18.16.050
Administrative office uses and general business office uses (other than neighborhood-serving travel agencies and insurance agencies) other than those legally in existence on January 16,2001	X	X	18.16.050
Medical offices not exceeding 2,500 square feet in area, professional offices, travel agencies, and insurance agencies		CUP	18.16.050
PUBLIC/QUASI-PUBLIC USES			
Utility Facilities essential to provision of utility services but excluding construction or storage yards, maintenance facilities, or corporation yards.	CUP	CUP	
RECREATION USES			
Commercial Recreation	CUP	CUP	18.40.160
Outdoor Recreation Services	CUP	CUP	
Private Clubs, Lodges, or Fraternal Organizations	CUP	CUP	
RESIDENTIAL USES			
Residential uses of any nature	X	X	
RETAIL USES			
Eating and Drinking Services, excluding drive-in and take-out services	P	P	18.40.160
Retail Services, excluding liquor stores	P	P	18.40.160
Liquor stores	CUP	CUP	18.40.160

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SERVICE USES			
Ambulance Services	CUP	CUP	
Animal Care, excluding boarding and kennels	P	P	
Automobile Service Stations	CUP	CUP	18.30(G), ~~18.40.160~~
Convalescent Facilities	CUP	CUP	
Day Care Centers	P	P	18.40.160
Financial Services	CUP	CUP	
Mortuaries	CUP	CUP	
Neighborhood Business Services	P	P	
Personal Services	P	P	18.40.160
Reverse Vending Machines	P	P	
TEMPORARY USES			
Farmers' Markets	CUP	CUP	
Temporary Parking Facilities, provided that such facilities shall remain no more than five years.	CUP	CUP	
P = Permitted Use CUP = Conditional Use Permit Required X = Prohibited Use			

(d) Charleston Shopping Center: Additional Use Restrictions

(1) Any office use first occupying space at the Center on or after January 16, 2001, shall obtain a written determination from the director of planning and community environment that it qualifies as a neighborhood serving use, as defined in this chapter, before occupying its premises. The applicant shall submit such information as the director shall reasonably require in order to make the determination, and the director shall issue the determination within 30 days of receiving a complete application. Failure to submit the required information shall be grounds for determining that a business is not neighborhood-serving.

(2) No more than 7,850 square feet of total floor area at the Center shall be occupied by office uses at any time.

(3) Prior to approving a conditional use permit for neighborhood-serving offices larger than 2,500 square feet in total floor area, the city shall find that the proposed use will be neighborhood-serving, that it will be conducted in a manner that will enhance and strengthen the Center as a neighborhood resource, and that it will not diminish the retail strength of the center.

(e) Midtown Shopping Center: Additional Use Restrictions

(1) An existing ground floor office may be replaced with another office if

(a) the new tenant or owner will continue the existing business or practice; or

(b) a conditional use permit is issued for the new office use.

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(2) No conditional use permit shall be issued for any new office use on the ground floor unless, in addition to the findings required for a conditional use permit as specified in Section 18.76.010, the city finds that the proposed use will be neighborhood serving, that it will be conducted in a manner that will enhance and strengthen the Midtown Shopping District as a neighborhood resource, and that it will not diminish the retail strength of the District.

(3) For properties at 711, 719, and 721 Colorado Avenue, and 689 Bryson Avenue, buildings not fronting on Middlefield Avenue, designed and used for office purposes, and not well suited to other uses are exempt from the provisions of this subsection (b).

SECTION 9. Section 18.18.050 of Chapter 18.18 of Title 18 of the Palo Alto Municipal Code is hereby amended to read as follows:

18.18.050 Land Uses

The uses of land allowed by this chapter in each commercial zoning district are identified in the following table. Land uses that are not listed on the tables are not allowed, except where otherwise noted. Where the last column on the following tables ("Subject to Regulations in") includes a section number, specific regulations in the referenced section also apply to the use; however, provisions in other sections may apply as well.

