

modified permit shall be subject to the zoning and regulations in effect prior to the effective date of the 2015 General Plan Update. In all other cases, a request for a modification to the previously approved permit shall be subject to the provisions of this Title 22 in effect at the time of filing the application for the modification.

SECTION 4. The Title of Part 4 of Chapter 22.20 is hereby amended to read as follows:

Part 4

R-3-()U LIMITED DENSITY MULTIPLE RESIDENCE ZONE

SECTION 5. The title of Part 5 of Chapter 22.20 is hereby amended to read as follows:

Part 5

R-4-()U UNLIMITED MEDIUM DENSITY MULTIPLE RESIDENCE ZONE

SECTION 6. Part 8 of Chapter 22.20 is hereby added to read as follows:

Part 8

R-5-()U HIGH DENSITY MULTIPLE RESIDENCE ZONE

Sections:

- 22.20.480 Purpose.**
- 22.20.490 Permitted Uses.**
- 22.20.500 Accessory Uses.**
- 22.20.510 Uses Subject to Director's Review and Approval.**
- 22.20.520 Uses Subject to Permits.**
- 22.20.530 Project Review and Evaluation.**

22.20.540 Development Standards.

22.20.480 Purpose.

The High Density Multiple Residence Zone (R-5-()U) implements the H100 and H150 land use designations in areas of the County mapped as such in the General Plan. The R-5-()U Zone provides for areas that allow for maximum density residential development and all types of multifamily housing up to 150 units per net acre, subject to the provisions of this Part 8.

22.20.490 Permitted Uses.

Premises in Zone R-5-()U may be used for:

- Adult residential facilities, limited to six or fewer persons.
- Apartment houses.
- Child care centers.
- Community gardens.
- Family child care homes, large.
- Family child care homes, small.
- Foster family homes.
- Fraternity and sorority houses.
- Group homes for children, limited to six or fewer children.
- Rooming and boarding houses.
- Small family homes for children.
- Townhouses.

22.20.500 Accessory Uses.

Premises in Zone R-5-()U may be used for:

- A. The following accessory uses subject to the same limitations and conditions provided in Section 22.20.080 (Zone R-1):
- Accessory buildings and structures.
 - Animals, domestic and wild, maintained or kept as pets or for personal use as provided in Part 3 of Chapter 22.52.
 - Building materials, storage of.
 - Home-based occupations, subject to the limitations, standards and conditions contained in Section 22.20.020.
 - Room rentals.
- B. Signs, subject to the regulations set forth in Part 10 of Chapter 22.52 for signs in Zone R-4.

22.20.510 Uses Subject to Director's Review and Approval.

If site plans are first submitted to and approved by the Director pursuant to Part 12 of Chapter 22.56, premises in Zone R-5-()U may be used for:

- Access to property lawfully used for a purpose not permitted in Zone R-5-()U.
- Convents and monasteries.
- Domestic violence shelters, subject to the standards and limitations specified in Section 22.56.1758.

- Grading projects, off-site transport, where not more than 100,000 cubic yards of material is to be transported, subject to the standards and limitations specified in Sections 22.56.1710, 22.56.1752, and 22.56.1753.

- Homeless shelters, subject to the requirements in Section 22.56.1760.

- Meteorological towers, temporary, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.

- Model homes.

- Parking lots, as a transitional use.

- Parks, playgrounds, and beaches, with all appurtenant facilities customarily found in conjunction therewith.

- Real estate tract offices, temporary.

- Residential care facilities.

- Restaurants and incidental commercial service concessions offering newspapers, tobacco, notions, grocery, and similar items in hotels or apartment house developments having not less than 100 guest rooms or dwelling units, provided:

1. That such facilities are no more than 500 square feet;

2. That such facilities are designed and operated for the convenience of the residents or guests and are no more extensive than is necessary to service the development;

3. That all public entrances to such facilities are from a lobby, hallway, or other interior portion of the hotel or apartment house development;

4. That such facilities are located so as not to be visible from the outside of the hotel or apartment house development; and

5. That no sign advertising or identifying such facilities is visible from outside of the building.

- Signs, subject to the regulations set forth in Part 10 of Chapter 22.52 for signs in Zone R-4.

22.20.520 Uses Subject to Permits.

A. Premises in Zone R-5-()U may be used for the following uses, provided that a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect and in conformity with the conditions of such permit for:

- Adult day care facilities.

- Adult residential facilities, having seven or more persons.

- Churches, temples, or other places used exclusively for religious worship, including customary incidental educational and social activities in conjunction therewith. Such provision shall not be deemed to authorize activities otherwise specifically classified in this zone.

- Communication equipment buildings.

