

Chapter 17.19 – DOWNTOWN ZONE DISTRICTS

17.19.010 - Purpose and authority.

The purpose of this Chapter 17.19 is to accomplish the following:

- To implement the Downtown Area Plan of the City of Beaumont General Plan and the Land Use Policy Map;
- To identify and describe the land use designations delineated on the City of Beaumont Official Zoning Map;
- To indicate the development standards for each of the Zone Districts; and
- To identify the range of uses permitted within each Zone District.

17.19.020 - Establishment of zone districts.

For the purpose of providing a uniform basis for this Zoning Ordinance, the following zone classifications may be applied to those parcels located within the City of Beaumont Downtown boundaries:

Downtown Mixed Use Zone (DMU Zone)

Beaumont Mixed Use Zone (BMU Zone)

Sixth Street Mixed Use Zone (SSMU Zone)

Sixth Street Mixed Use - Residential Zone (SSMU-R Zone)

Local Commercial Zone (LC Zone)

Downtown Residential Multifamily Zone (DMF Zone)

Other zone classifications that apply to Downtown, which are governed by Chapter 17.03, are as follows:

Residential, Single Family Zone (R-SF Zone)

Residential, Traditional Neighborhood Zone (R-TN Zone)

Public Facilities Zone (P-F Zone)

17.19.030 - Zoning map.

The location and boundaries of the various zones within Downtown are delineated on the zoning map of the City of Beaumont. Figure 17.19-1 illustrates the zone districts for Downtown. All property within the Downtown, public and private, is assigned a specific Zone designation and its location and extent is noted on the official zoning map. The use of all property must be in accordance with the Zoning designations delineated on the zoning map and pursuant to the provisions of this Zoning Code.

- C. *Use of Zoning Map and Classifications.* The requirements that are applicable to each Zone classification is specifically set forth in subsequent articles of this ordinance.
- D. *Uncertainty in Cartography.* Where uncertainty exists as to the boundaries of any zone, the following rules shall apply:
 1. *Cartography.* Where boundaries are indicated as approximately following street lines, alley lines, or lot lines, such lines shall be construed to be such boundaries.
 2. *Easements and Rights-of-Way.* Dedicated streets, alleys, freeways, or railroad rights-of-way shall be deemed to be unclassified.
 3. *Vacated or Abandoned Property.* If any public street, alley or other right-of-way is vacated or abandoned, the land formerly in such street, alley or right-of-way shall be included within the Zoning of the adjoining property on each side.
 4. *Amendments to the Official Zoning Map.* Changes in boundaries of Zones shall be made by ordinance (as described in Section 17.02). All amendments to the zoning map shall be noted on the Map with the date of the amendment and references to the amending ordinance.

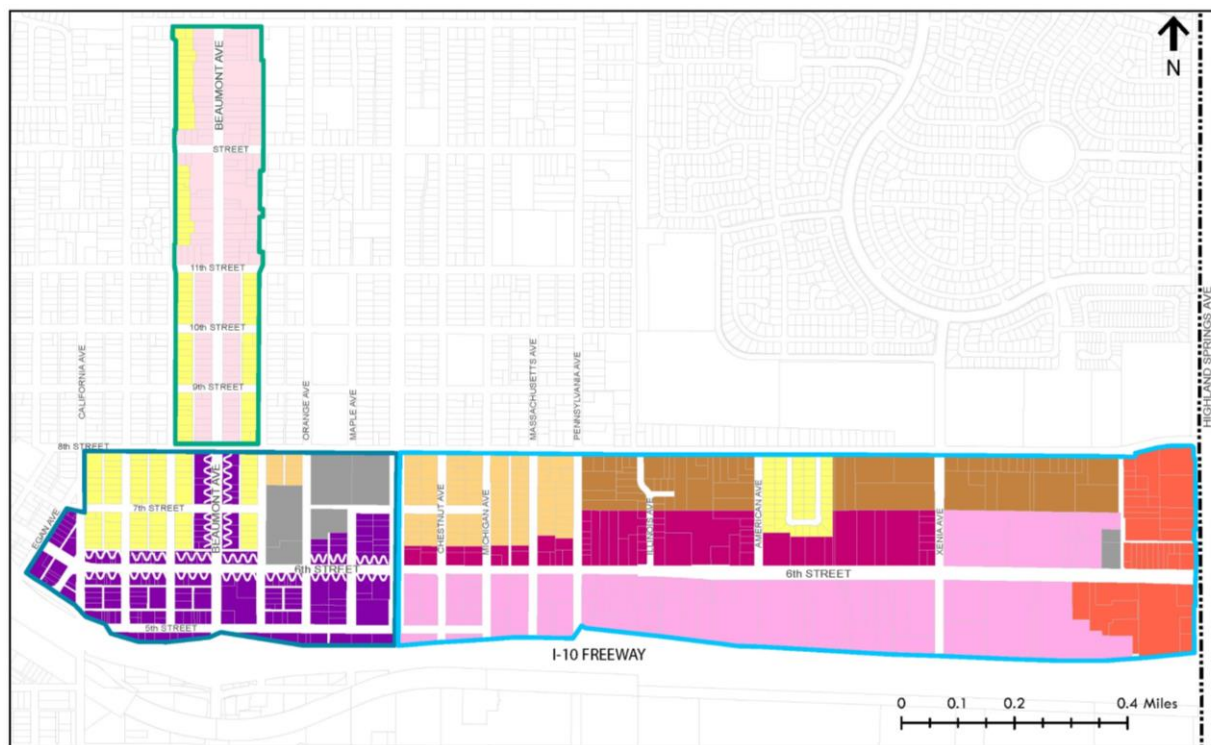


FIGURE 17.18-1 DOWNTOWN ZONES

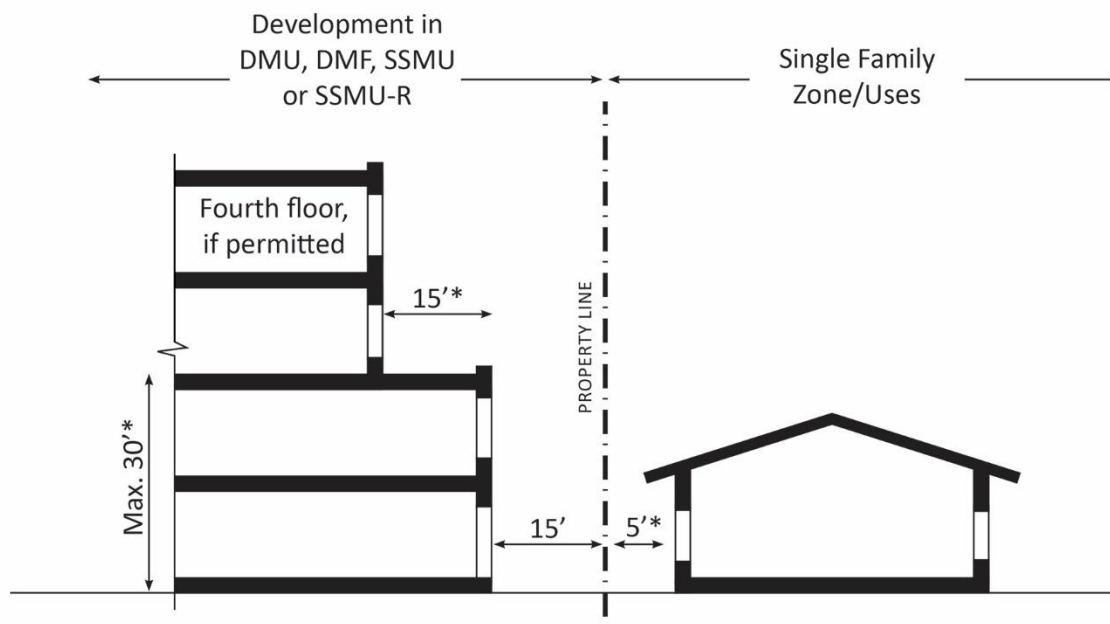


17.19.040 – Downtown Mixed Use Zone (DMU Zone).

