



Agenda
Planning Commission Meeting
7:00 P.M. on Tuesday, November 24, 2009
Hoyer Hall, 6125 Clayton Road, Clayton

CALL TO ORDER, ROLL CALL, PLEDGE TO THE FLAG

Administrative

- 1A. Review of agenda items.
- 1B. Vice Chair Johnson to report at the City Council meeting on December 1, 2009.

Public Comment

Approval of Minutes

- 2. Approval of minutes from the meeting of November 10, 2009.

Public Hearings

- 3. **ZOA 04-09, Municipal Code Amendment, City of Clayton.** A public hearing regarding possible amendments to the Clayton Municipal Code for the purpose of implementing the requirements of Senate Bill 1818 related to granting density bonuses and related incentives to support the construction of affordable housing. *Continued from the meeting of November 10, 2009.*

Proposed Action: Continue to the meeting of December 8, 2009.

Old Business

- 4. **ZOA 05-09, Municipal Code Amendment, City of Clayton.** A study session to review the need for an amendment to the Clayton Municipal Code for the purpose of implementing the requirements of the Water Conservation in Landscaping Act of 2006 (Assembly Bill 1881, Laird).

Proposed Action: Informational Update Only.

New Business

- 5. **ZOA 06-09, Municipal Code Amendment, City of Clayton.** A study session to review the need for an extension and modification of the Town Center parking waiver provisions.

Proposed Action: Review and Provide Direction to Staff.

Communications

- 6A. Staff.
- 6B. Commission.

Adjournment

- 7. The next meeting of the Planning Commission is scheduled for **Tuesday, December 8, 2009.**

Most Planning Commission decisions are appealable to the City Council within ten (10) calendar days of the decision. Please contact Community Development Department staff for further information immediately following the decision. If the decision is appealed, the City Council will hold a public hearing and make a final decision. If you challenge a final decision of the City in court, you may be limited to raising only those issues you or someone else raised at the public hearing(s), either in oral testimony at the hearing(s) or in written correspondence delivered to the Community Development Department at or prior to the public hearing(s). Further, any court challenge must be made within 90 days of the final decision on the noticed matter. If you have a physical impairment that requires special accommodations to participate, please contact the Community Development Department at least 72 hours in advance of the meeting at 925-673-7340. An affirmative vote of the Planning Commission is required for approval. A tie vote (e.g., 2-2) is considered a denial. Therefore, applicants may wish to request a continuance to a later Commission meeting if only four Planning Commissioners are present. Any writing or documents provided to the majority of the Planning Commission after distribution of the agenda packet regarding any item on this agenda will be made available for public inspection in the Community Development Department located at 6000 Heritage Trail during normal business hours.

Minutes
City of Clayton Planning Commission Meeting
Tuesday, November 10, 2009

Call to Order

Chair Bob Armstrong called the meeting to order at 7:00 p.m. at Hoyer Hall, 6125 Clayton Road, Clayton.

Present: Chair Bob Armstrong, Vice Chair Sandra Johnson, Commissioner Tuija Catalano, Commissioner Ted Meriam, Commissioner Dan Richardson

Absent: None

Staff: Community Development Director David Woltering
Assistant Planner Milan Sikela, Jr.

Administrative

1A. Review of agenda items.

1B. Commissioner Meriam to report at the City Council meeting on November 17, 2009.

Public Comment

None.

Approval of Minutes

2. Approval of minutes from the meeting of October 27, 2009.

Commissioner Richardson moved and Commissioner Meriam seconded a motion to approve the minutes from the meeting of October 13, 2009, as amended. The motion passed 4-0, Chair Bob Armstrong abstained because he had not attended the meeting.

Public Hearings

3A. **ZOA 04-09, Municipal Code Amendment, City of Clayton.** A public hearing regarding possible amendments to the Clayton Municipal Code for the purpose of implementing the requirements of Senate Bill 1818 related to granting density bonuses and related incentives to support the construction of affordable housing.

Director Woltering indicated the following:

- Draft ordinance is being reviewed by the City Attorney. Comments should be returned to staff by approximately November 18, 2009.
- Chair Catalano's questions would be addressed by the City Attorney and Community Development Director when preparing this next draft of the ordinance.

Commissioner Richardson moved and Vice Chair Johnson seconded a motion to continue Municipal Code Amendment ZOA 04-09 to the next regularly-scheduled Planning Commission meeting on November 24, 2009. The motion passed 5-0.

3B. **ZOA 03-09, Municipal Code Amendment, City of Clayton.** A public hearing regarding possible amendments to the Clayton Municipal Code to allow manufactured homes within the City of Clayton, consistent with the requirements of State law.

Assistant Planner Sikela presented staff report and suggested that proposed Section 17.36.078.A.8 could be deleted, given that manufactured homes, like conventional single-family homes, would be presented to the Planning Commission for review and approval.

Planning Commission comments included:

- Commissioners indicated support for the modifications made to the proposed ordinance by staff since the last meeting.
- Commissioners indicated support for Assistant Planner Sikela's suggestion to delete proposed Section 17.36.078.A.8.
- Chair Armstrong suggested modification of the proposed definition for mobile homes having no foundation system to include a reference that they "retain an axle". The Commission supported Chair Armstrong's suggestion for the proposed modification.

Commissioner Catalano moved and Vice Chair Johnson seconded a motion to approve Resolution No. 04-09, thereby, recommending City Council approval of the draft ordinance amendment pertaining to allowing manufactured housing in Clayton. The motion passed 5-0.

Old Business

4. None.

New Business

5. **ZOA 05-09, Municipal Code Amendment, City of Clayton.** A study session to review the need for an amendment to the Clayton Municipal Code for the purpose of implementing the requirements of the Water Conservation in Landscaping Act of 2006 (Assembly Bill 1881, Laird).

Director Woltering presented staff report.

Planning Commission questions and comments included:

- The State's model ordinance seems exceedingly cumbersome.
- Do we all adopt the same model ordinance or can the City work with what it has? Director Woltering indicated that the City could adopt its own ordinance or the State's model ordinance. He further indicated that if the City does not adopt its own ordinance, after January 1, 2010 the State's model ordinance would be enforced.
- Would like to see what other cities are doing.
- Is our existing Chapter 17.80 in the Clayton Municipal Code sufficient? Director Woltering indicated that, no, the existing wording in Chapter 17.80 are merely guidelines.
- We could just modify the wording in Chapter 17.80 to comply with the State's requirements. This would save time for the City. Director Woltering concurred, stating that time is of the essence since each agency has until January 1, 2010 to adopt an ordinance or adopt the State's model ordinance. He indicated for those jurisdictions that adopt their own ordinance they need to make findings that their ordinance is as effective as the State's model ordinance.
- Who would review local projects' compliance with the water conserving requirements? Director Woltering indicated that a certified and qualified professional would need to assure that installation of landscaping is done in accordance with the applicable requirements.
- New public projects are doing water audits already.
- We can cover the State's requirements in a narrative form.

