

Resolution 25-003

EXHIBIT A

Title 17

Zoning

Chapter 17.030

DEFINITIONS

§ 17.030.030 Definitions.

"Accessory dwelling unit or ADU" means an attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons and is located on a parcel with a proposed or existing primary dwelling. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family or multifamily dwelling is or will be situated. An accessory dwelling unit also includes the following:

1. An efficiency unit, as defined in Section 17958.1 of the California Health and Safety Code; and
2. A manufactured home, as defined in Section 18007 of the California Health and Safety Code.

"Accessory use" means a use which is incidental to and customarily associated with a specified principal use, and which meets the applicable conditions set forth in the accessory use regulations of this title.

"Activity, land use, et al.," means the actual or permitted residential, commercial, industrial or other use or uses of a property or any portion thereof.

Adult Entertainment. See Section 17.690.003 for definition of phrase and related words and phrases.

"Agriculture" means farms, orchards, greenhouses, nurseries and similar facilities engaged in the production of crops or plants, vines and trees, bulbs and seeds and in animal husbandry. Agriculture includes facilities for the initial processing, packing and storage of agricultural products and roadside stands for the sale of produce grown in the Brentwood area.

"Alley" means a dedicated public way intended primarily to provide vehicular access to abutting properties.

"Alteration" means any enlargement, addition, relocation, repair, remodeling, change in number of dwelling units or rooming units, development of or change in an open area, development of or change in a sign by painting or otherwise, or other change in a facility, but excluding painting, except as provided above for signs, and excluding ordinary maintenance for which no building permit is required, and demolition or removal.

"Amusement park" means any business established including such uses as, but not limited to, rides, games, shows, circuses, carnivals and similar uses involving outdoor as well as enclosed entertainment or entertainment devices.

Animal Husbandry. See Section 17.670.003 for definition of phrase and related words and phrases.

"Arbor or trellis" means a garden feature typically constructed of wood, metal or other material with sides and a roof, usually through the use of latticework, and covered with vines or plants.

"Bicycle path" means a path, trail, route, way or lane designated for use by bicycles and other non-motorized vehicles. Public paths shall include only those for which rights-of-way are dedicated or deeded to and accepted by the city.

"Bridge Housing" means any new or existing facilities, including, but not limited to, housing in temporary structures, emergency sleeping cabins consistent with the requirements of subdivision (h) of Section 8698.3 that are reserved for homeless persons and families, together with community support facilities, including, but not limited to, showers and bathrooms adequate to serve the anticipated number of residents all of which may be located on property leased or owned by a political subdivision. An emergency bridge housing community shall include supportive and self-sufficiency development services, have the ultimate goal of moving homeless persons to permanent housing as quickly as reasonably possible, and limit rents and service fees to an ability-to-pay formula reasonably consistent with the United States Department of Housing and Urban Development's requirements for subsidized housing for low-income persons.

"Building" means any structure built for the support, shelter or enclosure of persons, animals, chattels or property of any kind.

"Building, accessory" means any building which is detached from the principal building on the property, is intended for the conduct of uses secondary to the principal use of the property and is generally smaller than the principal building on the property as defined in this section.

1. Enclosed accessory building means all accessory buildings that include one or more walls that are enclosed for more than twenty-five percent of the wall area, measured from floor to ceiling. Typical enclosed accessory buildings include garages, greenhouses, sheds, accessory buildings, pool houses and other similar buildings.
2. Open accessory building means accessory buildings that maintain openings on all sides that are open not less than seventy-five percent of the wall area of each wall, measured from the floor to the ceiling. The open sides must not be covered with any permanent materials that obstruct the free passage of light and air. Typical open accessory buildings include patio covers and gazebos.

"City" means the city of Brentwood and any one or more public officials, bodies, commissions or agencies of the city having jurisdiction over the particular matter referred to.

"Community care facilities" means any facility, place or building licensed by the state of California, and defined in accordance with regulations enacted with Title 22, Division 6 of the California Administration Code and the California Health and Safety Code which is maintained and operated to provide nonmedical residential care, day care or homefinding agency services for children, adults, or children and adults, including, but not limited to, the developmentally disabled, physically handicapped, mentally disordered, or incompetent persons, and includes any residential facility, day facility and homefinding agency. Community care facilities are further defined below.

1. Residential facility means any family home, group home, social rehabilitation facility or similar facility, for twenty-four-hour nonmedical care to persons in need of personal services, protection, supervision, assistance, guidance or training essential for sustaining the activities of daily living or for the protection of the individual. A residential facility includes:
 - a. Small family home—children means the residence of the licensee in which care and supervision are provided for not more than six children, exclusive of members of the licensee's family or the residential facility's staff. A residence fitting the category of "small family home—children" is considered a residential use of the property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.

- b. Small family home—adults means a residence in which care and supervision are provided for not more than six adults, exclusive of members of the property owner or licensee's family or the residential facility's staff. A residence fitting the category of "small family home—adults" is considered a residential use of property, and shall be subject only to those restrictions that apply to other residential dwellings of the same type in the same zone.
 - c. Large family home—children means the residence of the licensee which is licensed to provide care and supervision for seven through twelve children, exclusive of members of the licensee's family or the residential facility's staff.
 - d. Large family home—adults means a residence which is licensed to provide care and supervision for seven through fifteen adults, exclusive of the property owner or members of licensee's family or the residential facility's staff.
 - e. Group home—children means a residential home of any capacity that provides services in a group setting to children who need care and supervision.
 - f. Group home—adults means a residential home of any capacity that provides services in a group setting to adults who need or desire care and supervision.
 - g. Social rehabilitation center—small means a facility that provides services in a group setting for not more than six persons to adults who currently or potentially are capable of meeting their life support needs independently, but who temporarily need assistance, guidance or counseling.
 - h. Social rehabilitation center—large means a facility that provides services in a group setting for seven or more persons to adults who currently or potentially are capable of meeting their life support needs independently, but who temporarily need assistance, guidance or counseling.
2. Adult day facility means any family day home, day care center, social rehabilitation center or similar facility determined by the state, which provides on less than a twenty-four-hour basis, nonmedical care to adults in need of personal services, protection, supervision, assistance, guidance or training essential for sustaining the activities of daily living or for the protection of the individual. A day facility includes:
- a. Small family day home—adults means the family residence of the licensee in which care and supervision are provided for not more than six adults during a portion of the day, exclusive of members of the licensee's family.
 - b. Large family day home—adults means the family residence of the licensee which is licensed to provide care and supervision during a portion of the day for seven through fifteen adults, exclusive of members of the licensee's family.
 - c. Day care center—adults means a facility of any capacity that provides care and other services in a group setting to adults during a portion of the day.
 - d. Social rehabilitation center—small means a facility that provides services in a group setting for not more than six persons during a portion of the day to adults who currently or potentially are capable of meeting their life support needs independently, but who temporarily need assistance, guidance or counseling.
 - e. Social rehabilitation center—large means a facility that provides services in a group setting for seven or more persons during a portion of the day to adults who currently or potentially are capable of meeting their life support needs independently, but who temporarily need assistance, guidance or counseling.
3. Child day facility means any family day home, day care center, or similar facility, which provides care, protection and supervision to a child or children for periods of less than twenty-four hours per day,

while the parents or guardians are away.

- a. Family day care—small means a facility regularly providing care, protection and supervision to a child or a maximum of six children including the licensee's own children under age twelve in the care giver's own home, for periods of less than twenty-four hours per day, while the parents or guardians are away.
- b. Family day care—large means a facility regularly providing care, protection and supervision for seven to twelve children (including licensee's and assistant care giver's own children under age twelve), in the care giver's own home, for periods of less than twenty-four hours per day, while the parents or guardians are away.
- c. Day care center—children means a facility of any capacity that provides care and other services in a group setting during a portion of the day for children and licensed as such by the state of California.
4. Homefinding agency means any individual or organization engaged in finding homes or other facilities for placement of persons of any age for temporary or permanent care, or adoption and includes provision of continuing social services to such persons.
5. Small residential care facility as utilized within the city of Brentwood zoning ordinance includes any small family home—adults, social rehabilitation center—small, small family day home—adults or family day care—small.
6. Large residential care facility as utilized within the city of Brentwood zoning ordinance includes any large family home—adults, group home—children, group home—adults, social rehabilitation center—large, day care center—adults or day care center—children.

Condominium. A "condominium" is defined, in accordance with Civil Code Section 783, to be an estate in real property consisting of an undivided interest in common in a portion of a parcel of real property, together with a separate interest in space in a residential, industrial or commercial building on such real property, such as an apartment, office or store. A condominium may include, in addition, a separate interest in other portions of such real property.

Condominium Conversion, Residential. A "condominium conversion" means the conversion or subdivision of a single ownership parcel of existing improved residential real property typically containing five or more units, or of an existing mobile home park, into a form of ownership for residential purposes involving the right of exclusive occupancy or separate ownership of individual units or mobile home spaces, including, but not limited to, condominiums, community apartments, stock cooperatives or townhouses.

"Corner lot" means a lot bounded on two or more adjacent sides by public rights-of-way or private ways, or by portions thereof, having an angle of intersection of one hundred thirty-five degrees or less.

"Court" means an area enclosed by three or more walls on the same lot, which area is open to the sky and unobstructed except for the facilities allowed therein by the yard regulations of this title.

"Dwelling" means any building or portion thereof or a mobilehome or trailer designed for and/or used exclusively as the residence of one or more families as defined in this section.

1. Dwelling, single-family means a detached building designed for and/or used exclusively for residence purposes by one family.
2. Dwelling, single-family attached means a building designed for and/or used exclusively for residence purposes by one family and joined structurally along a common wall and property line to another like dwelling unit.

3. Dwelling, multiple means a building or portion thereof designed for and/or used exclusively for residence purposes by two or more families living independently of one another to include the terms duplex, triplex and apartment.
4. Dwelling group means a group of two or more detached buildings used for dwelling purposes located on a parcel of land in one ownership and having any yard or court in common.
5. Dwelling unit means any building or portion of a building or a mobile home or trailer having one or more rooms and only one kitchen or kitchenette and designed and/or used for occupancy by one family.

"Earthen berm" means a mound or embankment of earth, together with necessary retaining structures.

"Emergency shelter" means housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

1. The definition of "emergency shelter" shall include low-barrier navigation centers, bridge housing, and respite or recuperative care.

"Employee Housing" means any portions of any housing accommodations for employees, including agricultural employee housing (as defined in Section 17008 of the California Health and Safety Code Section, as may be amended) which has qualified or where the owner intends to qualify for a permit to operate under the Employee Housing Act.

"Entitlement" means any variance, permit, rezoning, building permit or other city approval granted under the municipal code of the city of Brentwood.

"Facility, development, construction" means any man-made buildings or structures or other features existing or proposed to be placed on a property or any portion thereof to include grading, landscaping and surfacing of any kind.

"Family" means ~~the functional equivalent of a traditional family, whose members are an interactive~~ group of persons ~~jointly occupying, whether related or unrelated, who live together in a single dwelling unit~~ nontransient and interactive manner, including the joint use of and responsibility for common areas, sharing household activities and responsibilities such as meals, chores, household maintenance, and expenses. ~~If the dwelling unit is rented, this means that all adult residents have chosen to jointly occupy the entire premises of the dwelling unit, under a single written lease for the entire dwelling, with joint use and responsibility of the premises, and the makeup of the household occupying the unit is determined by the residents of the unit rather than by the landlord or property manager..~~ Notwithstanding the foregoing, any group of persons required to be considered as a "family" for zoning purposes pursuant to California Health & Safety Code Sections 1267.8, 1566.3, 1568.0831, 1569.85, 11834.23, or any other state law shall be deemed to be a family for purposes of this code.

"Financial institution" means banks, savings and loans, and similar businesses which offer a wide range of services including the deposit and withdrawal of money, loans, and other financial transactions. Check cashing services, pawnshops, automatic teller machines and other similar uses which conduct limited types of financial transactions are not defined as financial institutions.

"Finished grade" means the finished surface of the ground after grading for development.

"Floor area" means the total of the gross horizontal areas of all floors, including usable basements and cellars, below the roof and within the outer surfaces of the main walls of principal or accessory buildings, or the centerlines of party walls separating such buildings or portions thereof, or within lines drawn parallel to

and two feet within the roof line of any building or portion thereof without walls. Floor area excludes the following:

1. Areas used for off-street parking spaces or loading areas, accessways and maneuvering aisles related thereto.
2. Areas which qualify as usable open space under the usable open space standards of this title.
3. In the case of nonresidential facilities: arcades, porticoes and similar open areas which are located at or near street level, which are accessible to the general public and which are not designed or used as sales, display, storage, services or production areas.

"Frontage" means a front lot line, also the length thereof abutting a street.

"Front lot line" means on an interior lot, any abutting street line; on a corner lot, the shorter of any adjacent two abutting street lines, or portions thereof, which intersect at an angle of not less than forty-five degrees but not more than one hundred thirty-five degrees. However, if such street lines, or portions thereof, are equal in length, the owner or developer of the lot may select either as the front lot line. If adjacent street lines, or portions thereof, of a corner lot intersect at an angle of less than forty-five degrees, both such street lines or portions thereof shall be deemed front lot lines.

"Health studios" means any businesses including, but not limited to, gymnasiums, health clubs, spas or salons, tanning salons, athletic clubs, weightlifting centers, racquetball, tennis, swim or similar sports or athletic clubs, which are established for the purpose of providing exercising programs, sport activity programs and similar programs typically associated with such businesses.

Home Occupation. See Section 17.840.003 for definition of phrase.

"Hotel" means an establishment providing lodging accommodations for a fee for transient guests, for stays fewer than thirty days, with access to rooms or units primarily from interior lobbies, courts or halls.

"Interim uses" means the use of property with a nonpermanent facility for a period of time greater than twelve months and less than thirty-six months. Such interim uses include, but are not limited to, storage yard, subdivision signs, office and subdivision signs, temporary or portable offices and similar uses.

"Interior lot" means any lot other than a corner lot.

"Interior side lot line" means any side lot line which is not a street line.

"Junior accessory dwelling unit or JADU" means a residential unit that is no more than five hundred square feet in size and contained entirely within any portion of an existing or proposed single-family dwelling including an attached garage. It includes its own separate provisions for living, sleeping, cooking, and eating, and may include separate sanitation facilities or may share sanitation facilities with the single-family dwelling.

