

BEFORE THE CITY COUNCIL OF THE CITY OF LAFAYETTE

IN THE MATTER OF:

An Ordinance of the City Council of the City of Lafayette)	Ordinance No. 696
Amending and Adopting Title 6, Part 1, Chapter 6-2, Article 5)	
("Design Review"), Chapter 6-5, Article 1, Section 6-531)	
("Residential conversions and replacements"), Chapter 6-8,)	
Article 2 and 4, ("MRA and MRO"), Chapter 6-9, Article 1, 1.5 2,)	
2.5, 4, 4.5, 5, and 7, ("Downtown Commercial Zones" RB, RB-60,)	
C, C-60. SRB, SRB-60, C-1, and C-1-60))	

WHEREAS, the City of Lafayette, California (the "City") is a municipal corporation, duly organized under the constitution and laws of the State of California; and

WHEREAS, on January 23, 2023, the Lafayette City Council certified the Housing Element Environmental Impact Report (EIR) and Mitigation Monitoring and Reporting Program (MMRP), and adopted the 6th Cycle Housing Element Update to the Lafayette General Plan;

WHEREAS, on December 16, 2024, the Lafayette City Council adopted an Addendum to the certified Housing Element Environmental Impact Report (EIR) and Mitigation Monitoring and Reporting Program (MMRP), and adopted the Revised Housing Element Update to the General Plan and the revised Land Use Element and map;

WHEREAS, the City desires to implement the Housing Element Implementation Plan submitted to the California Department of Housing and Community Development on May 13, 2024; and

WHEREAS, the Housing Element Implementation requires amendments to the Municipal Zoning Code and rezoning of parcels requiring amendments to the zoning map, consistent with the other elements of the General Plan.

WHEREAS, on December 2, 2024, the Planning Commission conducted a duly noticed public hearing, where it received written and oral testimony including a written staff report; after consideration and deliberation, the Commission recommended adoption of an Addendum to the Certified Housing Element EIR and adopted Resolution 2024-04 and 2024-15, forwarding an approval recommendation to the City Council; and

WHEREAS, On December 6, 2024, the City published legal notice of this public hearing of the City Council pursuant to California Government Code Section 65090; and

WHEREAS, on December 16, 2024, the City Council conducted a duly noticed public hearing, where it received written and oral testimony, including a written staff report, and at which time all persons wishing to testify in connection with the matter were heard and fully studied. After consideration and deliberation, the City Council introduced Ordinance No. 696, waived the first reading, and continued the matter to January 13, 2025 for a second reading and adoption; and

WHEREAS, on January 13, 2025, the City Council, requiring no additional public notification, conducted a public hearing of this item as a matter on the consent calendar. After consideration and deliberation, the City Council waived the second reading and adopted Ordinance No. 696;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAFAYETTE DOES ORDAIN AS FOLLOWS:

Section 1. The recitals above are each incorporated by reference and adopted as findings by the City Council.

Section 2. Pursuant to the California Environmental Quality Act (Pub. Res. Code §§ 21000 et seq.) ("CEQA"), and the State CEQA Guidelines (14 Cal. Code Regs. §§ 15000 et seq.) the City determined that an Environmental Impact Report (EIR) be prepared for the Housing Element pursuant to CEQA in order to analyze all potential adverse environmental impacts of the City's Housing Element Update to its General Plan; the City prepared and certified the Final EIR (FEIR) on January 23, 2023 for the Housing Element, consisting of comments received during the 60-day public review and comment period on the Draft FEIR, written responses to those comments, and revisions and errata to the Draft FEIR. For the purposes of this Resolution, the "FEIR" shall refer to the Draft FEIR, as revised by the Final FEIR's errata section, together with the other sections of the Final FEIR; the FEIR (State Clearinghouse #2021080038) was certified, and the Housing Element Update was approved and adopted by the City on January 23, 2023 pursuant to the certified FEIR;

Pursuant to CEQA, staff prepared, and the City Council adopted an addendum to the FEIR concerning the Housing Element ("Addendum"), pursuant to State CEQA Guidelines Section 15164, subdivision (c), the Addendum is not required to be circulated for public review, but can be included within the public record with the FEIR;

Section 3. Article 5 ("Design Review" of Chapter 6-2, ("Residential conversions and replacements" Chapter 6-5)("MRA and MRO" Chapter 6-8)("Downtown Commercial Zones" RB, RB-60, C, C-60. SRB, SRB-60, C-1, and C-1-60 are hereby amended and adopted as provided in Exhibit "A," and zoning map as provided as Exhibit "B" attached hereto and incorporated herein by reference.

Section 4. This ordinance takes effect thirty (30) days after its adoption.

Section 5. The City Clerk shall either: (a) have this ordinance published in a newspaper of general circulation within fifteen (15) days after its adoption or (b) have a summary of this ordinance published twice in a newspaper of general circulation, once five (5) days before its adoption and again within fifteen (15) days after its adoption.

Section 6. The City Clerk shall submit a copy of this ordinance to the Department of Housing and Community Development within sixty (60) days after adoption.

Section 7. If any provision of this ordinance or its application to any person or circumstance is held to be invalid, such invalidity has no effect on the other provisions or applications of the ordinance that can be given effect without the invalid provision or application, and to this extent, the provisions of this ordinance are severable. The City Council declares that it would have adopted this ordinance irrespective of the invalidity of any portion thereof.

Section 8. The location and custodian of the documents and any other material that constitute the record of proceedings upon which the City Council based its decision is as follows: City Clerk, City of Lafayette, 3675 Mt. Diablo Blvd #210, Lafayette, CA 94549.

The foregoing ordinance was introduced at a regular meeting of the City Council held on the 16th day of December 2024, and duly adopted at the next regular meeting of the City Council held on the 13th day of January, 2025 by the following vote:

AYES: Candell, Anduri, Cervantes, Dawson and McCormick

NOES: None

ABSENT: None

ABSTAIN: None

ATTEST:

APPROVED:


Joanne Robbins, City Clerk


Susan Candell, Mayor



EXHIBIT "A"

Lafayette Municipal Code Title 6, Part 1, Chapter 6-2, Article 5 ("Design Review"), Chapter 6-5, Article 1, Section 6-531 ("Residential conversions and replacements"), Chapter 6-8, Article 2 and 4, ("MRA and MRO"), Chapter 6-9, Article 1, 1.5 2, 2.5, 4, 4.5, 5, and 7, ("Downtown Commercial Zones" RB, RB-60, C, C-60. SRB, SRB-60, C-1, and C-1-60)

[BEHIND THIS PAGE]

EXHIBIT "A"

Article 5 of Chapter 6-2 of the Lafayette Municipal Code is hereby amended to read as follows:

Article 5. Design Review

6-270 Findings and purpose.

(a) The city council finds that:

- (1) The appearance of open space, buildings and structures has a material and substantial relationship to property values and the taxable value of property in the city and to the health, safety and general welfare of the city;
- (2) Neighborhoods can and will deteriorate because of poor planning, neglect of property design standards and the existence of buildings and structures unsuitable to and incompatible with the character of the neighborhood and the community. This has resulted in poor design, the lowering of property values, the discouraging of maintenance and improvement of surrounding properties, and has impaired the public health, safety and welfare;
- (3) It is the policy of the city to prevent deterioration and to preserve and enhance the property values, the visual character of the community and the public health, safety and welfare of its citizens;
- (4) The quality of life and stable property values are enhanced by good quality design; and
- (5) This article is adopted under the appropriate provisions of the Planning and Zoning Law of the State of California, Government Code Section 65000 et seq.

(b) The purpose of this article is to:

- (1) Improve the general standards of orderly development of the city through design review of individual buildings and structures and their environs;
- (2) Establish standards and policies that will promote and enhance good design, site relationships and other aesthetic considerations in the city;
- (3) Provide for the review of the design of proposed projects for which design review is required; and
- (4) Accelerate and streamline the design review process in the city and provide a mechanism for design review at the early stages of a project, with the goal that every application be successful, and consistent with city standards.

(Ord. No. 629, 9-8-2014)

6-271 Definitions.

- (a) "Design review" means review of the aesthetic elements of a project including site and building design.

- (b) "Gross floor area" under this article, means the total horizontal area in square feet of each floor of all structures with at least three walls and a roof on a parcel, including habitable and non-habitable areas, as measured at the exterior face of the enclosing walls.
- (c) "Minor" under this article, means a small-scale change or addition of minor impact, as determined by the zoning administrator.
- (d) "Project" under this article, means new construction, additions, or alterations to the gross floor area or building height.
- (e) "Zoning administrator," means the planning director or their designated representative.

(Ord. No. 629, 9-8-2014)

6-272 Applicability and general requirements.

- (a) This article applies to:
 - (1) Multi-Family: Projects or any change that alters the physical appearance of any building or site which occurs within the multiple-family residential zoning districts;
 - (2) Downtown: Projects or any change that alters the physical appearance of any building or site and its relationship to the street which occurs within the downtown commercial zoning districts;
 - (3) Exceeding 6,000 Square Feet: Projects which occur within the single-family residential zoning districts and exceeds 6,000 square feet in gross floor area;
 - (4) Exceeding 17 Feet: Projects which occur within the single-family residential zoning districts and exceed 17 feet in height;
 - (5) Condition of Approval: Projects for which design review is required as a condition of approval; and
 - (6) Change of Conditions: Projects that seek a change to the approved building or site design pursuant to the design review permit.
- (b) A person proposing a project or construction for which design review is required shall comply with the requirements of this article. If design review is required, no permit may be issued or city approval granted unless the applicant has complied with this article.

(Ord. No. 629, 9-8-2014)

6-273 Required information.

An application for which design review is required by this article shall be accompanied by copies (in a quantity specified by the planning director) of site plans, diagrams, photographs, materials or other presentation material as may be necessary for complete review and consideration of the proposed plan. The application shall include information set forth in a policy adopted by the design review commission and additional information which may be reasonably required by the zoning administrator.

(Ord. No. 629, 9-8-2014)

6-274 Evaluation.

The hearing authority shall consider the following aspects of a design review plan, to the extent they are applicable:

- (a) Height, mass, lot coverage, setback and relationship of structures;
- (b) Site plan, including orientation and location of structures to one another and to open spaces and topography; definition of vehicular and pedestrian areas;
- (c) Design of special features such as walls, screens, fences, street furniture, signs, lighting; concealment and sound protection of equipment (mechanical, electrical, solar energy), utilities and other exterior appurtenances;
- (d) Continuity of design in the composition of structures and the use of materials and colors;
- (e) Design relationship of the proposed plan to neighboring properties and structures;
- (f) Landscaping plan, including the preservation of existing trees, the size and hardiness of trees and plants, the plans for irrigation and maintenance, and the degree to which landscaping complements the structure(s) and terrain; all in accordance with the guidelines in "Trees for Lafayette";
- (g) Drainage systems;
- (h) Use of passive or active solar energy;
- (i) Adequacy of traffic circulation and parking.

6-275 Design review findings.

- (a) Residential Design Review Findings.

In granting approval for single-family projects, duplex projects, and multi-family projects that do not comply with the applicable development and design standards, which occur in single-family and multiple-family residential zoning districts as outlined in Section 6-272(a)(1) and (3)— (6), the hearing authority shall make all the following findings:

- (1) The approval of the plan is in the best interest of the public health, safety and general welfare;
- (2) General site considerations, including site layout, open space and topography, orientation and location of buildings, vehicular access, circulation and parking, setbacks, height, walls, fences, public safety and similar elements have been designed to provide a desirable environment for the development;
- (3) General architectural considerations, including the character, scale and quality of the design, the architectural relationship with the site and other buildings, building materials, colors, screening of exterior appurtenances, exterior lighting and signing and similar elements have been incorporated in order to ensure the compatibility of this development with its design concept and the character of adjacent buildings; and
- (4) General landscape considerations, including the location, type, size, color, texture and coverage of plant materials, provisions for irrigation, maintenance and protection of landscaped areas and

similar elements have been considered to ensure visual relief, to complement buildings and structures and to provide an attractive environment for the enjoyment of the public.