- What is confusing with the State's model ordinance is the lack of differentiation between private and public projects.
- Who is coordinating this process? Director Woltering responded that, locally, the Contra Costa Water District is in charge of coordinating the response.
- We should turn this over to the Contra Costa Water District.
- It is onerous and costly for the City to police water conserving guidelines and it is also cost-prohibitive for a private developer.
- In Section 17.08.040.I of the Clayton Municipal Code, We should add wording to the effect of "conforming with State mandates" to clarify and borrow from the State's model ordinance.
- In Section 17.08.080, mulching could be required to be three or four inches in depth.
- In Section 17.08.090, include "surge valve".
- In Section 17.80.100.B, change the term "Planning Director" to "Community Development Director."
- Include a requirement to use recycled water in our wording.
- A letter to the State should include a listing of the number of wells. Director Woltering indicated that, regarding well water, we need to address monitoring of the aquifer.
- One of our findings could be that we have an incredibly efficient water district.
- When is your water conservation meeting? Director Woltering answered that the meeting is scheduled for November 18, 2009. Director Woltering indicated further that he would update the Commissioners at their next meeting about information presented at the meeting with the Contra Costa Water District and other local agencies regarding this matter.

Communications

6A. Staff.

Director Woltering updated the Commission regarding upcoming projects.

6B. Commission.

Commissioner Richardson indicated that Endeavor Hall may have some modifications to it, based on what he heard a recent City Council meeting. He asked if the Planning Commission would be involved in the review process. Director Woltering indicated that he would learn more about the proposal and report back to the Commission.

Commissioner Catalano asked why there was drilling occurring on the Clayton Community Church property. Director Woltering answered that he believes the Clayton Community Church is doing soil samples for a development application being prepared for that property.

Adjournment

7. The meeting was adjourned at 8:33 p.m.

Submitted by
David Woltering, AICP
Community Development Director

Approved by
Bob Armstrong
Chair

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Memorandum

To: Chair Armstrong and Planning Commissioners

From: David Woltering, Community Development Director 

Date: November 24, 2009

Subject: Agenda Item No. 4: ZOA 05-09, Municipal Code Amendment, City of Clayton: Study Session - Implementation of the Water Conservation in Landscaping Act of 2006 (Assembly Bill 1881, Laird)

At the November 10, 2009 Planning Commission meeting, staff introduced the subject of needing to comply with the provisions of the Water Conservation in Landscaping Act of 2006 (Act). Staff indicated the State Department of Water Resources (DWR) had prepared a model ordinance to implement the provisions of this Act. Staff reviewed with the Commission the DWR model ordinance as well as the City's present "Water Conserving Landscape Guidelines" (Guidelines) listed in Chapter 17.80 of the Clayton Municipal Code. The cited purposes for adopting this Act are as follows:

1. Reduce water use to the lowest practical amount and enforce an upper limit of water use that shall not be exceeded;
2. To establish a structure for designing, installing, maintaining, and managing water efficient landscapes for new projects;
3. To establish provisions for water management practices and water waste prevention for established landscapes;
4. Promote the values and benefits of having landscapes, while recognizing the need to utilize water, energy, and other resources efficiently; and
5. Encourage neighboring local agencies to adopt consistent ordinances to simplify Green Industry compliance with the new ordinance.

Staff indicated that the Contra Costa Water District (CCWD) was taking the lead locally to bring jurisdictions together to discuss options for complying with the Act. Commission members indicated a number of concerns about the DWR model ordinance, generally focusing on the complexity and potential cost involved with satisfying the requirements presented. Commissioners generally supported the more focused, less onerous, yet effective approach in the City's current Guidelines. Staff indicated that the concerns of the Commission would be expressed at the upcoming meeting scheduled for November 18, 2009 by the CCWD to discuss this matter.

Staff attended the November 18th CCWD meeting, along with the representatives from CCWD, the East Bay Municipal Utility District (EBMUD), and many of the cities who have water service provided by either CCWD or EBMUD. Representatives from CCWD and EBMUD distributed and reviewed the attached handout regarding the background and provisions of the DWR model ordinance. Staff shared the Commission's comments on the model ordinance with the group and found that these comments were shared by most everyone in attendance. It was the consensus, that this group should work together to develop an alternative model ordinance that could be a template for all the jurisdictions involved. The alternative ordinance should accomplish the following:

- Comply with the requirements of Water Conservation in Landscaping Act of 2006;
- Not be inconsistent with the C.3 (Stormwater) requirements;
- Offer consistency within the jurisdictions of CCWD and EBMUD;
- Be simple to understand;
- Be easy to review for compliance; and
- Be easily enforced.

It was assumed that the simplicity of understanding and ease of review and enforcement should translate into the alternate model ordinance so that the alternate model ordinance would be comparatively less onerous than the current DWR model ordinance.

In terms of next steps, we discussed the following:

- Local agencies would submit letters to the CCWD and EBMUD representatives indicating support for the joint effort;
- CCWD and EBMUD representatives would prepare an administrative draft ordinance based on the comments and objectives discussed at the referenced meeting; and
- The working group would refine the administrative draft ordinance, and the refined ordinance could be the basis for local jurisdictions to adopt ordinances to comply with the Act.
- It was indicated that the jurisdictions involved should send letters to DWR in January indicating that they are working together to develop a consistent approach to complying with the Act and an anticipated timeframe for adopting their implementing ordinances. It was indicated by CCWD and EBMUD representatives that this approach would be acceptable to DWR.

Attachment:

Handout titled, "New Model Water Efficient Landscape Ordinance," which summarizes the background and key provisions of the Model Water Efficient Landscape Ordinance from the State Department of Water Resources (DWR)