Permitted and conditionally permitted land uses for the CD district are shown in Table 1:

Table 1				
CD Permitted and Conditionally Permitted Uses				
P Permitted **Use • CUP** Conditional Use Permit Required				
	CD-C	CD-S	CD-N	Subject to regulations in Chapter:
ACCESSORY USES				
Accessory facilities and activities associated with or essential to permitted uses, and operated incidental to the principal use	P	P	P	
Drive-in or Take-out Services associated with permitted uses (2)	CUP	CUP	CUP	
Tire, battery, and automotive service facilities, when operated incidental to a permitted retail service or shopping center having a gross floor area of more than 30,000 square feet	CUP			18.40.160
EDUCATIONAL, RELIGIOUS, AND ASSEMBLY USES				
Business and Trade Schools	P	P		
Churches and Religious Institutions	P	P	P	
Private Educational Facilities	P	P	CUP	
Private Clubs, Lodges, or Fraternal Organizations	P	P	CUP	
MANUFACTURING AND PROCESSING USES				

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Recycling Centers	CUP	CUP	CUP	
Warehousing and Distribution		CUP		
OFFICE USES				
Administrative Office Services		P		18.18.060(f)
Medical, Professional, and General Business Offices	P	P	P	18.18.060(f)
PUBLIC/QUASI-PUBLIC FACILITY USES				
Utility Facilities essential to provision of utility services but excluding construction or storage yards, maintenance facilities, or corporation yards	CUP	CUP		
RECREATION USES				
Commercial Recreation	CUP	CUP	CUP	18.40.160
Outdoor Recreation Services	CUP	CUP	CUP	
RESIDENTIAL USES				
Multiple-Family	P (1)	P (1)	P (1)	18.18.060(b)
Home Occupations	P	P	P	
Residential Care Homes	P	P	P	
RETAIL USES				
Eating and Drinking Services, except drive-in or take-out services	P	P	P	18.18.060(g), 18.40.160
Retail Services, excluding liquor stores	P	P	P	18.18.060(g), 18.40.160
Shopping Centers	P			18.18.060(g), 18.40.160
Liquor Stores	P	P	CUP	18.40.160
SERVICE USES				
Animal Care, excluding boarding and kennels	P	P	P	
Ambulance Services	CUP	CUP	CUP	18.30(G)
Automobile Service Stations	CUP	CUP	CUP	~~18.40.160~~
Automobile Services		CUP		~~18.40.160~~
Convalescent Facilities	P	P	CUP	
Day Care Centers	P	P	P	18.40.160
Small Family Day Care Homes	P	P	P	
Large Family Day Care Homes	P	P	P	
Small Adult Day Care Homes	P	P	P	
Large Adult Day Care Homes				
Financial Services, except drive-up services	P	P	CUP	
General Business Services	CUP	P	P	
Hotels	P	P	P	18.18.060(d),

				18.40.160
Mortuaries	P	P	CUP	
Personal Services	P	P	P	18.18.060(g), 18.40.160
Reverse Vending Machines	P	P	P	
TRANSPORTATION USES				
Parking as a principal use	CUP	CUP		
Passenger Transportation Terminals		CUP		
TEMPORARY USES				
Indoor Farmers' Markets	CUP	CUP	CUP	
Temporary Parking Facilities, provided that such facilities shall remain no more than five years	CUP	CUP	CUP	
P Permitted Use CUP Conditional Use Permit Required				
(1) Residential is only permitted as part of a mixed use development, pursuant to the provisions of Section18.18.060(b), or on sites designated as Housing Opportunity Sites in the Housing Element of the Comprehensive Plan, pursuant to the provisions of Section 18.18.060(c).				
(2) Drive-up facilities, excluding car washes, provide full access to pedestrians and bicyclists. A maximum of two such services shall be permitted within 1,000 feet and each use shall not be less than 150 ft from one another.				

SECTION 10. Section 18.20.030 of Chapter 18.20 of Title 18 of the Palo Alto Municipal Code is hereby amended to read as follows:

18.20.030 Land Uses

(a) Permitted and Conditionally Permitted Land Uses

Table 1 lists the land uses permitted or conditionally permitted in the industrial and manufacturing districts.