The Downtown Mixed Use (DMU) Zone is intended to provide for a rich and diverse mixture of office, retail, commercial, civic, entertainment, and cultural activities in a lively, thriving, high-quality pedestrian environment which incorporates mixed use development. Active and retail uses are required along the Sixth Street (between California and Palm Avenues) and Beaumont Avenue (between 5th and 8th Street) street frontages to create a walkable, pedestrian-oriented and vibrant environment. This Zone is also intended to allow for residential uses on the upper floors (residential uses are not permitted on the first floor along Sixth Street and Beaumont Avenue to ensure that the Downtown character is maintained).

- H. *Downtown Mixed Use Zone, Permitted Uses.* The uses permitted under this Zone District are identified in Table 17.19-1 of this Section.
- I. *Downtown Mixed Use Zone, Conditional Uses.* The uses conditionally permitted under this Zone District are identified in Table 17.19-1 of this Section. Such uses require the approval of a conditional use permit.
- J. *Downtown Mixed Use Zone, Development Standards.* The following standards shall apply to the Downtown Mixed Use Zone (DMU Zone):
 - 1. *Lot Area and Dimensions.* No minimum requirement.
 - 2. *Setbacks and Yards.* The following setback requirements are applicable to the Downtown Mixed Use Zone (DMU Zone):
 - a. *Front Yard Setbacks.* No front yard setback is required for commercial uses; five-foot maximum setback for residential development.
 - b. *Rear Yard Setbacks.* No rear yard setback is required, except when adjacent to single family residential use. The rear yard setback is 20 feet when adjacent to single family residential use.
 - c. *Side Yard Setbacks.* No side yard setback is required, except when adjacent to single family residential use. The side yard setback is 15 feet when adjacent to single family residential use.
 - d. *Freeway Setbacks for Residential Uses.* Residential uses shall have a minimum setback of 500 feet from Interstate 10.
 - 3. *Density.* The maximum density shall be 15 units per acre.
 - 4. *Floor Area Requirements.* The maximum permitted floor area ratio is 0.35. The floor area ratio standard applies to non-residential uses only.
 - 5. *Building Height.* In the Downtown Mixed Use Zone (DMU Zone), the maximum height of any building shall not exceed 3 stories or 45 feet.
 - 6. *Step back from Adjacent Residential.* New development when sited next to single-family uses shall step back upper floors (third and higher) an additional 15 feet to maintain solar access and privacy for adjacent single family residential uses. See Figure 17.19-2.

Figure 17.19-2 Step Back from Adjacent Residential Uses

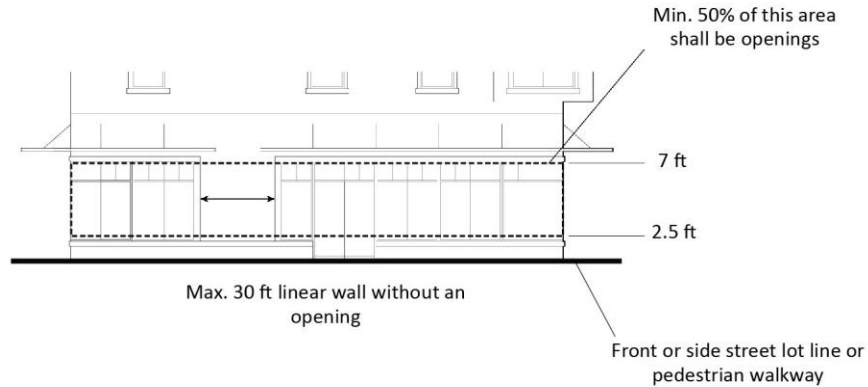


* minimum (see specific zone for setback)

- K. *Downtown Mixed Use Zone, Off street Parking.* Automobile storage space shall be provided as indicated in Chapter 17.05.
- L. *Downtown Mixed Use, Landscaping.* The provisions of Chapter 17.06 of this ordinance shall apply, except where they conflict with standards allowed in this Zone (e.g., no front yard setback).
- M. *Downtown Mixed Use Zone, Signs.* The provisions of Chapter 17.07 of this ordinance shall apply.
- N. *Accessory Dwelling Units.* Accessory dwelling units are allowed consistent with the standards applicable to the DMU Zone and State law.
- O. *Street Trees.* A minimum of one tree shall be located along every 40 feet of street frontage. Street trees shall comply with applicable standards in Section 17.06.110 (Street trees).
- P. *Adjacency to Interstate 10.* The following standards apply to development that are within 500 feet of Interstate 10 as measured from its right-of-way:
 1. Locate occupied open space areas (play areas, courtyards, patios, balconies, etc.) as far from the freeway as possible when the size of the site permits.
 2. Prioritize the location of non-habitable uses, such as parking structures and building areas not calculated in floor area, nearest the freeway.
 3. Screen the project site with substantial vegetation and/or a wall barrier.

4. Provide special noise mitigation for residential uses in this zoning district that are within 500 feet of Interstate 10.
- Q. *Supplemental Standards.* These Supplemental Standards apply to development within DMU Zone:
5. *Limitations on Location of Parking.* Above ground parking shall not be located within 40 feet of a street facing property line unless the Director makes the following findings:
 - a. The site is small and/or constrained such that underground parking or surface parking located more than 40 feet from the street is not feasible; and
 - b. The parking area located within 40 feet of the street is landscaped along the street with a hedge, trellis, and/or landscaping consistent with Chapter 17.06.
 6. *Building Transparency/Required Openings.* Exterior walls facing and within 20 feet of a front or street side property line shall include windows, doors, or other openings for at least 50 percent of the building wall area located between two and one-half and seven feet above the level of the sidewalk. Such walls may run in a continuous plane for no more than 30 feet without an opening.
 - a. *Design of openings.* Openings fulfilling this requirement shall have transparent glazing and provide views into display areas, sales areas, work areas, lobbies, or similar active spaces, or into window displays that are at least three feet deep.
 - b. *Exceptions.* The following are exempt from this requirement:
 1. Residential uses; and
 2. Multi-level garages.
 - c. *Reductions.* This requirement may be reduced or waived if the Director makes the following findings:
 1. The proposed use has unique operational characteristics with which providing the required transparency and openings is incompatible; and
 2. Street-facing building walls will exhibit architectural relief and detail and will be enhanced with landscaping to create visual interest at the pedestrian level.