"Kitchen/kitchenette" means any room or portion thereof containing facilities designed or used for the preparation of food, including, but not limited to, stoves, ranges or hotplates.

Landscaping and Screening. See Section 17.630.003 for definition of phrase and related words and phrases.

"Liquor sales" means any business required to obtain an alcoholic beverage license from the California State Department of Alcoholic Beverage Control for the purpose of selling alcoholic beverages for consumption either on the site of sale or off site.

"Living unit" means a dwelling unit or a rooming unit.

"Lot" means a parcel of contiguous land which is or may be developed or utilized, under one ownership, as a unit site for a use or group of uses.

"Lot area" means the area of a lot measured horizontally between bounding lot lines.

"Lot line" means any boundary of a lot.

"Low-barrier navigation center" means a housing-first, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing or as amended by Government Code 65660. "Low barrier" means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

1. The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.
2. Pets.
3. The storage of possessions.
4. Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

"Manufactured homes, mobile homes or modular homes" means single-family housing units, which are commonly referred to as mobile homes, manufactured homes or modular homes, and which are certified under the National Mobilehome Construction and Safety Standards Act of 1974, and which are to be placed on a foundation system, pursuant to Section 18551 of the Health and Safety Code or constructed in accordance with the appropriate Uniform Building Code, Plumbing Code, Electrical Code, etc., that has been adopted and is in effect within the city of Brentwood.

Mobile Home Park. See Section 17.710.003 for definition of phrase and related words and phrases.

"Motel" means a building or group of attached or detached buildings providing lodging accommodations for a fee for transient guests, for stays of fewer than thirty days, with access to rooms or units through an exterior door. Motels are distinguished from hotels primarily in that the former provide direct independent access to, and adjoining parking for, each room or unit, and do not provide twenty-four-hour guest services.

Nonconforming Use/Facility/Activity. See Section 17.610.003 for definition of phrase and related words and phrases.

Off-Street Parking/Loading. See Section 17.620.003 for definition of phrases and related words and phrases.

Oil and Gas Production. See Section 17.680.002 for definition of phrase and related words and phrases.

"Pedestrian walkway" means a path, trail route, way or lane designated for pedestrian traffic only and not intended for use as a way for motor-driven vehicles. Public walkways shall include only those for which rights-of-way are dedicated to and accepted by the city.

"Portable shed" means a premanufactured garden shed that is less than one hundred twenty square feet and does not exceed seven feet in height, constructed with plastic or metal, is not attached to a foundation or constructed with posts in the ground, and can be easily moved.

"Principal use" means the activity which fulfills a primary function of an establishment, institution, household or other entity, and the main buildings or other facilities which are designed for or occupied by such activity.

"Public dancing" means any dance with either live or mechanically provided music, held on a regular basis. Public dance shall not include dances sponsored by charitable nonprofit organizations wherein any profits realized are intended for a charitable cause.

"Razor or concertina wire" is sharp fencing material designed to lacerate animals or unauthorized persons attempting to climb or cross the fence through other than a gate.

"Rear lot line" means the lot line or lines approximately opposite the front lot line.

"Respite/Recuperative care" means a facility that provides post hospitalization health care services, behavioral health services and other transitional and supportive social services to homeless patients discharged from an acute care hospital.

"Restaurant" means an establishment, including, but not limited to, full service sit down or fast food restaurants, cafés, delis, sandwich shops, coffee shops, juice bars, taverns or bars, where food and/or drink are commonly ordered, prepared, served and eaten within the restaurant building, and which may also include some portion of outdoor seating areas, and/or off premises consumption.

"Restaurant—Carry out" means an establishment which by design or physical layout, or by service or packaging procedures permits the purchase of prepared foods and/or drinks intended to be consumed off the premises; and where the consumption of food and/or drinks on the premises, whether or not in a motor vehicle, is not permitted. This use type is considered as "general retail sales" in terms of parking required per Section 17.620.012(J)(2) of the municipal code, and therefore is a permitted use in those zones allowing retail sales.

"Shipping container (also referred to as intermodal freight transport, POD, sea container, or cargo container) is typically a twenty-to forty-foot long durable closed steel container capable of handling large capacity and weight loads over land and sea.

"Side lot line" means any lot line which is not a front lot line or a rear lot line.

Sign. See Section 17.640.004 for definition of word and related words and phrases.

"Single-Room Occupancy Units" (SRO) means housing composed of individual efficiency dwelling units, where each unit has a minimum floor area of 150 square feet and a maximum size of 500 square feet. SRO units do not require an individual kitchen or bathroom. Any unit not developed with an individual kitchen or bathroom must have access to common areas containing kitchen and bathroom facilities. SROs are not linked to any on-site or off-site services, including but not limited to life skills counseling, childcare, or job training.

"Storage" means the placement of material objects on a site for any period in excess of seven consecutive days.

"Story" means a portion of a building between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, the space between such floor and the ceiling next above it; provided, that the following shall not be deemed a story:

1. A basement or cellar if the finished floor level directly above it is not more than six feet above the average adjoining elevation of the finished grade;

2. An attic or similar space under a gable, hip or gambrel roof.

"Street" means a dedicated public way intended to provide for through traffic and primary vehicle access to abutting properties.

"Street line" means a lot line dividing a lot from an abutting street.

"Structure" means that which is built or constructed or any piece of work artificially built up or composed of parts joined together in some definite manner. For purposes of this title "structure" shall not include a "building."

"Structure, accessory" means any structure which is intended for the conduct of uses secondary to the principal use of the property or intended for ornamental purposes to include, but not be limited to, concrete works, walls, fences, minor shelters, machinery, garden features, pools and works of a similar nature.

"Sun/shade sail is a device to create outdoor shade, typically premanufactured and sold at garden or big box stores. The material is usually a triangular/sail shape, flexible membrane tensioned between several anchor points, attached to support posts.

"Supportive housing" means housing with no limit on length of stay, that is occupied by the target population, and that is linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Supportive housing is considered a residential use and is subject only to the restrictions and standards that apply to other residential dwellings of the same type (e.g., single-family residence(s) or multifamily development) in the same zone.

"Target population" means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Development Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

"Tattoo parlor" means any establishment that places an indelible mark or figure upon the body by insertion of pigment on or under the skin or by the production of scars.

"Transitional housing and transitional housing development" mean buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months. Transitional housing is considered a residential use and is subject only to the restrictions and standards that apply to other residential dwellings of the same type (e.g., single-family residence(s) or multifamily development) in the same zone.

"Yard or setback" means an open area between a wall or other facility and the nearest lot line and measured perpendicular from the line, on a horizontal plane, to the wall of the facility.

"Yard, front" means a yard measured perpendicular into a lot from its front lot line or lines, and extending the full width of the lot between its side lot lines.

"Yard, nonstreet frontage" means an interior side or rear yard.

"Yard, rear" means a yard measured perpendicularly into a lot from its rear lot line or lines and extending the full width of the lot between its side lot lines.

"Yard, required" means that portion of a yard that meets or is required to meet the minimum dimensions for such a yard in the zone in which it is located. In the case of a lot where there is no rear lot line from which a required minimum rear yard depth may be measured there shall be provided, exclusive of any front yard or side yard adjacent to a street, an area having the area and dimensions equivalent to that required for a rear yard on a rectangular lot of the same area and in the same zone.

"Yard, side" means a yard measured perpendicularly into a lot from one or more of its side lot lines, and extending between the required front yard and rear yard, or the front or rear lot lines in cases where no front yard or rear yard is required.

"Yard, street frontage" means a front yard or side yard adjacent to a street.

(Ord. 408, 1987; Ord. 468 §§ 2, 3, 1990; Ord. 560 § 4, 1995; Ord. 736, 2003; Ord. 859 § B, 2008; Ord. 943 § 6, 2015; Ord. 991 § 3, 2017; Ord. 1013 § 2, 2020; Ord. 1021 § 3, 2021; Ord. 1054 § 4, 2023)

Article III Residential Zoning Regulations

Chapter 17.110 RE (RANCHETTE ESTATE) ZONE

§ 17.110.002 Permitted uses.

The following uses are permitted within the RE zone:

- A. One single-family dwelling per parcel including manufactured homes;
- B. Rooming and boarding subject to Section 17.650.003;
- C. Accessory facilities or buildings related to the primary use subject to Chapter 17.660;
- D. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850;
- E. Home occupations subject to obtaining a home occupation permit pursuant to Chapter 17.840;
- ~~F. Small family residential care facilities are permitted by right. Family home day care, large subject to the conditions stated in Ordinance No. 560, are permitted by right in all single family residential zones subject to the following conditions F. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone. †~~
- ~~1. That a use permit be issued administratively by the zoning administrator, subject to compliance with the zoning standards of the city;~~
- ~~2. A one hundred dollar fee be collected;~~
- ~~3. The three hundred foot radius notification process shall apply to all new large family home day care processed after the effective date of Ordinance No. 560. The notification shall be not less than ten days prior to the date of the zoning administrator's decision. The notice shall inform the owners of their rights to an administrative hearing;~~
- ~~4. The notification process shall not apply to the issuance of an administrative use permit to the following existing large family home day care properties that have been determined to be in compliance with the zoning standards of the city: APNs 017-300-009, 012-200-010, 012-290-026, 017-280-049, 017-340-~~

~~033, 019-160-025; and~~

~~5. Actions of the zoning administrator may be appealed pursuant to the appeal process in Chapter 17.880 of the zoning ordinance;~~

G. Agriculture, animal husbandry and limited animal husbandry subject to Chapter 17.670;

H. The keeping of domestic animals or pets subject to Chapter 17.670;

I. Signs subject to Chapter 17.640-;

J. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

(Ord. 408, 1987; Ord. 560 § 4, 1995)

§ 17.110.003 Conditionally permitted uses.

The following uses require special consideration and approval of a conditional use permit in accordance with Chapter 17.830:

A. Secondary housing units subject to Section 17.100.005;

B. Public facilities including parks, playgrounds, public schools and other public buildings;

C. Churches and religious institutions and parochial or private schools;

D. Community buildings, clubs and activities of quasi-public, social, fraternal or recreational character such as golf, tennis and swimming clubs intended to primarily serve the immediate neighborhood or residential project;

~~E. Large residential care facilities;~~

~~FE.~~ Mobile home parks provided density does not exceed that specified in the general plan for the property on which the mobile home park is proposed and subject to the provisions of Chapter 17.710;

~~G.~~

~~F.~~ Dog fancier's license in accordance with the provisions of Section 17.670.009.

(Ord. 408, 1987; Ord. 507 § 2, 1992; Ord. 560 § 4, 1995)

Chapter 17.140

R-2 (MODERATE DENSITY MULTIFAMILY RESIDENTIAL) ZONE

§ 17.140.001 Purpose of provisions.

The purpose of the R-2 (moderate density multifamily residential) zone is to encourage the development of more affordable and innovative housing primarily for duplexes, triplexes, townhouses and single-family attached or detached homes on smaller lots.

(Ord. 408, 1987)

§ 17.140.002 Permitted uses.

The following uses are permitted within the R-2 zone:

- A. Single-family dwellings including manufactured homes;
- B. Rooming and boarding subject to Section 17.650.003;
- C. Duplex, triplex, apartments and other small multifamily structures; townhouses and single-family attached homes; all not exceeding a density of nine dwellings per gross acre;
- D. Accessory facilities or buildings related to the primary use subject to Chapter 17.660;
- E. Temporary uses related to the primary use subject to obtaining a temporary use permit pursuant to Section 17.850;
- F. Home occupations subject to obtaining a home occupation permit pursuant to Chapter 17.840;
- ~~G. Small family residential care facilities are permitted by right. Family home day care, large subject to the conditions stated in Ordinance No. 560, are permitted by right in all single-family residential zones subject to the following conditions:
 - ~~1. That a use permit be issued administratively by the zoning administrator, subject to compliance with the zoning standards of the city; and~~
 - ~~2. A one hundred dollar fee be collected; and~~
 - ~~3. The three hundred foot radius notification process shall apply to all new large family home day care processed after the effective date of Ordinance No. 560. The notification shall be not less than ten days prior to the date of the zoning administrator's decision. The notice shall inform the owners of their rights to an administrative hearing; and~~
 - ~~4. The notification process shall not apply to the issuance of an administrative use permit to the following existing large family home day care properties that have been determined to be in compliance with the zoning standards of the city: APNs 017-300-009, 012-200-010, 012-290-026, 017-280-049, 017-340-033, 019-160-025; and~~
 - ~~5. Actions of the zoning administrator may be appealed pursuant to the appeal process in Chapter 17.880 of the zoning ordinance;~~~~
- G. Residential Care Facilities, regardless of size and occupancy. Residential Care Facilities shall be subject only to the same requirements as other residential uses within the same zone.
- H. Agriculture, animal husbandry and limited animal husbandry subject to Chapter 17.670;
- I. The keeping of domestic animals or pets subject to Chapter 17.670;
- J. Signs subject to Chapter 17.640.
- K. Supportive Housing pursuant to Government Code Section 65651. Subject only to the same standards as other multifamily uses within the same zone;
- L. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

(Ord. 408, 1987; Ord. 560 § 4,1995)

§ 17.140.003 Conditionally permitted uses.

The following uses require special consideration and approval of a conditional use permit in accordance with Chapter 17.830:

- A. Public facilities including parks, playgrounds, public schools and other public buildings;
- B. Churches and religious institutions and parochial or private schools;
- C. Community buildings, clubs and activities of quasi-public, social, fraternal or recreational character such as golf, tennis and swimming clubs intended to primarily serve the immediate neighborhood or residential project;
- ~~D. Large residential care facilities;~~
- ED. Residential projects with a density exceeding nine dwelling units per gross acre, however, no project shall exceed the minimum density of twelve dwelling units per gross acre;
- FE. Mobile home parks provided the density does not exceed that specified in the general plan for the property on which the mobile home park is proposed and subject to the provisions of Chapter 17.710;
- GF. Dog fancier's license in accordance with the provisions of Section 17.670.009.

(Ord. 408, 1987; Ord. 507 § 3, 1992; Ord. 560 § 4, 1995)

Article IV
Office and Commercial Zoning Regulations
Chapter 17.230
COR (COMMERCIAL OFFICE RESIDENTIAL) ZONE

§ 17.230.002 Permitted uses.