Table 1
Industrial/Manufacturing District Land Uses
[P = Permitted Use CUP = Conditional Use Permit Required]

	MOR	ROLM ROLM(E)	RP RP(5)	GM	Subject to regulations in Chapter:
ACCESSORY AND SUPPORT USES					
Accessory facilities and activities customarily associated with or essential to permitted uses, and operated incidental to the principal use.	P	P	P	P	Chs. 18.40, 18.42
Automatic Teller Machines	P	P	P	P	18.20.030(d)
Home Occupations, when accessory to permitted	P	P	P	P	Chs. 18.40,

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residential uses.					18.42
EDUCATIONAL, RELIGIOUS, AND ASSEMBLY USES					
Business and Trade Schools				P	
Religious Institutions		P	P	P	
Colleges and Universities	P	P	P		
Private Clubs, Lodges, or Fraternal Organizations	CUP	CUP	CUP	CUP	
Private Schools (K-12)	CUP	CUP	CUP	CUP	
HEALTH CARE SERVICES					
Ambulance Services	CUP				
Convalescent Facilities	CUP	CUP	CUP	CUP	18.23.100(B)
Medical Office	P	CUP	CUP		
Medical Research	P	P	P		18.20.030(c)
Medical Support Retail	P				18.20.030(b)
Medical Support Services	P				18.20.030(b)
MANUFACTURING AND PROCESSING USES					
Manufacturing		P	P	P	18.23.100(B)
Recycling Centers		CUP	CUP	CUP	
Research and Development	CUP	P	P	P	18.23.100(B)
Warehousing and Distribution		P	P	P	
OFFICE USES					
Administrative Office Services		P	P	CUP	
Financial Services		CUP	CUP		
Professional and General Business Office		P	P		
PUBLIC/QUASI-PUBLIC USES					
Service and Equipment Yards				P	
Utility Facilities				CUP	
Utility Facilities essential to provision of utility services but excluding construction/storage yards, maintenance facilities, or corporation yards	CUP	CUP	CUP		
RECREATION USES					
Commercial Recreation		CUP	CUP	CUP	18.40.160
Neighborhood Recreational Centers	CUP				
RESIDENTIAL USES					
Single-Family	Not permitted				18.20.040(b)
Two-Family	Not permitted				
Multiple-Family	CUP	CUP	CUP		
Residential Care Homes	P	CUP	CUP	CUP	18.23.100(B)

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RETAIL USES					
Eating and Drinking Services, excluding drive-in and take-out services		CUP	CUP	CUP	18.40.160
Retail Services		CUP	CUP	CUP	18.40.160
SERVICE USES					
Animal Care, excluding boarding and kennels				P	
Boarding and Kennels				CUP	
Day Care Centers	P	CUP	CUP	CUP	18.23.100(B), 18.40.160
Emergency Shelters for the Homeless		P (ROLM(E)			18.20.030(d)
Family Day Care Homes					
Small Family Day Care	P	CUP	CUP	CUP	18.23.100(B)
Large Family Day Care	P	CUP	CUP	CUP	18.23.100(B)
General Business Services				P	
Lodging					
Hotels providing not more than 10% of rooms with kitchens	CUP				18.40.160
Mortuaries and Funeral Homes				P	
Personal Services		CUP	CUP	CUP	18.40.160
Vehicle Services					
Automobile Service Stations, subject to site and design review in accord with the provisions of Chapter 18.30(G)		CUP	CUP		~~18.40.160~~
Automotive Services				CUP	~~18.40.160~~
Off-site new vehicle storage for auto dealerships located in Palo Alto		CUP		CUP	
TEMPORARY USES					
Temporary Parking Facilities, provided that such facilities shall remain no more than five years	CUP	CUP	CUP	CUP	
TRANSPORTATION USES					
Passenger Transportation Terminals				CUP	

(b) Limitations on Medical Support Service and Medical Support Retail Uses in the Medical Office and Medical Research (MOR) Zone

(1) The intent of this limitation is to restrict medical support service and medical support retail uses in the Medical Office and Medical Research (MOR) zone in order to preserve and facilitate space for medical offices and medical research facilities.

(2) Floor area devoted to medical support services and medical support retail uses in the Medical Office and Medical Research (MOR) zoning district shall not exceed twenty percent (20%) of the total gross floor area within the district.

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(3) The director may require a report from the property owner or applicant whenever application is made to the city to develop new space for medical support service or medical support retail uses or to convert existing space to such uses. The report shall identify the gross floor area of buildings on each site within the zoning district and the gross floor area of medical support service and medical support retail uses for each site. The director may, from time to time, establish procedures and standards implementing this Section 18.20.030(b).

(c) Automatic Teller Machines

(1) Automatic teller machines may be allowed as an accessory use in the MOR, ROLM, ROLM(E), RP, RP(5), and GM districts when incidental to a primary use on the site and when accessible only from the interior of a building.