Figure 17.19-3 Building Transparency/Required Openings Exhibit



7. *Building Orientation.* Building frontages shall be generally parallel to streets and pedestrian walkways.
8. *Building Entrances.* The primary building entrance shall face a public sidewalk. Buildings located in the interior of a site shall have the primary entrance face a pedestrian walkway that is connected to a public sidewalk.
9. *Wall Plane Modulation.* All street-facing facades shall have at least one horizontal or vertical projection or recess at least two feet in width and depth, for every 50 horizontal feet of wall.
10. *Pedestrian Access.* On-site pedestrian circulation and access shall be provided consistent with the following standards.
 - a. *Internal connections.* A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.
 - b. *To circulation network.* Regular connections between on-site walkways and the public sidewalk and other planned or existing pedestrian routes or trails shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage.
 - c. *To neighbors.* Direct and convenient access shall be provided to adjoining residential and commercial areas to the maximum extent feasible while still providing for safety and security.
 - d. *To transit.* Safe and convenient pedestrian connections shall be provided from transit stops to building entrances.
 - e. *Pedestrian walkway design.*
 1. Walkways shall be a minimum of six feet wide, shall be hard-surfaced, and paved with permeable materials. Walkway widths may

be reduced to three feet wide for small lot development (17.11.030.D).

2. Where a required walkway crosses a driveway, parking area, or loading area, it must be clearly identified using a raised crosswalk, a different paving material, or a similar method.
3. Where a required walkway is parallel and adjacent to an auto travel lane, it shall be raised or separated from the auto travel lane by a raised curb at least four inches high, bollards, or another physical barrier.

11. *Public Open Space Requirement.* Developments with 50,000 square feet or more of non-residential floor area on sites of five acres or larger shall provide open space consistent with the following:

- a. Forty square feet of open space shall be provided for every 1,000 square feet of nonresidential floor area for the first 100,000 square feet of non-residential floor area, plus 20 square feet of open space for every 1,000 square feet of non-residential floor area over 100,000 square feet.
- b. Such open space shall be visible and accessible from a public street, or from on-site areas normally frequented by customers and shall be accessible during business hours. Areas within required setbacks may count towards the open space requirement.
- c. Such open space shall have a minimum dimension of 40 feet.
- d. Amenities shall be included that enhance the comfort, aesthetics, or usability of the space, including trees, landscaping, shade structures, seating (e.g., fixed seating, planter ledges, etc.), lighting, drinking fountains, public art, or performance areas.
- e. The surface of the open space shall allow for convenient outdoor activity, recreation, and/or gathering. Such surface may be plant or hardscape material, or a combination thereof.

12. Additional standards listed in 17.03.065.J apply to multiple family developments, multiple family residential components of mixed-use developments, and attached single unit developments, in the DMU Zone.

17.19.050 – Beaumont Mixed Use Zone (BMU Zone).

The Beaumont Mixed Use Zone is intended to facilitate Beaumont Avenue corridor's transition to a mixed-use district with a mix of professional office, limited commercial uses and residential uses that are compatible with the abutting single-family residences to the east and west. Development is intended to be less intense than the DMU zoning district in keeping with the scale of surrounding development.

- A. *Beaumont Mixed Use Zone, Permitted Uses.* The uses permitted under this Zone District are identified in Table 17.19-1 of this Section.
- B. *Beaumont Mixed Use Zone, Conditional Uses.* The uses conditionally permitted under this Zone District are identified in Table 17.19-1 of this Section. Such uses require the approval of a conditional use permit.
- C. *Beaumont Mixed Use Zone, Development Standards.* The following standards shall apply to the Beaumont Mixed Use Zone (BMU Zone):
 - 1. *Lot Area and Dimensions.* No minimum lot size required.
 - 2. *Setbacks and Yards.* The following setback requirements are applicable to the Beaumont Mixed Use Zone (BMU Zone):
 - a. *Front Yard Setbacks.* The minimum front yard setback is 5 feet and the maximum front yard setback is 20 feet. In no event shall a residence be situated in such a manner as to result in a distance of less than 20 feet between the back of a sidewalk and the face of a garage door.
 - b. *Rear Yard Setbacks.* The minimum rear yard setback is 10 feet, except when adjacent to a single family residential use. The rear yard setback is 20 feet when adjacent to single family residential use.
 - c. *Side Yard Setbacks.* The minimum side yard setback is 5 feet, except when adjacent to single family residential use. The side yard setback is 15 feet when adjacent to single family residential use.
 - 3. *Density.* The maximum density shall be 10 units per acre.
 - 4. *Floor Area Requirements.* The maximum permitted floor area ratio is 0.35. The floor area ratio standard applies to non-residential uses only.
 - 5. *Building Height.* In the Beaumont Mixed Use Zone (BMU Zone), the maximum height of any building shall not exceed 2 stories or 35 feet.
- D. *Beaumont Mixed Use Zone, Off street Parking.* Automobile storage space shall be provided as indicated in Chapter 17.05.
- E. *Beaumont Mixed Use, Landscaping.* The provisions of Chapter 17.06 of this ordinance shall apply, except where they conflict with standards allowed in this Zone.
- F. *Beaumont Mixed Use Zone, Signs.* The provisions of Chapter 17.07 of this ordinance shall apply.
- G. *Accessory Dwelling Units.* Accessory dwelling units are allowed consistent with the standards applicable to the BMU Zone and State law.
- H. *Street Trees.* A minimum of one tree shall be located along every 40 feet of street frontage. Street trees shall comply with applicable standards in Section 17.06.110 (Street trees).

17.19.060 – Sixth Street Mixed Use Zone (SSMU Zone).

The Sixth Street Mixed Use Zone is intended to provide for commercial and multifamily residential uses along Sixth Street, east of Palm Avenue either as stand alone or in a mixed use setting. The permitted uses and development standards are intended to be conducive to a compact, mixed use, and walkable environment and supportive of the Downtown retail environment west of Palm Avenue.

- A. *Sixth Street Mixed Use Zone, Permitted Uses.* The uses permitted under this Zone District are identified in Table 17.19-1 of this Section.
- B. *Sixth Street Mixed Use Zone, Conditional Uses.* The uses conditionally permitted under this Zone District are identified in Table 17.19-1 of this Section. Such uses require the approval of a conditional use permit.
- C. *Sixth Street Mixed Use Zone, Development Standards.* The following standards shall apply to the Sixth Street Mixed Use Zone (SSMU Zone):
 1. *Lot Area and Dimensions.* Lot sizes for the Sixth Street Mixed Use Zone (SSMU Zone) shall not be less than 10,000 square feet with a minimum average lot depth of 100 feet and a minimum average lot width of 80 feet.
 2. *Setbacks and Yards.* The following setback requirements are applicable to the Sixth Street Mixed Use Zone (SSMU Zone):
 - a. *Front Yard Setbacks.* The minimum front yard setback is 5 feet and the maximum front yard setback is 10 feet.
 - b. *Rear Yard Setbacks.* The minimum rear yard setback is 10 feet, except when adjacent to a single family residential use. The rear yard setback is 20 feet when adjacent to single family residential use.
 - c. *Side Yard Setbacks.* The minimum side yard setback is 5 feet, except when adjacent to single family residential use. The side yard setback is 15 feet when adjacent to single family residential use.
 - d. *Freeway Setbacks for Residential Uses.* Residential uses shall have a minimum setback of 500 feet from Interstate 10.
 3. *Density.* The maximum density shall be 22 units per acre.
 4. *Floor Area Requirements.* The maximum permitted floor area ratio is 0.5. The floor area ratio standard applies to non-residential uses only.
 5. *Building Height.* In the Sixth Street Mixed Use Zone (SSMU Zone), the maximum height of any building shall not exceed 4 stories or 60 feet, except as noted below.
 6. *Step back from Adjacent Residential.* New development when sited next to single-family uses shall step back upper floors (third and higher) an additional 15 feet to maintain solar access and privacy for adjacent single family residential uses. See Figure 17.19-2.