(b) Single-Family Residential Findings—Exceeding 6,000 Square Feet.

In addition to the findings required in Section 6-275(a), the hearing authority shall make the following findings for projects which occur in single-family residential zoning districts and exceeds 6,000 square feet in gross floor area as outlined in Section 6-272(a)(3):

- (1) The house substantially complies with the residential design guidelines;
- (2) The house is so designed that its mass will not appear significantly out of scale with the existing neighborhood;
- (3) The house does not, because of its size, unduly impact, restrict or block significant views; and
- (4) The house does not, because of its size, require removal of natural features, require excessive grading or cause the unnecessary removal of a healthy tree(s).

(c) Single-Family Residential Findings—Exceeding 17 Feet in Height.

In addition to the findings required in Section 6-275(a), the hearing authority shall make the following findings for projects which occur in single-family residential zoning districts and exceeds 17 feet in height as outlined in Section 6-272(a)(4):

- (1) The structure substantially complies with the residential design guidelines;
- (2) The structure is so designed that it will appear compatible with the scale and style of the existing neighborhood and will not significantly detract from the established character of the neighborhood;
- (3) The structure is so designed that it does not appear too tall or massive in relation to surrounding structures or topography when viewed from off-site; and
- (4) The structure is so designed that it does not unreasonably reduce the privacy or views of adjacent properties.

(d) Multi-Family Residential Findings. In granting approval for any multi-family project as outlined in Section 6-272(a)(1), the hearing authority shall find that the project substantially complies with all applicable objective development and design standards.

(e) Downtown Design Review Findings.

The hearing authority shall make the following findings for non-residential projects and multi-family and residential mixed-use projects that do not comply with the applicable development and design standards, which occurs within the downtown commercial zoning districts as outlined in Section 6-272(a)(2):

- (1) The project substantially complies with the downtown design guidelines.
- (2) The site design, including building placement, parking and circulation, landscape, and outdoor space, enhances the pedestrian experience, embraces and preserves creeks and natural features, promotes connections, creates visual interest, and relates to the character of the surrounding development.

- (3) The building design, including height and scale, architectural details, and amenities, provides diversity in building form, preserves views of surrounding hillsides and ridges as seen from Mt. Diablo Boulevard, creates an inviting environment for pedestrians, and relates to the character of the surrounding development.
- (4) The project promotes a character relating to Lafayette that is informal with variations in architectural styles, massing, setbacks, and upper story step-backs.
- (5) The project, when adjacent to existing residential dwelling units, is designed to minimize impacts, including noise, privacy, light and glare.

(f) Height Exception Findings.

In addition to the findings required in Section 6-275(~~de~~), the city council shall make the following findings to grant a building height exception to allow up to 45 feet in height for rare and exceptional projects which occur within the RB, SRB, C, and C-1 districts, excluding the Brown Avenue and the Plaza Way character areas. There is no exception to the three-story limit. The city council will scrutinize the justifications on a project and site specific basis, considering the unique characteristics surrounding the project. Granting a height exception shall not be considered precedent setting.

(1) Site opportunities or project necessity:

- (A) The site has unique circumstances, such as topography, setbacks, or backdrops, that mitigate the apparent height when viewed from Mt. Diablo Boulevard without compromising the site's natural features; or
- (B) The project is rare and exceptional, designed to mitigate the apparent height, and requires a height exception based on compelling reasons, other than solely economics, as to why the project cannot comply with the 35-foot height requirement; and

(2) The project provides significant public benefits and amenities over and above nexus-based city requirements.

(g) Design Review Denial.

The hearing authority shall deny a project for design review if it cannot make all of the required findings.

(Ord. No. 629, 9-8-2014; Ord. No. 696 (part), 1-13-2025)

6-276 Hearing authority.

(a) Zoning Administrator.

- (1) The zoning administrator shall review projects for design review if it finds that the projects are minor.
- (2) The zoning administrator may refer a matter at its discretion to the design review commission.
- (3) A decision of the zoning administrator is final unless appealed under Section 6-280.

(b) Design Review Commission.

- (1) The design review commission shall review projects for design review which are not minor.
 - (2) The design review commission may refer a matter at its discretion to the planning commission.
 - (3) A decision of the design review commission is final unless appealed under Section 6-280.
 - (4) The design review commission may conduct study sessions for preliminary designs at the request of the applicant or as required by the zoning administrator. When such a session is held, the commission's role is to provide preliminary direction to the applicant and no action is taken.
 - (5) When an application is otherwise before the design review commission, the commission shall also review variances pursuant to the procedures and findings conforming to Section 6-214, specific findings necessary for variance, except for downtown projects in which the planning commission is the final hearing authority.
- (c) Planning Commission.
- (1) The planning commission shall review new buildings within the ~~four~~ downtown commercial zoning districts and projects referred to them by the zoning administrator or the design review commission.
 - (2) The planning commission shall review, and forward a recommendation to the city council, projects which requires a height exception and are within the ~~four~~ downtown commercial zoning districts.
 - (3) The planning commission may refer a matter at its discretion to the city council.
 - (4) A decision of the planning commission is final unless appealed under Section 6-233.
- (d) City Council.
- (1) The city council shall review projects which require a height exception and are within the ~~four~~ downtown commercial zoning districts. The city council shall scrutinize the justifications on a project and site specific basis, considering the unique characteristics surrounding the proposal. Granting a height exception shall not be considered precedent setting.
 - (2) A decision of the city council is final.

(Ord. No. 629, 9-8-2014; Ord. No. 696 (part), 1-13-2025)

6-277 Notice.

Whenever an application is scheduled for review by the design review commission or planning commission, the zoning administrator shall send written notice at least ten days in advance to the applicant and to any person who has filed a written request for notice in conformance with Section 6-211 and shall post at least three notices near the property which is the subject of the application.

(Ord. No. 629, 9-8-2014)

6-278 Decision and findings.

The hearing authority making a final decision shall make findings and render its decision, and shall provide a written copy of the findings and decision to the applicant within ten days.

(Ord. No. 629, 9-8-2014)

6-279 Conditions may be imposed.

- (a) The hearing authority may impose conditions to the granting of design review approval if it finds that the proposed project or structure does not otherwise meet the applicable design review standards.
- (b) In addition to any other conditions which may reasonably be imposed, the zoning administrator may require that a boundary survey by a licensed surveyor or engineer which confirms the substantial accuracy of the boundaries shown in the application shall be filed with the zoning administrator before construction.

(Ord. No. 629, 9-8-2014)

6-280 Appeal—Reconsideration.

- (a) Any person may appeal a decision made under this chapter. A decision by the zoning administrator is appealable to the design review commission. A decision of the design review commission is appealable to the planning commission. A decision of the planning commission is appealable to the city council. The procedures and time limits set forth in Article 3 of this chapter (Decisions and Appeal) apply.
- (b) Unless an application is denied without prejudice under Section 6-227 or is reconsidered under Section 6-237, no new application for design review substantially in the form of the application which was denied may be made within six months after the date of final denial.

(Ord. No. 629, 9-8-2014)

6-281 Other regulations.

The planning commission may adopt additional policies and procedures to implement this article.

(Ord. No. 629, 9-8-2014)

Section 6-531 of Article 1 of Chapter 6-5 LMC is hereby amended to read as follows:

Article 1. Miscellaneous

6-531 Residential conversions and replacements.

- (a) The City shall not approve or issue a building permit for a housing development project that will require the demolition of one or more residential dwelling units unless the project will create at least as many residential dwelling units of equivalent size as will be demolished.
- (b) The City shall not approve or issue a building permit for a housing development project that will require the demolition of occupied or vacant protected units, unless the housing development project meets all of the requirements of California Government Code Section 65915(c)(3).
- (c) The following words and phrases, whenever used in this section, shall be defined as the following:

“Equivalent size” means that the replacement units contain at least the same total number of bedrooms as the units being replaced.

“Housing development project” shall have the same meaning as defined in paragraph (3) of subdivision (b) of Section 65905.5 of the California Government Code, however, shall not include a housing development project located within a very high fire hazard severity zone.

“Protected units” has the same meaning as set forth in California Government Code Section 66300.

“Very high fire severity zone” has the same meaning as provided in California Government Code Section 51177.

- (d) Inclusionary housing or density bonus. Affordable replacement units required by this section may count toward any affordable housing set-aside units required in connection with the granting of a density bonus, or the requirements of the City's inclusionary housing program, if applicable.
- (e) The affordable replacement units shall be subject to the requirements for affordable units as established in Chapter 6-37 – Inclusionary Housing.
- (f) This section shall remain effective despite the possible expiration of Government Code Section 65915.
- (g) A housing development project that submits a preliminary application pursuant to Section 65941.1 of the California Government Code before January 1, 2030, remains subject to this section after January 1, 2030.

(Ord. 359 § 1(A), 1987; Ord. 349 § 8, 1986)

(Ord. No. 634, § 4 (exh. A), 9-22-2014)

(Ord. No. 969, 1-13-2025)

Article 2 of Chapter 6-8 LMC is hereby amended to read as follows:

Article 2. Multiple-family Residential District A

6-821 General.

All land in the multiple-family residential district A (map symbol M-R-A) shall be used in accordance with the provisions of this article.

(Ord. 141 § 2 (part), 1975)

6-822 Purpose.

The purpose of this article is to provide a multiple-family residential district which allows a varied mix of housing types within the core area of the city convenient to central business areas and public transit, and regulations therefore, development of which will be consistent with and further the city’s overall planning objective of the preservation and enhancement of its semirural residential character. The regulations in this article are intended to require carefully conceived plans; to preserve natural settings and open space; to achieve the optimum in quality development, preservation of the environment,

enhancement of the tax base, and beneficial use of available land; and to provide for development which is consistent with the goals and policies and other provisions of the general plan.

(Ord. 279 § 1, 1982; Ord. 141 § 2 (part), 1975)

6-823 Uses permitted.

The following uses are permitted in the M-R-A district:

- (a) A detached single-family dwelling on each lot and the accessory structures and uses normally auxiliary to it;
- (b) Duplex;
- (c) Multiple-family building;
- (d) Reserved;
- (e) Reserved;
- (f) A home occupation;
- (g) Consultative services in buildings which contain such uses on November 30, 1982, and for which the main building permit was issued prior to June 1, 1982, provided there is no future conversion of residential use to office use;
- (h) Medical services in buildings which contain such uses on November 30, 1982 and for which the main building permit was issued prior to June 1, 1982, provided there is no future conversion of residential use to medical services;
- (i) Limited child care;
- (j) Supportive care pursuant to Section 6-534 LMC.

(Ord. 279 § 2, 1982; Ord. 141 § 2 (part), 1975)

6-824 Uses requiring a permit.

In the M-R-A district the following uses are permitted on the issuance of a land use permit:

- (a) Residential businesses;
- (b) Community assembly and education;
- (c) Publicly owned buildings and structures, except as provided in Section 6-516;
- (d) Day-care and educational services;
- (e) Eleemosynary and philanthropic institutions;
- (f) Uses which the planning commission has found, after notice and hearing, to be comparable to the above uses;
- (g) A recreation court as required in Section 6-572.

(Ord. 541 § 2 (part), 2004; Ord. 279 § 3, 1982; Ord. 141 § 2 (part), 1975)

(Ord. No. 635, § 4 (exh. A), 10-14-2014)

6-825 Lot area.

No new lots may be created in the M-R-A district smaller than 10,000 square feet in area.

(Ord. 141 § 2 (part), 1975)

6-826 Floor area ratio (FAR).

(a) The maximum gross floor area ratio for all buildings shall be no greater than 1.0.

(b) Small size, studio and one-bedroom units are encouraged.