- Community centers, where developed as an integral part of a building project and on a nonprofit basis for the use of surrounding residents. This provision shall not be interpreted to permit commercial enterprises.

- Earth stations.

- Electric distribution substations, including microwave facilities used in conjunction therewith.

- Farmers' markets, as provided in Part 25 of Chapter 22.52.

- Fire stations.

- Gas metering and control stations, public utility.

- Grading projects, off-site transport, where more than 100,000 cubic yards of material is to be transported, subject to the conditions and limitations of Sections 22.56.210 and 22.56.230.

- Grading projects, on-site, but excluding projects where the Hearing Officer, Commission, or the Board of Supervisors have previously considered such grading proposal as indicated by approval of an environmental document incorporating consideration of such grading project.

- Group homes, children, having seven or more children.

- Helistops.

- Hospitals.

- Hotels, subject to the conditions of Section 22.56.220.

- Institutions of an educational, philanthropic, or charitable nature, not including any commercial or industrial enterprise sponsored or operated by such institutions.

- Juvenile halls.

- Libraries.

- Microwave stations.

- Mobilehome parks, subject to the conditions of Part 6 of Chapter 22.52.
- Museums.
- Parking lots and buildings, but excluding commercial parking lots or structures.
- Police stations.
- Post offices.
- Publicly-owned uses necessary for the maintenance of the public health, convenience, or general welfare in addition to those specifically listed in this Section.
- Recreation facilities, neighborhood, not accessory to a principal use, including tennis, polo, and swimming, where operated as a nonprofit corporation for the use of the surrounding residents. This provision shall not be interpreted to permit commercial enterprises.
- Signs, subject to the regulations set forth in Part 10 of Chapter 22.52 for signs in Zone R-4.
- Solid fill projects.
- Stations, bus, railroad, and taxi.
- Storage, temporary, of materials and construction equipment used in construction or maintenance of streets and highways, sewers, storm drains, underground conduits, flood control works, pipelines, and similar uses for a period not to exceed one year.

- Subdivision directional signs, subject to the limitations and conditions of Part 8 of Chapter 22.56.
- Telephone repeater stations.
- Water reservoirs, dams, treatment plants, gaging stations, pumping stations, wells, and any use normal and appurtenant to the storage and distribution of water.
- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.

B. Premises in Zone R-5-()U may be used for the following uses, provided that the appropriate permit has first been obtained and while such permit is in full force and effect and in conformity with the conditions of such permit for:

- Qualified projects, as provided in, and permitted by, Part 17 of Chapter 22.52 and Part 18 of Chapter 22.56.
- Temporary uses, as provided in, and permitted by, Part 14 of Chapter 22.56.

22.20.530 Project Review and Evaluation.

A. An application for new construction or expansion of development in Zone R-5-()U may be referred to the Department of Public Works for review of the project's impacts to infrastructure. In addition to the requirements of Section 22.48.250, the application may be required to include, at the discretion of the Director of the Department of Public Works, technical studies in accordance with current County guidelines, or other information, including but not limited to the following:

1. A traffic impact analysis;
2. Certification from the public water purveyor that indicates water facilities in the area are adequate to meet the demands of the project and all other properties served by the same water facility; and

3. A sewer area study to determine the adequacy of the sewage system that will serve the project.

B. Where the Director of the Department of Public Works finds that based on the traffic, water, or sewer studies that the existing infrastructure is inadequate to serve a project, the Director may require the applicant to construct, install, or provide additional funds to construct or install, the necessary infrastructure to protect public health, safety, and welfare. Furthermore, the Director, in consultation with the Director of the Department of Public Works, may require that the applicant demonstrate on a site plan that adequate sightlines are maintained from the vehicular access points of the project site to the public right-of-way, and that the proposed layout of the site does not impede vehicular movement in the public right-of-way.

22.20.540 Development Standards.

Premises in Zone R-5-()U shall be subject to the following development standards.

A. Maximum density.

1. The maximum number of dwelling units per net acre for any residential use shall not exceed the number preceding the letter U specified in the suffix to the zoning symbol. Depending on the land use category in the General Plan

prescribed for the property, such required area shall not exceed 100 or 150 units per net acre; and

2. The provisions of Section 22.20.060 shall apply to lots containing fractional parts of an acre.

B. Yard requirements. Notwithstanding Section 22.48.030, premises in Zone R-5-()U shall be subject to the following yard requirements:

1. Front yards. Each lot or parcel of land shall have a front yard of not less than five feet in depth, which shall be fully landscaped;

2. Other yards. Side and rear yards abutting parcels located within Zone R-1 or R-2 shall have a minimum depth of 15 feet. If the side or rear lot line of the R-5-()U-zoned parcel is separated from the R-1 or R-2 zone by a highway, street, alley, or easement of at least 15 feet in width, this side or rear yard depth requirement shall not apply; and

3. Except as provided in subsection B.1 and B.2 of this Section, all required yards shall be subject to the applicable provisions of Chapter 22.48.