The following administrative and professional office uses, are permitted in the COR zone:

- A. Those administrative and office uses permitted in the CO (commercial office) zone (Section 17.210.002);
- B. Similar uses subject to the approval of the zoning administrator-~~(;~~
- C. Low-barrier navigation housing pursuant to Government Code Section 65650. Subject only to the same standards as other multifamily uses within the same zone and subject only to the same ministerial review process as emergency shelters, see Chapter 17.770;
- D. Supportive Housing pursuant to Government Code Section 65651. Subject only to the same standards as other multifamily uses within the same zone.

(Ord. 408, 1987)

Chapter 17.240
CR (COMMERCIAL RESIDENTIAL) ZONE

§ 17.240.002 Permitted uses.

The following commercial and office uses are permitted in the CR zone:

- A. Commercial uses or services such as beauty shop, barber shop, shoe repair, laundromat, convenience retail uses such as café, bakery, pastry shop, book store, candy or ice cream store, apparel and accessory store, stationery store, drug store or pharmacy, food store and similar establishments;
- B. Business and professional offices such as architects, attorneys, accountants, engineers, insurance agency, real estate and similar professional and general business offices;
- C. Financial institution;
- D. Similar uses subject to the approval of the zoning administrator.
- E. Low-barrier navigation housing pursuant to Government Code Section 65650. Subject only to the same standards as other multifamily uses within the same zone and subject only to the same ministerial review process as emergency shelters, see Chapter 17.770;
- F. Supportive Housing pursuant to Government Code Section 65651. Subject only to the same standards as other multifamily uses within the same zone.

(Ord. 408, 1987; Ord. 468 § 7, 1990; Ord. 728, 2002)

Article VIII

Planned Development Zoning Regulations

Chapter 17.451

PD-1 (PLANNED DEVELOPMENT ONE) ZONE

§ 17.451.002 Permitted uses.

The following uses are permitted in the PD-1 zone:

- A. Residential. All uses as set forth below:
 1. Detached and attached single-family homes;
 2. Accessory facilities or buildings related to the primary use subject to Chapter 17.660 of the Brentwood Municipal Code into required yards, as proposed for adoption by the Brentwood city council under this title at such time as this chapter becomes legally effective;
 3. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850 of the Brentwood Municipal Code, as proposed for adoption by the Brentwood city council under the ordinance codified in this title at such time as this chapter becomes legally effective;
 4. Home occupations subject to obtaining a home occupation permit pursuant to Chapter 17.840 of the Brentwood Municipal Code;
 - ~~5. Small family residential care;~~
 5. Residential Care Facilities, regardless of size and occupancy. Residential Care Facilities shall be subject only to the same requirements as other residential uses within the same zone.;
 6. Agriculture, animal husbandry and limited animal husbandry pursuant to Chapter 17.670 of the Brentwood Municipal Code;
 7. The keeping of domestic animals or pets pursuant to Chapter 17.670 of the Brentwood Municipal Code;

8. Signs pursuant to Chapter 17.640 of the Brentwood Municipal Code;

99. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone;

10. Similar uses subject to the approval of the zoning administrator.

(Ord. 857 § 2, 2008)

§ 17.451.003 Conditionally permitted uses.

Upon obtaining a conditional use permit, the following uses are permitted in the PD-1 zone.

A. Secondary housing units subject to Section 17.100.005;

B. Public facilities including parks, playgrounds, public schools and other public buildings;

C. Churches and religious institutions and parochial or private schools;

D. Community buildings, clubs and activities of quasi-public, social, fraternal or recreational character intended to primarily serve the immediate neighborhood or residential project;

E. Riding academy or stables;

~~F. Large residential care facilities and day care centers subject to locational criteria adopted by resolution of the planning commission of the city of Brentwood;~~

~~GF.~~ Residential projects with a density exceeding sixteen dwelling units per gross acre; however, no project shall exceed the maximum density of twenty dwelling units per gross acre;

~~HG.~~ A subsidized senior and handicap housing project at a density to be determined by the city based on location, design, availability of utilities and services and other criteria considered appropriate by the city;

~~H.~~ Buildings in excess of two stories or thirty-five feet in height.

(Ord. 857 § 2, 2008)

**Chapter 17.456
PD-6 (PLANNED DEVELOPMENT SIX) ZONE**

§ 17.456.002 Permitted uses and conditionally permitted uses.

The following is a list of the permitted and conditional uses allowed within the project site. The symbols used will denote the following:

P = Permitted

C = Conditional

--- = Prohibited

**PERMITTED
USES AND
CONDITIONA
LLY
PERMITTED
USES**

Uses	MDR	HDR	Park/O.S./Public Facility	Regional Commercial	P.A. 1 Office Commercial	P.A. 7 Office Commercial
Accessory Uses	P	P	P	P	C	C
<u>Agricultural employee housing for six or fewer persons</u>	<u>P</u>	<u>P</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>
Arcades, Game	---	---	C	C	C	C
Auto Service Station	---	---	---	C ¹ P	---	---
Bakeries	---	---	---	P	P	C
Bar, Tavern, Cocktail Lounge	---	---	---	P	P	---
Barber and Beauty Salon	---	C	---	P	P	P
Book Stores	---	---	---	P	P	P
Camera Stores	---	---	---	P	P	P
Car Wash	---	---	---	C	C	---
Child Care Centers	C	C	C	P	P	C

Churches	C	C	C	---	C	C
Commercial Recreation	---	---	C	P	P	P
Conference/ Convention Facilities	---	---	---	P	P	C
Convalescent Home	---	C	---	---	C	---
Convenience, Liquor Store	---	---	---	C	C	---
Department Store	---	---	---	P	P	---
Drug Store	---	---	---	P	P	C
Dry Cleaners	---	---	---	P	P	C
Financial Institutions	---	---	---	P	P	P
Firehouse	C	C	P	P	P	p
Florist	---	---	---	P	P	P
Galleries	---	---	---	P	P	P
Gift Shop	---	---	---	P	P	P
Golf Course	---	---	---	---	---	---

Health Clubs	C	C	P	P	P	---
Home Care—6 people or less	P	P	---	---	---	---
Home Care— more than 6 people	C	C	---	---	---	---
Home Occupations	C	C	---	---	---	---
Hospitals	---	---	---	C	C	---
Hotel	---	---	---	P	P	C
Industry	---	---	---	---	---	---
Libraries	---	---	C	P	P	P
Manufacturing	---	---	---	---	---	---
Model Home Sales Complex	C	C	---	---	---	---
Motels	---	---	---	---	---	---
Movie Theatre	---	---	---	P	P	---
Museum	---	---	---	---	P	P
Offices, Business, Professional	---	---	---	P	P	P
Parks and Playgrounds	C	C	P	C	P	P

Photo Development	---	---	---	P	P	P
Post Office	---	---	C	C	P	P
Residential— detached	P	P	---	---	C	---
Residential— attached	P	P	---	---	C	---
<u>Residential Care Facilities, regardless of size and occupancy</u>	<u>P</u>	<u>P</u>	<u>---</u>	<u>---</u>	<u>---</u>	<u>---</u>
Restaurants— sit down	---	---	---	P	P	C
Restaurants— drive-through	---	---	---	C	---	---
Retail and Service Businesses	---	---	---	P	P	C
Schools— private	C	C	C	---	---	---
Supermarket	---	---	---	P	P	---
Utility Buildings and Facilities	C	C	C	---	---	---
Vehicle Sales, Leasing and Rentals	---	---	---	P	P	C
Vehicle Repair	---	---	---	C	C	---
Veterinary Services	---	---	---	C	C	C

Notes:

Stand-alone auto fueling and auto service stations are conditionally permitted; auto fueling stations that are accessory uses to an anchor retailer as the principal use are permitted.

For any uses not specifically listed above, the director of community development shall make a determination as to whether it shall be permitted, conditionally permitted or prohibited in the planning area.

(Ord. 857 § 2, 2008; Ord. 899 § 2, 2012; Ord. 1013 § 2, 2020)

Chapter 17.460
PD-10 (PLANNED DEVELOPMENT TEN) ZONE

§ 17.460.002 Permitted uses.

The following uses are permitted within the PD-10 zone:

- A. Subarea A. The following uses shall be permitted within this subarea:
 - 1. General retail sales (excluding uses without outdoor storage or display), financial institutions, professional offices uses; veterinarian or pet store (excluding kennels), supermarket and drugstores;
 - 2. Service uses including, but not limited to, banks, addressing and mailing service, appliance, television and radio repair; barber or beauty shop; butcher, meat market, including frozen food locker; shoe repair, laundromat, dry cleaners and similar uses;
 - 3. Similar uses subject to the approval of the zoning administrator.
- B. Subarea B. The following uses shall be permitted within this subarea:
 - 1. Commercial uses or retail sales including, but not limited to, auto rental, leasing or sales, auto service and repair facility, boat and recreational vehicle sales, service and repair facility, parts and accessory store, home improvement, garden supply or nursery, factory outlet retail facilities and similar retail uses requiring or best suited for operation within a warehouse-type facility, commercial uses which may or may not manufacture their primary product on the premises such as drapery shop, cabinet shop, upholstery shop, veterinary clinic, kennel and similar uses;
 - 2. Business services such as laundry, dry cleaning, automotive repair or service establishments such as electronic, clock or watch repair, small equipment rental or repair, health club, reducing studio, recreation club and similar facilities;
 - 3. Office uses which are supplementary to industrial, business or commercial uses, public and quasi-public offices such as government offices, employment office, or utility office;
 - 4. Similar uses subject to the approval of the zoning administrator.

C. Subarea C. The following uses shall be permitted within this subarea:

1. Commercial uses or services such as beauty shop, barber shop, shoe repair, laundromat, community or residential care facility, convenience retail uses such as bakery, pastry shop, bookstore, candy or ice cream store, apparel and accessory store, stationery store, drugstore or pharmacy, food store and similar establishments;
2. Business and professional offices such as architects, attorneys, accountants, engineers, insurance agency, real estate and similar professional and general business offices;
3. Financial institutions;
4. Residential uses consisting of apartments, condominiums or townhomes at a density of twenty units per acre;

55. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

6. Similar uses subject to the approval of the zoning administrator.

D. Subarea D. The following uses shall be permitted within this subarea:

1. Apartments, condominiums, townhouses and attached single-family homes not exceeding a density of sixteen dwelling units per gross acre;
2. Rooming and boarding subject to Section 17.650.003;
3. Accessory facilities or buildings related to the primary use subject to Chapter 17.660;
4. Temporary uses related to the primary use subject to obtaining a temporary use permit pursuant to Section 17.850;
5. Home occupations subject to obtaining a home occupation permit pursuant to Chapter 17.840~~;~~

6. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

7. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

E. Subarea E. The following uses shall be permitted within this subarea:

1. Business and professional offices such as architects, attorneys, accountants, engineers, insurance agencies, real estate, medical, dental, dental laboratory, optical and other professional and general business offices;
2. Financial institutions;
3. Addressing and mailing service, blueprinting and photostating service (other than a printer or lithographer), drafting service, messenger service, stenographic service, telegraph office, answering service, private postal box service, travel agency and similar services typically associated with administrative and professional offices;

4. Public and quasi-public offices such as government offices, library, employment office, utility offices and similar uses;
5. Similar uses subject to the approval of the zoning administrator.

(Ord. 857 § 2, 2008)

Chapter 17.463 **PD-13 (PLANNED DEVELOPMENT THIRTEEN) ZONE**

§ 17.463.003 Permitted uses.

The following residential uses may be allowed, provided that a master land use plan has already been approved for the property:

A. Medium Lot Single-Family Residential (Medium Lot). The medium lot single-family residential category allows primarily single-family detached homes. The following standards apply to this category:

1. Medium lot permitted uses:

- a. One single-family dwelling per parcel;
- b. Rooming and boarding subject to Section 17.650.003 of this title;
- c. Accessory facilities or buildings related to the primary use subject to Chapter 17.660 of this title;
- d. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850 of this title;
- e. Home occupations subject to obtaining a home occupation permit pursuant to Chapter 17.840 of this title;

~~f. Small family residential care facilities;~~

f. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

;

g. The keeping of domestic animals or pets subject to Chapter 17.670 of this title;

h. Signs subject to Chapter 17.640 of this title;

i. Secondary housing units subject to Section 17.100.005 of this title.

j. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

(Ord. 857 § 2, 2008)

§ 17.463.004 Conditionally permitted uses.

Medium Lot Conditionally Permitted Uses.

- A. Public facilities including parks, playgrounds, public schools and other public buildings;
- B. Churches, religious institutions and private schools;
- C. Community buildings, clubs and activities of quasi-public, social, fraternal or recreational character such as golf, tennis and swimming clubs intended to primarily serve the immediate neighborhood or residential project;
- D. Large ~~residential care facilities and~~ day care centers.

(Ord. 857 § 2, 2008)

Chapter 17.465 PD-15 (PLANNED DEVELOPMENT FIFTEEN) ZONE

§ 17.465.002 Areas A1, A2 and A3—Residential and golf uses.

- A. Permitted Uses—Age-Restricted Areas A1 and A2. Single-family detached and attached homes for age-restricted occupancy are permitted uses within Areas A1 and A2.
- B. Permitted Uses—Non-Age-Restricted Area A3. Single-family detached homes for non-age-restricted occupancy are permitted uses within Area A3.
- C. Additional Permitted Uses—All Residential Areas A1, A2 and A3.
 - 1. Model home sales facilities;
 - 2. Golf course and related facilities including, tennis courts, maintenance structures and related recreation facilities;
 - 3. Homeowners' association recreation buildings, tennis courts, recreational vehicle parking lots, other common-use facilities and open area;
 - 4. Other uses determined by the community development department to be similar to and compatible with the preceding permitted uses.
 - 5. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.
 - 6. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.
- D. Conditionally Permitted Uses—All Residential Areas A1, A2 and A3. Land uses determined by the community development department to be similar to or ancillary to a permitted use may be permitted pursuant to approval of a conditional use permit.
- E. Maximum Number of Units, Lot Area, Setbacks, Height and Parking—All Residential Areas A1, A2 and A3.
 - 1. Maximum Number of Units. A maximum of six hundred seventy-four dwelling units may be developed within Areas A1, A2 and A3.
 - 2. Minimum Lot Area. The minimum area of a residential lot area shall be four thousand square feet, provided that two thousand five hundred square feet is the permitted minimum per attached duet dwelling unit. A variety of lot sizes, larger than the minimums, shall be included to provide a variety of

housing products and yard conditions.