(Ord. 279 § 4, 1982; Ord. 141 § 2 (part), 1975; Ord. No. 696 (part), 1-13-2025)

6-826.5 Density

The maximum and minimum residential densities for lots within the M-R-A district shall conform to the density standards specified in the applicable land use designation of the General Plan Land Use Element and as outlined in Program 10.3.g of the 2023-2031 6th Cycle Housing Element.

(Ord. No. 696, 1-13-2025)

6-827 Lot width.

No new lots may be created in the M-R-A district with an average width of less than 80 feet.

(Ord. 141 § 2 (part), 1975)

6-828 Lot depth.

No new lots may be created in the M-R-A district with a depth of less than 90 feet.

(Ord. 141 § 2 (part), 1975)

6-829 Height.

No building in the M-R-A district shall exceed 35 feet in height. reviewed by the planning commission so as to ensure that its height and proportions are compatible with other buildings in the vicinity, and that it is favorably located in relation to topographic conditions in a manner that visually attenuates its height.

(Ord. 279 § 5, 1982; Ord. 141 § 2 (part), 1975; Ord. No. 696 (part), 1-13-2025)

6-830 Setback.

There shall be a minimum setback (front yard) of at least 20 feet for any structure in the M-R-A district. On corner lots the principal frontage of the lot shall have a setback of at least 20 feet and the other setback shall be at least 15 feet.

(Ord. 279 § 6, 1982; Ord. 141 § 2 (part), 1975)

6-831 Side yards.

There shall be a minimum side yard of at least ten feet for any structure in the M-R-A district. For a three-story building there shall be an average side yard of at least 20 feet, with a minimum side yard of ten feet. These minima may be reduced to three feet for an accessory building or structure if it is set back at least 50 feet from the front property line and from any street line.

(Ord. 279 § 7, 1982: Ord. 141 § 2 (part), 1975)

6-832 Rear yard.

There shall be a minimum rear yard of at least 15 feet for any principal structure in the M-R-A district. There shall be a rear yard of at least three feet for any accessory structure.

(Ord. 279 § 8, 1982: Ord. 141 § 2 (part), 1975)

6-833 Lot coverage.

There shall be a maximum lot coverage of 60 percent in the M-R-A district. Lot coverage includes all buildings and structures.

(Ord. 279 § 9, 1982: Ord. 141 § 2 (part), 1975)

6-834 Open space.

A minimum of 35 percent of the ground level of the lot shall not be occupied by buildings, structures or pavement for automobiles, but shall be maintained as open space, and devoted to landscaping. Open space includes planted open space, and may include ground-level private open space.

(Ord. 279 § 10, 1982: Ord. 141 § 2 (part), 1975)

6-835 Planted open space.

A minimum of 20 percent of the ground level of a lot in the M-R-A district shall be planted and maintained with growing plants. To qualify as planted open space, an area must have a minimum dimension of 15 feet. Planted open space may include ground-level private open space if the latter has a minimum dimension of 15 feet. The 20 percent of the lot which must be planted open space is part of the 45 percent of the lot which must be open space.

(Ord. 279 § 11, 1982: Ord. 141 § 2 (part), 1975)

6-836 Private open space.

A private patio, balcony or other open area shall be provided for each dwelling unit in the M-R-A district. This private open space shall be equal to or greater than ten percent of the floor area of each dwelling unit, and in no case shall be smaller than 100 square feet. The minimum dimension of this private open space shall be five feet.

(Ord. 279 § 12, 1982: Ord. 141 § 2 (part), 1975)

6-837 Parking.

(a) In the M-R-A district, off-street parking shall be provided on the same lot, convenient to all dwelling units, in accordance with the following schedule:

- (1) One-bedroom units, 1.0 spaces per unit;
- (2) Two-bedroom units, 1.2 spaces per unit;
- (3) Three or more bedroom units, 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.

(Ord. 141 § 2 (part), 1975; Ord. No. 696 (part), 1-13-2025)

6-838 Reserved.

6-839 Design review.

All new construction and all remodeling of a structure when the completed new work will be visible from public property, or when the nature of the use will be changed, shall be subject to the design review requirements and procedures set forth in Part 1 of this title.

(Ord. 324 § 2(d) (part), 1984; Ord. 141 § 2 (part), 1975)

6-840 Modifiable sections.

Land use permits for the special uses enumerated in Section 6-824 and variance permits to modify the provisions of Sections 6-825 to 6-838, inclusive, may be granted in accordance with the applicable provisions of Chapter 6-1 of this title.

(Ord. 141 § 2 (part), 1975)

Article 4 of Chapter 6-8 LMC is hereby amended to read as follows:

Article 4. Multiple-family Residential/Professional Office District

6-861 General.

All land in the multiple-family residential/professional office district (map symbol M-R-O) shall be used in accordance with the provisions of this article.

(Ord. 139 § 2 (part), 1975)

6-862 Purpose.

The purpose of this article is to allow a mixture of professional offices and multiple-family residences, in locations where those uses are compatible, and where proximity to rapid transit facilities, freeway off-ramps and central commercial areas combine to create a need for both uses. The regulations in this article are intended to require carefully conceived plans, at a physical scale compatible with nearby residential areas; to preserve natural settings and a feeling of open space; to ensure attractive and compatible architectural treatment of structures; to achieve the optimum in quality development; and to provide for development which is consistent with the goals and policies and other provisions of the general plan.

(Ord. 280 § 1, 1982; Ord. 139 § 2 (part), 1975)

6-863 Uses permitted.

The following uses are permitted in the M-R-O district:

- (a) Duplexes;
- (b) Multiple-family buildings;
- (c) Home occupations;
- (d) Consultative service;
- (e) Medical service;
- (f) Limited child-care;
- (g) A recreation court as required in section 6-572;
- (h) Supportive care pursuant to Section 6-534 LMC.

(Ord. 541 § 2 (part), 2004; Ord. 280 § 2, 1982: Ord. 139 § 2 (part), 1975)

(Ord. No. 635, § 4 (exh. A), 10-14-2014)

6-864 Uses requiring a permit.

In the M-R-O district, the following uses are permitted on the issuance of a use permit:

- (a) Residential businesses;
- (b) Day care and educational services;
- (c) Publicly owned buildings and structures, except as provided in Section 6-516;
- (d) Community assembly and education;
- (e) Eleemosynary and philanthropic institutions;
- (f) Uses which the planning commission has found, after notice and hearing, to be comparable to the above uses.
- (g) A recreation court as required in Section 6-572.

(Ord. 541 § 2 (part), 2004; Ord. 280 § 3, 1982: Ord. 139 § 2 (part), 1975)

6-865 Lot area.

No new lots may be created in the M-R-O district smaller than 10,000 square feet in area.

(Ord. 139 § 2 (part), 1975)

6-866 Lot width.

No new lots may be created in the M-R-O district with an average width of less than 80 feet.

(Ord. 139 § 2 (part), 1975)

6-867 Lot depth.

No new lots may be created in the M-R-O district with a depth of less than 90 feet.

(Ord. 139 § 2 (part), 1975)

6-868 Height.

The following height restrictions apply in the M-R-O district:

- (a) Office use only: no building may exceed two stories or 30 feet in height.
- (b) Combined office/residential use (as defined in Section 6-872(b)), or residential-only use: no building may exceed three stories or 35 feet in height.

(Ord. 280 § 4, 1982: Ord. 139 § 2 (part), 1975, Ord. No. 696 (part), 1-13-2025)

6-869 Setback.

There shall be a minimum setback (front yard) of at least 20 feet for any structure in the M-R-O district. On corner lots the principal frontage of the lot shall have a setback of at least 20 feet and the other setback shall be at least 15 feet.

(Ord. 280 § 5, 1982: Ord. 139 § 2 (part), 1975)

6-870 Side yards.

There shall be a minimum side yard of at least ten feet for any structure in the M-R-O district. This minimum may be reduced to three feet for an accessory structure if it is set back at least 50 feet from the front property line or any street line.

(Ord. 280 § 6, 1982: Ord. 139 § 2 (part), 1975)

6-871 Rear yard.

There shall be a minimum rear yard of at least 15 feet for any principal structure in the M-R-O district. There shall be a rear yard of at least three feet for any accessory structure.

(Ord. 280 § 7, 1982: Ord. 139 § 2 (part), 1975)

6-872 Floor area ratio.

The following floor area ratio restrictions apply in the M-R-O district:

- (a) Office Use. On any office site, the maximum floor area of all buildings shall be no greater than 0.30 times the area of the site.
- (b) Combined Office/Residential Use. On any combined-use site, where 50 percent or more of the floor area will be residential, the maximum floor area of all buildings shall be no greater than 1.0 times the area of the site. Where less than 50 percent of the floor area will be residential, the maximum floor area of all buildings shall be no greater than 0.50 times the area of the site.
- (c) Residential Use. On any residential site, the maximum floor area shall be no greater than 1.0 times the area of the site.

(Ord. 280 § 8, 1982: Ord. 139 § 2 (part), 1975, Ord. No. 696 (part), 1-13-2025)

6-872.5 Density.

The maximum and minimum residential densities for lots within the M-R-O district shall conform to the density standards specified in the applicable land use designation of the General Plan Land Use Element and as outlined in Program 10.3.g of the 2023-2031 6th Cycle Housing Element.

(Ord. No. 696, 1-13-2025)

6-873 Open space.

A minimum of 30 percent of the ground level of a lot in the M-R-O district shall not be occupied by buildings, structures or pavement for automobiles, but shall be maintained as open space, and devoted to landscaping, recreational or private open space uses. Open space includes landscaped space. To be included in the calculation of open space, each area must have a minimum dimension of ten feet.

(Ord. 280 § 9, 1982: Ord. 139 § 2 (part), 1975)

6-874 Landscaped space.

A minimum of 20 percent of the ground level of a lot in the M-R-O district shall be planted and maintained with growing plants. To qualify as landscaped space, an area must have a minimum dimension of ten feet.

(Ord. 280 § 10, 1982: Ord. 139 § 2 (part), 1975)

6-875 Parking space.

- (a) In the M-R-O district, off-street parking shall be provided on the same lot, convenient to all offices and dwelling units, in accordance with the following schedule:
 - (1) One-bedroom units, 1 space per unit;
 - (2) Two-bedroom units, 1.2 spaces per unit;
 - (3) Three or more bedroom units, 1.5 spaces per unit;
 - (4) Offices, as required under Chapter 6-6 of this title.
- (b) In addition, for multifamily residential developments, one guest parking space shall be provided for each five dwelling units. A minimum of one parking space per dwelling unit shall be covered.
- (c) For combined office and residential developments the number of parking stalls specified above may be modified by the planning commission in consideration of the cumulative parking needs of all the uses on the subject property.

(Ord. 280 § 11, 1982: Ord. 139 § 2 (part), 1975, Ord. No 696 (part), 1-13-2025)

6-876 Reserved.

6-877 Design review.

All new construction and all remodeling of a structure when the completed new work will be visible from public property, or when the nature of the use will be changed shall be subject to the design review requirements and procedures set forth in Part 1 of this title.

(Ord. 324 § 2(d) (part), 1984; Ord. 139 § 2 (part), 1975)

6-878 Modifiable sections.

Land use permits for the special uses enumerated in Section 6-864 and variance permits to modify the provisions of Sections 6-865 to 6-875, inclusive, may be granted in accordance with the applicable provisions of Part 1 of this title, except that no variance may be granted to Section 6-868(a), number of stories for office use.

(Ord. 280 § 12, 1982; Ord. 139 § 2 (part), 1975)

Article 1 of Chapter 6-9 LMC is hereby amended to read as follows:

Article 1. Retail Business District

6-901 General.

All land in the retail business district (map symbol RB) shall be used in accordance with the provisions of this article.

(Ord. 221 § 1 (part), 1980)

6-902 Purpose.

The purpose of the regulations for the RB district is to create, preserve and enhance areas with a selective range of retail and personal service establishments in attractive, compact locations oriented toward pedestrian comparison shopping and to complement the special shopping district at the core of the retail district.

(Ord. 221 § 1 (part), 1980)

6-903 Specific plans.