NEW MODEL WATER EFFICIENT LANDSCAPE ORDINANCE

Model Water Efficient Landscape Ordinance (MO) (First update since 1991)	AB 1881 directed DWR to: 1. Consider recommendations of the 2717 Landscape Task Force Report 2. Research and review the effectiveness local landscape ordinances 3. Gather and consider stakeholder input 4. Re-organize layout of the model ordinance to improve flow and readability
What is the purpose of the MO?	1. Reduce water use to the lowest practical amount and to enforce an upper limit of use that shall not be exceeded 2. To establish a structure for designing, installing, maintaining and managing water efficient landscapes in new projects 3. To establish provisions for water management practices and water waste prevention for established landscapes 4. Promote the values and benefits of landscapes while recognizing the need to invest water, energy and other resources efficiently 5. Encourage neighboring local agencies to adopt consistent landscape ordinances to simplify Green Industry compliance with the new ordinance
When does the MO go into effect?	By January 1, 2010 cities and counties must: 1. Adopt the new MO or, 2. Adopt a different ordinance that is as least as effective in conserving water as the new MO 3. If a local agency does not take action, the new MO will go into effect as if it were adopted
What landscapes must comply with the MO?	1. New and rehabilitated landscapes for public agency projects, private development, developer-installed single family and multi-family homes with a total landscape area over 2,500 s.f. 2. New single-family landscapes installed by homeowner or contractor hired by homeowner and multi-family projects with a landscape area over 5,000 s.f. <u>Note:</u> Special new and rehabilitated landscapes that have higher water requirements such as recreation areas, edible plants, cemeteries and landscapes watered with recycled water are allowed additional water but are still required to comply with the ordinance
What landscapes are exempt from the MO?	1. Registered local, state or federal historical sites 2. Ecological restoration and mined-land reclamation projects that do not require a permanent irrigation system 3. Botanical gardens and arboreturns open to the public 4. Cemeteries are exempt but require hydrozone tables and must meet a water budget
Are existing landscapes required to comply with the MO?	Yes, but only Sections 493, 493.1, and 493.2 apply to existing landscapes. These sections requires the local agency to administer audits for existing landscapes greater than 1 acre that provide recommendations to lower water use on these sites to a MAWA not to exceed 0.8 ETo
What Projects will require Water Audits?	Local agencies shall administer irrigation audits, irrigation surveys and irrigation water use analysis as necessary to maintain a water budget of: 1. .7 ETo for projects installed after 01/01/10 except projects with recreational turf 2. .8 ETo for existing projects installed before 01/01/10, including single family homes, larger than one acre 3. 1.0 ETo for projects with recreational turf 4. The water budget is defined as the total annual applied water use and must be less than or equal to the MAWA
How will water waste be prohibited?	1. Local agencies shall prevent water waste resulting from inefficient irrigation by prohibiting runoff, low head drainage and overspray 2. Penalties for violation of these prohibitions shall be established locally
What is the new ET Adjustment Factor (ETAF)?	The new ETAF factor is 0.7 ETo. (The ETAF in the old ordinance was 0.8) The ETAF is applied to reference evapotranspiration to calculate the upper limit of water use allowed An ETAF of 0.7 was arrived at as follows: Plant factor = 0.5 (no change) Irrigation efficiency = 71% (formally 62.5%) which reflects improvements in irrigation equipment between 1992 and present $0.5 \times 71\% = 0.7 \text{ ETAF (ET Adjustment Factor)}$ This equation demonstrates that it is possible to install a landscape with an average plant factor of 0.5 (high enough to include some ornamental lawn). Recreational turf projects (park, golf course, playfield) are no longer exempt and must now be included in the MAWA. Recreational turf is designated as a special landscape area and allowed an ETAF of 1.0
Are charter cities and counties required to implement the MO?	The new MO requires all cities and counties, including charter cities and counties, to adopt and implement the MO. In the previous ordinance charter cities and counties were exempt
Who is responsible for enforcing the MO?	The local agency which may be a city or county (Not the local water agency) is responsible for enforcement of the MO including approval of permit, plan check, and processing the landscape document package. A local agency may establish and administer penalties to the project applicant for non-compliance with the MO. Reference Section 65596, Gov. Code

What is the Landscape Document Package (LDP)	The MO centers around the project applicant obtaining approval of the LDP from the local agency prior to construction. The local agency shall provide the project applicant with the ordinance and procedures for permits, plan checks, or design reviews. The project applicant assembles the LDP from documents that may be prepared by a landscape architect, irrigation designer, contractor or soil laboratory. The local agency approves or denies the LDP and issues a permit, approved plan check or approved design review. The LDP includes the following six elements:
1. Project Information	Project Information shall include: 1. Project type (new, rehabilitated, public, private, cemetery, homeowner-installed) 2. Total landscape area 3. Water supply (potable, recycled, well, and name of water purveyor) 4. Project applicant and contact information 5. Include the applicant signed statement: "I agree to comply with the requirements of the MO and submit a complete LDP"
2. Water Efficient Landscape Worksheet	Water Efficient Landscape Worksheet shall include: 1. Hydro-zone information table, see Appendix B, Section A 2. Water budget calculations including Maximum Applied Water Allowance (MAWA), see Appendix B, Section B1, use ET_o values in Appendix A 3. Estimated Total Water Use (ETWU), see Appendix B, Section B2. Identify all Special Landscape Areas (SLA)
3. Soil Management Report	Soil Management Report shall be submitted to local agency and include: 1. Soil sample collected after rough grading shall be submitted to a laboratory for analysis and recommendations. The report shall include soil texture, infiltration rate, pH, total soluble salts, sodium, percent organic matter and recommendations 2. The soil management report may be submitted with the Landscape Documentation Package or the Certificate of Completion depending on the magnitude of grading for the project.
4. Landscape Design Plan	Landscape Design Plan shall: 1. Group plants in hydrozones based on similar water needs, micro climates and tolerance of geologic and local conditions 2. Not specify turf on slopes greater than 25% where the toe of the slope is adjacent to an impermeable hardscape 3. Incorporate recommendations from the soil management report 4. Install 2" of mulch in non-turf planting areas except where creeping or rooting groundcovers are planted 5. Identify hardscape hardscape as pervious and non-pervious 6. Include the signed statement: "I have complied with the criteria of the ordinance and to applied them accordingly for the efficient use of water in the landscape design plan" <i>Note: Common interest developments may not prohibit use of low-water use plants</i> ☐
5. Irrigation Design Plan	Irrigation Design Plan shall: 1. Use a separate valves to irrigate each hydrozone 2. Include controllers that utilize evapotranspiration or soil moisture sensor data for irrigation scheduling 3. Include a rain shut off or equivalent 4. Use relevant information for soil management report such as soil type and infiltration rate 5. Ensure the pressure at each emission device is at the manufacturer's recommended optimal pressure 6. Be designed to prevent runoff, low head drainage and overspray 7. Only use sub-surface or low volume irrigation in planting areas less than 8 feet 8. Overhead irrigation not permitted within 24 inches of any non-permeable surface 8. Include the signed statement: "I have complied with the criteria of the ordinance and applied them accordingly for the efficient use of water in the irrigation design plan"
6. Grading Design Plan	Grading Design Plan: 1. shall show height of graded slopes, drainage patterns, pad elevations, storm water retention improvements 2. Shall include the signed statement: "I have complied with the criteria of the ordinance and to applied them accordingly for the efficient use of water in the grading design plan" <i>Note: Grading plan should minimize runoff as well as increase on-site retention and infiltration</i>
What is a Certificate of Completion (COC)?	The COC is a set of documents certified by one or more professionals that the project was installed according to the LDP. Local agency will approve or deny the COC and issue a Certificate of Occupancy or equivalent. After COC is approved by local agency, applicant shall submit copy of approved COC to the water purveyor and property owner. COC and shall include the following: 1. Project sheet information 2. Certification that project has been installed in conformance with the approved LDP 3. Irrigation scheduling parameters used to set the controller(s) 4. An audit report based on a certified irrigation auditor's site evaluation including a system tune-up, test for distribution uniformity, verification of minimal overspray or runoff and preparation of irrigation schedules 5. Landscape and irrigation maintenance schedule
Recycled Water	All projects shall use recycled water for irrigation and water features unless a written exemption is provided by the local water agency stating that recycled water is not available
Stormwater Management Practices	Storm water management practices will minimize runoff and increase on-site infiltration
Public Education	Local agency shall provide information to owners of new single-family homes regarding the design, installation, management and maintenance of water efficient landscapes All model homes shall distribute information and use signs to communicate the principles of the water efficient landscapes describes in the MO