- D. *Sixth Street Mixed Use Zone, Off street Parking.* Automobile storage space shall be provided as indicated in Chapter 17.05.
- E. *Sixth Street Mixed Use, Landscaping.* The provisions of Chapter 17.06 of this ordinance shall apply, except where they conflict with standards allowed in this Zone (e.g., no front yard setback).
- F. *Sixth Street Mixed Use Zone, Signs.* The provisions of Chapter 17.07 of this ordinance shall apply.
- G. *Accessory Dwelling Units.* Accessory dwelling units are allowed consistent with the standards applicable to the SSMU Zone and State law.
- H. *Street Trees.* A minimum of one tree shall be located along every 40 feet of street frontage. Street trees shall comply with applicable standards in Section 17.06.110 (Street trees).
- I. *Adjacency to Interstate 10.* The following standards apply to development that are within 500 feet of Interstate 10 as measured from its right-of-way:
 1. Locate occupied open space areas (play areas, courtyards, patios, balconies, etc.) as far from the freeway as possible when the size of the site permits.
 2. Prioritize the location of non-habitable uses, such as parking structures and building areas not calculated in floor area, nearest the freeway.
 3. Screen the project site with substantial vegetation and/or a wall barrier.
 4. Provide special noise mitigation for residential uses in this zoning district that are within 500 feet of Interstate 10.
- J. *Supplemental Standards.* Additional standards listed in 17.19.040.J apply in the SSMU Zone.

17.19.070 – Sixth Street Mixed Use – Residential Zone (SSMU-R Zone).

The Sixth Street Mixed Use – Residential Zone (SSMU-R Zone) is intended to provide for multifamily residential and commercial uses along the north side of Sixth Street, east of Palm Avenue. Multifamily residential uses are required, either as stand alone or in a mixed use setting. The permitted uses and development standards are intended to be conducive to a compact, mixed use, and walkable environment and supportive of the Downtown retail environment west of Palm Avenue.

- A. *Sixth Street Mixed Use – Residential Zone, Permitted Uses.* The uses permitted under this Zone District are identified in Table 17.19-1 of this Section.
- B. *Sixth Street Use – Residential Zone, Conditional Uses.* The uses conditionally permitted under this Zone District are identified in Table 17.19-1 of this Section. Such uses require the approval of a conditional use permit.
- C. *Sixth Street Mixed Use – Residential Zone, Development Standards.* The following standards shall apply to the Sixth Street Mixed Use – Residential Zone (SSMU-R Zone):
 1. *Lot Area and Dimensions.* Lot sizes for the Sixth Street Mixed Use – Residential Zone (SSMU-R Zone) shall not be less than 10,000 square feet with a minimum average lot depth of 100 feet and a minimum average lot width of 80 feet.

2. *Setbacks and Yards.* The following setback requirements are applicable to the Sixth Street Mixed Use – Residential Zone (SSMU-R Zone):
 - a. *Front Yard Setbacks.* The minimum front yard setback is 5 feet and the maximum front yard setback is 10 feet.
 - b. *Rear Yard Setbacks.* The minimum rear yard setback is 10 feet, except when adjacent to a single family residential use. The rear yard setback is 20 feet when adjacent to single family residential use.
 - c. *Side Yard Setbacks.* The minimum side yard setback is 5 feet, except when adjacent to single family residential use. The side yard setback is 15 feet when adjacent to single family residential use.
 3. *Density.* The maximum density shall be 22 units per acre.
 4. *Floor Area Requirements.* The maximum permitted floor area ratio is 0.5. The floor area ratio standard applies to non-residential uses only.
 5. *Building Height.* In the Sixth Street Mixed Use – Residential Zone (SSMU-R Zone), the maximum height of any building shall not exceed 4 stories or 60 feet.
 6. *Step back from Adjacent Residential.* New development when sited next to single-family uses shall step back upper floors (third and higher) an additional 15 feet to maintain solar access and privacy for adjacent single family residential uses. See Figure 17.19-2.
- D. *Sixth Street Mixed Use – Residential Zone, Off street Parking.* Automobile storage space shall be provided as indicated in Chapter 17.05.
 - E. *Sixth Street Mixed Use – Residential Zone, Landscaping.* The provisions of Chapter 17.06 of this ordinance shall apply, except where they conflict with standards allowed in this Zone (e.g., no front yard setback).
 - F. *Sixth Street Mixed Use – Residential Zone, Signs.* The provisions of Chapter 17.07 of this ordinance shall apply.
 - G. *Accessory Dwelling Units.* Accessory dwelling units are allowed consistent with the standards applicable to the SSMU-R Zone and State law.
 - H. *Street Trees.* A minimum of one tree shall be located along every 40 feet of street frontage. Street trees shall comply with applicable standards in Section 17.06.110 (Street trees).
 - I. *Supplemental Standards.* Additional standards listed in 17.19.040.J apply in the SSMU Zone.

17.19.080 – Downtown Residential Multifamily Zone (DMF Zone).