3. Setbacks, Height and Parking. Each yard setback specified in Table A shall be measured from its respective property line, except that measurement shall be from the back of the sidewalk wherever a street's sidewalk lies inside a lot. All yard setbacks shall be measured to the nearest specified wall of the dwelling. Allowable projections into yard setbacks shall be as set forth in Section 17.660.005 of Chapter 17.660, Encroachments Into Required Yards.

TABLE A

Setbacks, Height and Parking	Area A1 Age- Restricted Home	Area A1 Age- Restricted Home	Area A2 Age- Restricted Home	Area A3 Non-Age- Restricted Home
Minimum (Min.), Maximum (Max.)				
A. Min. Front Yard	Duet Lot	All Other Lots	All Lots	All Lots
(1) To door of a front-entry garage	18'	18'	20'	20'
(2) To a wall of a side-entry garage	NA	10'	10'	10'
(3) To a wall of a habitable room	13'	13'	20'	20'
B. Min. Side Yard Adjoining a Street	NA	12'	15'	15'
C. Min. Side Yard at Interior Lot Line				
(1) To a wall of a garage	5' ¹	5'	5'	5'
(2) To a wall of a habitable room	5' ¹	6'	5'	5'
(3) Aggregate, both side yards	5' ¹	12'	10 for lots less than 55' wide; 15' for lots 55' and wider	10 for lots less than 55' wide; 15' for lots 55' and wider

TABLE A

Setbacks, Height and Parking	Area A1 Age-Restricted Home	Area A1 Age-Restricted Home	Area A2 Age-Restricted Home	Area A3 Non-Age-Restricted Home
D. Min. Rear Yard	5' ²	15' where the yard adjoins a golf course; 15' minimum and 20' average elsewhere	15' where the yard adjoins a golf course; 15' minimum and 20' average elsewhere	15' minimum and 20' average
E. Min. Off-Street Parking Spaces				
(1) In a garage	1	2	2	2
(2) In a driveway	2			
F. Max. Building Height	35'	35'	35'	35'

Notes:

- 1 A 0' setback is permitted at one side yard of a duet lot.
 - 2 Every duet unit shall include patio area of not less than 15' x 10'.
- F. Construction Standards—All Residential Areas A1, A2 and A3.
1. Variety in Building Mass—Age-Restricted Homes Areas A1 and A2. Variety in building mass shall be accomplished by:
 - a. Inclusion in the floor plans available for purchase, varying front façade design, such as optional side-entry garages and varying the entryway location and design;
 - b. Avoidance of using of a single floor plan more than twice in any group of four or more contiguous homes;
 - c. Inclusion of floor plan purchase-options, such as additional golf cart garage space, which alter the visual mass of a floor plan;
 - d. Multiple floor plans incorporating design variations such as those of subdivisions a, b and c above, shall be submitted at the time of site design and development review.
 2. Variety in Building Mass—Non-Age-Restricted Homes Area A3. In each group of four or more contiguous homes, twenty-five percent shall be constructed with one or more of:
 - a. Single story units; or
 - b. Side-entry garages; or

- c. Minimum front setback of thirty feet.
- 3. Acoustical Analysis—All Residential Areas A1, A2 and A3. Dwellings adjacent to Balfour Road, Fairview Avenue, Central Boulevard and the proposed Highway 4 Bypass shall be designed to meet the city's interior noise level standard of forty-five dBA Ldn.
- G. Design Review—All Residential Areas A1, A2 and A3.
 - 1. Residential Buildings. Design and site development review shall be required for residential buildings pursuant to Chapter 17.820, except that the authority to review and approve or deny an application for design and site development review is delegated to the community development department.
 - 2. Landscaping, Fencing and Walls. Landscaping, fencing and walls in areas adjoining a public or private street shall conform to a plan to be approved by the community development department prior to issuance of building permits for the lots to be landscaped, fenced or walled. The plan shall specify colors, materials and spacing of elements.
 - 3. Recreational and Conditionally Permitted Facilities. Design and site development review approval by the planning commission pursuant to Chapter 17.820 shall be required for the following:
 - a. Golf clubhouse and related buildings;
 - b. Recreational buildings and accompanying outdoor facilities such as pools;
 - c. Buildings for which approval of a conditional use permit by the planning commission is required.

(Ord. 857 § 2, 2008)

Chapter 17.466

PD-16 (PLANNED DEVELOPMENT SIXTEEN) ZONE

§ 17.466.002 Permitted uses.

The following uses are permitted within the PD-16 zone:

- A. Village I. The following uses shall be permitted within the village:
 - 1. One single-family dwelling per parcel and a secondary dwelling unit over the garage per the approved PD architectural review documents;
 - 2. Accessory uses subject to Section 17.650.003, excluding rooming and boarding, transient housing and nonresidential accessory uses (i.e., Christmas tree lot, fruit stand, etc.);
 - 3. Accessory buildings subject to Section 17.660.006 and accessory structures subject to Section 17.660.007. Temporary uses defined in Section 17.850.003 shall also be excluded;
 - 4. Home occupations subject to obtaining a home occupation permit pursuant to Chapter 17.840;
 - 5. Community and neighborhood parks as shown on approved tentative map;
 - 6. The keeping of domestic animals or pets subject to Chapter 17.670;
 - 7. Small-family day care facilities limited to a maximum of six children.
 - 8. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

9. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

B. Village II. The following uses shall be permitted within the village:

1. One single-family dwelling per parcel;
2. Accessory uses subject to Section 17.650.003, excluding rooming and boarding, transient housing and nonresidential accessory uses (i.e., Christmas tree lot, fruit stand, etc.). Temporary uses defined in Section 17.850.003 shall also be excluded;
3. Accessory buildings subject to Section 17.660.006 and accessory structures subject to Section 17.660.007;
4. Home occupations subject to obtaining a home occupation permit pursuant to Chapter 17.840;
5. Community and neighborhood parks as shown on approved tentative map;
6. The keeping of domestic animals or pets subject to Chapter 17.670;
7. Small-family day care facilities limited to a maximum of six children.

8. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

9. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

C. Subarea A. The following uses shall be permitted within this subarea:

1. General retail sales (excluding uses with outdoor storage or display); financial institutions; professional offices uses; pet stores (excluding kennels); markets and food stores; appliance, radio and television sales; drug and general convenience stores;
2. Existing nonconforming uses within subarea A shall include two existing single-family residences which will be allowed to continue indefinitely until a time when the structure is modified or converted to another use wherein it may no longer maintain its nonconforming status and will be held to the planned development standards applicable to subarea A;
3. Service uses including, but not limited to, banks; cafés and bakeries; addressing and mailing service; barber or beauty shop; butcher shop; delicatessen; shoe repair and sales; laundromat; dry cleaners; and similar uses;
4. Commercial uses and convenience retail uses such as bakery, pastry shop, book store, candy or ice cream store, apparel and accessory store, stationery store and similar retail establishments;
5. Business and professional offices such as architects, financial institutions, attorneys, accountants, engineers, travel agency, insurance agency, title companies, real estate and similar professional and general business offices;
6. Parks, playgrounds and open space uses identified on the approved tentative map;
7. Similar uses subject to the approval of the zoning administrator.

- D. Subarea B. The following uses shall be permitted within this subarea:
1. Single-family detached dwelling units;
 2. Rooming and boarding subject to Section 17.650.003;
 3. Accessory structures shall be permitted subject to specific small-lot accessory structure development standards that may be prepared by the developer and submitted for the review and approval of the community development director prior to recordation of the final map. All future accessory structures shall adhere to these development standards;
 4. Temporary uses related to the primary use and subject to obtaining a temporary use permit subject to Chapter 17.850;
 5. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840;
 6. The keeping of animals or pets subject to Chapter 17.670;
 7. Recreational trails, parks and open space;
 8. Accessory dwelling units in accordance with Chapter 17.100;
99. Residential Care Facilities, regardless of size and occupancy. Residential Care Facilities shall be subject only to the same requirements as other residential uses within the same zone.
10. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.
11. Similar uses as determined by the community development director.

(Ord. 894 § 2, 2011; Ord. 991 § 4, 2017)

Chapter 17.467

PD-17 (PLANNED DEVELOPMENT SEVENTEEN) ZONE

§ 17.467.002 Garin Ranch specific plan.

The Garin Ranch specific plan as adopted by Ordinance No. 505 and as may be subsequently amended, provides the land use and development regulations for the planned development zone district. The Garin Ranch specific plan is not intended to supersede or amend other sections of Title 17 of this code or any other chapter of this code. In the event of conflict between the provisions of the specific plan and other provisions of this code, the other provisions shall prevail.

- A. Purpose and Intent. These regulations will serve as the primary mechanism for implementation of the land uses for the Garin Ranch specific plan. Implementation of the standards set forth in this section will insure that future development proceeds in a coordinated manner consistent with the goals and objectives of the Garin Ranch specific plan and Brentwood general plan. Future review of staff approval permits and other necessary discretionary approvals by the city of Brentwood will ensure the realization of these standards.

The regulations contained herein provide an appropriate amount of flexibility to anticipate future needs and to achieve compatibility between land uses. Principal land use designations for the specific plan shall be as follows:

1. Residential;

2. Commercial;
3. School district;
4. Parks;
5. Parks/detention.

All such development within Garin Ranch shall conform to the development standards as set forth in the specific plan. The city Zoning Ordinance shall have effect on areas which are not covered by the standards. In areas of conflict between the city Zoning Ordinance and these provisions, this specific plan shall control.

B. Definitions. For the purposes of this specific plan, the definitions contained in the Brentwood Zoning Ordinance shall apply.

C. General Provisions.

1. Code Compliance: All construction and development within the specific plan area shall comply with applicable provisions of the Uniform Building Code and the various related mechanical, electrical, plumbing codes, fire code, water ordinance, grading and excavation code and the subdivision code, as currently adopted by the city of Brentwood.
2. Setbacks: The setback requirements are as specified within the development standards for each zoning designation. If not otherwise specified, all setbacks shall be determined as the perpendicular distance from the existing or planned street right-of-way line, or property line, to the foundation point of the closest structure.
3. Process and Procedures: If specific development standards have not been established or if an issue, condition or situation arises or occurs that is not clearly understandable in the specific plan, then those regulations and standards of the Brentwood Zoning Ordinance that are applicable for the most similar issue, condition or situation shall apply as determined by the city community development director.

These regulations are adopted pursuant to Section 65450 of the state of California Government Code. It is specifically intended by such adoption that the development standards herein shall regulate all development within the specific plan area.

4. Violations: Any person, firm or corporation, whether a principal, agent, employee or otherwise, violating any provisions of these regulations shall be made to comply with the Brentwood Zoning Ordinance pertaining to zoning misdemeanors.
5. Unlisted Uses: Whenever a use has not been specifically listed as being a permitted use in a particular zone classification within the specific plan, it shall be the duty of the city community development director to determine if said use is: (1) consistent with the intent of the zone; and (2) that said use is compatible with other listed permitted uses. Any person aggrieved by the determination may appeal that decision to the city planning commission.

D. General Standards.

1. Abandoned Vehicles: Those provisions contained in Chapter 10.28 of the Brentwood City Code shall apply to all development within the specific plan area.
2. Nonconforming Uses of Land: Those provisions contained in Brentwood Zoning Ordinance Chapter 17.610 shall apply to all development within the specific plan area.

3. Nonconforming Structures: Those provisions contained in Brentwood Zoning Ordinance Chapter 17.610 shall apply to all development within the specific plan area.
4. Planning Area Adjustments: The specific plan allows for flexibility to move uses within the general locations (planning areas) shown on the maps.

Adjustments in the planning area boundaries, which do not exceed a cumulative total of ten percent of the original size in acres, resulting from final road alignments, geotechnical or engineering refinements to the site plan, tentative and/or final tract shall not require an amendment of the specific plan where such adjustments are consistent with the intent of the city general plan and this specific plan.

Boundaries not dimensioned on the land use plan shall be established at the tentative or final subdivision map process.

5. Exterior Lighting: Outdoor lighting in public rights-of-way and on private property shall be the minimum to serve its intended purpose. On private property, light sources shall be oriented downward and inward and fixtures shall be selected to minimize illumination of areas not intended to be lit. Generally, the light source shall be shielded so as not to be visible off the premises. Lighting levels will be sufficient to provide for personal safety after dusk.
6. Outdoor Screening: Parking areas abutting street: A screen or other similar structure shall be installed along all parking areas abutting any street. Except as otherwise provided below, the screening shall have a maximum height of three and one-half feet.
 - a. Outdoor storage in nonresidential areas shall be screened from view. Trash enclosures shall be enclosed and designed to minimize visibility.
 - b. A screen as referred to above shall consist of one or any combination of the following:
 - i. Walls, Including Retaining Walls: A wall shall consist of stone, tile or similar type of solid masonry material a minimum of six inches thick.
 - ii. Berms: A berm shall be constructed of earthen materials and it shall be landscaped.
 - iii. Fences: A fence shall be constructed of wood, or other materials having a minimum nominal thickness of two inches.
 - c. Mechanical Equipment: Mechanical equipment placed on any roof or ground level such as, but not limited to, air conditioning, solar devices, heating, ventilating ducts and exhaust, shall be reasonably screened or recessed from view from any abutting street or highway and any abutting residential planning areas.

Note: Mechanical equipment is prohibited on residential roofs.

- E. Signage. Those provisions contained in the Brentwood Zoning Ordinance Chapter 17.640 (Signs) shall apply to all development within the specific plan area. A master sign plan shall be designed for the specific plan area which is to be submitted and approved by the city prior to the recordation of any final map. With each phase of development, the city shall ensure that signage is consistent with the master sign plan.
- F. Parking. Parking shall be in conformance with the standards set forth in the Brentwood Zoning Ordinance Chapter 17.620 (Off-Street Parking). No on-street parking shall be allowed along major arterial streets nor along collector streets, as follows:

Major Streets: Balfour Road, Sellers Avenue

Collectors: Fairview Parkway, Oak Street, Sycamore Drive

- G. Landscaping. A landscaping and tree planting plan will be required for all development plans or similar information may be required to be included on plot plans.

All front yards adjoining a public or private street shall be landscaped prior to the granting of an occupancy permit. A landscaping plan indicating the type of plants, initial plant size, location and method of irrigation for all landscaped areas including single-family yard areas shall be submitted and approved by the city community development director.