Memorandum

To: Chair Armstrong and Planning Commissioners

From: David Woltering, Community Development Director 

Date: November 24, 2009

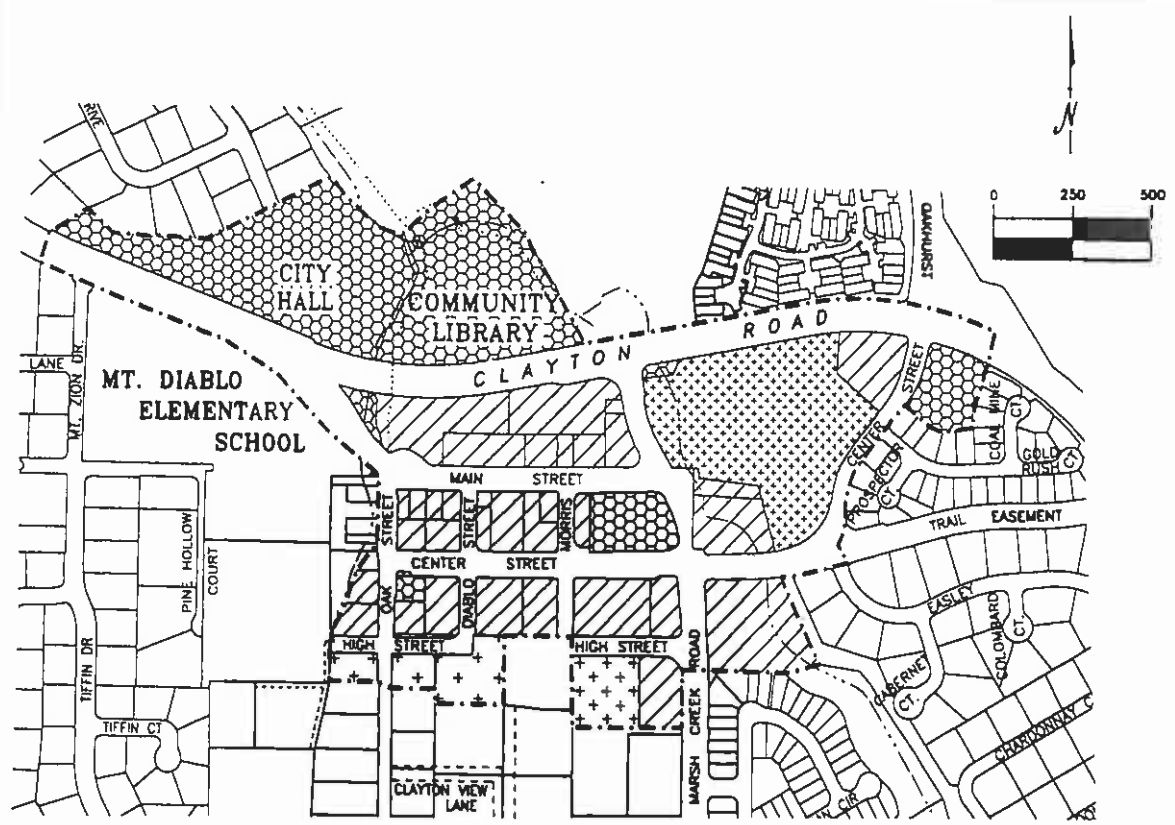
Subject: Agenda Item No. 5: ZOA 06-09, Municipal Code Amendment, City of Clayton: Study Session – Review the need for an extension and modification of the Town Center parking waiver provisions

In 2007, the City of Clayton amended Chapter 17.37, the City's Off-Street Parking and Loading Regulations, to, along with other provisions, reduce the onsite parking requirements for specified land uses in the City's Town Center. The waiver provisions are discussed in several locations, including in Section 17.37.030.C and Schedule 17.37.030.D of the attached Chapter 17.37 of the Clayton Municipal Code. The purpose of offering this waiver of required on-site parking was primarily to provide an incentive to develop certain land uses and promote overall development activity in the Town Center area. The parking waiver provisions primarily promote retail and restaurant land uses. The waiver period extends up to June 30, 2010. Only Flora Square, a 15,000 +/- square-foot mixed-use development, qualified for this parking waiver. Effectively, given the requirements to obtain planning approvals, a building permit, and a final building permit inspection, no additional projects are expected to qualify for the waiver. The Town Center continues to have vacant and underutilized properties within its boundaries and the City is expecting additional development applications within the area in the short-term that will likely request a waiver or parking reduction. These projects are the Rivulet mixed-use development, the expansion of the Village Market, and the Clayton Community Church mixed-use development.

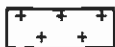
At the November 24, 2009 meeting, staff will review the current provisions of Chapter 17.37 as they pertain to the waiver of parking requirements in the Town Center area and request comments for developing options for possible extension and modification of the current waiver provisions.

Attachments:

1. Map of Town Center Area
2. Chapter 17.37 (Off-Street Parking and Loading Regulations) of the Clayton Municipal Code



LEGEND

-  TOWN CENTER COMMERCIAL
-  MULTI-FAMILY LOW DENSITY RESIDENTIAL
(7.6 - 10 UNITS PER GROSS ACRE)
-  MULTI-FAMILY MEDIUM DENSITY RESIDENTIAL
(10.1 - 15 UNITS PER GROSS ACRE)
-  INSTITUTIONAL RESIDENTIAL
(7.6 - 20 UNITS PER GROSS ACRE)
-  PUBLIC FACILITY
-  SPECIFIC PLAN BOUNDARY

Town Center
Specific Plan

Chapter 17.37

OFF-STREET PARKING AND LOADING REGULATIONS

Sections:

- 17.37.010 Purpose
- 17.37.020 General Requirements
- 17.37.030 Parking and Loading Space Requirements
- 17.37.040 Bicycle Parking
- 17.37.050 Accessible Parking Spaces
- 17.37.060 Reciprocal Parking Facilities.
- 17.37.070 In-Lieu Parking Fees
- 17.37.080 Parking Space Design Standards
- 17.37.090 Parking Lot Design Standards
- 17.37.100 Loading Space Design Standards

17.37.010 Purpose.

The purpose of the off-street parking and loading regulations are to:

- A. Ensure that off-street parking and loading facilities, where appropriate are provided for new land uses and for major alterations of existing uses in proportion to the need for such facilities created by each use and change.
- B. Establish parking standards for land uses consistent with need and with the feasibility of providing parking on specific sites throughout the city, including the more urban character of the Town Center.
- C. Promote compatibility among adjacent land uses and enhance the appearance of the City through appropriate design and aesthetic standards related to parking.
- D. Promote the development of retail and restaurant uses in the Town Center and encourage the public use of privately-owned off-street parking spaces during time periods when on-site businesses are not operating.
- E. Provide businesses with options for satisfying their off-street parking requirements.
- G. Ensure that off-street parking and loading facilities are designed in a manner that will ensure efficiency, protect the public safety, and, where appropriate, insulate surrounding land uses from adverse impacts.

17.37.020 General Requirements.\

A. When Required.

1. Residential Uses. Required off-street parking facilities for residential uses shall be provided at the time of construction of on-site building(s) and/or addition(s), which individually or cumulatively have a floor area of 500 square feet or greater. The approving body may waive this requirement upon approval of written findings that adequate off-street parking is provided on-site and the project would not adversely impact on-street parking and traffic circulation in the vicinity of the project.
2. Non- Residential Uses. Required off-street parking facilities for non-residential uses shall be provided at the time when any of the following activities would increase the required number of off-street parking spaces by ten (10) percent or more: construction of a building, alteration of a building, expansion of an existing use, or use change of a site. A change in occupancy is not considered a change in use unless the new occupancy is in a different use classification than the former occupancy (e.g., retail vs. office). For existing buildings as of June 26, 2007 with a history of various retail, office, and/or restaurant uses, where a proposed change will result in expansion of retail and/or restaurant use which would otherwise require additional or reconfigured off-street parking spaces, the Director may reduce or waive such requirement, upon balancing the need for increased parking and the benefits to the City through enhanced retail or restaurant opportunities upon an express written finding by the Director that the purposes of this chapter are being advanced.