The use, design and other features of the RB district regulations may be overridden by regulations contained in specific plans adopted for any portion of said district.

(Ord. 221 § 1 (part), 1980)

6-904 Uses permitted.

Except as is otherwise provided in Section 6-906, the following uses may be conducted as a matter of right in the RB 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) Administrative;
- (b) Administrative civic;

- (c) Home/business furnishings where the total floor area is less than 2,000 square feet in size;
- (d) Consultative service;
- (e) Fast-food restaurant without drive-thru, drive-up or pass-thru window services;
- (f) Full-service restaurant, including those with outside dining and service;
- (g) General food sales, where the total floor area is less than 2,000 square feet in size;
- (h) General personal service;
- (i) General retail sales;
- (j) Business and communication service, where the total floor area is less than 2,000 square feet in size;
- (k) Limited child-care;
- (l) Residential dwelling units on upper floors along Mount Diablo Boulevard (between Mtn. View Drive and First Street on the north side and between Mtn. View Drive and Moraga Road on the south side) and on all floors elsewhere in the district;
- (m) Supportive care pursuant to Section 6-534 LMC.

(Ord. 359 § 3(A), 1987; Ord. 357 § 1, 1987; Ord. 221 § 1 (part), 1980)

(Ord. No. 614, § 1 (exh. A), 12-10-2012; Ord. No. 635, § 4 (exh. A), 10-14-2014)

6-905 Uses requiring a permit.

In the RB district the following uses are permitted after the issuance of a land use permit:

- (a) Commercial automotive fee parking;
- (b) Commercial recreation;
- (c) Day-care and educational services;
- (d) Fast-food restaurant with drive-thru, drive-up or pass-thru window service;
- (e) Financial service;
- (f) General food sales, where the total floor area is or exceeds 2,000 square feet in size;
- (g) Real estate sales;
- (h) Residential dwelling units;
- (i) Self-service laundry or retail dry cleaners which complies with Section 6-532;
- (j) Utility distribution and civic service;
- (k) Retail business utilizing access to or from a public street having a right-of-way of 55 feet or less, which forms the common boundary between a district of any residential classification and the RB

district. The application for land use permit shall be determined by the effects of traffic upon such a street occasioned by the use within the RB district, the characteristics of the adjacent areas, traffic problems, pedestrian traffic and other considerations found pertinent to the particular area concerned;

- (l) Business and communication service, where the total floor area of the building is or exceeds 2,000 square feet in size;
- (m) Home/business furnishings, where the total floor area of the building is or exceeds 2,000 square feet in size;
- (n) Sales representatives and goods brokers.

(Ord. 433 § 5, 1994: Ord. 359 § 3(B), 1987: Ord. 357 § 2, 1987: Ord. 221 § 1 (part), 1980)

(Ord. No. 614, § 1 (exh. A), 12-10-2012)

6-906 Restrictions on ground-level uses.

- (a) Notwithstanding the provisions of Section 6-904, no new or expanded administrative nor consultative service activity may be located on the ground level of any building, except upon the granting of a land use permit pursuant to Section 6-215 and 6-907.
- (b) No new or expanded financial service nor real estate service activity may be located on the ground level of any building, unless the approving authority determines that the proposed use will comply with the provisions of Sections 6-215 and 6-907.

(Ord. 359 § 3(C), 1987: Ord. 221 § 1 (part), 1980)

6-907 Use permit criteria for ground-level uses.

A land use permit for any use enumerated in Section 6-906 may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in Section 6-215 and to the following additional criteria:

- (a) That the proposal will not detract from the compact, integrated character of the area;
- (b) That the proposal will not impair a generally continuous wall of building facades;
- (c) That the proposal will not weaken the concentration and continuity of retail facilities at ground level, and will not break up an important shopping frontage;
- (d) That the proposal will not interfere with the movement of people along an important pedestrian walkway;
- (e) That the proposal will conform in all significant respects with any applicable specific plan which has been adopted by the city council.

(Ord. 221 § 1 (part), 1980)

6-908 Lot area.

No new lots may be created in the RB district smaller than 5,000 square feet in size.

(Ord. 221 § 1 (part), 1980)

6-909 Height.

No building in the RB district may exceed 35 feet in height.

(Ord. 221 § 1 (part), 1980)

6-910 Density.

The maximum and minimum residential densities for lots within the RB district shall conform to the density standards specified in the applicable land use designation of the General Plan Land Use Element and as outlined in Program 10.3.g of the 2023-2031 6th Cycle Housing Element.

(Ord. No. 696, 1-13-2025)

6-911 Open space.

- (a) A minimum of 20 percent of the area of any lot in the RB district shall be retained as permanent open space. The open space shall be open and unobstructed to the sky and shall be provided in a continuous undivided design with a minimum dimension of ten feet at any place. All open space shall be provided completely exterior to any building.
- (b) Open space created as a result of combination with contiguous open space on other properties may be approved when the combined open space is not less than 15 percent of the total area of the properties involved.
- (c) The open space shall not be used as outside merchandizing, parking, loading or service area.
- (d) The design and use of such open space shall be determined by the regulations of an adopted specific plan or through the land use permit or site plan and building elevation review procedures.

(Ord. 359 § 3(D), 1987; Ord. 221 § 1 (part), 1980, Ord. No. 696 (part), 1-13-2025)

6-912 Landscaping.

Landscaping shall be provided in the RB district in the amount and manner as prescribed in the adopted specific plan or through the land use permit or site plan and building elevations review procedures.

(Ord. 221 § 1 (part), 1980)

6-913 Minimum setbacks or yards.

- (a) No setbacks or yards are required in the RB district, except as indicated in subsection (b) of this section.
- (b) If the site is adjacent to residentially zoned property, or property not zoned residential but with an existing residential structure or structures of four or more units, there shall be a ten-foot-wide landscaped yard along that entire property line.

(Ord. 221 § 1 (part), 1980)

6-914 Off-street parking and loading.

- (a) Parking and loading spaces shall be provided in the RB district as required by Chapter 6-6 of this title.
- (b) Parking lots, as much as feasible, shall be designed and located in a manner to promote the accumulation, combination, interconnection and mutual use with other existing or planned parking lots on contiguous or nearby properties.
- (c) Contiguous, connected by driveway parking lots of ten stalls or more, designed to be used mutually by two or more of the following uses: general retail sales, general personal service, and full-service restaurant, may provide 15 percent fewer parking stalls than required by Chapter 6-6, provided that no more than one of the uses served is a full-service restaurant.
- (d) Notwithstanding the lack of a required setback or yard, the edge of pavement at the head of a parking stall shall be no closer than five feet from any property line.

(Ord. 359 § 3(E), 1987; Ord. 221 § 1 (part), 1980, Ord. No. 696 (part), 1-13-2025)

6-915 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 proposal shall have been approved pursuant to the design review requirements set forth in Part 1 of this title.

(Ord. 324 § 2€ (part), 1984; Ord. 221 § 1 (part), 1980)

6-916 Modifiable sections.

Land use permits for the special uses enumerated in Sections 6-905 and 6-906, and variance permits to modify the provisions of Sections 6-908 through 6-914, inclusive, may be granted in accordance with the applicable provisions of Part 1 of this title.

(Ord. 221 § 1 (part), 1980)

Article 1.5 of Chapter 6-9 LMC is hereby added to read as follows:

Article 1.5. Retail Business District – 60

6-916.1 General.

All land in the retail business-60 district (map symbol RB-60) shall be used in accordance with the provisions of this article.

(Ord. No. 696, 1-13-2025)

6-916.2 Purpose.

The purpose of the regulations for the RB-60 district is to create, preserve and enhance areas with a selective range of retail and personal service establishments in attractive, compact locations oriented toward pedestrian comparison shopping and to complement the special shopping district at the core of the retail district.

(Ord. No. 696, 1-13-2025)

6-916.3 Specific plans.

The use, design and other features of the RB-60 district regulations may be overridden by regulations contained in specific plans adopted for any portion of said district.

(Ord. No. 696, 1-13-2025)

6-916.4 Uses permitted.

Except as is otherwise provided in Section 6-916.6, the following uses may be conducted as a matter of right in the RB-60 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) Administrative;
- (b) Administrative civic;
- (c) Home/business furnishings where the total floor area is less than 2,000 square feet in size;
- (d) Consultative service;
- (e) Fast-food restaurant without drive-thru, drive-up or pass-thru window services;
- (f) Full-service restaurant, including those with outside dining and service;
- (g) General food sales, where the total floor area is less than 2,000 square feet in size;
- (h) General personal service;
- (i) General retail sales;
- (j) Business and communication service, where the total floor area is less than 2,000 square feet in size;
- (k) Limited child-care;
- (l) Residential dwelling units;
- (m) Supportive care pursuant to Section 6-534 LMC.

(Ord. No. 696, 1-13-2025)

6-916.5 Uses requiring a permit.

In the RB-60 district the following uses are permitted after the issuance of a land use permit:

- (a) Commercial automotive fee parking;
- (b) Commercial recreation;
- (c) Day-care and educational services;

- (d) Fast-food restaurant with drive-thru, drive-up or pass-thru window service;
- (e) Financial service;
- (f) General food sales, where the total floor area is or exceeds 2,000 square feet in size;
- (g) Real estate sales;
- (h) Residential dwelling units;
- (i) Self-service laundry or retail dry cleaners which complies with Section 6-532;
- (j) Utility distribution and civic service;
- (k) Retail business utilizing access to or from a public street having a right-of-way of 55 feet or less, which forms the common boundary between a district of any residential classification and the RB-60 district. The application for land use permit shall be determined by the effects of traffic upon such a street occasioned by the use within the RB-60 district, the characteristics of the adjacent areas, traffic problems, pedestrian traffic and other considerations found pertinent to the particular area concerned;
- (l) Business and communication service, where the total floor area of the building is or exceeds 2,000 square feet in size;
- (m) Home/business furnishings, where the total floor area of the building is or exceeds 2,000 square feet in size;
- (n) Sales representatives and goods brokers.

(Ord. No. 696, 1-13-2025)

6-916.6 Restrictions on ground-level uses.

- (a) Notwithstanding the provisions of Section 6-916.4, no new or expanded administrative nor consultative service activity may be located on the ground level of any building, except upon the granting of a land use permit pursuant to Section 6-215 and 6-916.7.
- (b) No new or expanded financial service nor real estate service activity may be located on the ground level of any building, unless the approving authority determines that the proposed use will comply with the provisions of Sections 6-215 and 6-916.7.

(Ord. No. 696, 1-13-2025)

6-916.7 Use permit criteria for ground-level uses.

A land use permit for any use enumerated in Section 6-916.6 may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in Section 6-215 and to the following additional criteria:

- (a) That the proposal will not detract from the compact, integrated character of the area;
- (b) That the proposal will not impair a generally continuous wall of building facades;

- (c) That the proposal will not weaken the concentration and continuity of retail facilities at ground level, and will not break up an important shopping frontage;
- (d) That the proposal will not interfere with the movement of people along an important pedestrian walkway;
- (e) That the proposal will conform in all significant respects with any applicable specific plan which has been adopted by the city council.

(Ord. No. 696, 1-13-2025)

6-916.8 Lot area.

No new lots may be created in the RB-60 district smaller than 5,000 square feet in size.

(Ord. No. 696, 1-13-2025)

6-916.9 Height.

No building in the RB-60 district may exceed 60 feet in height.

(Ord. No. 696, 1-13-2025)

6-916.10 Density.

The maximum and minimum residential densities for lots within the RB-60 district shall conform to the density standards specified in the applicable land use designation of the General Plan Land Use Element and as outlined in Program 10.3.g of the 2023-2031 6th Cycle Housing Element.

(Ord. No. 696, 1-13-2025)

6-916.11 Open space.