The standards which follow shall apply to all development except, single-family detached subdivisions not having common areas. Landscaping, consisting of evergreen or deciduous trees, shrubs or groundcover shall be installed and maintained subject to the following standards:

1. General:
 - a. Separation: Any landscaped area shall be separated from an adjacent vehicular area by a wall or curb at least six inches higher than the adjacent vehicular area.
 - b. Water: Permanent automatic watering facilities shall be provided for all landscaped areas. This system may be augmented by water conserving vegetation.
 - c. Maintenance: All landscaping shall be maintained in a neat, clean and healthful condition. The city has a requirement that all commercial sites enter into an agreement for the maintenance of landscaped areas.
 - d. All plants within required setback shall be of species suited to valley conditions, using plants listed in the Garin Ranch Design Guidelines.
 - e. Parking delineators of a minimum area of eighty square feet shall be established at a maximum separation of ten continuous parking stalls. The islands shall be landscaped with groundcovers, with one fifteen-gallon tree planted in each island. Trees should provide a sixty percent shade canopy within fifteen years of planting. A total of two trees shall be provided for every island:
 - f. All landscaping required within this section shall be reviewed by the planning department as to the type, density of planting and size of plants intended for use. Irrigation lines should be extended to parkways along Balfour Road, Sellers Avenue and Fairview Parkway. A landscaping and lighting district will maintain landscaping within parks, public right-of-way and landscape easements. This landscape district will be annexed to an existing city landscape district. Landscaping within residential property lines shall be maintained by the property owner.
 - g. All landscaped areas shall be surrounded with six-inch high concrete curbing, unless waived by the design review committee.
2. Trees:
 - a. Spacing of trees is to be variable depending on type, location and eventual size. The Garin Ranch Design Guidelines specify street tree and median tree spacing.
 - b. Trees to be used are listed in the Garin Ranch Design Guidelines, Section V.
3. Shrubs: At least seventy-five percent of shrub planting shall be a five-gallon minimum size. One-gallon shrubs should only be used as accent shrubs.

4. Berms: Berms are encouraged along street frontages with a slope rate not to exceed 3:1. Berms of two to three and one-half feet in height should be located along Sellers Avenue and Balfour Road.

Berms are to be compacted prior to planting to prevent excessive runoff and sinkage.

Black plastic is not to be used under wood chips on mounds, or slopes in general.

5. Groundcovers:

- a. Definitions:

"Living groundcover" shall mean low-growing plants or shrubs that after being planted will grow together to form a solid cover in one year or less. To achieve that coverage, low-growing groundcover plants taken from flats shall be planted a maximum of twelve inches on center and low-growing shrub type groundcovers grown in cans shall be planted a maximum of three feet on center.

"Non-living groundcover" shall mean forest humus or walk-on bark, aggregate rock, and other materials by permission of the planning department.

- b. All areas within a required setback shall contain living groundcover or a combination of living and nonliving groundcovers (nonliving to be a maximum of twenty percent).

6. Fencing: Fencing shall occur at the time of development.

A six-foot high solid masonry wall shall be provided along single-family residential areas adjacent to collector streets except for back or side on lots unless otherwise determined by the city community development director. However, side on culs-de-sac and breaks in fencing and variations in fencing setbacks are encouraged. Streetside and rear yard fencing shall be provided for all single-family detached units on individual lots. The fence will be a six-foot high solid wood fence. Noise attenuation walls along Balfour may require additional height and are subject to approval by the community development director.

Commercial sites that abut residential areas shall provide a minimum of six-foot high masonry wall along such residential border. Pedestrian access from multifamily sites to commercial sites is encouraged.

7. Specific Plan Regulation Validity: If any portion of these regulations is, for any reason, declared by a court of competent jurisdiction to be invalid or ineffective in whole or in part, such decision shall not affect the validity of the remaining portions thereof. The city council hereby declares that they would have enacted these regulations and each portion thereof respective of the fact that anyone or more portions be declared invalid or ineffective.

- H. Oil and Gas. Oil and gas production may be allowed in accordance with Chapter 17.680 (Oil and Gas Production) of the Brentwood Municipal Code.

- I. Commercial Development Regulations. The commercial zone is intended to serve the general shopping needs of the Garin Ranch community as well as the city of Brentwood and the surrounding area.

Development, including subdividing parcels, will not be allowed within the commercial zone unless a comprehensive site development plan is approved by the planning commission. This plan must include a major tenant, a day care facility, a Park-and-Ride lot and pedestrian access to the school site.

1. Permitted Uses: General retail sales excluding uses with outdoor storage or display; professional office uses, veterinarian or pet stores excluding kennels. Such uses include:

- a. Apparel stores, bakery, banks and financial institutions, beauty or barber shops, book store, candy

stores, cleaning and laundry agencies, delicatessen, floral shops, food stores, gift shop, meat markets, offices, pharmacy, photography studios, photo processing, sporting goods, video machine and tape rental/sales.

- b. Service uses including, but not limited to, addressing and mailing service, appliance, television and radio repair, barber or beauty shop, butcher, meat market, including frozen food locker, shoe repair, laundromat, dry cleaners and similar uses.
 - c. Office uses.
 - d. Restaurant or café without liquor sales.
 - e. Day care facilities.
2. Conditionally Permitted Uses:
- a. Billiard hall; dance hall; laboratory-medical, dental, optical; meeting room lodge, fraternal hall, community facility, medical or dental office, hospital, restaurant or café with liquor sales, on- or off-sale liquor establishments, recreation services.
 - b. All drive-in, drive-through establishments, garden supply, outdoor sales or display.
3. Site Development Standards: Any development of the commercial site will be preceded by a preliminary site plan for the entire site.

Lot Area: Minimum 7,500 sq. ft.

Lot Width: Minimum 50 feet

Front Yard Setback: 25 feet on Highway 4 frontage, 20 feet along Balfour

Side Yard Setback: 10 feet, 0 feet if adjacent to existing commercial, 15 feet when abutting a residential use

Rear Yard Setback: 10 feet, 0 feet if adjacent to existing commercial, 15 feet when abutting a residential use

Building Height: 45 feet

Screening: A 6-foot masonry wall shall be constructed along a property line to any residential use. Landscape screening as subject to city review. All commercial facilities shall provide masonry refuse disposal closure which meet city standards and specifications.

Parking: Off-street parking shall be provided in accordance with Chapter 17.620 of the Brentwood Municipal Code. The additional parking needed for the park and ride area may be partially credited toward the off-street parking.

Bus Facilities: Facilities must be provided in the commercial zone for covered bus stops.

Illumination of Parking Facilities and illumination of parking facilities and structures in accordance with

Structures: Chapter 17.062, of the Brentwood Zoning Ordinance.

Open Storage or Display: Open storage and/or outdoor display of merchandise is prohibited in the commercial zones.

Yards: All required yards shall be utilized for landscaping only, except for access drives to the property.

Security Measures: All commercial facilities shall provide security measures in accordance with city standards and subject to design review.

Conservation: All commercial facilities shall, to the greatest extent possible, incorporate energy and water conservation measures in conformance with city standards and subject to design review.

Building and Roofing Materials: All commercial facilities should utilize those materials which have been recommended as acceptable material, subject to design review, and maintained on file within the planning department of the city of Brentwood.

J. Residential Development Standards. The Garin Ranch specific plan has been designed to provide a variety of housing types including small and large lot single-family housing, attached single-family housing, condominiums, and townhouses. Provisions have also been made to allow for low and moderate income housing and senior housing. A minimum of fifty percent of all single-family detached units within the development and within each planning area shall be:

1. Garage with side entry; or
2. Detached garages within the rear yard; or
3. Garage set back from the unit by at least five feet. In this case the front yard setback can be reduced.

At least:

1. Twenty-five percent of all units within the southern half and northern half shall be one-story units.
2. Twenty-five percent of all units within the southern half and northern half shall be two story units.

Architecture style, as further outlined in the Garin Ranch Design Guidelines should emulate the quasi historic style of Brentwood through the use of porches, steeper roof pitches and dormer windows.

1. Large Lot Single-family Residential: The large lot single-family residential category allows for primarily single-family detached homes. The following standards apply to this category.
 - a. Permitted Uses.
 - i. One single-family dwelling per parcel.
 - ii. Rooming and boarding subject to Brentwood Municipal Code (BMC) Section 17.650.003.

- iii. Accessory facilities or buildings related to the primary use subject to BMC Chapter 17.660.
 - iv. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to BMC Chapter 17.850.
 - v. Home occupations subject to obtaining a home occupation permit pursuant to BMC Chapter 17.840.
 - vi. Small family residential care facilities subject to locational criteria adopted by resolution of the planning commission of the city of Brentwood.
 - vii. The keeping of domestic animals or pets subject to BMC Chapter 17.670.
 - viii. Signs subject to BMC Chapter 17.640.
- b. Conditionally Permitted Uses.
- i. Accessory dwelling units subject to BMC Section 17.100.005.
 - ii. Public facilities including parks, playgrounds, public schools and other public buildings.
 - iii. Churches, religious institutions and private schools.
 - iv. Community buildings, clubs and activities of quasi public, social, fraternal or recreational character such as golf, tennis and swimming clubs intended to primarily serve the immediate neighborhood or residential project.
 - ~~v. Large residential care facilities and day care centers subject to locational criteria adopted by resolution of the planning commission of the city of Brentwood.~~

c. Site Development Standards.

Unit Density: Unit density shall not be greater than 4.5 dwelling units per acre.

Lot Area: Minimum 6,000 square feet.

Lot Width: Minimum 60 feet for interior lots and 65 feet for corner lots, minimum of 40 feet at the street for cul-de-sac lots.

Lot Depth: Minimum 100 feet.

Height: No main building shall exceed the height of 2 stories or 30 feet.

Rear Yard: Minimum 15 feet, average 20 feet for all lots except those backing up to a thoroughfare, minimum 20 feet for thoroughfare lots, average 25 feet.

Front Yard: Minimum 20 feet for front facing garages. Minimum 15 feet for house and side facing garages.

Side Yard: Minimum 5 feet, sum of both side yards 12 feet. Corner lots shall have a minimum 10 feet on street side.

Garage: Maximum 45% of the lot width.

Parking: Minimum 1.0 space per lot, on street, plus 2 covered spaces in a garage.

2. Medium Lot Single-Family Residential. The medium lot single-family residential category allows for primarily single-family detached homes. The following standards apply to this category.
 - a. Permitted Uses.
 - i. One single-family dwelling per parcel.
 - ii. Rooming and boarding subject to Brentwood Municipal Code (BMC) Section 17.650.003.
 - iii. Accessory facilities or buildings related to the primary use subject to BMC Chapter 17.660.
 - iv. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to BMC Chapter 17.850.
 - v. Home occupations subject to obtaining a home occupation permit pursuant to BMC Chapter 17.840.
 - vi. Small family residential care facilities subject to locational criteria adopted by resolution of the planning commission of the city of Brentwood.
 - vii. The keeping of domestic animals or pets subject to BMC Chapter 17.670.
 - viii. Signs subject to BMC Chapter 17.640.
 - b. Conditionally Permitted Uses.
 - i. Accessory dwelling units subject to BMC Section 17.100.005.
 - ii. Public facilities including parks, playgrounds, public schools and other public buildings.
 - iii. Churches, religious institutions and private schools.
 - iv. Community buildings, clubs and activities of quasi public, social, fraternal or recreational character such as golf, tennis and swimming clubs intended to primarily serve the immediate neighborhood or residential project.
 - v. Large residential care facilities and day care centers subject to locational criteria adopted by resolution of the planning commission of the city of Brentwood.
 - c. Site Development Standards.

Unit Density: Unit density shall not be greater than 5.0 dwelling units per acre.

Lot Area: Minimum 5,000 square feet.

Lot Width: Minimum 50 feet for interior lots and 55 feet for corner lots, minimum of 40 feet at the street for cul-de-sac lots.

Lot Depth: Minimum 100 feet.

Height: No main building shall exceed the height of 2 stories and 30 feet.

Rear Yard: Minimum 15 feet, average 20 feet for all lots except those backing up to a thoroughfare, minimum 20 feet for thoroughfare lots, average 25 feet.

Front Yard: Minimum 15 feet for house and 20 feet for garage.

Side Yard: Minimum 5 feet, sum of both side yards 12 feet. Corner lots shall have minimum 10 feet on street side.

Garage: Maximum 45% of the lot width.

Parking: Minimum 1.0 space per lot on street plus 2 covered spaces in a garage.

3. Small Lot Single-Family Residential. The small lot single-family residential category allows for single-family detached homes and duets (single-family attached homes). The following standards apply to this category.
 - a. Permitted Uses.
 - i. One single-family dwelling or duet per parcel.
 - ii. Rooming and boarding subject to Brentwood Municipal Code (BMC) Section 17.650.003.
 - iii. Accessory facilities or buildings related to the primary use subject to BMC Chapter 17.660.
 - iv. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to BMC Chapter 17.850.
 - v. Home occupations subject to obtaining a home occupation permit pursuant to BMC Chapter 17.840.
 - vi. Small family residential care facilities subject to locational criteria adopted by resolution of the planning commission of the city of Brentwood.
 - vii. The keeping of domestic animals or pets subject to BMC Chapter 17.670.
 - viii. Signs subject to BMC Chapter 17.640.
 - b. Conditionally Permitted Uses.
 - i. Accessory dwelling units subject to BMC Section 17.100.005.
 - ii. Public facilities including parks, playgrounds, public schools and other public buildings.
 - iii. Churches, religious institutions and private schools.
 - iv. Community buildings, clubs and activities of quasi public, social, fraternal or recreational character such as golf, tennis and swimming clubs intended to primarily serve the immediate neighborhood or residential project.
 - v. Large residential care facilities and day care centers subject to locational criteria adopted by resolution of the planning commission of the city of Brentwood.
 - c. Unit density shall not be greater than six dwelling units per acre.
 - d. Site Development Standards for Single-Family.

Unit Density: Unit density shall not be greater than six dwelling units per acre.

Lot Area: Minimum 4,500 square feet.

Lot Width: Minimum 45 feet for interior lots and 50 feet for corner lots. Minimum of 35 feet at the street for cul-de-sac lots.

Lot Depth: Minimum 100 feet.

Height: No main building shall exceed the height of 2 stories and 30 feet.

Rear Yard: Minimum 15 feet, average 20 feet for all lots except those backing up to a thoroughfare. Minimum 20 feet for thoroughfare lots, average 25 feet.

