



Planning Services Division

3675 Mt. Diablo Boulevard, Suite 210

Lafayette, CA 94549-1968

Tel. (925) 284-1976 • Fax (925) 284-1122

<http://www.ci.lafayette.ca.us>

C-1

General Commercial District 1

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NOTE: The City has other regulations, which may affect individual properties, including, but not limited to hillside development, structures over 17-ft. in height, development in excess of 6,000 sq. ft., tree protection, grading, and public art. Please review the Project Checklist available on the City of Lafayette web site at www.lovelafayette.org for an overview of regulations that might apply. You may consult Planning & Building Department staff to ascertain which rules and regulations apply to any given project.

General Commercial District

6-981 General.

All land in the general commercial district 1 (map symbol C-1) shall be used in accordance with the provisions of this article. (Ord. 245 § 4 (part), 1981)

6-982 Purpose.

(a) The purpose of this article is to provide for, and enhance the opportunities for, and protect existing establishments offering a variety of supplies or services which are essential to the economy of Lafayette but which are frequently incompatible with the operations of a retail shopping area because of their need for a large site, access by delivery and customer vehicles, open display or storage yards, and propensity to produce limited but tolerable external impacts. Such uses ordinarily do not seek locations in shopping areas and therefore must be provided for at independent locations along a major thoroughfare, away from the retail core area.

(b) This article is to provide for the implementation of the general plan which encourages the separation of uses permitted in the retail core area and those permitted elsewhere in the business districts.

(Ord. 245 § 4 (part), 1981)

6-983 Uses permitted.

The following uses may be conducted as a matter of right in the C-1 district, without the need for a land use permit. However, a land use permit (under Sections 6-215 and 6-531) is required if the proposed use will result from the conversion of a residential use of the property.

- (a) Animal care, commercial;
- (b) Business and communication service;
- (c) General commercial sales and service where the total floor area of a building or yard area, not including areas used for parking or landscaping (whenever the primary activity is not conducted within a building), or the combination thereof, is less than 7,500 square feet in size;
- (d) General personal service;
- (e) Limited child care;
- (f) Self-service laundry and retail dry cleaners which comply with Section 6-532;
- (g) Fast-food restaurant without drive-thru, drive-up and pass-thru window service;
- (h) Home/business furnishings;
- (i) General retail sales, only in the Brown Avenue area, shown on Figure 6-983;
- (j) Medical services, only in the Golden Gate Way area, shown on said Figure 6-983;
- (k) Residential dwelling units;
- (l) Supportive care pursuant to §6-534 LMC.

(Ord. 614 § (1) Exhibit "A" (part), 2012; Ord. 359 § 6(A), 1987; Ord. 245 § 4 (part), 1981)

6-984 Uses requiring a permit.

The following uses are permitted in the C-1 district on the issuance of a land use permit:

- (a) Administrative civic;
- (b) Automotive sales, rental and delivery;
- (c) Automotive servicing;
- (d) Auto repair and cleaning;
- (e) Commercial automotive fee parking;
- (f) Commercial laundry or dry cleaning;

- (g) Commercial recreation;
- (h) Community assembly and education activity;
- (i) Construction sales and service;
- (j) Convenience market;
- (k) Day-care and educational service;
- (l) Fast-food restaurant with drive-thru, drive-up or pass-thru window service;
- (m) Full-service restaurant;
- (n) General commercial sales and service, where the total floor area of a building or yard area, not including areas used for parking and landscaping (wherever the primary activity is not conducted within a building), or the combination thereof, is 7,500 square feet or more;
- (o) General food sales;
- (p) Light manufacturing and research;
- (q) Real estate service;
- (r) Repealed by Ordinance 614;
- (s) Hotels and motels;
- (t) Undertaking service;
- (u) Utility distribution and civic service;
- (v) Firearm sales;
- (w) Uses which the planning commission has found, after notice and hearing, to be comparable to the above uses or which can be determined to be compatible with the uses and purpose of the C-1 district. The concept of consolidation of several retail core area uses into a single complex (department store) which subverts the purpose of separation and distinction between the retail business district and/or the special retail business district and the C-1 district is not permitted.

(Ord. 614 § (1) Exhibit "A" (part), 2012; Ord. 433 § 8, 1994; Ord. 359 § 6(B), 1987; Ord. 245 § 4 (part), 1981)

6-985 Lot area.

No new lots may be created in the C-1 district smaller than 7,500 square feet in size. (Ord. 245 § 4 (part), 1981)

6-986 Lot width.

No new lots may be created in the C-1 district with an average width of less than 55 feet. (Ord. 245 § 4 (part), 1981)

6-987 Lot depth.

No new lots may be created in the C-1 district with a depth of less than 75 feet. (Ord. 245 § 4 (part), 1981)

6-988 Height.