- (a) A minimum of 20 percent of the area of any lot in the RB-60 district shall be retained as permanent open space. The open space shall be open and unobstructed to the sky and shall be provided in a continuous undivided design with a minimum dimension of ten feet at any place. All open space shall be provided completely exterior to any building.
- (b) Open space created as a result of combination with contiguous open space on other properties may be approved when the combined open space is not less than 15 percent of the total area of the properties involved.
- (c) The open space shall not be used as outside merchandizing, parking, loading or service area.

(Ord. No. 696, 1-13-2025)

6-916.12 Landscaping.

A minimum 12 percent of the ground level of a lot in the RB-60 district shall be planted and maintained with growing plants.

(Ord. No. 696, 1-13-2025)

6-916.13 Minimum setbacks and upper-story step-backs.

- (a) Street-facing setbacks: 10 feet for residential uses; none required for non-residential uses.
 - (1) Interior side and rear setbacks:
 - (2) 10 feet for residential uses; none required for non-residential uses.
- (b) If the site is adjacent to residentially zoned property, or property not zoned residential but with an existing residential structure or structures of four or more units, there shall be a 10-foot-wide landscaped yard along that entire property line.
- (b) Upper-story step-backs: For all street-facing facades, building portions above 20 feet in height must be stepped-back ten feet from the façade directly below and building portions above 40 feet in height must be stepped-back an additional ten feet from the façade directly below.

(Ord. No. 696, 1-13-2025)

6-916.14 Off-street parking and loading.

- (a) Parking and loading spaces shall be provided in the RB-60 district as required by Chapter 6-6 of this title.
- (b) Contiguous, connected by driveway parking lots of ten stalls or more, designed to be used mutually by two or more of the following uses: general retail sales, general personal service, and full-service restaurant, may provide 15 percent fewer parking stalls than required by Chapter 6-6, provided that no more than one of the uses served is a full-service restaurant.
- (c) Notwithstanding the lack of a required setback or yard, the edge of pavement at the head of a parking stall shall be no closer than five feet from any property line.

(Ord. No. 696, 1-13-2025)

6-916.15 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 proposal shall have been approved pursuant to the design review requirements set forth in Part 1 of this title.

(Ord. No. 696, 1-13-2025)

6-916.16 Modifiable sections.

Land use permits for the special uses enumerated in Sections 6-916.5 and 6-916.6, and variance permits to modify the provisions of Sections 6-916.8 through 6-916.14, inclusive, may be granted in accordance with the applicable provisions of Part 1 of this title.

(Ord. No. 696, 1-13-2025)

Article 2 of Chapter 6-9 is hereby amended to read as follows:

Article 2. General Commercial District

6-921 General.

All land in the general commercial district (map symbol C) shall be used in accordance with the provisions of this article.

(Ord. 245 § 3 (part), 1981)

6-922 Purpose.

- (a) The purpose of this article is to provide for, enhance the opportunities for, and protect existing establishments offering a variety of supplies or service 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 their 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) The number of uses allowed in the C district has been limited in favor of the existing uses and to provide a favorable climate for administrative and consultative activities.
- (c) 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 § 3 (part), 1981)

6-923 Uses permitted.

The following uses may be conducted as a matter of right in the C 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 in the conversion of a residential use of the property.

- (a) Administrative;
- (b) Administrative civic;
- (c) Business and communication service;
- (d) Consultative service;
- (e) Full-service restaurant;
- (f) 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;
- (g) General personal service;
- (h) Limited child-care;
- (i) Real estate service;
- (j) Self-service laundry or retail dry cleaners which complies with Section 6-532;
- (k) Fast-food restaurant without drive-thru, drive-up or pass-thru window service;

- (l) Sales representatives and goods brokers;
- (m) Residential dwelling units;
- (n) Supportive care pursuant to Section 6-534 LMC.

(Ord. 359 § 4(A), 1987; Ord. 245 § 3 (part), 1981)

(Ord. No. 614, § 1 (exh. A), 12-10-2012; Ord. No. 635, § 4 (exh. A), 10-14-2014)

6-924 Uses requiring a use permit.

In the C district the following uses are permitted subject to the issuance of a land use permit:

- (a) Automotive servicing;
- (b) Commercial automotive fee parking;
- (c) Commercial laundry or dry cleaning;
- (d) Commercial recreation;
- (e) Community assembly and education;
- (f) Construction sales and service;
- (g) Convenience market;
- (h) Day-care and educational services;
- (i) Fast-food restaurant with drive-thru, drive-up or pass-thru window service;
- (j) Financial service;
- (k) 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 7,500 square feet or more;
- (l) Hospital;
- (m) Light manufacturing and research;
- (n) Medical service, where the cumulative gross floor area is 3,000 square feet or less;
- (o) Hotels and motels;
- (p) Undertaking service;
- (q) Utility distribution and civic service;
- (r) Firearm sales;
- (s) Uses which the planning commission has found, after notice and hearing, to be comparable to the above uses or which are 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 district is not permitted.

(Ord. 433 § 6, 1994; Ord. 359 § 4(B), 1987; Ord. 245 § 3 (part), 1981)

(Ord. No. 614, § 1 (exh. A), 12-10-2012; Ord. No. 635, § 4 (exh. A), 10-14-2014)

6-925 Lot area.

No new lots may be created in the C district smaller than 7,500 square feet in size.

(Ord. 245 § 3 (part), 1981)

6-926 Lot width.

No new lots may be created in the C district with an average width of less than 55 feet.

(Ord. 245 § 3 (part), 1981)

6-927 Lot depth.

No new lots may be created with a depth of less than 75 feet.

(Ord. 245 § 3 (part), 1981)

6-928 Height.

No buildings or other structures permitted in the C district shall exceed 35 feet in height.

(Ord. 296 § 1 (part), 1983; Ord. 245 § 1 (part), 1980)

6-929 Density.

The maximum and minimum residential densities for lots within the C district shall conform to the density standards specified in the applicable land use designation of the General Plan Land Use Element and as outlined in Program 10.3.g of the 2023-2031 6th Cycle Housing Element.

(Ord. No. 696, 1-13-2025)

6-930 Side yards for three-story buildings.

All portions of a three-story building in the C district shall be set back from the side property lines at least 20 feet. This setback may be reduced through the site plan and building elevation review process as determined by the degree to which the following criteria are met:

- (a) The presentation of building mass and height is visually attenuated by a deep, spacious setback from the street and variation of architectural form.
- (b) The articulation of the project with existing and proposed development of adjacent properties is addressed with a well-planned relationship of buildings and structures and coordinated open space and landscaping.
- (c) The project buildings or structures are favorably located in relation to topographic conditions.

- (d) The property has such a narrow width that the application of the full 20-foot side yard setbacks would critically reduce its practical usability.

(Ord. 296 § 1 (part), 1983: Ord. 245 § 1 (part), 1980)

6-931 Setback.

There shall be a landscaped setback of at least ten feet from any street line for any structure in the C district. No parking shall be allowed in the required setback.

(Ord. 296 § 1 (part), 1983: Ord. 245 § 1 (part), 1980)

6-932 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 10-foot landscaped setback along that entire property line. Side yard setbacks for three-story buildings shall be regulated by Section 6-930.

(Ord. 296 § 1 (part), 1983: Ord. 245 § 1 (part), 1980)

6-933 Off-street parking and loading.

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

- (1) One-bedroom units, 1.0 spaces 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.

(Ord. 296 § 1 (part), 1983: Ord. 245 § 1 (part), 1980, (Ord. No. 696 (part), 1-13-2025))

6-934 Repealed by Ordinance 359.

6-935 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 proposal have been approved pursuant to the design review requirements set forth in Part 1 of this title.

(Ord. 324 § 2€ (part), 1984: Ord. 245 § 1 (part), 1980)

6-936 Modifiable sections.

Land use permits for the special uses enumerated in Section 6-924 and variance permits to modify the provisions of Sections 6-925 to 6-9332, inclusive, may be granted in accordance with the applicable provisions of Chapter 6-1 of this title.

(Ord. 245 § 3 (part), 1981)

Article 2.5 of Chapter 6-9 LMC is hereby added to read as follows:

Article 2.5. General Commercial District – 60

6-936.1 General.

All land in the general commercial – 60 district (map symbol C-60) shall be used in accordance with the provisions of this article.

(Ord. No. 696, 1-13-2025)

6-936.2 Purpose.

- (a) The purpose of this article is to provide for, enhance the opportunities for, and protect existing establishments offering a variety of supplies or service 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 their 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) The number of uses allowed in the C-60 district has been limited in favor of the existing uses and to provide a favorable climate for administrative and consultative activities.
- (c) 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. No. 696, 1-13-2025)

6-936.3 Uses permitted.

The following uses may be conducted as a matter of right in the C-60 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 in the conversion of a residential use of the property.

- (a) Administrative;
- (b) Administrative civic;
- (c) Business and communication service;
- (d) Consultative service;
- (e) Full-service restaurant;
- (f) 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;
- (g) General personal service;
- (h) Limited child-care;

- (i) Real estate service;
- (j) Self-service laundry or retail dry cleaners which complies with Section 6-532;
- (k) Fast-food restaurant without drive-thru, drive-up or pass-thru window service;
- (l) Sales representatives and goods brokers;
- (m) Residential dwelling units;
- (n) Supportive care pursuant to Section 6-534 LMC.

(Ord. No. 696, 1-13-2025)

6-936.4 Uses requiring a use permit.

In the C-60 district the following uses are permitted subject to the issuance of a land use permit:

- (a) Automotive servicing;
- (b) Commercial automotive fee parking;
- (c) Commercial laundry or dry cleaning;
- (d) Commercial recreation;
- (e) Community assembly and education;
- (f) Construction sales and service;
- (g) Convenience market;
- (h) Day-care and educational services;
- (i) Fast-food restaurant with drive-thru, drive-up or pass-thru window service;
- (j) Financial service;
- (k) 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 7,500 square feet or more;
- (l) Hospital;
- (m) Light manufacturing and research;
- (n) Medical service, where the cumulative gross floor area is 3,000 square feet or less;
- (o) Hotels and motels;
- (p) Undertaking service;
- (q) Utility distribution and civic service;
- (r) Firearm sales;

- (s) Uses which the planning commission has found, after notice and hearing, to be comparable to the above uses or which are determined to be compatible with the uses and purpose of the C-60 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-60 district is not permitted.

(Ord. No. 696, 1-13-2025)

6-936.5 Lot area.

No new lots may be created in the C-60 district smaller than 7,500 square feet in size.

(Ord. No. 696, 1-13-2025)

6-936.6 Lot width.

No new lots may be created in the C-60 district with an average width of less than 55 feet.

(Ord. No. 696, 1-13-2025)

6-936.7 Lot depth.

No new lots may be created with a depth of less than 75 feet.

(Ord. No. 696, 1-13-2025)

6-936.8 Height.

No buildings or other structures permitted in the C-60 district shall exceed 60 feet in height.

(Ord. No. 696, 1-13-2025)

6-936.9 Density.

The maximum and minimum residential densities for lots within the C-60 district shall conform to the density standards specified in the applicable land use designation of the General Plan Land Use Element and as outlined in Program 10.3.g of the 2023-2031 6th Cycle Housing Element.

(Ord. No. 696, 1-13-2025)

6-936.10 Minimum setbacks and upper-story step-backs.

- (a) There shall be a landscaped setback of at least ten feet along the entire property line for any structure in the C-60 district.
- (b) No parking shall be allowed in the required setback adjacent to the street line.
- (c) For all street-facing facades, building portions above 20 feet in height must be stepped-back ten feet from the façade directly below and building portions above 40 feet in height must be stepped-back an additional ten feet from the façade directly below.

(Ord. No. 696, 1-13-2025)

6-936.11 Off-street parking and loading.

- (a) Off-street parking and loading facilities for the uses in the C-60 district shall be provided in accordance with Chapter 6-6 of this title, except that the required number of off-street parking spaces for residential units is as follows:
 - (1) One-bedroom units, 1.0 spaces 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.

(Ord. No. 696, 1-13-2025)

6-936.12 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 proposal have been approved pursuant to the design review requirements set forth in Part 1 of this title.