Front Yard: Minimum 15 feet for house and 20 feet for garage.

Side Yard: Minimum 0 feet, sum of both side yards 10 feet. Corner lots shall have minimum 10 feet on street side.

Garage: Minimum 5-foot offset from the main building. Maximum 55% of the lot width.

Parking: Minimum 1.0 space per lot on street plus 2 covered spaces in a garage. The on-street parking may also be provided via parking bays.

e. Site Development Standards for Duets.

Lot Area: Minimum 3,200 square feet.

Lot Width: Minimum 40 feet for interior lots and 45 feet for corner lots. Minimum of 35 feet at the street for cul-de-sac lots.

Height: No main building shall exceed the height of 2 stories and 30 feet.

Rear Yard: Minimum 15 feet, average 20 feet.

Front Yard: Minimum 10 feet for house and 20 feet for garage.

Side Yard: Minimum 0 feet on the attached side and 5 feet on the exposed side, provided there is a minimum of 15 feet between buildings. Duets on corner lots shall have a minimum 10 feet on the street side.

Garage: Minimum 5-foot offset if 2 garages are attached.

Parking: Minimum 0.5 spaces per lot on street plus 2 covered spaces in a garage. The on-street parking may also be provided via parking bays.

4. Wide-Shallow Single-Family Residential. The wide-shallow single-family residential category allows for single-family detached homes on interior lots and duets on the corners. The following standards

apply to this category.

- a. Permitted Uses.
 - i. One single-family dwelling per parcel.
 - ii. One duet per parcel on corner lots.
 - iii. Rooming and boarding subject to Brentwood Municipal Code (BMC) Section 17.650.003.
 - iv. Accessory facilities or buildings related to the primary use subject to BMC Chapter 17.660.
 - v. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to BMC Chapter 17.850.
 - vi. Home occupations subject to obtaining a home occupation permit pursuant to BMC Chapter 17.840.
 - vii. Small family residential care facilities subject to locational criteria adopted by resolution of the planning commission of the city of Brentwood.
 - viii. The keeping of domestic animals or pets subject to BMC Chapter 17.670.
 - ix. Signs subject to BMC Chapter 17.640.
- b. Conditionally Permitted Uses.
 - i. Accessory dwelling units on single-family lots subject to BMC Section 17.100.005.
 - ii. Public facilities including parks, playgrounds, public schools and other public buildings.
 - iii. Churches, religious institutions and private schools.
 - iv. Community buildings, clubs and activities of quasi public, social, fraternal or recreational character such as golf, tennis and swimming clubs intended to primarily serve the immediate neighborhood or residential project.
 - v. Large residential care facilities and day care centers subject to locational criteria adopted by resolution of the planning commission of the city of Brentwood.
- c. Unit density shall not be greater than seven dwelling units per acre.
- d. Site Development Standards for Single-Family.

Lot Area: Minimum 4,000 square feet

Lot Width: Minimum 50 feet. Minimum 35 feet at the street for cul-de-sac lots.

Height: No main building shall exceed the height of 2 stories and 30 feet.

Rear Yard: Minimum 15 feet, average 20 feet.

Front Yard: Minimum 20 feet for front facing garages. Minimum 15 feet for house and side facing garages.

Side Yard: Minimum 5 feet, sum of both side yards 15 feet.

Garage: Minimum 3-foot setback from the main building. Maximum 45% of the lot width.

Parking: Minimum 1.0 space per lot on street plus 2 covered spaces in a garage. The on-street parking may also be provided via parking bays.

e. Site Development Standards for Duets on Corners.

Lot Area: Minimum 3,200 square feet.

Lot Width: Minimum 40 feet for interior lots and 45 feet for corner lots. Minimum of 35 feet at the street for cul-de-sac lots.

Height: No main building shall exceed the height of 2 stories and 30 feet.

Rear Yard: Minimum 15 feet average 20 feet.

Front Yard: Minimum 10 feet for house and 20 feet for garage.

Side Yard: Minimum 0 feet on the attached side and 10 feet on the exposed side. Duets on corner lots shall have minimum 10 feet on street side.

Garage: Minimum 5-foot offset if 2 garages are attached.

Parking: Minimum 1.0 spaces per lot on street plus 2 covered spaces in a garage. The on-street parking may also be provided via parking bays.

5. Small Lot Single-Family Alley Homes. The small lot alley home category allows for small lot detached homes served by a network of private streets and alleyways. The following standards apply to this category.

a. Permitted Uses.

i. One detached single-family home per parcel.

ii. Rooming and boarding subject to Brentwood Municipal Code (BMC) Section 17.650.003.

iii. Accessory facilities or buildings related to the primary use subject to BMC Chapter 17.660.

iv. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to BMC Chapter 17.850.

v. Home occupations subject to obtaining a home occupation permit pursuant to BMC Chapter 17.840.

vi. Small family residential care facilities subject to locational criteria adopted by resolution of the planning commission of the city of Brentwood.

vii. The keeping of domestic animals or pets subject to BMC Chapter 17.670.

viii. Signs subject to BMC Chapter 17.640.

- b. Conditionally Permitted Uses. Large residential care facilities and day care centers subject to locational criteria adopted by the resolution of the planning commission of the city of Brentwood.
- c. Unit density shall not be greater than 7.9 dwelling units per acre.
- d. Site Development Standards.

Lot Area: Minimum 3,149 square feet.

Lot Frontage: 32 feet measured at the front property line.

Height: No main building shall exceed the height of 2 stories and 30 feet.

Front Yard: Minimum 20 feet for garage. Minimum 12 feet for living space. Minimum 10 feet for porches.

Side Yard: Minimum 5 feet. Minimum 10 feet on the street side of corner lots.

Rear Yard: Minimum 10 feet.

Parking: Minimum of 2 covered spaces in a garage and two spaces within the private driveway.

- 6. Duet/Townhouse Residential. The duet townhouse category allows for duets (attached single-family) townhouses, and low density condominiums. Senior housing may be allowed in this planning area with a higher maximum density. The following standards apply to this category.
 - a. Permitted Uses.
 - i. One duet, townhouse, or condominium per parcel and senior housing.
 - ii. Rooming and boarding subject to Brentwood Municipal Code (BMC) Section 17.650.003.
 - iii. Accessory facilities or buildings related to the primary use subject to BMC Chapter 17.660.
 - iv. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to BMC Chapter 17.850.
 - v. Home Occupations subject to obtaining a home occupation permit pursuant to BMC Chapter 17.840.
 - vi. Small family residential care facilities subject to locational criteria adopted by resolution of the planning commission of the city of Brentwood.
 - vii. The keeping of domestic animals or pets subject to BMC Chapter 17.670.
 - viii. Signs subject to BMC Chapter 17.640.
 - b. Conditionally Permitted Uses.
 - i. Public facilities including parks, playgrounds, public schools and other public buildings.
 - ii. Churches, religious institutions and private schools.
 - iii. Community buildings, clubs and activities of quasi public, social, fraternal or recreational character such as golf, tennis and swimming clubs intended to primarily serve the immediate neighborhood or

residential project.

iv. Large residential care facilities and day care centers subject to locational criteria adopted by the resolution of the planning commission of the city of Brentwood.

c. Unit density shall not be greater than ten dwelling units per acre.

d. Site Development Standards for Duets.

Lot Area: Minimum 4,000 square feet.

Lot Width: Minimum 40 feet for interior lots and 45 feet for corner lots. Minimum of 35 feet at the street for cul-de-sac lots.

Lot Depth: Minimum 100 feet.

Height: No main building shall exceed the height of 2 stories and 30 feet.

Rear Yard: Minimum 15 feet, average 20 feet.

Front Yard: Minimum 10 feet for house and 20 feet for garage.

Side Yard: Minimum 0 feet on the attached side and 10 feet on the exposed side. Duets on corner lots shall have minimum 10 feet on street side.

Garage: Minimum 5-foot offset if 2 garages are attached.

Parking: Minimum 1.0 space per lot plus 2 covered spaces in a garage. The common parking may also be provided via parking bays.

e. Site Development Standards for Townhouses.

i. Site Area: Minimum five acres.

ii. Setbacks: Minimum setbacks from property lines shall be as follows:

Type of Setback	Building *	Parking *,**
Abutting a public right-of-way	20 feet plus 1 foot for each foot of building height over 20 feet	15 feet
Property lines not defining a public right-of-way	20 feet	10 feet
Abutting a lot zoned for single-family residential or abutting football field	50 feet	10 feet

Notes:

* Includes garages and accessory buildings.

Type of Setback	Building *	Parking *,**
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** Includes carports, driveways and other paved areas used for parking.

- iii. Height: No main building shall exceed the height of two stories and thirty feet.
- iv. Garage: Minimum five-foot offset if two garages are attached.
- v. Parking: Minimum one-half space per dwelling unit plus two covered spaces in a garage. The common parking may also be provided via parking bays.
- vi. Other: No more than six units may be attached, provided that no more than four units within a cluster about the same public or private street. A minimum of fifty percent of the site shall be open space, exclusive of parking lots, driveways, or residential buildings. Recreational buildings may be included in the open space area.
- f. Site Development Standards for Condominiums.
- i. Site Area: Minimum five acres.
- ii. Setbacks: Minimum setbacks from property lines shall be as follows:

Type of Setback	Building *	Parking *,**
Abutting a public right-of-way	20 feet plus 1 foot for each foot of building height over 20 feet	15 feet
Property lines not defining a public right-of-way	20 feet	10 feet
Abutting a lot zoned for single-family residential or abutting football field	50 feet	10 feet

Notes:

* Includes garages and accessory buildings.

** Includes carports, driveways and other paved areas used for parking.

- iii. Parking: One covered space in a garage plus one and one-half uncovered spaces per unit.
- iv. Storage: Minimum two hundred cubic feet per unit located within or adjacent to the garage.
- v. Other: A minimum of fifty percent of the site shall be open space, exclusive of parking lots, driveways, or residential buildings. Recreational building may be located within a required open space area.
- g. Site Development Standards for Senior Housing.
- i. Unit Density: Unit density shall not be greater than twenty-four dwelling units per acre.
- ii. Site Area: Minimum five acres.

iii. Setbacks: Minimum setbacks from property lines shall be as follows:

Type of Setback	Building *	Parking *, **
Abutting a public right-of-way	20 feet plus 1 foot for each foot of building height over 20 feet	15 feet
Property lines not defining a public right-of-way	20 feet	10 feet
Abutting a lot zoned for single-family residential or abutting football field	50 feet	10 feet

Notes:

* Includes garages and accessory buildings.

** Includes carports, driveways and other paved areas used for parking.

iv. Parking: Minimum one-half covered space in a garage and one-half uncovered space per unit.

v. Storage: Minimum two hundred cubic feet per unit located within or adjacent to the garage.

vi. Other: A minimum of fifty percent of the site shall be open space, exclusive of parking lots, drive-ways, or residential buildings. Recreational buildings may be located within a required open space area.

h. Special Requirements.

i. Area #11: Due to the proximity to the school, only townhouses and low density condominiums will be allowed in Planning Area #11. A minimum setback of seventy-five feet shall be maintained from the school property line to the nearest residential structure.

ii. Area #10: A Civic Facilities overlay zone shall be applied to area #10 for possible expansion of school district or city facilities.

K. Public Facilities. The purpose of the public facility zone is to provide areas for public facilities such as government offices, community centers, schools and parks.

1. Permitted Uses.

a. Governmental or public administrative offices, special district offices, social service offices and similar uses and rights-of-way.

b. Quasi public offices such as public utility offices and rights-of-way.

c. Public parks, public schools.

2. Conditionally Permitted Uses. Other appropriate uses as determined by the planning commission.

3. Site Development Standards.

a. Minimum Lot Area: Ten thousand square feet.

- b. Minimum Lot Width: One hundred feet.
- c. Setbacks: Front: Minimum ten feet.
- d. Rear: Minimum twenty feet
- e. Side: Minimum fifteen feet
- f. Maximum Building Height: thirty feet.
- L. Open Space Park Standards. Open space areas are established for preservation of natural, visual resources and floodplain areas, for active and passive recreation, and for the enjoyment of the Garin Ranch community and the city of Brentwood.
 - 1. Permitted Uses.
 - a. Public or quasi-public uses including, but not limited to, the following:
 - i. Parks;
 - ii. Pedestrian, bicycle and equestrian trails;
 - iii. Vista points;
 - iv. Nature preservation and study areas;
 - v. Archeological and paleontological study sites.
 - b. Infrastructure service facilities or extension necessary for the development of the adjacent urban areas, including, but not limited to, the following:
 - i. Roads;
 - ii. Flood control works;
 - iii. Utility transmission lines;
 - iv. Infrastructure service facilities or extension necessary to serve the adjacent urban areas, and as identified in subsection I herein.
 - c. Accessory uses which clearly are incidental or necessary to permitted uses.
 - 2. Conditionally Permitted Uses. Tennis courts, swimming pools, sports facilities, including community or health centers.

Stables and other equestrian-related facilities, when not located within one hundred feet of any habitable structure.

- 3. Site Development Standards. Development standards for those permitted uses shall be established by the staff approval permit or other applicable plan, as determined by the city. When uses proposed in the open space/park land use classification are permitted in other land use classifications of the Garin Ranch specific plan, the development standards in those other applicable classifications shall apply.

GARIN RANCH LAND USE

Housing Type	Planning Area #	Acres	Dwelling Units
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Residential:

Cluster Home	1	6.9	64
Small S.F. Alley Homes	9	6.1	48
Zero Lot Line	5	10.5	96
Small S.F.	6	34	202
Medium S.F.	2	17.4	88
	8	17.4	88
Large S.F.	7	22.4	101
Wide-Shallow S.F.	3	15.6	109
	4	8.8	62
Total		139.1	858

Public Facilities:

Parks		6.8	
Parks/Detention		17.9	
Road ROW		18.6	
Commercial		8.5	
Total Plan Area		190.9	858

(Ord. 857 § 2, 2008; Ord. 864 § D, 2009; Ord. 975 § 2, 2016; Ord. 991 § 4, 2017)

Chapter 17.469

PD-19 (PLANNED DEVELOPMENT NINETEEN) ZONE

§ 17.469.002 Permitted uses.

The following uses are permitted within the PD-19 zone.