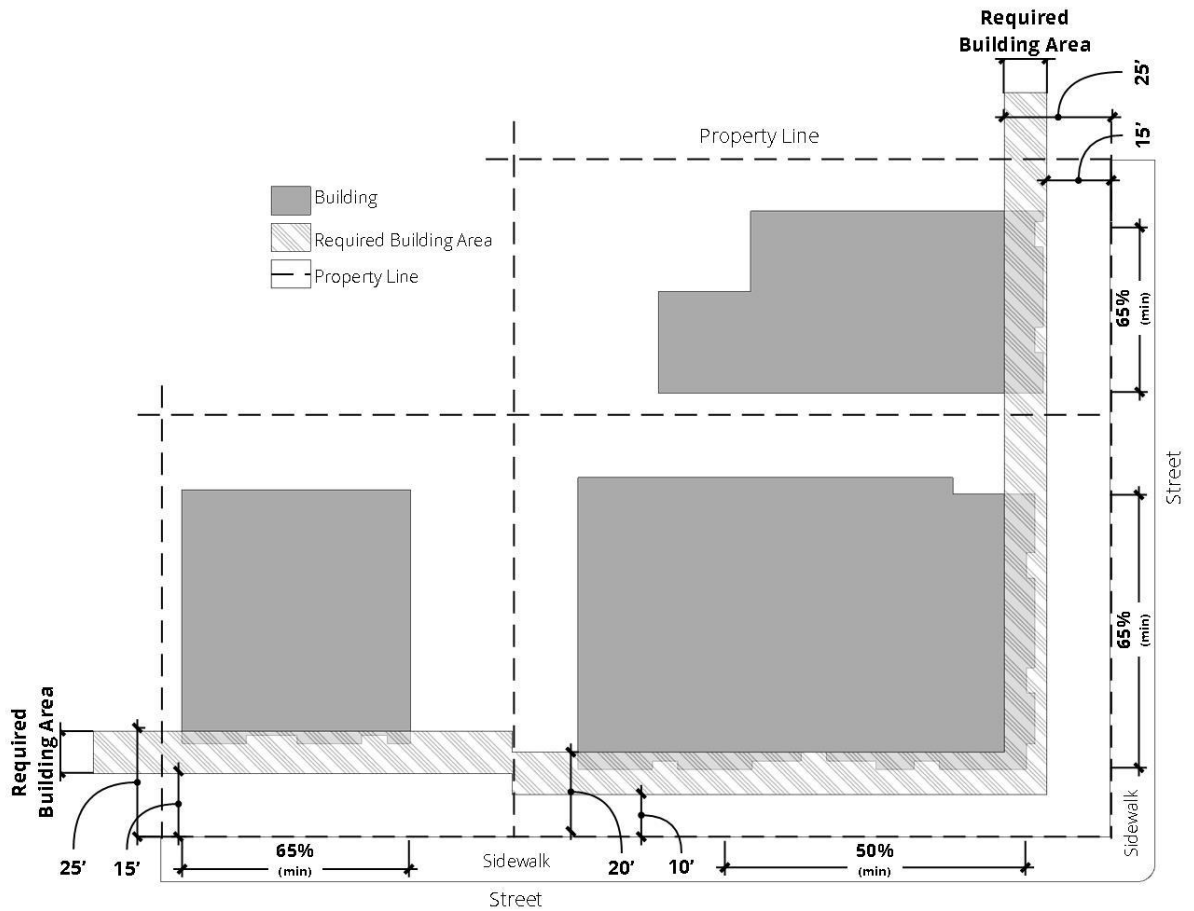
The Downtown Residential Multifamily Zone (DMF Zone) is intended to encourage walkable, transit ready residential development in the proximity to Downtown, and to facilitate further development of this land use type. This includes higher density housing that includes condominiums, townhomes, duplexes, patio apartments, senior housing and supporting ancillary facilities.

- K. *Downtown Residential Multifamily Zone, Permitted Uses.* The uses permitted under this Zone District are identified in Table 17.19-1 of this Section.
- L. *Downtown Residential Multifamily Zone, Conditional Uses.* The uses conditionally permitted under this Zone District are identified in Table 17.19-1 of this Section. Such uses require the approval of a conditional use permit.
- M. *Downtown Residential Multifamily Zone, Development Standards.* The following standards shall apply to the Downtown Residential Multifamily Zone (DMF Zone):
1. *Lot Area and Dimensions.* Lot sizes for the Downtown Residential Multifamily Zone (DMF Zone) shall not be less than 6,000 square feet with an average lot width of 60 feet and a minimum average lot depth of 100 feet. Smaller lots may be allowed consistent with 17.11.030.D (Small Lot Development).
 2. *Setbacks and Yards.* The following setback requirements are applicable to the Downtown Residential Multifamily Zone (DMF Zone):
 - a. *Front Yard Setbacks.*
 1. The minimum front yard setback is 10 feet.
 2. The maximum front yard setback is 20 feet. The maximum setback requirement may be waived if the Director finds:
 - a. Common plazas, courtyards, or outdoor amenity areas are located between the street and the building(s);
 - b. The building(s) incorporates an entrance design that creates a welcoming entry feature facing the street; or
 - c. A larger area is required to preserve existing mature trees or natural features.
 - b. *Rear Yard Setbacks.* The minimum rear yard setback is 15 feet, except a minimum rear yard setback of 20 feet is required when adjacent to a single family residential use.
 - c. *Side Yard Setbacks.*
 1. The minimum interior side yard setback is five feet, except corner lots shall have a minimum street side yard setback of 10 feet. The minimum interior side yard setback is increased to 15 feet if adjacent to a single family residential use and to 20 feet for a three-story building.
 2. The maximum street side yard setback is 20 feet. The maximum setback requirement may be waived if the Director makes the findings listed in subparagraph 17.19.080.C.2.a.2.

3. *Building Placement Requirements.*

- c. Building façade(s) shall extend a minimum of 65 percent of the street frontage for the area between the minimum and maximum front yard setbacks. For example, if a lot is 100 feet wide, 65 linear feet of the lot parallel to the street must be occupied by a building(s) that adheres to the maximum setback requirement.
- d. In the area between the minimum and maximum street side yard setback, 50 percent of the linear distance parallel to the street shall be occupied by a building façade(s).

Figure 17.19-4 Building Placement Requirements, DMF Zone



4. *Density.* The density shall not exceed 22 units per acre.

5. *Useable Yard Area (Open Space) Requirements.* The following minimum useable open space standards are applicable to development within the Downtown Residential Multifamily Zone (DMF Zone):
 - a. For multifamily developments of fewer than 20 units, each unit shall have a minimum of 100 square feet of usable open space.
 - b. For multifamily developments of 20 or more units, each unit shall have a minimum of 200 square feet of usable open space.
 - c. The definition of useable open space and the method of computation is provided in Chapter 17.14 (see "Open Space, Useable").
 6. *Building Height.* In the Downtown Residential Multifamily Zone (DMF Zone), the maximum height of any building shall not exceed 35 feet.
 7. *Step back from Adjacent Residential.* New development when sited next to single-family uses shall step back upper floors (third and higher) an additional 15 feet to maintain solar access and privacy for adjacent single family residential uses. See Figure 17.19-2.
- N. *Downtown Residential Multifamily Zone, Off street Parking.*
1. Parking shall not be located in the front setback unless the Director makes the following findings:
 - a. Buildings comply with the maximum front setback requirement;
 - b. The parking area located within the front setback is landscaped along the street with a hedge, trellis, and/or landscaping consistent with Chapter 17.06; and
 - c. Requirements in Chapter 17.05 are complied with.
 2. Automobile storage space shall be provided as indicated in Chapter 17.05.
- O. *Downtown Residential Multifamily Zone, Landscaping.* The provisions of Chapter 17.06 of this ordinance shall apply.
- P. *Downtown Residential Multifamily Zone, Signs.* The provisions of Chapter 17.07 of this ordinance shall apply.
- Q. *Accessory Dwelling Units.* Accessory dwelling units are allowed consistent with the standards applicable to the DMF Zone and State law.
- R. *Street Trees.* A minimum of one tree shall be located along every 40 feet of street frontage. Street trees shall comply with applicable standards in Section 17.06.110 (Street trees).
- S. *Supplemental Multiple Family Development Standards.* Additional standards listed in 17.03.065.J apply to multiple family developments, multiple family residential components of mixed-use developments, and attached single unit developments, in the DMF Zone.

17.19.090 – Local Commercial Zone (LC Zone).

The Local Commercial Zone (LC Zone) is intended to permit development that provides for a range of commercial service and retail land uses that are in proximity to residential neighborhoods consistent with the General Plan.