B. Uniform Application. Provisions of this chapter shall apply uniformly throughout the city according to the specific land usage and shall be without regard to zoning district classification, except as noted in this chapter.

C. Non-Conforming Parking or Loading. No existing use of a building or land shall be required to conform to this chapter solely because of the lack of off-street parking or loading facilities required by this chapter; provided, that facilities being used for off-street parking and loading to meet the requirements of this chapter as of June 26, 2007 shall not be reduced, except to achieve compliance with state or federal requirements regarding parking for disabled persons.

D. Common Parking Facilities. Off-street parking facilities for any use shall not be considered as providing parking spaces for any other use except in accordance with the on-site parking provisions of subsection 1 below, the off-site parking provisions of subsection 2 below, or the reciprocal parking facility provisions of Section 17.37.060. No use shall be allowed if the number of required parking spaces is diminished unless substitute off-street parking facilities are provided.

- I. On-Site Parking. Parking required to serve a residential use shall be on the same site as the residence served. Parking required to serve a non-residential use may be on the same site as the use served. If more than one use is located on a site, the number of off-street parking spaces to be provided shall be equal to the sum of the requirements prescribed for each use, including fractions. This requirement applies to multiple uses under separate

ownership on a site as well as multiple uses under the same ownership on a site. If multiple properties are involved, a written agreement between the property owners, subject to the requirements of subsection 17.37.020.F, shall be provided to the city.

2. Off-Site Parking. Parking required to serve a non-residential use may be on a different parcel under the same or different ownership as the use served; provided, that the parking shall be within 300 feet of the use served, as measured from the near corner of the off-street parking facility to the main public entrance of the use served via the shortest pedestrian route. If multiple properties are involved, a written agreement between the property owners, subject to the requirements of subsection 17.37.020.F, shall be provided to the city.
- E. Common Loading Facilities. The off-street loading facilities requirements of this chapter may be satisfied by the permanent allocation of the prescribed number of loading spaces for each use in a common loading facility; provided, that the total number of loading spaces shall not be less than the sum of the individual requirements, including fractions. If the gross floor area of individual uses on the same site is less than that for which a loading space would be required by Section 17.37.030, but the aggregate gross floor area of all uses is greater than the minimum for which a loading space would be required, the aggregate gross floor area shall be used in determining the required number of loading spaces. No use shall be continued if the number of required loading spaces is diminished unless substitute off-street loading facilities are provided prior to the change. If multiple properties are involved, a written agreement between the property owners, subject to the requirements of subsection 17.37.020.F, shall be provided to the city.
- F. Written Agreement. Off-street parking or loading facilities involving multiple properties shall be memorialized by a written agreement between the property owners which is satisfactory to the City Attorney. The agreement must include provisions between the property owner(s) for access to and use of the respective parking or loading facilities and a provision that the agreement will be recorded in the county recorder's office. The agreement shall be for the duration of the use requiring the parking or loading, provided, that the Director may waive the restriction upon an express written finding that substitute parking or loading facilities meeting the requirements of this chapter are provided. The Director shall require a new written agreement if the substitute parking or loading facilities are located on a property which is separate from the use.
- G. Computation of Spaces Required. When the calculation of the required number of parking, loading, or bicycle spaces results in a fractional number, a fraction of one-half or more shall be adjusted to the next higher whole number of spaces, and a fraction of less than one-half shall be disregarded.
- H. Use of Parking Facilities.
 1. A parking space may not be used for any purpose other than for the temporary parking of a vehicle, which is licensed for operation on public highways.
 2. Overnight parking of vehicles in excess of twenty-one (21) feet in length or seven (7) feet in height or trailers is prohibited in non-residential districts, unless specifically permitted by other provisions of this Code.

I. Administrative Relief. Subject to the following requirements, administrative relief from the terms of this chapter may be granted for matters regarding dimensions and square footage, as well as design standards for parking spaces, loading spaces, and parking lots.

1. The Director makes express written findings that the requirements of this chapter are impractical as applied to the project; and
2. Measures are incorporated into the project and the Director expressly finds in writing that the measures advance the purposes of this chapter; and
3. The City Attorney reviews and approves the Director's action as complying with all applicable laws.

17.37.030 Parking and Loading Space Requirements.

A. Parking and Loading Space Schedules. Off-street parking spaces shall be provided in accordance with Schedule 17.37.030A. Off-street loading spaces shall be provided for non-residential uses in accordance with Schedule 17.37.030B or as required by the Planning Commission. References to spaces per square foot are to be computed on the basis of gross floor area unless otherwise specified, and shall include allocations of shared restroom, halls and lobby area, and mechanical equipment or maintenance areas, but shall exclude area for vertical circulation (e.g., stairs, elevators).

B. Parking Schedule with Public Parking Easement. In lieu of the parking space requirements provided in Schedule 17.37.030A, the number of off-street parking spaces required for projects meeting all of the criteria listed in subsections 1-3 below shall be in accordance with Schedule 17.37.030C.

1. The parcel is located within the planning area of the Town Center Specific Plan (as amended).
2. The project involves new construction and/or addition(s) of retail, restaurant, service, or office uses.
3. The City Council accepts an offer of a public parking easement from the property owner. The public parking easement allows the general public to park in the off-street parking facility when any business establishment operating on the property is not open for business.

C. Waiver Period. In order to encourage development of retail, restaurant, office, and personal service uses in the Town Center before June 30, 2010, a waiver period extending through June 30, 2010 is established during which the number of off-street parking and loading spaces required for projects meeting all of the criteria listed in subsections 1-4 below is reduced in accordance with Schedule 17.37.030D.

1. The parcel is located within the planning area of the Town Center Specific Plan (as amended).

2. The project involves construction, establishment, and/or addition(s) of retail, restaurant, office, or personal services uses.
 3. A building permit (if required) for the project has been issued within one (1) year of project approval. Construction and a final building permit inspection are completed within one (1) year of the issuance of the building permit. These time periods may be extended once up to six (6) months by the Planning Commission upon a showing of good cause.
 4. City Council approval is granted for any individual project in which the requirement for more than seventy-five (75) parking spaces is waived.
- D. Monitoring of Spaces During Waiver Period. The Director shall monitor the amount of retail, restaurant, office, and personal service development within the planning area of the Town Center Specific Plan (as amended) during the waiver period. The Director shall determine the number of parking spaces which would have been required in accordance with Schedule 17.37.030A. Upon determining that new retail, restaurant, office, and personal service development has occurred or has been proposed, or other reductions in parking space requirements have been granted for which the aggregate number exceeds 200 reduced spaces, a report shall be presented to the Planning Commission. The Planning Commission shall review the report and make any appropriate recommendations for consideration by the City Council. This report shall include an assessment of the existing parking conditions in the planning area of the Town Center Specific Plan with respect to the availability of public parking, patterns of utilization, and parking needs of future commercial development in Town Center.
- E. Director Determination. Where the proposed use classification is not specified herein, the Director shall determine the probable use and the number of parking and loading spaces required. In order to make this determination, the Director may require the submission of survey or other data from the applicant or have data collected at the applicant's expense.