(Ord. No. 696, 1-13-2025)

6-936.13 Modifiable sections.

Land use permits for the special uses enumerated in Section 6-936.4 and variance permits to modify the provisions of Sections 6-936.5 to 6-936.11, inclusive, may be granted in accordance with the applicable provisions of Chapter 6-1 of this title.

(Ord. No. 696, 1-13-2025)

Article 4 of Chapter 6-9 LMC is hereby amended to read as follows:

Article 4. Special Retail Business District

6-961 General.

All land in the special retail business district (map symbol SRB) shall be used in accordance with the provisions of this article.

(Ord. 221 § 2 (part), 1980)

6-962 Purpose.

The purpose for the regulations of the SRB district is to enhance and stabilize the retail sales activities within the central area of the city, and to foster development of an especially attractive, high-quality retail shopping area, emphasizing pedestrian convenience and deemphasizing vehicular oriented or other uses which would tend to detract from an overall atmosphere of convenience, comfort and safety for the pedestrian retail shopper. The intent of the SRB district is that uses which are not compatible with the objectives of this zone be eventually eliminated. The district envisions a physical closeness of different uses and encourages the mixing of uses within buildings including residential uses. It is the

objective of this article to create a more concentrated, easily accessible retail shopping and personal service central area for the benefit of business and consumer alike.

(Ord. 221 § 2 (part), 1980)

6-963 Specific plans.

- (a) The use, design and other features of the SRB regulations may be overridden by regulations contained in the adopted specific plans for portions of the district.
- (b) References in this article to the BART Block refer to the geographical area described in the BART Block specific plan.

(Ord 349 § 1, 1986: Ord. 221 § 2 (part), 1980)

6-964 Uses permitted.

Except as is otherwise provided in Section 6-966, the following uses may be conducted as a matter of right in the SRB 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) Administrative civic;
- (b) Business and communication services where the total floor area is less than 2,000 square feet in size;
- (c) Full-service restaurant, including those with outside dining and service;
- (d) General personal service;
- (e) General retail sales;
- (f) Limited child-care;
- (g) General food sales, where the total floor area is less than 2,000 square feet in size;
- (h) Fast-food restaurant without drive-thru, drive-up or pass-thru window services;
- (i) Home/business furnishings, where the total floor area is less than 2,000 square feet in size;
- (j) Residential dwelling units on upper floors along Mt. Diablo Boulevard and on all floors elsewhere in the district;
- (k) Supportive care pursuant to Section 6-534 LMC.

(Ord. 359 § 5(A), 1987: Ord. 357 § 3, 1987: Ord. 349 § 2, 1986: Ord. 221 § 2 (part), 1980)

(Ord. No. 614, § 1 (exh. A), 12-10-2012; Ord. No. 635, § 4 (exh. A), 10-14-2014)

6-965 Uses requiring a permit.

In the SRB district, the following uses are permitted after the issuance of a land use permit:

- (a) Administrative;

- (b) Commercial automotive fee parking;
- (c) Commercial recreation;
- (d) Consultative service;
- (e) Fast-food restaurant with pass-thru pedestrian service window;
- (f) Financial service;
- (g) General food sales, where the total floor area is or exceeds 2,000 square feet in area;
- (h) Utility distribution and civic service;
- (i) Retail businesses utilizing access to or from a public street having a right-of-way of 55 feet or less, which forms the common boundary between a district of any residential classification and the SRB district. The application for land use permit shall be determined by the effects of traffic upon such a street occasioned by the use within the SRB district, the characteristics of the adjacent areas, traffic problems, pedestrian traffic and other considerations found pertinent to the particular area concerned;
- (j) Business and communication services where the total floor area is or exceeds 2,000 square feet in size;
- (k) Home/business furnishings, where the total floor area is or exceeds 2,000 square feet in size;
- (l) Sales representatives and goods brokers;
- (m) Self-service laundry or retail dry cleaners which complies with Section 6-532;
- (n) Firearm sales.

(Ord. 433 § 7, 1994; Ord. 359 § 5(B), 1987; Ord. 357 § 4, 1987; Ord. 221 § 2 (part), 1980)

(Ord. No. 614, § 1 (exh. A), 12-10-2012)

6-966 Restrictions on ground-level and automobile traffic oriented uses.

- (a) No new or expanded administrative, consultative or financial service activity shall be located on the ground level of any building in the SRB district except as provided in subsections (c) or (d) of this section. An incidental pedestrian entrance which leads to such an activity on an upper floor in the building is permitted.
- (b) No new or expanded uses or facilities within the SRB district shall be organized or designed in such a manner as to require, encourage, promote or otherwise foster the use of interior-block driveways or vehicular access facilities designed to provide services directly or indirectly to an automobile, including, but not limited to, drive-thru service windows. This provision shall not apply to commercial automotive fee parking activities.
- (c) An administrative, consultative or financial service may be located on the ground level of a building
 - (1) if the building is located north of South Thompson Road and Terrace Way and west of Oak Hill Road and
 - (2) upon the granting of a land use permit under Section 6-215 and this section if the use

permit is granted before April 13, 1999. A land use permit for an administrative, consultative or financial service under this subsection may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in Section 6-215 and to the following additional criteria:

- (1) The proposal will not detract from the compact, integrated character of the area;
 - (2) The proposal will not impair a generally continuous wall of building facades;
 - (3) The proposal will not weaken the concentration and continuity of retail facilities at ground level, and will not break up an important shopping frontage;
 - (4) The proposal will not interfere with the movement of people along an important pedestrian walkway;
 - (5) The proposal will conform in all significant respects with any applicable specific plan which has been adopted by the city council and with Section 6-962 of this chapter; and
 - (6) The proposal does not displace an existing residential use.
- (d) In the BART Block (not located in the area covered by subsection © of this section), a land use permit may be granted by the city council, after review by the planning commission, to allow administrative, consultative or financial service to be located on the ground level only upon the determination that the general use permit criteria set forth in Section 6-215, criteria (1) through (6) of subsection © of this section and the following criteria are met:
- (1) The area of ground floor use involved is minor and is of little consequence to the maintenance or creation of the retail ambience in the area;
 - (2) The location is not suitable for residential use;
 - (3) The proposed use is located in the interior of the block but not within 100 feet of the street lines of Mt. Diablo Boulevard, Happy Valley Road or Oak Hill Road, and is not located along the creek corridor;
 - (4) The ground floor facilities are, or will be, designed in a manner to be readily converted to and usable for retail type activities; and
 - (5) The proposed use is one which serves, and is compatible with the needs of, shoppers and merchants, and promotes pedestrian activity.

(Ord. 429 § 1, 1994; Ord. 349 § 3, 1986; Ord. 323 §§ 1—2, 1984; Ord. 221 § 2 (part), 1980)

6-967 Lot area.

No new lots may be created in the SRB district smaller than 5,000 square feet in size.

(Ord. 221 § 2 (part), 1980)

6-968 Height.

- (a) Except as permitted in subsection (b), no building in the SRB district may exceed 35 feet in height unless otherwise indicated in this section.

(b) The following regulations apply to the height of structures in the BART Block only:

- (1) No portion of a building located within 25 feet of Mt. Diablo Boulevard may exceed two stories or 35 feet in height.
- (2) In the remaining area of the BART Block (not within 25 feet of Mt. Diablo Boulevard), no building may exceed 35 feet in height. However, the planning commission may recommend and the council may grant an exception to permit additional building height not to exceed three stories total building height, if it finds that:
 - (A) The increased height will not cast shadows or alter air currents in a manner which unreasonably limits the light and air reaching other buildings, places or pedestrian corridors;
 - (B) The increased height will not adversely affect and will result in increased sensitivity to the visual and physical characteristics of the particular location through harmonious relationships to the terrain and to proposed and existing buildings in the vicinity;
 - (C) The increased height will not adversely affect the semirural character of the city;
 - (D) The increased height will not adversely affect the view of the hills or other views as discussed in the BART Block specific plan;
 - (E) The orientation and location of the proposed structure will not diminish the health and safety of persons using the BART Block area; and
 - (F) The overall project design meets the intent and purpose of the BART Block specific plan.

In a building which exceeds 35 feet in height the square footage of the third floor will be determined by the degree to which the city council finds that: the increased height will result in more open space than is otherwise required; and the open space is added in a manner which enhances important plaza or pedestrian mall space rather than in less significant places; and the developer will provide amenities (other than those specified in any applicable specific plans) which provide unique advantages to the general public, such as additional on-site pedestrian malls, arcades, decks, bridges or similar features.

(Ord. 349 § 4, 1986; Ord. 221 § 2 (part), 1980)

6-969 Density.

The maximum and minimum residential densities for lots within the SRB district shall conform to the density standards specified in the applicable land use designation of the General Plan Land Use Element and as outlined in Program 10.3.g of the 2023-2031 6th Cycle Housing Element.

(Ord. No. 696, 1-13-2025)

6-970 Open space.

- (a) A minimum of 20 percent of the area of any lot in the SRB district shall be retained as permanent open space. The open space shall be open and unobstructed to the sky and shall be provided in a continuous undivided design with a minimum dimension of ten feet at any place. All open space shall be provided completely exterior to any building.

For residential uses the minimum 20 percent and ten-foot dimensional requirement for open space may be modified by provision of private open space or exterior recreational space as determined by the design review process.

- (b) Open space created as a result of combination with contiguous open space on other properties may be approved when the combined open space is not less than 15 percent of the total area of the properties involved.
- (c) The open space shall not be used as parking, loading or service area.
- (d) The design and use of such open space shall be determined by the regulations of an adopted specific plan or through the land use permit or site plan and building elevation review procedures.

(Ord. 349 § 5, 1986; Ord. 221 § 2 (part), 1980, Ord. No. 696 (part), 1-13-2025)

6-971 Landscaping.

In the SRB district, landscaping shall be provided in the amount and manner as prescribed in the adopted specific plan or through the land use permit or site plan and building elevation review procedures.

(Ord. 221 § 2 (part), 1980)

6-972 Setbacks or yards.

- (a) No setbacks or yards are required in the SRB district except along creeks as specified in the BART Block specific plan, or as indicated in subsection (b).
- (b) If the site is for residential use or is adjacent to residentially zoned property or property with an existing residential structure of four or more units, there shall be a ten-foot landscaped yard along that entire property line.
- (c) Along Mt. Diablo Boulevard in the BART Block, a building constructed after the effective date of the ordinance from which this section derives may not be set back more than six feet from the property line for the purpose of providing off-street parking. Pedestrian amenities such as a plaza, recessed portion of a building arcade, outdoor café area or a wider sidewalk are encouraged.
- (d) Visual and pedestrian penetration from the street to the interior of the block is encouraged.

(Ord. 349 § 6, 1986; Ord. 221 § 2 (part), 1980)

6-973 Off-street parking and loading.

- (a) Parking and loading spaces shall be provided as required by Chapter 6-6 of this title.
- (b) Parking lots, as much as is feasible, shall be designed and located in a manner to promote the accumulation, combination, interconnection and mutual use with other existing or planned parking lots on contiguous or nearby properties.
- (c) Contiguous, connected by driveway parking lots of ten stalls or more, designed to be used mutually by two or more of the following uses: general retail sales, general personal service full-service restaurant and general food sales where the total floor area is less than 2,000 square feet; may provide 15 percent fewer parking stalls than required by Chapter 6-6, provided that no more than one of the uses served is a full-service restaurant.

(d) Notwithstanding the lack of a required setback or yard, the edge of pavement at the head of a parking stall shall be no closer than five feet from any property line.

(Ord. 359 § 5(C), 1987; Ord. 221 § 2 (part), 1980; Ord. No. 696 (part), 1-13-2025)

6-974 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 proposal have been approved pursuant to the design review requirements set forth in Part 1 of this title.

(Ord. 324 § 2€ (part), 1984; Ord. 221 § 2 (part), 1980)

6-975 Modifiable sections.