(2) Automatic teller machines may be allowed as a permitted use in the MOR, ROLM, ROLM(E), RP, RP(5), and GM districts when incidental to a primary use on the site and when accessible from the exterior of a building. Staff level Architectural Review is required prior to issuance of a building permit.

(d) Emergency Shelters for the Homeless

Emergency shelters for the homeless may be allowed as a permitted use in the ROLM(E) district on properties located east of Highway 101, subject to the following performance and design standards.

Performance and Design Standards for Emergency Shelters for the Homeless.

An emergency shelter for the homeless shall conform to all site development standards and performance criteria of the ROLM(E) zone district except as modified by the following performance and design standards:

(1) The construction of and/or renovation of a building for use as an emergency shelter shall conform to all applicable building and fire code standards.

(2) There shall be provided one parking space for each three (3) beds in the emergency shelter.

(3) Shelters shall have designated smoking areas that are not visible from the street and which are in compliance with all other laws and regulations.

(4) There shall be no space for outdoor congregating in front of the building adjacent to the street and no outdoor public telephones.

(5) There shall be a refuse area screened from view.

(6) *Maximum number of persons/beds.* The emergency shelter for the homeless shall contain no more than 40 beds.

(7) Size and location of exterior and interior on-site waiting and client intake areas. Shelters shall provide 10 square feet of interior waiting and client intake space per bed. In addition, there shall be two office areas provided for shelter staff. Waiting and intake areas may be used for other purposes as needed during operations of the shelter.

(8) *On-site management.* On-site management and on-site security shall be provided during hours when the emergency shelter is in operation.

(9) The emergency shelter provider shall submit an operations plan that addresses the standards for operation contained in the Palo Alto Quality Assurance Standards for Emergency Shelters for the Homeless.

(10) *Distance to other facilities.* The shelter must be more than 300 feet from any other shelters for the homeless.

(11) *Length of stay.* Temporary shelter shall be available to residents for no more than 60 days. Extensions up to a total stay of 180 days may be provided if no alternative housing is available.

(12) Outdoor lighting shall be sufficient to provide illumination and clear visibility to all outdoor areas, with minimal shadows or light leaving the property. The lighting shall be stationary, and directed away from adjacent properties and public rights-of-way.

SECTION 11. Section 5.020 of the South of Forest Area Coordinated Area Plan, Phase II (SOFA II CAP) is hereby amended to read as follows:

5.020 RT Districts - Land Uses

(a) Permitted and Conditionally Permitted Uses

Table 1 shows the uses permitted or conditionally permitted in the RT-35 and RT-50 districts.

Table 1: RT District Permitted and Conditionally Permitted Uses

	RT-35 RT-50	Also see regulations in Section:
ACCESSORY AND SUPPORT USES		
Accessory uses to the primary use	P	
EDUCATIONAL, RELIGIOUS, AND ASSEMBLY USES		
Private educational facilities	P	18.40.160
Private clubs, lodges, or fraternal organizations	P	
Religious institutions	P	
OFFICE USES		
Medical, professional, and general business offices	P	See restrictions on size and location in subsections (b) and (c)
PUBLIC/QUASI-PUBLIC USES		
Utility facilities	CUP	
RECREATION USES		
Commercial recreation	CUP	
RESIDENTIAL USES		
Home occupations	P	
Lodging (including bed and breakfast facilities)	P	
Multiple-family uses, including SRO housing	P	
Residential care homes	P	
Two-family uses	P	
RETAIL USES		
Retail services, excluding liquor stores	P	18.40.160

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	RT-35 RT-50	Also see regulations in Section:
SERVICE USES		
Automobile service stations, subject to site and design review as specified in Chapter 18.82 of the Palo Alto Municipal Code	CUP(1)	~~18.40.160~~
Automotive services, including tire services	CUP(1)	~~18.40.160~~
Convalescent facilities	P	
Day care centers	P	18.40.160
Day care homes, small adult	P	
Day care homes, large adult	P	
Day care homes, small family	P	
Day care homes, large family	P	
Eating and drinking facilities, except drive-in services	P	18.40.160
Financial services	P	
General business services	P	
Personal services	P	18.40.160
Reverse vending machines	P	
Warehousing and Distribution	CUP	
TEMPORARY USES		
Temporary parking facilities for up to five years	CUP	
Temporary uses, subject to regulations in Chapter 18.90 of the Palo Alto Municipal Code	CUP	
TRANSPORTATION USES		
Parking as a principal use	CUP	
Transportation terminals	CUP(1)	
(1) New uses of this nature are only permitted in that area bounded by High Street on the east, Alma street on the west, Forest Avenue on the north, and Addison Avenue on the south.		