SCHEDULE 17.37.030A OFF-STREET PARKING SPACE REQUIREMENTS	
Use Classification	Required Off-Street Parking Spaces
Residential	
Single-Family Dwelling	4 per unit (2 must be fully-enclosed and 2 may be tandem).
Small Lot (<4,000 sq. ft. net lot area, Multifamily General Plan designation)	2 per unit (2 must be fully-enclosed and 1 may be tandem). 0.5 per guest parking per unit.
Duplex Dwelling	2 per unit (1 must be covered and 1 may be tandem). 0.5 guest parking per unit.
Multiple-Family Dwelling	
Studio	1 per unit (covered).
1 Bedroom	1.5 per unit (1 must be covered).
2+ Bedroom	2 per unit (1 must be covered).
Guest Parking	0.5 per unit.
Second Dwelling Unit	See Section 17.47.020.B.
Group Residential	1 per sleeping room plus 1 per 100 sq. ft. used for assembly purposes or common sleeping areas.
Commercial – Retail	
Building / Garden / Pool Supplies and Sales	1 per 500 sq. ft. of floor area.
Food / Beverage Sales	1 per 250 sq. ft.
Furniture, Appliance, & Household Equipment Sales	1 per 500 sq. ft.
Restaurant and/or Bar:	
On-Site Eating and/or Drinking	Greater of 1 per 75 sq. ft. or 1 per 3 seats.
Take-Out Service	1 per 150 sq. ft.; plus queue space for 5 cars for drive-up service.
Combination On-Site / Take-Out Service	1 per 400 sq. ft. behind counter, plus greater of 1 per 75 sq. ft. in front of counter or 1 per 3 seats.
Entertainment or Dancing	1 per 50 sq. ft of public assembly area.
Outdoor Seating	No additional spaces for the first 12 seats; 1 additional space per 3 seats for more than 12 seats.
Retail Sales (not listed under another Use Classification)	1 per 250 sq. ft.

SCHEDULE 17.37.030A OFF-STREET PARKING SPACE REQUIREMENTS	
Use Classification	Required Off-Street Parking Spaces
Commercial – Services	
Animal Services (Grooming, Hospital. Boarding)	1 per 400 sq. ft.
Automotive Services: Repairs Rentals Service Stations Vehicle Storage Washing / Detailing	4 per service bay. 1 per 400 sq. ft. plus 2 storage spaces. 3 per service bay plus 1 per each employee. 1 per 500 sq. ft. 1 per 200 sq. ft. of office / lounge area; plus queue for 5 cars.
Catering Services	1 per 400 sq. ft.
Dry Cleaning Services	2 plus 1 per employee
Maintenance and Repair Services	1 per 400 sq. ft.; plus 1 per 500 sq. ft. of outdoor storage area.
Personal Services (Barber, Beauty Shop)	1 per 250 sq. ft.
Commercial – Office	
Offices: Business and Professional Medical and Dental Financial Services	1 per 250 sq. ft. 1 per 250 sq. ft. 1 per 250 sq. ft. plus 1.5 spaces per ATM.
Commercial – Other	
Mini-Storage	3 for customer parking at office.
Recreation Facilities: Video Arcades Dance / Music Studio Fitness Studio Other Facilities Tennis/Racquetball Theaters	1 per 400 sq. ft. 1 per 600 sq. ft. 1 per 250 sq. ft. As specified by approving body. 4 per court. 1 per 3 fixed seats, or 1 per 50 sq. ft. of assembly area if seats are not fixed.

SCHEDULE 17.37.030A OFF-STREET PARKING SPACE REQUIREMENTS	
Use Classification	Required Off-Street Parking Spaces
Visitor Accommodations: Bed and Breakfast Inns Hotels / Motels	1 per guest room. in addition to spaces for the primary residential use. 1 per guest room plus 2 spaces for guest registration plus 1 per 50 sq. ft. banquet seating area.
Care Facilities	
Congregate Care / Convalescent Facilities	0.5 per sleeping room or as specified by use permit.
Day Care Family Day Care – Small Family Day Care – Large Day Care Center	No spaces. See Section 17.45.030.B.8. 1 per employee, plus 1 for first 5 children, plus 1 for each additional 10 children thereafter.
Emergency Shelter	As specified by use permit.
Residential Care Homes	1 per 3 beds (or as specified by use permit) plus spaces for the primary residential use.
Public and Quasi-Public Facilities	
Clubs and Lodges	1 per 50 sq. ft. used for assembly purposes.
Emergency Medical Facilities	1 per 200 sq. ft.
Government Offices	1 per 250 sq. ft. or as specified by use permit.
Museums, Libraries, Cultural Facilities, Community Centers	1 per 300 sq. ft. or as specified by use permit.
Public Park and Recreation Facilities	As specified by use permit.
Public Safety, Service, and Maintenance Facilities	As specified by site plan review permit or use permit.
Religious Assembly	1 per 3 fixed seats (20" of bench equals 1 seat) or 1 per 50 sq. ft. of assembly area if seats are not fixed.
Schools, Public or Private	1 for each employee; plus 1 for every 100 sq. ft. of classroom.
Utility Facilities	As specified by use permit.

(Ord. 408, 2007; Ord. 410, 2007)

SCHEDULE 17.37.030B OFF-STREET LOADING SPACES REQUIRED	
Gross Floor Area (Sq. Ft.)	Off-Street Loading Spaces / Size (Width x Length x Vertical Clearance)
Less than 10,000	0
10,000 to 50,000	1 Space (10 ft. x 35 ft. x 14 ft.)
Over 50,000	2 Spaces (12 ft. x 45 ft. x 14 ft.)

SCHEDULE 17.37.030C OFF-STREET PARKING SPACES REQUIRED WITH PUBLIC PARKING EASEMENT	
Use Classification	Required Off-Street Parking Spaces
Retail Sales – 1 st and/or 2 nd Floor	1 per 400 sq. ft.
Restaurant and/or Bar – 1 st and/or 2 nd Floor On-Site Eating and/or Drinking Entertainment or Dancing	Greater of 1 per 125 sq. ft. or 1 per 5 seats. 1 per 75 sq. ft of public assembly area.
Office – 2 nd Floor	1 per 350 sq. ft.
Commercial Services– 2 nd Floor	1 per 350 sq. ft.

SCHEDULE 17.37.030D REDUCTION OF REQUIRED PARKING AND LOADING SPACES DURING WAIVER PERIOD		
Parcel Area*	Use Classification	Reduction
≤ 10,000 sq ft	Retail Sales / Restaurant – 1 st and/or 2 nd Floor	100%
	Office or Personal Services – 2 nd Floor	100%
> 10,000 sq ft	Retail Sales / Restaurant – 1 st and/or 2 nd Floor	75%
	Office or Personal Services – 2 nd Floor	25%

* Parcel Area is that shown on the Assessor's Maps of the Contra Costa County Assessor's Office as of January 1, 2007 (termed "Original Parcels"). Development projects located on parcels created by any subsequent division of the Original Parcels must comply with the requirements applicable to the parcel areas of the Original Parcels.

17.37.040 Bicycle Parking.

Bicycle parking spaces shall be provided as required by this section. Bicycle parking shall be in addition to the automobile parking spaces.

A. Number of Spaces Required.

1. Commercial and Public/Quasi-Public Use Classifications: One plus ten (10) percent of the requirement for automobile parking spaces, or as required by the Planning Commission.
2. The bicycle parking requirements may be reduced or waived by the approving body pursuant to the approval of a site plan review permit or development plan permit upon the finding that:
 - a. The configuration of the parking lot, and/or the location of the building preclude a feasible location for bicycle parking; or
 - b. That the pedestrian circulation would be significantly disrupted by the addition of required bicycle parking; or
 - c. The provision of bicycle parking spaces can be provided collectively in an off-site location that is within close proximity, not to exceed a walking distance of 200 feet. A written agreement exists between the property owner(s) conforming with the requirements of subsection 17.37.020.F.