A. The following uses shall be permitted:

1. One single-family dwelling per parcel;
2. Accessory uses subject to Section 17.650.003, excluding rooming and boarding, transient housing, and nonresidential accessory uses (i.e., Christmas tree lot, fruit stand, etc.);

3. Accessory buildings subject to Section 17.660.006 and accessory structures subject to Section 17.660.007. Temporary uses defined in Section 17.850.003 shall also be excluded;
4. Home occupations subject to obtaining a home occupation permit pursuant to Chapter 17.840;
5. Community and neighborhood parks as shown on approved tentative map;
6. The keeping of domestic animals or pets subject to Chapter 17.670;
7. Small-family day care facilities limited to a maximum of six children.
8. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.
9. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

(Ord. 857 § 2, 2008)

Chapter 17.470

PD-20 (PLANNED DEVELOPMENT TWENTY) ZONE

§ 17.470.002 Permitted uses.

The following uses are permitted within the PD-20 zone.

- A. Single-Family (SF). Permitted uses shall be attached single-family homes, including model homes sales facilities; common-use recreation facilities; and other uses, including home occupations, determined similar or compatible by the zoning administrator.
 1. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.
 2. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.
- B. General Commercial. The following uses shall be permitted:
 1. General retail sales, excluding uses with outdoor storage or display, professional office uses; veterinarian or pet store, excluding kennels;
 2. Service uses, including, but not limited to, addressing and mailing service; appliance, television and radio repair; barber or beauty shop; butcher, meat market, including frozen food locker; shoe repair, laundromat, dry cleaners and similar uses.
 3. Similar uses subject to the approval of the zoning administrator.
- C. Planned Employment Center. The following uses shall be permitted:
 1. Business and professional offices such as architects, attorneys, accountants, engineers, insurance agency, travel agency, real estate, medical, dental, dental laboratory, optical clinics, title companies, financial institutions, other professional and general business offices and data processing facilities. Both single and multi-tenant office uses are permitted;

2. Service uses, including addressing and mailing service, blueprinting and photostating service (other than a printer or lithographer); drafting service; messenger service; television, computer, radio and appliance repair; stenographic service; telegraph office; answering service; private postal box service and similar services typically associated with administrative and professional offices. Automotive, boat, recreational vehicle or similar sales and/or service are specifically prohibited;
3. Information data processing facilities;
4. Storage, warehousing and warehousing uses which include a small percentage of office uses, such as general contractors, plumbing contractors, electrical contractors, etc., provided that there is no outdoor storage;
5. Finished product assembly such as computer assembly, bookbinding and garment manufacture;
6. Commercial uses or retail sales, including, but not limited to, commercial uses which may or may not manufacture their primary product on the premises such as drapery shop, cabinet shop, upholstery shop, carpet sales, spa sales, sales of building supplies, satellite dish sales, and furniture sales.

(Ord. 857 § 2, 2008)

Chapter 17.471

PD-21 (PLANNED DEVELOPMENT TWENTY-ONE) ZONE

§ 17.471.002 Areas A1, A2, and A3 residential and golf uses.

Areas A1, A2, and A3 of the development plan and related exhibits shall be subject to the following:

A. Permitted Residential Uses.

1. Within Area A1, single-family single-story detached and attached homes for age-restricted occupancy shall be a permitted use;
2. Within Area A2, single-family detached homes for non-age-restricted occupancy shall be a permitted use.
3. Within Area A3, single-family single-story, two-story, and single-story homes with a loft included within the roofline of a single-story home for age-restricted occupancy shall be a permitted use.

B. Additional Permitted Uses. The following shall be permitted within Areas A1, A2, and A3:

1. Model home sales facilities;
2. Golf course and related facilities including clubhouse, tennis courts, maintenance structures and related recreation facilities;
3. Homeowners' association recreation buildings, tennis courts, swimming pools, bocce courts, other common-use facilities and related facilities, and open area;
4. Home occupations subject to obtaining a home occupation zoning review pursuant to Chapter 17.840;
5. The keeping of domestic pets subject to Chapter 17.670;

66. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

7. Agricultural employee housing for six or fewer persons, in compliance with California Health and

Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

- 8. Other uses determined by the community development department to be similar to and compatible with the preceding permitted uses.
- C. Conditionally Permitted Uses. The following uses may be permitted within Areas A1 and A2 pursuant to approval of a conditional use permit:
 - 1. Uses ancillary to a golf clubhouse, which will serve persons other than users of the golf course, such as a restaurant or bar;
 - 2. Other uses determined by the community development department to be similar to the ancillary use.
- D. Maximum Number of Units and Minimum Lot Area.
 - 1. Maximum Units. A maximum of five hundred eleven dwelling units shall be permitted within the land of Areas A1 and A2. Additionally, a maximum of eighty-seven dwelling units shall be permitted within the boundaries of Area A3;
 - 2. Lot Area. Minimum lot area shall be four thousand square feet within Areas A1, A2, and A3; provided, that within Area A1 two thousand five hundred square feet is the permitted minimum per attached duet dwelling unit. A variety of lot sizes, larger than the minimums, shall be included within the land of Areas A1, A2, and A3 to provide a variety of housing products and yard conditions;
 - 3. Setbacks, Height and Parking. Each yard setback below shall be measured from its respective property line, except that for Areas A1 and A2, measurement shall be from the back of sidewalk wherever a street's sidewalk lies inside a lot. All yard setbacks shall be measured to the nearest specified wall of the dwelling. Allowable projections into yard setbacks shall be as set forth in Section 17.660.005 of Chapter 17.660, Encroachments into Required Yards.

	Area A1 Age-Restricted Home	Area A1 Age-Restricted Home	Area A2 Non-Restricted Home	Area A3 Age-Restricted Home
	Duet Lot	All Other Lots	All Lots	All Lots

A. Minimum Front Yard

1. To door of a front-entry garage	18'	18'	20'	18'
2. To wall of a side-entry garage	N/A	10'	10'	10'
3. To wall of a habitable room	13'	13'	20'	13'

B. Minimum Side Yard Adjoining a Street

	N/A	12'	15'	10'
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C. Minimum Side Yard at Interior

	Area A1 Age- Restricted Home	Area A1 Age- Restricted Home	Area A2 Non- Restricted Home	Area A3 Age- Restricted Home
	Duet Lot	All Other Lots	All Lots	All Lots
Lot Line				
1. To the wall of a garage	5'*	5'	5'	5'
2. To wall of a habitable room	5'*	6'	5'	5'
3. Aggregate, both side yards	5'*	12'	10'	10'
4. Aggregate, both side yards, non-garage	5'	12'	10'	10'
D. Minimum Rear Yard	5'***	15' Min–20' Ave 15' Min Adjacent to Golf Course	15' Min–20' Ave	15' Min–18' Ave
E. Minimum Off-Street Parking Spaces				
1. In a garage	1	2	2	2
2. In a driveway	2	N/A	N/A	N/A
F. Maximum Building Height	35'	35'	35'	35'****
G. Maximum Lot Coverage	N/A	N/A	N/A	52%

Notes:

* A 0' setback is permitted at one side yard of a duet lot.

** Every duet unit shall include patio area of not less than 15' x 10'.

*** Homes in Area A3 that are adjacent to existing development along Upton Pine Drive and Wickson Way are limited to single-story and single-story-profile designs as described in subsection A.3 herein.

E. Construction Standards.

1. Area A1, Variety in Building Mass. Variety in building mass shall be accomplished by:

- a. Inclusion in the floor plans available for purchase, varying front façade design, such as optional side-entry garages and varying the entryway location and design;
 - b. Avoidance of using of a single floor plan more than twice in any group of four or more contiguous homes;
 - c. Inclusion of floor plan purchase-options, such as additional golf cart garage space, which alters the visual mass of a floor plan;
 - d. At the time site design and development review multiple floor plans, incorporating design variations such as those described above, shall be submitted.
2. Area A2, Variety in Building Mass.
- a. In each group of four or more contiguous homes, twenty-five percent shall be constructed with one or more of:
 - i. Single-story units; or
 - ii. Side-entry garages; or
 - iii. Minimum front setback of thirty feet.
 - b. Single-story homes shall be constructed on lots adjoining the arterial street Fairview Avenue.
3. Area A3, Variety in Building Mass. Variety in building mass shall be accomplished by:
- a. Inclusion in the floor plans available for purchase, varying front façade design, and varying the entryway location and design;
 - b. Avoidance of the use of a single floor plan more than twice in any group of four or more contiguous homes;
 - c. Inclusion of floor plan purchase options, which alter the visual mass of a floor plan.
4. Acoustical Analysis. Dwellings in Areas A1, A2, and A3 adjacent to Fairview Avenue, Balfour Road and the State Route 4 Bypass shall be designed to meet the city's interior noise level standard 45 dBA L^{dn} .
- F. Design Review. Within Areas A1, A2, and A3 design review shall be required as follows:
1. Residential Buildings. Design and site development review shall be required pursuant to Chapter 17.820, except that for Areas A1 and A2, authority to review and approve or deny an application for design and site development review is hereby delegated to the community development department;
 2. Landscaping, Fencing and Walls. Landscaping, fencing and walls in areas adjoining a public or private street shall conform to a plan to be approved by the community development department prior to issuance of building permits for the lots to be landscaped, fenced or walled. The plan shall specify colors, materials and spacing of elements;
 3. Recreation Facilities and Conditional Use Permit Uses. Design and site development review approval by the planning commission pursuant to Chapter 17.820 shall be required for the following:
 - a. Golf clubhouse and related buildings;

- b. Recreation buildings and accompanying outdoor facilities such as pools;
- c. Buildings for which approval of a conditional use permit by the planning commission is required.

(Ord. 857 § 2, 2008; Ord. 926 § 2, 2014; Ord. 1004 § 1, 2018)

Chapter 17.474 **PD-24 (PLANNED DEVELOPMENT TWENTY-FOUR) ZONE**

§ 17.474.012 Permitted uses for Subarea C.

The following uses are permitted within Subarea C of the PD-24 (planned development twenty-four) zone:

- A. One single-family dwelling unit per parcel;
- B. Rooming and boarding subject to Section 17.650.003 of this title;
- C. Accessory facilities or buildings related to the primary use subject to Chapter 17.660 of this title;
- D. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850 of this title;
- E. Home occupations subject to obtaining a home occupation permit pursuant to Chapter 17.840 of this title;
- F. Small family residential care facilities;
- G. The keeping of domestic animals or pets subject to Chapter 17.670 of this title;
- H. Accessory dwelling units subject to Section 17.100.005 of this title.
- I. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.
- J. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

(Ord. 857 § 2, 2008; Ord. 967 § 2, 2016; Ord. 968 § 2, 2016; Ord. 991 § 4, 2017)

§ 17.474.013 Conditionally permitted uses for Subarea C.

The following uses are permitted upon obtaining a conditional use permit pursuant to Chapter 17.830 of this code within this subarea of the PD-24 (planned development twenty-four) zone:

- A. The following uses shall be conditionally permitted within Subarea C:

~~1. Large residential care facilities and day care centers.~~

(Ord. 857 § 2, 2008; Ord. 967 § 2, 2016; Ord. 968 § 2, 2016)

§ 17.474.016 Permitted uses for Subarea D.

The following uses are permitted within Subarea D of the PD-24 zone:

- A. One single-family dwelling unit per parcel;

- B. Rooming and boarding subject to Section 17.650.003 of this title;
- C. Accessory facilities or buildings related to the primary use subject to Chapter 17.660 of this title;
- D. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850 of this title;
- E. Home occupations subject to obtaining a home occupation permit pursuant to Chapter 17.840 of this title;
- F. Small family residential care facilities;
- G. The keeping of domestic animals or pets subject to Chapter 17.670 of this title;
- H. Accessory dwelling units subject to Section 17.100.005 of this title.

I. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

J. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

(Ord. 857 § 2, 2008; Ord. 967 § 2, 2016; Ord. 968 § 2, 2016; Ord. 991 § 4, 2017)

§ 17.474.017 Conditionally permitted uses for Subarea D.

The following uses are permitted upon obtaining a conditional use permit pursuant to Chapter 17.830 within Subarea D of the PD-24 zone:

A. The following uses shall be conditionally permitted within Subarea D:

~~1. Large residential care facilities and day care centers.~~

(Ord. 857 § 2, 2008; Ord. 967 § 2, 2016; Ord. 968 § 2, 2016)

§ 17.474.018 Development standards for Subarea D.

- A. Unit density: overall project density shall not be greater than 6.09 dwelling units per acre;
- B. Lot area: minimum four thousand square feet;
- C. Lot width: minimum fifty feet;
- D. Lot depth: minimum eighty feet;
- E. Building height: maximum two stories or thirty feet;
- F. Front yard setback: minimum eighteen feet for front loading garage, twelve feet for side loading garage, twelve feet for living space, ten feet for porch;
- G. Side yard setback: minimum four feet. Corner lots shall have a minimum ten feet on street side;
- H. Rear yard setback: minimum ten feet with an overall average of twelve and one-half feet;
- I. Coverage: not more than fifty percent lot coverage.

(Ord. 857 § 2, 2008; Ord. 967 § 2, 2016; Ord. 968 § 2, 2016)

§ 17.474.019 Permitted uses for Subarea E.

A. The following uses are permitted within Subarea E:

1. Single-family dwellings including manufactured homes;
2. Rooming and boarding subject to Section 17.650.003;
3. Duplex, triplex, apartments and other small multifamily structures; townhouses and single-family attached homes; all not exceeding a density of 5.1 to 11, with a mid-range of 8, dwelling units per acre;
4. Accessory facilities or buildings related to the primary use subject to Chapter 17.660;
5. Temporary uses related to the primary use subject to obtaining a temporary use permit pursuant to Section 17.850;
6. Home occupations subject to obtaining a home occupation permit pursuant to Chapter 17.840;
7. Small family residential care facilities are permitted by right. Family home day care, large subject to the conditions stated in Ordinance No. 560, are permitted by right in all single-family residential zones subject to the following conditions:
 - a. That a use permit be issued administratively by the zoning administrator, subject to compliance with the zoning standards of the city, and
 - b. A fee to be collected, and
 - c. The three hundred-foot radius notification process shall apply to all new large family home day care processed after the effective date of Ordinance No. 560. The notification shall be not less than ten days prior to the date of the zoning administrator's decision. The notice shall inform the owners of their rights to an administrative hearing, and
 - d. Actions of the zoning administrator may be appealed pursuant to the appeal process in Chapter 17.880 of the zoning ordinance;
8. Agriculture, animal husbandry and limited animal husbandry subject to Chapter 17.670;
9. The keeping of domestic animals or pets subject to Chapter 17.670;
10. Signs subject to Chapter 17.640.
11. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.
12. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

(Ord. 967 § 2, 2016; Ord. 968 § 2, 2016)

§ 17.474.020 Conditionally permitted uses for Subarea E.