A land use permit for a special use enumerated in Sections 6-965 and 6-966 and a variance permit to modify the provisions of Sections 6-967 through 6-973, inclusive, may be granted under the applicable provisions of Part 1 of this title, except that no variance to Sections 6-968 through 6-9722 may be granted for properties within the area of the BART Block specific plan.

(Ord. 349 § 7, 1986; Ord. 221 § 2 (part), 1980)

Article 4.5 of Chapter 6-9 LMC is hereby added to read as follows:

Article 4.5. Special Retail Business District – 60

6-975.1 General.

All land in the special retail business district – 60 (map symbol SRB-60) shall be used in accordance with the provisions of this article.

(Ord. No. 696, 1-13-2025)

6-975.2 Purpose.

The purpose for the regulations of the SRB-60 district is to enhance and stabilize the retail sales activities within the central area of the city, and to foster development of an especially attractive, high-quality retail shopping area, emphasizing pedestrian convenience and deemphasizing vehicular oriented or other uses which would tend to detract from an overall atmosphere of convenience, comfort and safety for the pedestrian retail shopper. The intent of the SRB-60 district is that uses which are not compatible with the objectives of this zone be eventually eliminated. The district envisions a physical closeness of different uses and encourages the mixing of uses within buildings including residential uses. It is the objective of this article to create a more concentrated, easily accessible retail shopping and personal service central area for the benefit of business and consumer alike.

(Ord. No. 696, 1-13-2025)

6-975.3 Specific plans.

(a) The use, design and other features of the regulations may be overridden by regulations contained in the adopted specific plans for portions of the district.

- (b) References in this article to the BART Block refer to the geographical area described in the BART Block specific plan.

(Ord. No. 696, 1-13-2025)

6975.4 Uses permitted.

Except as is otherwise provided in Section 6-966, the following uses may be conducted as a matter of right in the SRB-60 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) Administrative civic;
- (b) Business and communication services where the total floor area is less than 2,000 square feet in size;
- (c) Full-service restaurant, including those with outside dining and service;
- (d) General personal service;
- (e) General retail sales;
- (f) Limited child-care;
- (g) General food sales, where the total floor area is less than 2,000 square feet in size;
- (h) Fast-food restaurant without drive-thru, drive-up or pass-thru window services;
- (i) Home/business furnishings, where the total floor area is less than 2,000 square feet in size;
- (j) Residential dwelling units on upper floors along Mt. Diablo Boulevard and on all floors elsewhere in the district;
- (k) Supportive care pursuant to Section 6-534 LMC.

(Ord. No. 696, 1-13-2025)

6-975.5 Uses requiring a permit.

In the SRB-60 district, the following uses are permitted after the issuance of a land use permit:

- (a) Administrative;
- (b) Commercial automotive fee parking;
- (c) Commercial recreation;
- (d) Consultative service;
- (e) Fast-food restaurant with pass-thru pedestrian service window;
- (f) Financial service;
- (g) General food sales, where the total floor area is or exceeds 2,000 square feet in area;

- (h) Utility distribution and civic service;
 - (i) Retail businesses utilizing access to or from a public street having a right-of-way of 55 feet or less, which forms the common boundary between a district of any residential classification and the SRB-60 district. The application for land use permit shall be determined by the effects of traffic upon such a street occasioned by the use within the SRB-60 district, the characteristics of the adjacent areas, traffic problems, pedestrian traffic and other considerations found pertinent to the particular area concerned;
 - (j) Business and communication services where the total floor area is or exceeds 2,000 square feet in size;
 - (k) Home/business furnishings, where the total floor area is or exceeds 2,000 square feet in size;
 - (l) Sales representatives and goods brokers;
 - (m) Self-service laundry or retail dry cleaners which complies with Section 6-532;
 - (n) Firearm sales.
- (Ord. No. 696, 1-13-2025)

6-975.6 Restrictions on ground-level and automobile traffic oriented uses.

- (a) No new or expanded administrative, consultative or financial service activity shall be located on the ground level of any building in the SRB-60 district except as provided in subsections (c) or (d) of this section. An incidental pedestrian entrance which leads to such an activity on an upper floor in the building is permitted.
- (b) No new or expanded uses or facilities within the SRB-60 district shall be organized or designed in such a manner as to require, encourage, promote or otherwise foster the use of interior-block driveways or vehicular access facilities designed to provide services directly or indirectly to an automobile, including, but not limited to, drive-thru service windows. This provision shall not apply to commercial automotive fee parking activities.
- (c) An administrative, consultative or financial service may be located on the ground level of a building
 - (1) if the building is located north of South Thompson Road and Terrace Way and west of Oak Hill Road and (2) upon the granting of a land use permit under Section 6-215 and this section if the use permit is granted before April 13, 1999. A land use permit for an administrative, consultative or financial service under this subsection may be granted only upon determination that the proposal conforms to the general use permit criteria set forth in Section 6-215 and to the following additional criteria:
 - (1) The proposal will not detract from the compact, integrated character of the area;
 - (2) The proposal will not impair a generally continuous wall of building facades;
 - (3) The proposal will not weaken the concentration and continuity of retail facilities at ground level, and will not break up an important shopping frontage;
 - (4) The proposal will not interfere with the movement of people along an important pedestrian walkway;

(5) The proposal will conform in all significant respects with any applicable specific plan which has been adopted by the city council and with Section 6-975.2 of this chapter; and

(6) The proposal does not displace an existing residential use.

(d) In the BART Block (not located in the area covered by subsection (c) of this section), a land use permit may be granted by the city council, after review by the planning commission, to allow administrative, consultative or financial service to be located on the ground level only upon the determination that the general use permit criteria set forth in Section 6-215, criteria (1) through (6) of subsection (c) of this section and the following criteria are met:

(1) The area of ground floor use involved is minor and is of little consequence to the maintenance or creation of the retail ambience in the area;

(2) The location is not suitable for residential use;

(3) The proposed use is located in the interior of the block but not within 100 feet of the street lines of Mt. Diablo Boulevard, Happy Valley Road or Oak Hill Road, and is not located along the creek corridor;

(4) The ground floor facilities are, or will be, designed in a manner to be readily converted to and usable for retail type activities; and

(5) The proposed use is one which serves, and is compatible with the needs of, shoppers and merchants, and promotes pedestrian activity.

(Ord. No. 696, 1-13-2025)

6-975.7 Lot area.

No new lots may be created in the SRB-60 district smaller than 5,000 square feet in size.

(Ord. No. 696, 1-13-2025)

6-975.8 Height.

No building in the SRB-60 district may exceed 60 feet in height.

(Ord. No. 696, 1-13-2025)

6-975.9 Density.

The maximum and minimum residential densities for lots within the SRB-60 district shall conform to the density standards specified in the applicable land use designation of the General Plan Land Use Element and as outlined in Program 10.3.g of the 2023-2031 6th Cycle Housing Element.

(Ord. No. 696, 1-13-2025)

6-975.10 Open space.

(a) A minimum of 20 percent of the area of any lot in the SRB-60 district shall be retained as permanent open space. The open space shall be open and unobstructed to the sky and shall be provided in a

continuous undivided design with a minimum dimension of ten feet at any place. All open space shall be provided completely exterior to any building.

- (b) For residential uses the minimum 20 percent and ten-foot dimensional requirement for open space may be modified by provision of private open space or exterior recreational space as determined by the design review process.
- (c) Open space created as a result of combination with contiguous open space on other properties may be approved when the combined open space is not less than 15 percent of the total area of the properties involved.
- (d) The open space shall not be used as parking, loading or service area.

(Ord. No. 696, 1-13-2025)

6-975.11 Landscaping.

A minimum 12 percent of the ground level of a lot in the RB-60 district shall be planted and maintained with growing plants.

(Ord. No. 696, 1-13-2025)

6-975.12 Minimum setbacks and upper-story step-backs.

- (a) No setbacks or yards are required in the SRB-60 district except along creeks as specified in the BART Block specific plan, or as indicated below in subsection (b), (c) or (d).
- (b) Street-facing setbacks: 10 feet for residential uses; none required for non-residential uses.
- (c) Interior side and rear setbacks:
 - (1) 10 feet for residential uses; none required for non-residential uses.
 - (2) If the site is adjacent to residentially zoned property, or property not zoned residential but with an existing residential structure or structures of four or more units, there shall be a 10-foot-wide landscaped yard along that entire property line.
- (d) Upper-story step-backs: For all street-facing facades, building portions above 20 feet in height must be stepped-back ten feet from the façade directly below and building portions above 40 feet in height must be stepped-back an additional ten feet from the façade directly below.

(Ord. No. 696, 1-13-2025)

6-975.13 Off-street parking and loading.

- (a) Parking and loading spaces shall be provided as required by Chapter 6-6 of this title.
- (b) Contiguous, connected by driveway parking lots of ten stalls or more, designed to be used mutually by two or more of the following uses: general retail sales, general personal service full-service restaurant and general food sales where the total floor area is less than 2,000 square feet; may provide 15 percent fewer parking stalls than required by Chapter 6-6, provided that no more than one of the uses served is a full-service restaurant.

(c) Notwithstanding the lack of a required setback or yard, the edge of pavement at the head of a parking stall shall be no closer than five feet from any property line.

(Ord. No. 696, 1-13-2025)

6-975.14 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 proposal have been approved pursuant to the design review requirements set forth in Part 1 of this title.

(Ord. No. 696, 1-13-2025)

6-975.15 Modifiable sections.

A land use permit for a special use enumerated in Sections 6-965 and 6-966 and a variance permit to modify the provisions of Sections 6-975.7 through 6-975.13, inclusive, may be granted under the applicable provisions of Part 1 of this title, except that no variance to Sections 6-975.8 through 6-975.12 may be granted for properties within the area of the BART Block specific plan.

(Ord. No. 696, 1-13-2025)

Article 5 of Chapter 6-9 LMC is hereby amended to read as follows:

Article 5. General Commercial District 1

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;

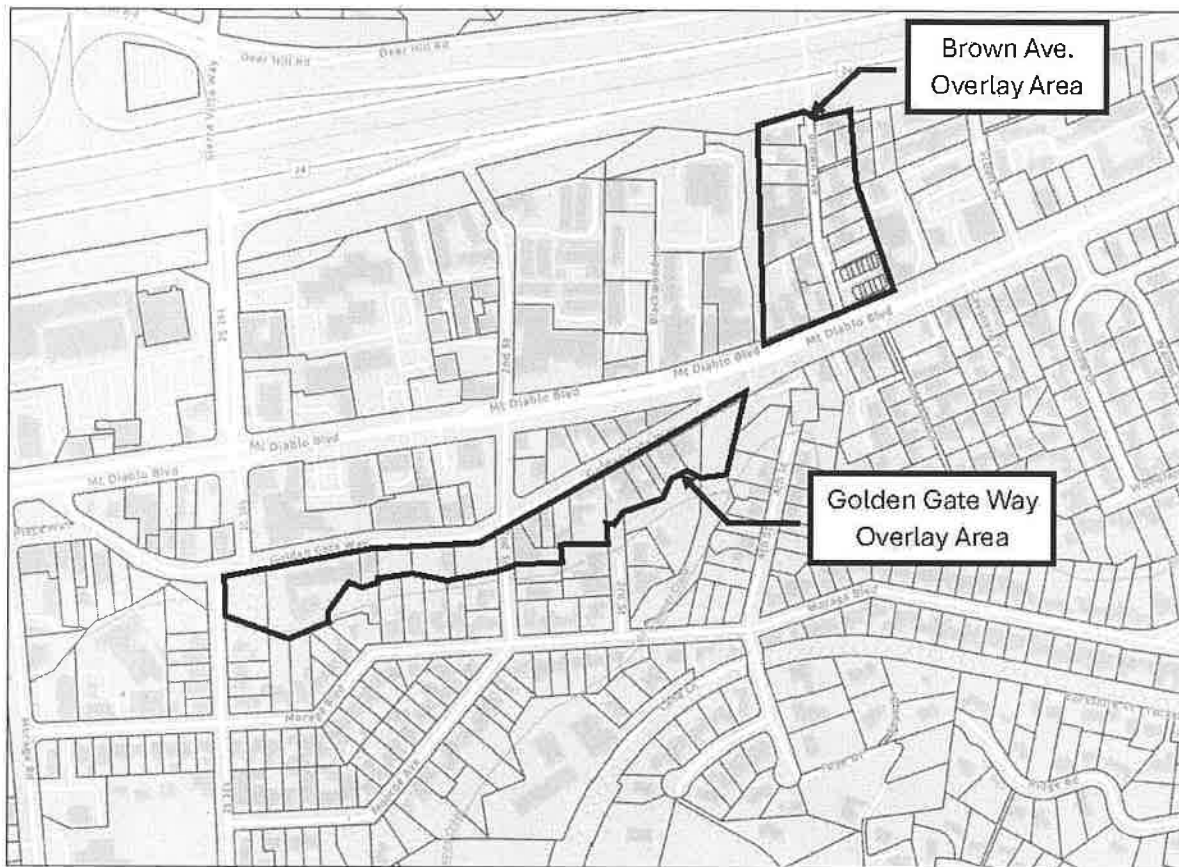
(k) Residential dwelling units;

(l) Supportive care pursuant to Section 6-534 LMC.