(b) Office Uses

(1) No new gross square footage of a medical, professional or general business or administrative office use shall be allowed, once the gross square footage of such office uses, or any combination of such uses, on a site has reached five thousand gross square feet.

(2) No conversion of gross square footage from any other use to a medical, professional or general business or administrative office use shall be allowed once the gross square footage of such office uses, or any combination of such uses, on a site has reached five thousand gross square feet.

(3) Subdivision of a parcel shall not increase the square footage of allowed office uses.

(4) In the case of a lot merger, the resulting parcel is subject to the five-thousand-gross-square-foot limit set forth in subsections one and two.

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(c) Protection of Specific Uses

(1) For sites in the Homer/Emerson Corridor (as defined in Appendix C-1) located in the RT-35 or RT-50 districts, medical, professional, and general business offices may not be located on the ground floor of a building unless such offices:

(A) have been continuously in existence in that space since March 19, 2001, and, as of that date, were neither non-conforming nor in the process of being amortized pursuant to PAMC Chapter 18.95;
(B) occupy a space that was not occupied by retail services, eating and drinking services, personal services, or automotive services on March 19, 2001 or thereafter;
(C) occupy a space that was vacant on March 19, 2001;
(D) are located in new or remodeled ground floor areas built on or after March 19, 2001 if the ground floor area devoted to retail services, eating and drinking services, personal services, and automobile services does not decrease; or
(E) are located in commercial space constructed under a building permit issued in reliance on Section 8 of Ordinance 4730 (which defines commercial space for which an ARB approval had been granted prior to March 19, 2001 as "space not occupied by retail, personal services, eating and drinking services, housing, or automotive services").

(2) For all sites outside of the Homer/Emerson Corridor, in the RT-35 or RT-50 districts, housing on the ground floor may not be replaced by office uses.
(3) For all sites outside of the Homer/Emerson Corridor, in the RT-35 or RT-50 districts, housing on the ground floor may not be replaced by office uses.

SECTION 12. The Zoning Map adopted pursuant to Section 18.08.040 of Chapter 18.08 of Title 18 of the Palo Alto Municipal Code is hereby amended as follows:

The Ground Floor (GF) combining district shall be extended to additionally include: 125, 124, 116, and 102 University Ave., 525, 529, 542 and 550 High St., 539 and 535 Alma St., 115, 150, 156,158, and 164 Hamilton Ave. The revised boundaries of the (GF) combining district are shown on the map labeled Exhibit "A," attached hereto and incorporated herein by reference.

SECTION 13. This Ordinance supersedes Ordinance Nos. 5325 and 5330, and any provision of the Palo Alto Municipal Code inconsistent with the provisions of this Ordinance. Additionally, this Ordinance shall supersede any conflicting provisions of the SOFA II Coordinated Area Plan.

SECTION 14. Severability. If any provision, clause, sentence or paragraph of this ordinance, or the application to any person or circumstances, shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application and, to this end, the provisions of this Ordinance are hereby declared to be severable.

SECTION 15. Effective Date. This ordinance shall be effective on the thirty-first date

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after the date of its adoption and shall not apply to any project where a discretionary permit or entitlement application, other than a "use and occupancy permit," was submitted to the City before March 2, 2015. Nothing in this ordinance shall be construed to affect a vested right existing before its effective date.

SECTION 16. CEQA. The City Council finds that this Ordinance falls under the California Environmental Quality Act (CEQA) exemption found in Title 14 California Code of Regulations Section 15061(b)(3) and 15301 because it is designed to preserve the status quo.

INTRODUCED: February 13, 2017

PASSED: March 20, 2017

AYES: DUBOIS, FILSETH, FINE, HOLMAN, KNISS, KOU, SCHARFF, TANAKA, WOLBACH

NOES:

ABSTENTIONS:

ABSENT:

ATTEST:

DocuSigned by:
Beth Minor
45F95502DB71482...

City Clerk

APPROVED:

DocuSigned by:
H. Cayton Sieberg
6FB3765F09D34EA...

Mayor

DocuSigned by:
39E7298FB2064DB...