- H. *Local Commercial Zone, Permitted Uses.* The uses permitted under this Zone District are identified in Table 17.19-1 of this Section.
- I. *Local Commercial Zone, Conditional Uses.* The uses conditionally permitted under this Zone District are identified in Table 17.19-1 of this Section. Such uses require the approval of a conditional use permit.
- J. *Local Commercial Zone, Development Standards.* The following standards shall apply to the Local Commercial Zone (LC Zone):
 - 1. *Lot Area and Dimension.* Lots sizes for the Local Commercial Zone (LC Zone) shall not be less than 10,000 square feet with a minimum average lot depth of 100 feet and a minimum average lot width of 100 feet.
 - 2. *Setbacks and Yards.* The following setback requirements are applicable to the Local Commercial Zone (LC Zone):
 - a. *Front Yard Setbacks.* The minimum front yard setback is 5 feet.
 - b. *Rear Yard Setbacks.* No rear yard setback is required, except when adjacent to single family residential use. The rear yard setback is 20 feet when adjacent to single family residential use.
 - c. *Side Yard Setbacks.* No side yard setback is required, except when adjacent to single family residential use. The side yard setback is 15 feet when adjacent to single family residential use.
 - 3. *Lot Area Requirements.* The area occupied by all structures shall not exceed 50 percent of the lot area and the maximum permitted floor area ratio is 0.7.
 - 4. *Building Height.* In the Local Commercial Zone (LC Zone), the maximum height of any building shall not exceed 60 feet.
- K. *Local Commercial Zone, Off street Parking.* Automobile storage space shall be provided as indicated in Chapter 17.05.
- L. *Local Commercial Zone, Landscaping.* The provisions of Chapter 17.06 of this ordinance shall apply.
- M. *Local Commercial Zone, Signs.* The provisions of Chapter 17.07 of this ordinance shall apply.
- N. *Supplemental Standards.*
 - 1. *Limitations on Location of Parking.* Above ground parking shall not be located within 40 feet of a street facing property line unless the Director makes the following findings:

- a. The site is small and/or constrained such that underground parking or surface parking located more than 40 feet from the street is not feasible; or
 - b. The design incorporates habitable space built close to the public sidewalk; and
 - c. The parking area located within 40 feet of the street is landscaped along the street with a hedge, trellis, and/or landscaping consistent with Chapter 17.06.
2. *Building Transparency/Required Openings.* Exterior walls facing and within 20 feet of a front or street side property line shall include windows, doors, or other openings for at least 50 percent of the building wall area located between two and one-half and seven feet above the level of the sidewalk. Such walls may run in a continuous plane for no more than 30 feet without an opening. (Figure 17.19-3).
 - a. *Design of openings.* Openings fulfilling this requirement shall have transparent glazing and provide views into display areas, sales areas, work areas, lobbies, or similar active spaces, or into window displays that are at least three feet deep.
 - b. *Exceptions for parking garages.* Multi-level garages are exempt from this requirement.
 - c. *Reductions.* This requirement may be reduced or waived if the Director makes the following findings:
 1. The proposed use has unique operational characteristics with which providing the required transparency and openings is incompatible; and
 2. Street-facing building walls will exhibit architectural relief and detail and will be enhanced with landscaping to create visual interest at the pedestrian level.
3. *Building Orientation.* Building frontages shall be generally parallel to streets and pedestrian walkways.
4. *Building Entrances.* The primary building entrance shall face a public sidewalk. Buildings located in the interior of a site shall have the primary entrance face a pedestrian walkway that is connected to a public sidewalk.
5. *Wall Plane Modulation.* All street-facing facades shall have at least one horizontal or vertical projection or recess at least two feet in depth, for every 50 horizontal feet of wall.
6. *Pedestrian Access.* On-site pedestrian circulation and access shall be provided consistent with the following standards.
 - a. *Internal connections.* A system of pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to any on-site open space areas or pedestrian amenities.

- b. *To circulation network.* Regular connections between on-site walkways and the public sidewalk and other planned or existing pedestrian routes or trails shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage.
 - c. *To neighbors.* Direct and convenient access shall be provided to adjoining residential and commercial areas to the maximum extent feasible while still providing for safety and security.
 - d. *To transit.* Safe and convenient pedestrian connections shall be provided from transit stops to building entrances.
 - e. *Pedestrian walkway design.*
 - 1. Walkways shall be a minimum of six feet wide, shall be hard-surfaced, and paved with permeable materials.
 - 2. Where a required walkway crosses a driveway, parking area, or loading area, it must be clearly identified using a raised crosswalk, a different paving material, or a similar method.
 - 3. Where a required walkway is parallel and adjacent to an auto travel lane, it shall be raised or separated from the auto travel lane by a raised curb at least four inches high, bollards, or another physical barrier.
7. *Public Open Space Requirement.* Developments with 50,000 square feet or more of non-residential floor area on sites of two acres or larger shall provide open space consistent with the following:
- a. Forty square feet of open space shall be provided for every 1,000 square feet of nonresidential floor area for the first 100,000 square feet of non-residential floor area, plus 20 square feet of open space for every 1,000 square feet of non-residential floor area over 100,000 square feet.
 - b. Such open space shall be visible and accessible from a public street, or from on-site areas normally frequented by customers and shall be accessible during business hours. Areas within required setbacks may count towards the open space requirement.
 - c. Such open space shall have a minimum dimension of 40 feet.
 - d. Amenities shall be included that enhance the comfort, aesthetics, or usability of the space, including trees, landscaping, shade structures, seating (e.g., fixed seating, planter ledges, etc.), lighting, drinking fountains, public art, or performance areas.
 - e. The surface of the open space shall allow for convenient outdoor activity, recreation, and/or gathering. Such surface may be plant or hardscape material, or a combination thereof.

17.19.120 - Permitted uses for Downtown Base Zone Districts.

The permitted uses for the Base Zone Districts (identified in Section 17.19.040 through 17.19.090) are listed in Table 17.19-1.

Table 17.19-1 Permitted Land Uses for Base Zone Districts in Downtown						
	DMU	BMU	SSMU	SSMU- R	LC	DMF
Administrative Professional Services						
Administrative/Professional Offices	P ¹	P	P	P	P	N
Advertising Agencies	P ¹	P	P	P	P	N
Architectural/Engineering/Design Services	P ¹	P	P	P	P	N
Attorney/Legal Services	P ¹	P	P	P	P	N
Business Management Services	P ^{1,2}	P	P	P	P	N
Government Offices and Facilities	P ^{1,2}	P ³	P	P	P	N
Travel Agencies	P	P	P	P	P	N
Alcohol Service and Sales						
Bars or Cocktail Lounges (4)	C	N	C	C	C	N
Liquor Stores (4)(5)	C	C	C	C	C	N
Restaurants with Alcoholic Beverage Sales	C	C	C ⁶	C ⁶	C ⁶	N
Automotive Services						
Automobile, Motorcycle, Truck, and Marine Craft Sales (New and Used)	N	N	P	C ⁶	P	N
Automobile Parking Facilities	C	N	C	N	P	N
Automobile Rental Agencies	N	N	C ⁶	N	P	N
Automobile Repair Facilities	N	N	C ⁶	N	C	N
Body and Paint Shops	N	N	N	N	C	N
Car Wash	N	N	C	N	C	N