C. Height. Except as otherwise provided by an applicable Community Standards District, a building or structure shall not exceed 65 feet above grade, excluding chimneys, rooftop antennas, and rooftop recreational spaces, except that the portion of any building sharing a common side or rear lot line with property located within Zone R-1 or R-2 shall have a setback from the common side or rear lot line so that the height of the building in the R-5-()U Zone is no greater than 45 feet at the edge

of the building wall facing that common lot line, and shall be recessed back one foot for every additional foot in building height, up to a maximum height of 65 feet.

D. Building articulation. At least 50 percent of the building that fronts a street shall incorporate varying articulation and architectural detail to visually break up massing, such as recessed windows, balconies, offset planes, stepbacks, vertical or horizontal modulations, or other architectural or decorative accents that create visual interest in lieu of long unarticulated walls.

E. Signs. Signs shall be subject to the same regulations as for Zone R-4 set forth in Part 10 of Chapter 22.52.

F. Parking. Properties in Zone R-5-()U shall provide vehicular and bicycle parking as required by Part 11 of Chapter 22.52.

G. Screening.

1. Façades and windows. A building's frontage facing a street shall not have more than 25 percent landscaping or fencing that screens from public view the façade or windows on the ground floor of the building's frontage; and

2. Trash bin enclosures. Trash enclosures for refuse and recycling bins shall be:

a. Located within parking areas or structures, or at the rear or side of buildings, or between buildings, and shall not be placed between a building and a street;

b. Located not farther than 150 feet from the building;

c. Not placed in any public right-of-way; and

d. If located outside, screened by masonry walls between five and six feet in height.

3. Mechanical equipment. Mechanical equipment shall be completely screened from view with walls and/or landscaping.

H. Recreational space for residential developments:

1. Areas defined.

a. Common recreational space. Recreational space for the exclusive use of the residents in the development, and may include:

- Atriums.
- Barbecue and picnic areas.
- Community or multipurpose rooms.
- Courtyards.
- Gardens, including rooftop gardens.
- Indoor or outdoor exercise areas and rooms.
- Lawns.
- Playgrounds.
- Pool decks.
- Swimming pools and spas.
- Tennis, volleyball, and other ball courts.
- Terraces.
- Yards, interior side and rear, exclusive of vehicular

access.

b. Private recreational space. Recreational space attached to and accessed from within an individual dwelling unit, and may include an atrium, balcony, patio, porch, or terrace.

c. Excluded from recreational space. Off-street parking and loading areas, driveways and other vehicular access areas, service areas, and perimeter landscaping with no more than two feet in width, shall not count as useable recreational space.

2 Minimum dimensions for recreational space.

a. For new residential developments with up to 60,000 square feet of total floor area, at least 10 percent of the project area shall be provided for and maintained as common or private recreational space for use by the residents of the development. Landscaping required for the development may count towards this requirement as long as the landscaping is useable recreational space.

b. For new residential developments with over 60,000 square feet of total floor area, a minimum of 100 square feet of private or common recreational space per dwelling unit shall be provided and maintained. Landscaping may count towards this requirement as long as the landscaping is useable recreational space.

3. Additional standards for common recreational space.

a. Accessibility. Common recreational space shall be located on the same property as the units it serves, and shall be available exclusively for the residents of the development.

b. Roof top common recreational space. Where a roof top is used for common recreational space, the roof top shall incorporate landscaping, decorative paving materials, and recreational amenities of the type listed in subsection H.1.a, above. Mechanical equipment storage areas on roof tops shall not be counted towards recreational space.

I. Other residential amenities. All residential developments shall provide adequate private or common laundry facilities shall be provided and reserved for the exclusive use of the residents residing in the development.

SECTION 7. The Title of Part 5 of Chapter 22.28 is hereby amended to read as follows:

Part 5

C-3 UNLIMITED GENERAL COMMERCIAL ZONE

SECTION 8. Part 10 of Chapter 22.28 is hereby added as follows:

Part 10

C-MJ MAJOR COMMERCIAL ZONE

Sections:

- 22.28.410 Purpose.**
- 22.28.420 Permitted Uses.**
- 22.28.430 Accessory Uses.**
- 22.28.440 Uses Subject to Director's Review and Approval.**
- 22.28.450 Uses Subject to Permits.**
- 22.28.460 Project Review and Evaluation.**