City Manager

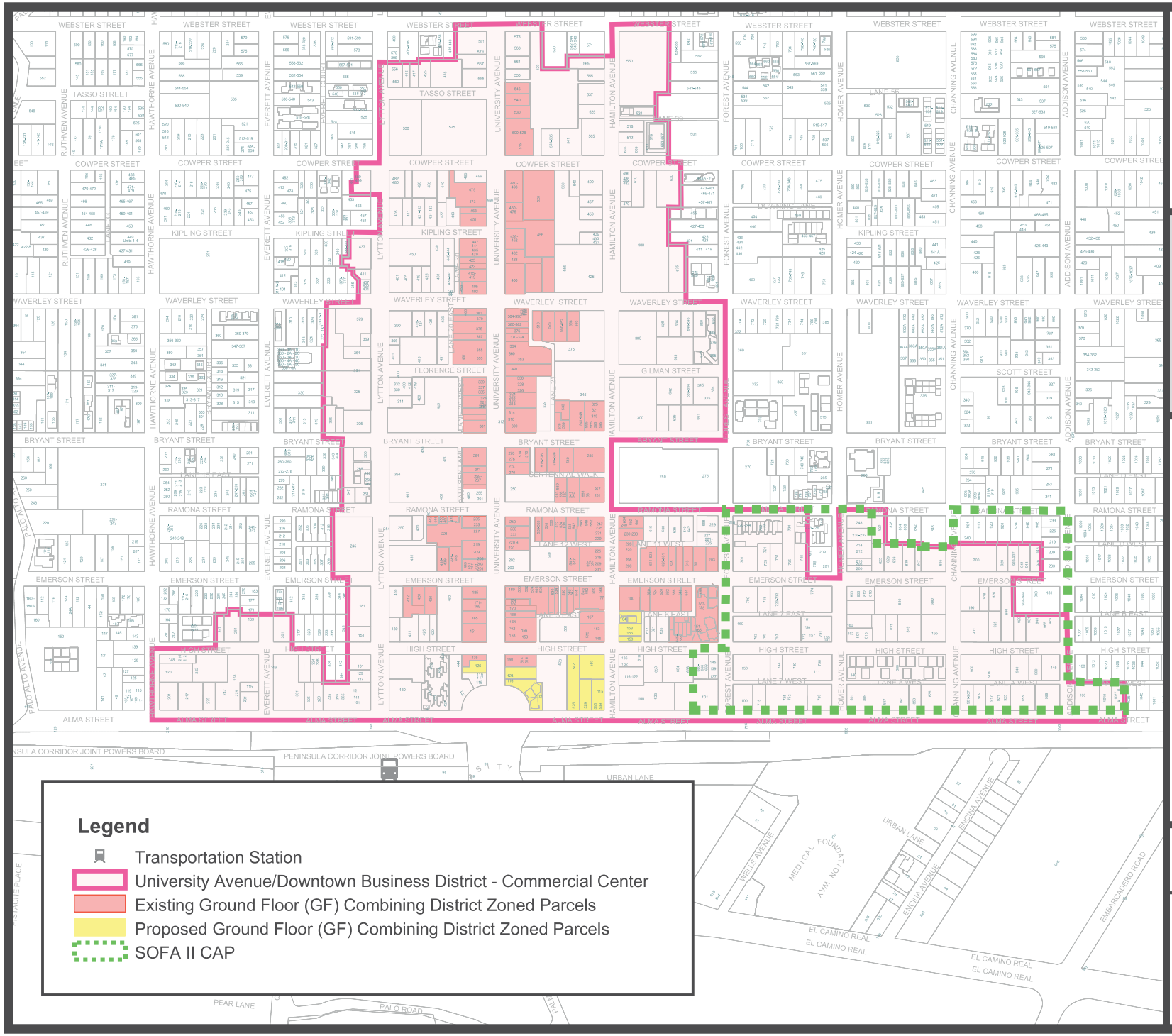
APPROVED AS TO FORM:

DocuSigned by:
Albert Yang
15B6C15220134DC...

Senior Deputy City Attorney

DocuSigned by:
Hillary Gitelman
F07E6601F21E441...

Director of Planning and Community Environment



The City of Palo Alto

Exhibit A
Proposed Ground Floor Combining District Additions
rev. 20161206

This map is a product of the City of Palo Alto GIS

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