- B. Bicycle Parking Design Requirements. For each bicycle parking space required, a stationary object shall be provided to which a user can secure both wheels and the frame of a bicycle with a six-foot cable and lock. The stationary object may be either a freestanding bicycle rack or a wall-mounted bracket. Bicycle parking shall be provided in a manner which does not interfere with pedestrian or vehicular circulation, yet is located in such a manner which encourages the use of bicycles by being convenient to the entry to the building or facility. Such parking may be located on the public right-of-way subject to issuance of an encroachment permit.

17.37.050 Accessible Parking Spaces.

All parking facilities shall comply with state requirements regarding parking for disabled persons, as per Chapters 11A and 11B of the California Building Code.

17.37.060 Reciprocal Parking Facilities.

A reciprocal parking facility is a common off-street parking facility shared by two (2) or more uses which have peak demands for parking which do not overlap in time. The total number of off-street parking spaces required for a project or use using a reciprocal parking facility may be reduced upon the granting of a use permit in accordance with the provisions of Chapter 17.60 and confirmation of all of the following findings:

- A. The spaces to be provided will be available as long as the uses requiring the spaces are in operation;
- B. The peak hours of parking demand from all uses do not coincide and the number of spaces to be provided is adequate to accommodate the peak demand for parking at all times;
- C. The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if collective parking is not provided; and
- D. A written agreement exists between the property owner(s) and the City which is satisfactory to the City Attorney and includes:
 - 1. A provision that there will be no substantial alteration in the uses that will create a greater demand for parking;
 - 2. A provision which allows for access to and use of the reciprocal parking facilities by the employees and customers of the subject uses;
 - 3. A provision that the City may require parking facilities in addition to those originally approved upon a finding by the Planning Commission that adequate parking to serve the use(s) has not been provided;
 - 4. A provision that the agreement will be recorded in the county recorder's office upon issuance of the use permit.
 - 5. No use shall be continued if the number of required parking spaces is diminished unless substitute parking facilities are provided prior to the change.

An applicant for a use permit for a reciprocal parking facility may be required to submit survey data substantiating a request for reduced parking requirements. Alternatively the Director may have survey data collected at the applicant's expense. A use permit for a reciprocal parking facility shall describe the limits of any area subject to the reduced parking requirements and the reduction applicable to each use.

17.37.070 In-Lieu Parking Fees.

At the discretion of the City, all or a portion of the required off-street parking requirements for a commercial use within the planning area of the Town Center Specific Plan (as amended) may be met by payment of in-lieu parking fees to the City in an amount determined in accordance with then existing law. In-lieu parking fees shall be as established by resolution of the City Council and may be amended from time to time. Any in-lieu parking fees due to the City shall be paid prior to issuance of a land use entitlement or a building permit, whichever occurs later. In-lieu parking fees collected by the City shall be used for the provision and maintenance of public parking spaces in the Town Center.

17.37.080 Parking Space Design Standards.

- A. Parking Space Dimensions. Required parking spaces shall have the following minimum dimensions:

Type of Space	Size of Space (Width x Length in Feet)
Standard	9 x 19
Compact	8 x 16
Parallel	9 x 23

- B. Standard and Compact Spaces. For residential uses, all required resident spaces and at least 90 percent of the required guest spaces shall be standard spaces. For non-residential uses, at least 90 percent of the required spaces shall be standard spaces. Compact spaces shall be clearly marked. The approving body may allow a smaller percentage of standard spaces upon a determination that special circumstances applicable to the subject property due to its size, shape, topography, location or surroundings preclude the owner from providing at least 90 percent standard spaces.
- C. Garages. A new garage or alteration to an existing garage serving a single-family dwelling shall conform to the following minimum dimensions:
1. Single-car garage: 10 feet by 20 feet (nine-foot wide door opening).
 2. Double-car garage: 20 feet by 20 feet (16-foot wide door opening).
No interior door shall open into a garage space unless the door will fully open without encroaching into the above specified areas. A pre-existing garage that does not meet these dimensional requirements is not deemed a non-conforming use solely because of this non-conformity.
- D. Spaces Adjacent to Obstructions. Each parking space bordered on the side by a wall, column, or other obstruction higher than 0.5 feet shall be increased by two (2) feet on each obstructed side. Columns shall not encroach into parking spaces, nor shall they be located within two (2) feet of an aisle when adjacent to a parking space. If a column is located adjacent to the first three (3) feet of a parking space or is between two (2) and four (4) feet from the aisle end of a parking space, the additional two (2) foot width is not required.
- E. Vertical clearance. Vertical clearance for parking spaces shall be seven (7) feet, and the front five (5) feet of a parking space serving a residential use may be reduced to four and one-half (4.5) feet.
- F. Wheel stops. All spaces shall have curbs or permanently-anchored wheel stops three (3) feet from a fence, wall, or walkway. When a parking space abuts a landscaped planter less than six (6) inches high, the front two (2) feet of the required length for a parking space may extend into the planter. This standard is not applicable to single-family dwellings.
- G. Cross Slopes. No parking space shall have a cross slope greater than four (4) percent.

17.37.090 Parking Lot Design Standards.

A. Location. No portion of a parking lot or parking space shall be located in a required setback, with the following exceptions.

1. Single-Family Dwellings. Parking spaces on paved driveways up to twenty-seven (27) feet in width or circular driveways with a second curb cut may be located in the setbacks of a parcel occupied by a single-family dwelling, provided that at least seventy-five (75) percent of the balance of the front and exterior side setback is landscaped.
2. Duplexes and Multiple-Family Dwellings. Parking spaces may be located in interior side or rear setbacks of a parcel occupied by a duplex or multiple-family dwelling.
3. Driveways. Driveways may be located in a setback.

B. Parking Angle and Aisle Dimensions. Dimensions of required off-street parking spaces and aisles shall be as listed below. The minimum aisle width may be reduced, subject to review by the City Engineer. The aisle width exceptions shall only be allowed where the decrease will not create a hazardous traffic condition, and where the reduction is necessary to provide for additional parking where existing parking does not meet current standards.

Parking Angle	Space Width	Space Depth	Curb Length	Aisle Width
0° (Parallel)	9'	--	23'	12'
30°	9'	17'3"	18'	11'6"
45°	9'	19'9"	12'9"	13'6"
60°	9'	21"	10'6"	18'9"
90°	9'	19'	9'	25'

C. Parking Lot Circulation.

1. All spaces in a parking lot shall be accessible without re-entering a public right-of-way unless it is physically impossible to provide for such access. No backing into streets is permitted except for a detached single-family dwelling or a duplex dwelling where each unit is served by an individual driveway.
2. Each day care center or private school located in a residential district, shall include a drop-off area that may be adjacent to a primary access or aisle.

D. Driveways.

1. Location. Driveways shall be designed and located in such a manner as to ensure proper visibility to on-street traffic. A new driveway serving a single-family dwelling shall not be placed on an arterial street unless other alternatives are not available.