Table 17.19-1 Permitted Land Uses for Base Zone Districts in Downtown						
	DMU	BMU	SSMU	SSMU-R	LC	DMF
Gas/Service Stations	N	N	C ⁶	C ⁶	C	N
Limousine Services	N	N	C	N	P	N
Recharging Stations	Allowed (P) in any area designed for the parking or loading of vehicles.					
Towing Services - With Indoor Vehicle Service	N	N	N	N	C	N
Towing Services - With Outdoor Vehicle Storage	N	N	N	N	C	N
Truck/Trailer Rentals	N	N	N	N	C	N
Communications Facilities						
Wireless Telecommunication Facility — Stealth	N	N	C	N	C	N
Radio and Television Broadcasting Studios	N	N	P ^{1,7}	P ^{1,7}	P	N
Recording and Sound Studios	C ^{1,7}	C ^{1,3}	P ^{1,7}	P ^{1,7}	P	N
Satellite Dishes (Non-Private)	P	P	P	P	P	N
Satellite Dishes (Private Use)	P	P	P	P	P	P
Ham Radio Antennae (Private Use)	P	P	P	P	P	P
Day Care Facilities						
Commercial Day Care Facilities (not in-home)	N	P	P	P	C	N
Day Care Centers, In Home -Small Family with 1 to 6 Children (as an accessory use in a residential unit)	P ¹	P	P	P	P	P
Day Care Centers, In Home-Large Family with 7 to 12 Children (as an accessory use in a residential unit)	C ¹	C	C	C	C	C

Table 17.19-1 Permitted Land Uses for Base Zone Districts in Downtown						
	DMU	BMU	SSMU	SSMU-R	LC	DMF
Educational Establishments						
Elementary, Junior, and High Schools/Private & Charter	C ²	C	C	C	C	C
Elementary, Junior, and High Schools/Public	C ²	C	P	C	C	C
Colleges or University	P ²	N	P ^{1,6}	N	P	N
Tutoring & Testing	P ^{1,7}	P ³	P ⁷	P ⁷	P	N
Vocational and Trade Schools	C ^{1,7}	C ^{1,3}	N	N	P	N
Food and Beverage Sales						
Bakeries	P ⁷	P ³	P ⁷	N	P	N
Catering Businesses	P	P ³	P	P	P	N
Convenience Markets	P	P ³	P	P	P	N
Grocery Stores/Supermarkets	P	P ³	P	P	P	N
Grocery Stores, Alcohol Sales	P	N	P	C	P	N
General Merchandise and Trade						
Antique Sales	P ⁷	P ³	P ⁷	P	P	N
Appliances Sales	P ⁷	P ³	P ⁷	N	P	N
Art Galleries, Studios and Supplies	P	P ³	P	P	P	N
Beauty Supplies	P	P ³	P	P	P	N
Book and Magazine Sales	P	P ³	P	P	P	N
Building Materials with outdoor sales/storage	N	N	N	N	C	N
Camera and Photographic Supplies	P	P ³	P	P	P	N

Table 17.19-1 Permitted Land Uses for Base Zone Districts in Downtown						
	DMU	BMU	SSMU	SSMU-R	LC	DMF
Candy Stores	P	P ³	P	P	P	N
Cigar/Cigarette Shops (4)	P	P ³	P	P	P	N
Clothing Stores	P	P ³	P	P	P	N
Department Stores	P ^{8,9}	N	P	P	P	N
Discount Stores	N	N	N	N	P	N
Electronic Equipment Sales	P	P ³	P	P	P	N
Equipment Sales and Rentals (indoor storage only)	N	N	P	N	P	N
Equipment Sales and Rentals (outdoor storage)	N	N	C	N	C	N
Florists	P	P ³	P	P	P	N
Freight Forwarding Services	N	N	N	N	P	N
Furniture and Home Furnishings	P	N	C	C	P	N
Garden Supply	P ⁷	P ³	P ⁷	P ⁷	P	N
Gifts, Crafts, and Novelties	P	P	P	P	P	N
Guns and Ammunition	C	N	C	N	P	N
Hardware Stores	P ⁷	P ³	P ⁷	P ⁷	P	N
Hobby, Toy and Game Stores	P	P ³	P	P	P	N
Indoor Swap Meets	N	N	C ⁵	C ⁵	C	N
Jewelry Sales and Repair	P	P	P	P	P	N
Leather Goods	P	P	P	P	P	N
Luggage Sales	P	P	P	P	P	N

Table 17.19-1 Permitted Land Uses for Base Zone Districts in Downtown						
	DMU	BMU	SSMU	SSMU-R	LC	DMF
Office Equipment, Furniture and Supplies Sales	P ⁷	P ³	P ⁷	P ⁷	P	N
Pet Sales and Supplies	P ⁷	N	P ⁷	P ⁷	P	N
Records, Tapes, and Videos	P ⁷	P ³	P	P	P	N
Retail, Other Specialty	P ⁷	P ³	P	P	P	N
Sporting Goods and Equipment	P ⁷	P ³	P ⁷	P ⁷	P	N
Surplus Stores	P ⁷	P ³	P	P	P	N
Thrift and Second-Hand Stores with donation drop off	C	C	C	C	C	N
Thrift and Second-Hand Stores without donation drop off	P ⁷	P ³	P ⁷	P ⁷	P ⁷	N
Variety Stores	P ⁷	P ³	P ⁷	P ⁷	P	N
Wholesale Establishments	N	N	C	C	P	N
Lodging						
Bed and Breakfast Facilities	P ¹	C	C	C	P	C
Emergency Shelters	N	N	C	C	P	N
Hotels and Motels	P ¹	N	P	P	P	N
Residence Inns	P ¹	N	P	P	P	N
Single-Room Occupant (SRO) Facilities	P ¹	C	P	P	N	N
Trailer Parks and Campsites	N	N	N	N	N	N
Transitional Housing	P ¹	C	P	P	N	N

Table 17.19-1 Permitted Land Uses for Base Zone Districts in Downtown						
	DMU	BMU	SSMU	SSMU-R	LC	DMF
Medical/Health Care						
Ambulance Services	N	N	N	N	P	N
Animal Hospitals/Veterinaries	P ^{2,7,9}	N	P	P	P	N
Clinics	P	P	P	P	P	N
Convalescent Homes	N	N	C	C	P	N
Chemical Dependency Clinics	N	N	N	N	C	N
Hospitals	N	N	N	N	P	N
Medical/Dental Offices	P ¹	P	P	P	P	N
Pharmacies	P ⁷	P ³	P	P ⁷	P	N
Pharmacies with Drive-Through	N	N	C	C	P	N
Personal Services						
Banking, Credit Unions, Financial Services	P	P ³	P	P	P	N
Barbers and Beauty Parlors	P	P	P	P	P	N
Check Cashing Services	P	N	P	P	P	N
Commercial Pet Grooming Services	P	N	P	N	P	N
Dry Cleaners	P	P	P	P	P	N
Funeral Parlors, Mortuaries	C ²	N	N	C	P	N
Laundries, Laundromats	N	N	C	C ⁶	P	N
Locksmith and Key Shops	P	P	P	P	P	N
Massage Establishments	P ¹	P	P	P	P	N
Pawnbrokers	C	N	C	C	C	N