No buildings or other structures permitted in the C-1 district shall exceed 35 feet in height, nor two and one-half stories, except as allowed for number of stories by Section 6-989 of this chapter. (Ord. 245 § 4 (part), 1981)

6-989 Third story for residential use.

Notwithstanding any other provisions of this article, a third story for a building may be approved under the land use permit procedure (Section 6-215) when that third-floor area is to be used exclusively for residential use. The three-story building shall be reviewed so as to ensure that its height and proportions are consistent or compatible with other buildings in the vicinity, or that it is favorably

located in relation to topographic conditions in a manner that visually attenuates its height. No part of the third-floor portion of the building shall be located within 50 feet of the right-of-way, or planned right-of-way, lines of Mt. Diablo Boulevard, First Street, Golden Gate Way, Dyer Drive, Highway 24 or Pleasant Hill Road; nor within 50 feet of the boundary of any residential zone. The number of parking stalls for the residential units provided on the third floor need not meet the minimum number of parking stalls required for other residential units in the C-1 district. The number of parking stalls required will be determined by the planning commission in consideration of the cumulative parking needs of all the uses on the subject property. (Ord. 245 § 4 (part), 1981)

6-990 Setback.

There shall be a landscaped setback of at least ten feet from any street line for any structure in the C-1 district. No parking shall be allowed in the required setback. Setbacks for third-story portions of buildings shall be regulated by Section 6-989. (Ord. 245 § 4 (part), 1981)

6-991 Minimum side and rear yards.

Where the site is adjacent to residentially zoned property, or to a single parcel not zoned residential but containing four or more dwelling units, there shall be a ten-foot landscaped setback along that entire property line. Side and rear yard setbacks for third-story portions of buildings shall be regulated by Section 6-989. (Ord. 245 § 4 (part), 1981)

6-992 Off-street parking and loading.

(a) Off-street parking and loading facilities for the uses in the C-1 district shall be provided in accordance with Chapter 6-6 of this title except that the required number of off-street parking spaces for new residential units is as follows:

- (1) One-bedroom units, 1.0 space per unit;
- (2) Two-bedroom units, 1.2 spaces per unit;
- (3) Units with three or more bedrooms, 1.5 spaces per unit.

(b) In addition, one guest parking space shall be provided for each five dwelling units. A minimum of one parking space per unit shall be covered.

(c) Parking for the third-floor residential use shall not be required to provide the number of parking stalls defined in this section (see Section 6-989).

(Ord. 245 § 4 (part), 1981)

6-993 Repealed by Ordinance 359.

6-994 Access from residential street.

Any use on a lot which has street frontage on more than one street, one street of which has a right-of-way of 55 feet or less and forms the common boundary between a district of any residential classification and the C-1 district, shall not be permitted to gain vehicular access from the residential street. (Ord. 245 § 4 (part), 1981)

6-995 Design review.

No building, sign or other facility shall be constructed or established, or altered or painted a new color in such a manner as to affect exterior appearance, unless plans for such proposals have been approved pursuant to the design review requirements set forth in Part 1 of this title. (Ord. 324 § 2(e) (part), 1984; Ord. 245 § 4 (part), 1981)

6-996 Modifiable sections.

Land use permits for special uses enumerated in Section 6-984 and variance permits to modify the provisions of Sections 6-985 to 6-992 may be granted in accordance with the applicable provisions of Chapter 6-1 of this title. (Ord. 245 § 4 (part), 1981)

6-997

Special use provisions.

(a) The provisions of this section apply to any parcel of land in the C-1 district for which a building permit for a principal structure was issued during the period of the office moratorium for the C zoning district, May 14, 1979 to May 14, 1981, inclusive. It is the intent of this section to supersede and clarify any land use authorizations, restrictions or prohibitions which may have been attached to, or implied by, any approvals of land use entitlements which led to the issuance of building permits for principal structures on land in this district during the moratorium period.

In addition to the uses authorized in Sections 6-983 and 6-984 of this article, for such parcels of land the uses enumerated in this section are authorized, provided that they are established only in the buildings or portions of buildings which were designed and constructed for general office uses.

(b) Uses permitted, in addition to those listed in Section 6-983, are as follows:

(1) Administrative;

(2) Consultative service;

(3) Medical services occupying up to 10,000 square feet of building area. Any medical services that would increase the area used beyond 10,000 square feet on that parcel shall be subject to a land use permit.

(c) Notwithstanding the fact that the uses listed in subsection (b) of this section are nonconforming in the C-1 district generally, said uses are conforming and fully authorized in eligible buildings on any parcel of land which is subject to the provisions of this section.

(Ord. 401 § 1, 1992; Ord. 269 § 1, 1982)

Figure 6-983

C-1 Overlay Zones

Brown Avenue
Overlay Area

Golden Gate Way
Overlay Area