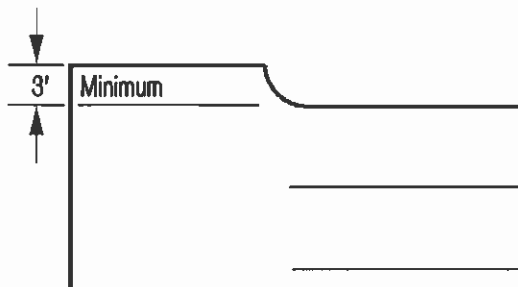
2. Visibility. Visibility at driveway entrances shall be clear of any obstacles such as signs, landscaping and structures. (See Chapter 17.36 for fencing standards at driveways.)
3. Joint Use of Driveways. For non-residential uses, joint use of driveways with adjacent properties may be required to reduce the total number of driveways along streets, enhance pedestrian travel, minimize loss of on-street parking, improve the flow of traffic, and lower the accident potential.
4. Driveway Widths.

Driveways to any parking area shall have the following minimum widths, plus a minimum of one (1) foot additional clearance on each side of a vertical obstruction exceeding 0.5 foot in height.

Minimum Driveway Widths		
Use	One Way	Two Way
One single family dwelling	10 Feet	10 Feet
Two single family dwellings	10 Feet	16 Feet
All other uses	12 Feet.	20 Feet.

The City Engineer or Fire Protection District may require driveways in excess of the above widths where unusual traffic, grade, or site conditions prevail. The City Engineer also may approve narrower driveways to accommodate pre-existing conditions and allow for adaptive reuse of older buildings.

5. Curb Returns. The City Engineer may require driveways to be constructed with full curb returns and handicapped ramps as opposed to a simple curb depression.
- E. Parking Space Access. Parking spaces must be designed and maintained in a manner that an automobile may enter every space with no backup movements and exit the space with one continuous backup movement. In order to provide an adequate area for backup maneuvers at the end of a parking lot with four (4) or more parking spaces, an aisle or driveway providing access to the end parking space shall extend at least three (3) feet beyond the required width of the parking space, or the aisle or driveway shall have a minimum width of thirty (30) feet.



Parking Space Access
(This diagram is for illustration purposes only and has not been adopted as part of the Zoning Ordinance.)

- F. Screening. A parking lot or carport with five (5) or more required spaces shall comply with the requirements of subsections 1 and 2 below. The Director may require a higher fence and a landscaped berm, where the off-street parking facility would have an adverse impact on an adjacent use due to a high turnover of spaces or noise due to the location of service vehicle access and loading space(s).
1. The parking facility shall be screened from an adjoining residential district by a solid wood fence or masonry wall six (6) feet in height (or seven (7) feet in height, as allowed by the fencing regulations in Section 17.36.075), except that the height of a fence or wall adjoining a front setback in a residential district shall not exceed thirty (30) inches within ten (10) feet of the front property line.
 2. If the parking facility abuts a street separating the parking facility from a residential district, the parking facility shall be screened from the residential district by a fence or landscaped berm (not steeper than a 4:1 slope) not less than thirty-six (36) inches in height above the parking surface. The interior slope of the berm may be eliminated by use of a retaining wall on the parking facility side of the berm.
- G. Lighting. Outdoor parking lot lighting shall not employ a light source higher than ten (10) feet in residential districts or fifteen (15) feet in non-residential districts; shall create no cone of direct illumination greater than 60 degrees from a light source higher than six (6) feet, and shall not directly shine onto an adjacent street or property. Illumination at ground level shall not exceed three footcandles in a non-residential district or 0.5 footcandles in a residential district. Additional illumination for safety purposes may be required by the approving body.
- H. Landscaping. New or re-configured parking lots with more than five (5) spaces must provide planting areas in accordance with the following standards. This standard is not applicable to single-family dwellings.
1. Perimeter planting areas along public right-of-ways and interior property lines must be provided. At least one tree (minimum 24" box) must be provided per 150 square feet of perimeter planting area.
 2. Internal planting areas equal to at least ten (10) percent of the total parking lot must be provided in parking lots greater than 6,000 square feet.
 3. Planting areas must have a minimum area of twenty-five (25) square feet and a minimum width of five (5) feet, exclusive of curbs.
 4. The end of each row of parking spaces must be separated from driveways and aisles by a planting area, sidewalk, or other means.
 5. A minimum of one tree (minimum 24" box) for every three parking spaces must be distributed evenly throughout the parking lot. Trees provided pursuant to subsection 1, above shall be credited toward this standard.

6. Planting areas located adjacent to parking spaces, aisles, driveways, or loading areas must be protected with concrete curbs or wheel stops. Alternative treatments may be considered, subject to the approval of the approving body.
 7. Permanent and automatic irrigation systems must be provided for all planted areas.
 8. The property owner must enter into a written landscaping and maintenance agreement with the City, in a form satisfactory to the City Attorney.
 9. Innovative landscape designs may be substituted for the above standards, subject to the approval of the approving body.
- I. Drainage. Surface water shall be discharged to natural or engineered off-site drainage facilities and may not drain off or across public or private sidewalks, pedestrian walkways, or areas not designed as drainage facilities. Stormwater drainage and treatment facilities shall be provided in accordance with the stormwater management requirements of Chapter 13.12 and all applicable federal and state laws.
 - J. Paving. Driveways, aisles, and parking spaces shall be paved with concrete or asphaltic concrete, subject to the approval of the City Engineer, so as to provide a durable and dust-free surface. Driveways and parking spaces serving single-family dwellings may also be paved with water-pervious surfacing material, subject to the approval of the City Engineer.
 - K. Striping, Signs, Marking, and Curb Painting. All parking and loading spaces shall be striped. Double-striping of parking spaces is encouraged and may be required by the City Engineer based upon site conditions such as “high turnover” spaces or restricted maneuvering space. Driveways and aisles shall be marked and maintained with directional arrows and striping to expedite traffic movements. Any area not intended for parking shall be signed as such, or in areas where a curb exists, the curb may be painted red in lieu of signs. All striping, signs, markings, and curb painting shall be in conformance with applicable City standards. All striping and markings shall be applied with a minimum of two coats of material. It shall be the responsibility of the property owner to ensure that all striping, signs, markings, and curb paintings are maintained in a legible condition. The striping, sign, marking, and curb painting standards are not applicable to single family or duplex dwellings, unless necessary for safety purposes as determined by the City Engineer. This standard is not applicable to single-family dwellings.
 - L. Sales or Storage. A parking lot may not be used for automobile sales, storage, repair work, dismantling, or outdoor open sales displays, except as authorized by a temporary use permit issued in accordance with Chapter 17.70.
 - M. Reserved Spaces Prohibited. Parking spaces shall not be reserved for tenants or customers of individual businesses. Notwithstanding this provision, parking spaces may be reserved for tenants in residential uses.

17.37.100 Loading Space Design Standards.

Required off-street loading spaces shall be on the site of the use served or on an adjoining site. Required loading spaces must have adequate driveways and shall at all times have access to a public street. Required loading spaces shall be accessible without backing a truck across a public right-of-way line unless the approval body determines that provision of turnaround space is infeasible and approves alternative access. An occupied loading space shall not prevent access to a required off-street parking space. A loading space shall not be located in a required front or exterior side setback.

Except in the Town Center, a loading space visible from a street shall be screened by a building or solid fence at least six (6) feet in height. (Ord. 408, 2007)