Table 17.19-1 Permitted Land Uses for Base Zone Districts in Downtown						
	DMU	BMU	SSMU	SSMU-R	LC	DMF
Photocopying and Photo Developing Services	P ⁷	P ³	P ⁷	P ⁷	P	N
Photography Studios	P	P	P	P	P	N
Shoe Repair Shops	P	P	P	P	P	N
Tailors	P	P	P	P	P	N
Tattoo/Body Piercing Services	N	N	C	C	C	N
Public and Quasi-Public Uses						
Community Recreation Centers	P	C	P	P	P	P
Cultural Facilities	P	C	P	P	P	N
Libraries	P	P	P	P	P	N
Museums	P	C	C	C	P	N
Parks	P	P	P	P	P	P
Public Safety Facilities	P	P	P	P	P	P
Senior Citizen Activity Centers	P	P	P	P	P	P
Recreation and Entertainment						
Adult-Oriented Businesses	N	N	N	N	N	N
Amusement Parks	N	N	N	N	N	N
Athletic Fields	N	N	N	N	N	N
Batting Cages, Indoor	C ^{2,8}	N	C	C ^{6,8}	C	N
Batting Cages, Outdoor	N	N	N	N	C	N
Billiard and Pool Halls	C	N	C	N	C	N
Bowling Alleys	C ²	N	C	C	P	N

Table 17.19-1 Permitted Land Uses for Base Zone Districts in Downtown						
	DMU	BMU	SSMU	SSMU-R	LC	DMF
Commercial Sports Facilities	N	N	C	C	C	N
Dance Studios	C	N	C	N	C	N
Golf Driving Ranges	N	N	N	N	N	N
Health Clubs and Gymnasiums	C ⁷	C ³	C ^{6,7}	C ^{6,7}	C	N
Miniature Golf Courses	N	N	N	N	C	N
Off-Road Mini-Bike and Motocross Courses	N	N	N	N	N	N
Public Auditorium/Auditoriums	C	N	C	C	C	N
Shooting Ranges (indoor)	N	N	C	N	N	N
Skating Rinks	N	N	C	C	P	N
Video Arcades	C	C	N	N	C	N
Recycling						
Collection Facilities	N	N	N	N	C	N
Processing Facilities	N	N	N	N	C	N
Religious Institutions						
Churches	C	C	P	P	C	C
Monasteries, Convents, or Similar Religious Quarters	C	C	P	P	C	C
Repair Services						
Electrical and Household Appliances Repair	N	N	C	C	P	N
Furniture Refinishing	N	N	N	N	P	N
Furniture Reupholstering	N	N	N	N	P	N
Lawnmower Repair/Sales Shops	N	N	C	N	P	N

Table 17.19-1 Permitted Land Uses for Base Zone Districts in Downtown						
	DMU	BMU	SSMU	SSMU-R	LC	DMF
Machine Shops	N	N	N	N	C	N
Welding Shops	N	N	N	N	C	N
Residential Uses						
Accessory Guest Houses	P	P	P	P	N	P
Accessory Dwelling Units	P	P	P	P	N	P
Boarding or Rooming Houses	C	N	C	C	N	C
Caretaker’s Unit	P	P	P	P	P	P
Congregate Care Facilities	N	N	C	C	P	C
Day Care Centers, Small Family—1 to 8 Children	P ¹	P	P	P	N	P
Day Care Centers, Large Family—7 to 14 Children	P ¹	P	P	P	N	P
Duplexes	P	P	P	P	N	P
Group or Community Care Facilities - 6 or fewer persons	P ¹	P	P	P	P	P
Group or Community Care Facilities - 7 or more persons	C ¹	C	C	C	C	C
Home Occupation Businesses	P	P	P	P	N	P
Mobile Home Parks	N	N	N	N	C	N
Mobile Home or Manufactured Housing Units Single Lot	N	P	N	N	N	P
Multiple-Family, Apartments & Condominiums	P ^{1,10}	N	P ¹⁰	P ¹⁰	N	P ¹⁰

Table 17.19-1 Permitted Land Uses for Base Zone Districts in Downtown						
	DMU	BMU	SSMU	SSMU-R	LC	DMF
Planned Residential Developments	P	P	P	P	N	P
Senior Housing Developments	P	P	P	P	N	P
Single-Family Dwellings	N	P ¹⁰	N	N	N	P ¹⁰
Restaurants						
Delicatessens	P	P	P	P	P	N
Fast-Food Restaurants - Without a Drive-Through ^{4,11}	P	P	P	P	P	N
Fast-Food Restaurants - With a Drive-Through ^{4,11}	N	N	C	C	P	N
Sit-Down Restaurants	P	C	P ⁵	P ⁵	P	N
Sit-Down Restaurant with live entertainment	C	C	C ⁵	C ⁵	C ⁵	N
Restaurant, serving alcohol	See Alcohol Sales, Restaurants with Alcoholic Beverage Sales					
Service Organizations						
Philanthropic and Charitable Institutions	P	C	P	P	P	N
Service Organizations	P	C	P	P	P	N
Temporary Uses						
Street/Craft Fairs and Farmers' Markets - Ongoing	C ¹²	C ¹²	C ¹²	C ¹²	C ¹²	N
Temporary Structures (Subdivision sales Office)	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	N
Christmas Tree/Pumpkin Lots, and Similar, Not Exceeding 30 Days	P ¹²	P ¹²	P ¹²	P ¹²	P ¹²	N
Outdoor Displays	C	C	C	C	C	N

Table 17.19-1 Permitted Land Uses for Base Zone Districts in Downtown						
	DMU	BMU	SSMU	SSMU-R	LC	DMF
Parking Lot Sales	P	P	P	P	P	N
Amusement Enterprises	C ¹²	C ¹²	C ¹²	C ¹²	C ¹²	N
Transportation Facilities						
Bus Passenger Terminals	N	N	C	N	C	N
Charter Bus Companies	N	N	C	N	C	N
Motor Vehicle Transportation (Taxi/Shuttle)	N	N	C	C	C	N
Truck Stops and Terminals	N	N	N	N	C	N
Utilities						
Public Utility/Service Structures	N	N	N	N	N	N
Sewage Disposal Facilities/Waste Transfer	N	N	N	N	N	N
Utility Company Offices	P ^{1,7}	P ^{1,3}	P ^{1,7}	P ^{1,7}	P	N
Water Storage, Distribution, and Collection Facilities	N	N	N	N	N	N
Public Storage Facilities	N	N	N	N	N	N
Wind Energy Conversion Systems	See 17.11.140					

N = Not Permitted
 P = Permitted
 C = Conditionally Permitted
 A = Permitted as an Accessory Use

Footnotes:

1. Use is allowed only on upper floor locations on parcels fronting 6th Street and Beaumont Avenue. Limited lobby or entry areas are allowed on the ground floor.
2. Use is not allowed on parcels fronting 6th Street and Beaumont Avenue.
3. Use is limited to 2,500 square feet.
4. These uses shall not be located on any parcel which is located within 1,000 feet of any school providing instruction in 12th grade or below, day care center, or youth center.

5. New liquor stores shall not be located within 1,000 feet of another liquor store.
6. Must comply with step back standards (Figure 17.19-2) and setbacks per zone if adjacent to single family residential use. Performance standards per Chapter 17.04 apply.
7. Use is limited to 5,000 square feet.
8. Use is limited to 10,000 square feet.
9. CUP required if proposed use is larger than 10,000 square feet.
10. A Live/work unit is only permitted in the primary structure.
11. New fast food restaurants should not be located within 1,000 feet of another fast food restaurant.
12. Temporary Use Permit required