(Ord. 359 § 6(A), 1987; Ord. 245 § 4 (part), 1981)

(Ord. No. 614, § 1(exh. A), 12-10-2012; Ord. No. 635, § 4(exh. A), 10-14-2014)

Figure 6-983



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) Hotels and motels;
- (s) Undertaking service;
- (t) Utility distribution and civic service;
- (u) Firearm sales;
- (v) 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. 433 § 8, 1994; Ord. 359 § 6(B), 1987; Ord. 245 § 4 (part), 1981)

(Ord. No. 614, § 1 (exh. A), 12-10-2012)

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 6-990 of this chapter.

(Ord. 245 § 4 (part), 1981)

6-989 Density.

The maximum and minimum residential densities for lots within the C-1 district shall conform to the density standards specified in the applicable land use designation of the General Plan Land Use Element and as outlined in Program 10.3.g of the 2023-2031 6th Cycle Housing Element.

(Ord. No. 696, 1-13-2025)

6-990 Third story for residential use.

Notwithstanding any other provisions of this article, a third story for a building is allowed when that third-floor area is to be used exclusively for residential use. No part of the third-floor portion of the building shall be located within 20 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 5~~20~~ feet of the boundary of any residential zone.

(Ord. 245 § 4 (part), 1981; Ord. No. 696 (part), 1-13-2025)

6-991 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 6-990.

(Ord. 245 § 4 (part), 1981)

6-992 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 6-990.

(Ord. 245 § 4 (part), 1981)

6-993 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 6-990).

(Ord. 245 § 4 (part), 1981; Ord. No. 696 (part), 1-13-2025)

6-994 Repealed by Ordinance 359.

6-995 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)

6-996 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€ (part), 1984; Ord. 245 § 4 (part), 1981)

6-997 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 6-993 may be granted in accordance with the applicable provisions of Chapter 6-1 of this title.

(Ord. 245 § 4 (part), 1981)

6-998 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.
- (b) 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.
- (c) 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.

(d) 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)

Article 7 of Chapter 6-9 LMC is hereby added to read as follows:

Article 7. General Commercial District – 1 – 60

6-999.1 General.

All land in the general commercial 1 – 60 district (map symbol C-1-60) shall be used in accordance with the provisions of this article.

(Ord. No. 696, 1-13-2025)

6-999.2 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. No. 696, 1-13-2025)

6-999.3 Uses permitted.

The following uses may be conducted as a matter of right in the C-1-60 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 Section 6-534 LMC.

(Ord. No. 696, 1-13-2025)

6-999.4 Uses requiring a permit.

The following uses are permitted in the C-1-60 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) Hotels and motels;
- (s) Undertaking service;
- (t) Utility distribution and civic service;
- (u) Firearm sales;
- (v) 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-1-60 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-1-60 district is not permitted.

(Ord. No. 696, 1-13-2025)

6-999.5 Lot area.

No new lots may be created in the C-1-60 district smaller than 7,500 square feet in size.

(Ord. No. 696, 1-13-2025)

6-999.6 Lot width.

No new lots may be created in the C-1-60 district with an average width of less than 55 feet.

(Ord. No. 696, 1-13-2025)

6-999.7.1 Lot depth.

No new lots may be created in the C-1-60 district with a depth of less than 75 feet.

(Ord. No. 696, 1-13-2025)

6-999.8 Height.

- (a) No residential or residential mixed-use buildings or other structures permitted in the C-1-60 district shall exceed 60 feet in height.
- (b) No non-residential buildings or other structures permitted in the C-1-60 district shall exceed 35 feet or two and one-half stories.

(Ord. No. 696, 1-13-2025)

6-999.8 Density.

The maximum and minimum residential densities for lots within the C-1-60 district shall conform to the density standards specified in the applicable land use designation of the General Plan Land Use Element and as outlined in Program 10.3.g of the 2023-2031 6th Cycle Housing Element.

(Ord. No. 696, 1-13-2025)

6-999.10 Third story and above for residential use.

For all street-facing facades, building portions above 20 feet in height must be stepped-back ten feet from the façade directly below and building portions above 40 feet in height must be stepped-back an additional ten feet from the façade directly below.

(Ord. No. 696, 1-13-2025)

6-999.11 Minimum setbacks and upper-story step-backs.

- (a) Street-facing setbacks: 10 feet.
- (b) Interior side and rear setbacks:
 - (1) 10 feet for residential uses; none required for non-residential uses.
 - (2) If the site is adjacent to residentially zoned property, or property not zoned residential but with an existing residential structure or structures of four or more units, there shall be a 10-foot-wide landscaped yard along that entire property line.
- (c) Upper-story step-backs: For all street-facing facades, building portions above 20 feet in height must be stepped-back ten feet from the façade directly below and building portions above 40 feet in height must be stepped-back an additional ten feet from the façade directly below.
- (d) No parking shall be allowed in the required setback.
- (e) Side and rear yard setbacks for portions of buildings at the third story and above shall be regulated by Section 6-999.10.

(Ord. No. 696, 1-13-2025)

6-999.12 Off-street parking and loading.

- (a) Off-street parking and loading facilities for the uses in the C-1-60 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 residential uses at the third story and above shall not be required to provide the number of parking stalls defined in this section (see Section 6-999.10).

(Ord. No. 696, 1-13-2025)

6-999.13 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-1-60 district, shall not be permitted to gain vehicular access from the residential street.

(Ord. No. 696, 1-13-2025)

6-999.14 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. No. 696, 1-13-2025)

6-999.15 Modifiable sections.

Land use permits for special uses enumerated in Section 6-999.4 and variance permits to modify the provisions of Sections 6-999.5 to 6-999.12 may be granted in accordance with the applicable provisions of Chapter 6-1 of this title.

(Ord. No. 696, 1-13-2025)

6-999.16 Special use provisions.

- (a) The provisions of this section apply to any parcel of land in the C-1-60 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.
- (b) In addition to the uses authorized in Sections 6-999.3 and 6-999.4 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.
- (c) Uses permitted, in addition to those listed in Section 6-999.3, 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.
- (d) Notwithstanding the fact that the uses listed in subsection (b) of this section are nonconforming in the C-1-60 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. No. 696, 1-13-2025)

EXHIBIT "B"

City of Lafayette Zoning Map Dated January 13, 2025

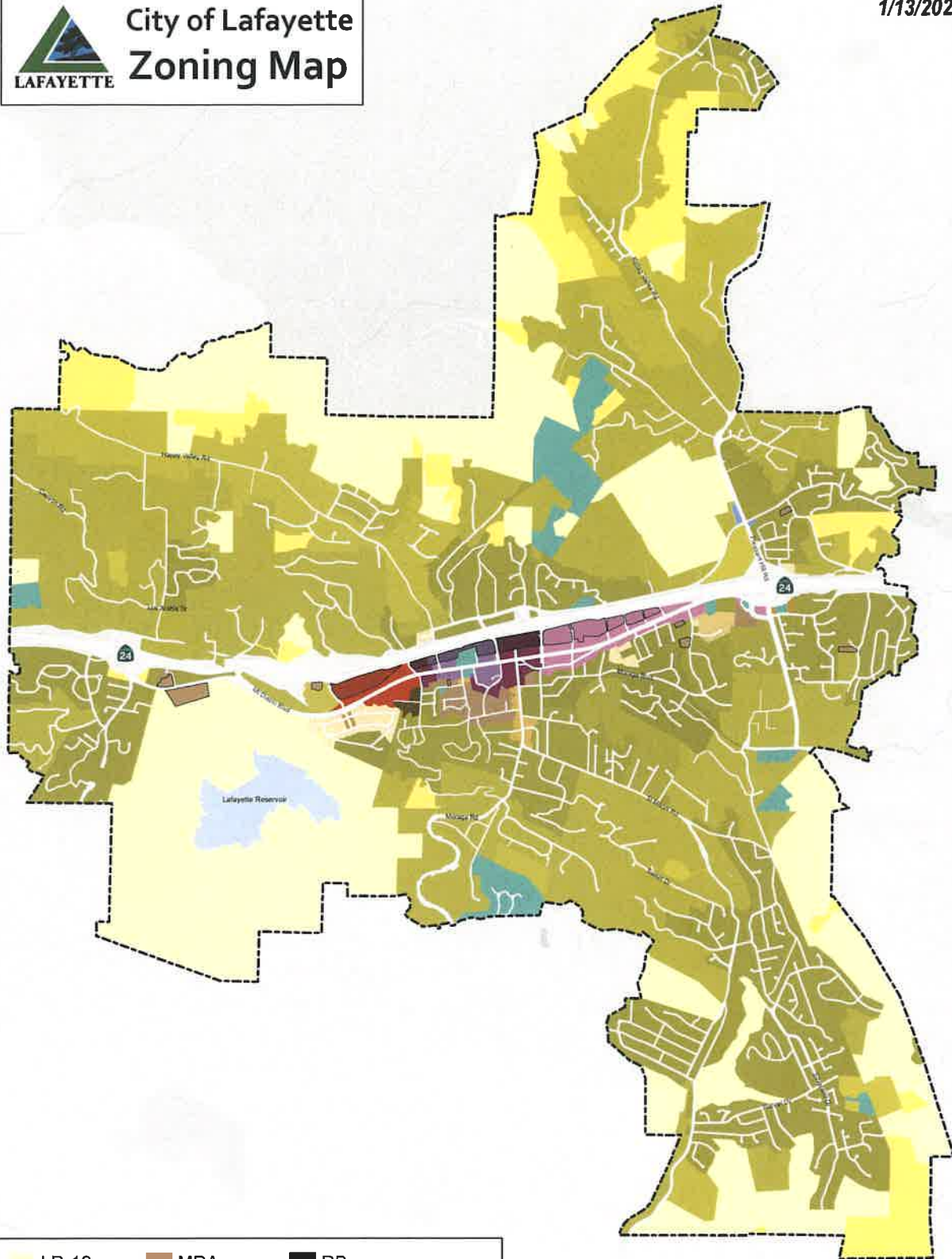
[REDUCED COPY BEHIND THIS PAGE]

[ORIGINAL FULL-SIZE COLOR EXHIBIT ON FILE AT THE LAFAYETTE CITY OFFICES]



City of Lafayette Zoning Map

1/13/2025



	LR-10		MRA		RB
	LR-5		MRB		RB-60
	R-100		MRO		SRB
	R-65		MRP		SRB-60
	R-40		MRT		P-1
	R-20		C		PHC
	R-15		C-60		Parcels
	R-10		C-1		Lafayette City Limits
	R-6		C-1-60		
	D-1				