The following uses require special consideration and approval of a conditional use permit in accordance with Chapter 17.830:

- A. Public facilities including parks, playgrounds, public schools and other public buildings;
- B. Churches and religious institutions and parochial or private schools;
- C. Community buildings, clubs and activities of quasi-public, social, fraternal or recreational character such as golf, tennis and swimming clubs intended to primarily serve the immediate neighborhood or residential project;

~~D. Large residential care facilities;~~

~~E~~D. Mobile home parks provided the density does not exceed that specified in the general plan for the property on which the mobile home park is proposed and subject to the provisions of Chapter 17.710;

~~F~~E. Dog fancier's license in accordance with the provisions of Section 17.670.009.

(Ord. 967 § 2, 2016; Ord. 968 § 2, 2016)

§ 17.474.022 Permitted uses for Subarea F.

The following uses are permitted within Subarea F:

- A. Single-family dwellings including manufactured homes;
- B. Rooming and boarding subject to Section 17.650.003;
- C. Duplex, triplex, apartments and other small multifamily structures; townhouses and single-family attached homes; all not exceeding a density of 5.1 to 11, with a mid-range of 8 dwelling units per acre;
- D. Accessory facilities or buildings related to the primary use subject to Chapter 17.660;
- E. Temporary uses related to the primary use subject to obtaining a temporary use permit pursuant to Section 17.850;
- F. Home occupations subject to obtaining a home occupation permit pursuant to Chapter 17.840;
- G. Small family residential care facilities are permitted by right. Family home daycare, large subject to the conditions stated in Ordinance No. 560, are permitted by right in all single-family residential zones subject to the following conditions:
 - 1. That a use permit be issued administratively by the zoning administrator, subject to compliance with the zoning standards of the city, and
 - 2. A fee be collected, and
 - 3. The three hundred-foot radius notification process shall apply to all new large family home day cares processed after the effective date of Ordinance No. 560. The notification shall be not less than ten days prior to the date of the Zoning Administrator's decision. The notice shall inform the owners of their rights to an administrative hearing, and
 - 4. Actions of the Zoning Administrator may be appealed pursuant to the appeal process in Chapter 17.880 of the zoning ordinance;
- H. Agriculture, animal husbandry and limited animal husbandry subject to Chapter 17.670;
- I. The keeping of domestic animals or pets subject to Chapter 17.670;

J. Signs subject to Chapter 17.640.

K. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

L. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

(Ord. 967 § 2, 2016; Ord. 968 § 2, 2016)

§ 17.474.023 Conditionally permitted uses for Subarea F.

The following uses require special consideration and approval of a conditional use permit in accordance with Chapter 17.830:

A. Public facilities including parks, playgrounds, public schools and other public buildings;

B. Churches and religious institutions and parochial or private schools;

C. Community buildings, clubs and activities of quasi-public, social, fraternal or recreational character such as golf, tennis and swimming clubs intended to primarily serve the immediate neighborhood or residential project;

~~D. Large residential care facilities;~~

~~E.~~ Mobile home parks provided the density does not exceed that specified in the General Plan for the property on which the mobile home park is proposed and subject to the provisions of Chapter 17.710;

~~F.~~ Dog fancier's license in accordance with the provisions of Section 17.670.009.

(Ord. 967 § 2, 2016; Ord. 968 § 2, 2016)

Chapter 17.477

PD-27 (PLANNED DEVELOPMENT TWENTY-SEVEN) ZONE

§ 17.477.002 Area A—Residential and golf uses.

A. Permitted Uses—Area A.

1. Single-family, single-story detached and attached homes for age-restricted occupancy consistent with the provisions of Section 51 of the California Civil Code;

2. Model home sales facilities;

3. Golf course and related facilities including, tennis courts, maintenance structures and related recreation facilities;

4. Homeowners' association recreation buildings, tennis courts, recreational vehicle parking lots, other common-use facilities and open area;

5. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

6. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses

within the same zone.

7. Other uses determined by the zoning administrator to be similar to and compatible with the preceding permitted uses.
- B. Conditionally Permitted Uses—Area A. The following uses may be permitted with the granting of a conditional use permit pursuant to Chapter 17.830:
 1. Uses determined by the zoning administrator to be similar to and to be ancillary to a permitted use.
- C. Maximum Number of Units and Minimum Lot area—Area A.
 1. Maximum Units. A maximum of one thousand, one hundred twenty-six dwelling units may be developed.
 2. Lot Area. Minimum lot area shall be four thousand square feet, provided that two thousand five hundred square feet is the permitted minimum per attached duet dwelling unit. A variety of lot sizes, larger than the minimums, shall be included to provide a variety of housing products and yard conditions.
 3. Setbacks, Height and Parking. Each yard setback specified in Tables A and B shall be measured from its respective property line, except that measurement shall be from the back of sidewalk wherever a street's sidewalk lies inside a lot. All yard setbacks shall be measured to the nearest specified wall of the dwelling. Allowable projections into yard setbacks shall be as set forth in Section 17.660.005 of Chapter 17.660, Encroachments Into Required Yards.

Table A

Setbacks, Height and Parking	Age-Restricted Home	Age-Restricted Home
	Duet Lot	All Other Lots

A. Min. Front Yard

(1) To door of a front-entry garage	18'	18'
(2) To a wall of a side-entry garage	NA	10'
(3) To a wall of a habitable room	13'	13'

B. Min. Side Yard Adjoining a Street	NA	12'
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C. Min. Side Yard at Interior Lot Line

(1) To a wall of a garage	5'*	5'
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Table A

Setbacks, Height and Parking	Age-Restricted Home	
	Duet Lot	All Other Lots
Properties Within Tentative Subdivision Map No. 7940		
(2) To a wall of a habitable room	5'	6'
(3) Aggregate, both side yards	5'	12'
D. Min. Rear Yard	5'	15' where the yard adjoins a golf course; 15' minimum and 20' average elsewhere
E. Min. Off-Street Parking Spaces		
(1) In a garage	1	2
(2) In a driveway	1	
F. Max. Building Height	35'	35'

Notes:

* A 0' setback is permitted at one side yard of a duet lot.

** Every duet unit shall include patio area of not less than 15' x 10'.

Table B

Setbacks, Height and Parking	Age-Restricted Home	
	Duet Lot	All Other Lots
Properties Within Tentative Subdivision Map No. 8089		
A. Min. Front Yard		
(1) To door of a front-entry garage	20'	20'
(2) To a wall of a side-entry garage	NA	10'
(3) To a wall of a habitable room	13'	13'
B. Min. Side Yard Adjoining	NA	12'

Table A

Setbacks, Height and Parking	Age-Restricted Home	Age-Restricted Home
Properties Within Tentative Subdivision Map No. 7940	Duet Lot	All Other Lots

a Street

C. Min. Side Yard at Interior Lot Line

(1) To a wall of a garage	5'*	5'
(2) To a wall of a habitable room	5'**	6'
(3) Aggregate, both side yards	5'*	12'

D. Min. Rear Yard 5'*** 15' where the yard adjoins a golf course; 15' minimum and 20' average elsewhere

E. Min. Off-Street Parking Spaces

(1) In a garage	1	2
(2) In a driveway	1	

F. Max. Building Height 35' 35'

Notes:

* A 0' setback is permitted at one side yard of a duet lot.

** Every duet unit shall include patio area of not less than 15' x 10'.

D. Construction Standards—Area A.

1. Age-Restricted Homes, Variety in Building Mass. Variety in building mass shall be accomplished
 - a. Inclusion in the floor plans available for purchase, varying front façade design such as optional side-entry garages and varying the entryway location and design;
 - b. Avoidance of using a single floor plan more than twice in any group of four or more contiguous homes;
 - c. Inclusion of floor plan purchase-options, such as additional golf cart garage space, which alter the visual mass of a floor plan; and
 - d. Multiple floor plans incorporating design variations such as those of subsections a, b and c of this subsection, shall be submitted at the time of site design and development review.

2. Acoustical Analysis. Dwellings adjacent to Fairview Avenue and the State Route 4 bypass shall be designed to meet the city's interior noise level standard of forty-five dBA L^{dn}.

E. Design Review—Area A.

1. Residential Buildings. Design and site development review shall be required pursuant to Chapter 17.820, except that authority to review and approve or deny an application for design and site development review is hereby delegated to the zoning administrator;
2. Landscaping, Fencing and Walls. Landscaping, fencing and walls in areas adjoining a public or private street shall conform to a plan to be approved by the zoning administrator prior to issuance of building permits for the lots to be landscaped, fenced or walled. The plan shall specify colors, materials and spacing of elements;
3. Recreation Facilities and Conditionally Permitted Facilities. Design and site development review approval by the planning commission pursuant to Chapter 17.820 shall be required for the following:
 - a. Golf clubhouse and related buildings,
 - b. Recreation buildings and accompanying outdoor facilities such as pools, and
 - c. Buildings for which approval of a conditional use permit by the planning commission is required.

(Ord. 857 § 2, 2008)

§ 17.477.003 Area B—Future transportation and interim uses.

A. Permitted Uses. The following uses are permitted within area B:

1. Agriculture;
2. Transportation and public service uses;
3. Other uses determined by the zoning administrator to be similar to and compatible with agriculture, transportation, and public service uses.

B. Conditionally Permitted Uses. The following uses may be conditionally permitted within area B with the granting of a conditional use permit pursuant to Chapter 17.830:

1. Recreational commercial uses, including golf course and golf-related facilities;
2. Recreational vehicle storage lots;
3. Other land uses determined by the zoning administrator to require minimal construction of permanent buildings and otherwise possessing economic and physical characteristics consistent with termination of the use upon construction of highway improvements within area B.

(Ord. 857 § 2, 2008)

Chapter 17.481

PD-31 (PLANNED DEVELOPMENT THIRTY-ONE) ZONE

§ 17.481.002 Permitted uses.

The following uses are permitted within the PD-31 zone:

- A. One single-family dwelling per parcel;

- B. Accessory uses subject to Section 17.650.003, excluding Rooming and boarding, transient housing, and non-residential accessory uses (i.e., Christmas tree lot, fruit stand, etc.);
- C. Accessory buildings subject to Section 17.660.006 of the Brentwood Municipal Code and accessory structures subject to Section 17.660.007 of the Brentwood Municipal Code. Temporary uses defined in Section 17.850.003. shall also be excluded;
- D. Home occupations subject to obtaining a home occupation permit pursuant to the Brentwood Municipal Code Chapter 17.840;
- E. Community and neighborhood parks as shown on an approved tentative map;
- F. The keeping of domestic animals or pets subject to the Brentwood Municipal Code Chapter 17.670;
- G. Small-family day care facilities limited to a maximum of six children.
- H. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.
- I. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

(Ord. 857 § 2, 2008)

Chapter 17.482

PD-32 (PLANNED DEVELOPMENT THIRTY-TWO) ZONE

§ 17.482.002 Permitted uses for each subarea.

Subarea A.

- A. Single-family attached dwelling units;
- B. Rooming and boarding subject to Section 17.650.003;
- C. Accessory structures shall be permitted subject to specific small-lot accessory structure development standards that shall be prepared by the developer and submitted for the review and approval of the community development director prior to recordation of the final map. All future accessory structures shall adhere to these development standards;
- D. Temporary uses related to the primary use and subject to obtaining a temporary use permit subject to Chapter 17.850;
- E. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840;
- F. The keeping of domestic animals or pets subject to Chapter 17.670.
- G. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements

H. as other residential uses within the same zone.

Subarea B.

- A. Single-family detached dwelling units;
- B. Rooming and boarding subject to Section 17.650.003;
- C. Accessory structures shall be permitted subject to specific small-lot accessory structure development standards that shall be prepared by the developer and submitted for the review and approval of the community development director prior to recordation of the final map. All future accessory structures shall adhere to these development standards;
- D. Temporary uses related to the primary use and subject to obtaining a temporary use permit subject to Chapter 17.850;
- E. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840;
- F. The keeping of domestic animals or pets subject to Chapter 17.670;
- G. Recreational trails and open space;
- H. Secondary housing units in accordance with Chapter 17.100.005.

I. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

J. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

(Ord. 863 § 2, 2009)

Chapter 17.488

PD-38 (PLANNED DEVELOPMENT THIRTY-EIGHT) ZONE

§ 17.488.006 Permitted uses in subarea C.

The following uses are permitted within subarea C of PD-38:

- A. Business, office, and service uses including medical, dental, and optical offices or clinics, and veterinary facilities (excluding kennels);
- B. Public and quasi-public offices, such as government offices, library, employment office, utility office, and similar uses;
- C. Business park uses, including, but not limited to, research and development uses, warehouse, distribution and wholesale uses, medical or dental laboratories, and other similar uses;
- D. Light industrial and manufacturing uses, such as small assembly, printing shop, and similar uses, which generate minimal noise, odor, smoke, waste material, or other similar impacts;
- E. Uses that manufacture their primary product on the premises, such as a drapery shop, cabinet shop, upholstery shop, and similar uses. Ancillary retail sale of these products is allowed;

- F. General retail uses, including cafés and food service uses that do not exceed fifteen percent of the building area of an office, business park or industrial building, and are intended to primarily serve users of subarea C;
- G. Day care facilities;
- H. Other similar uses as determined by the community development director;
- I. Emergency shelters, as defined in Section 17.030.030 and developed per the R-1 zoning regulations in Chapter 17.130-;

J. Multi-family housing units, senior apartments and living facilities, and institutional levels of congregate care at a density of 20.1 to 30.0 units per acre developed per the R-3 zoning regulations in Chapter 17.150.

(Ord. 857 § 2, 2008; Ord. 916 § 2, 2013; Ord. 943 § 6, 2015; Ord. 981 § 2, 2016; Ord. 987 § 2, 2017; Ord. 991 § 5, 2017; Ord. 1013 § 2, 2020)

Chapter 17.492

PD-42 (PLANNED DEVELOPMENT NO. 42) ZONE

§ 17.492.002 Permitted uses.

The following uses are permitted within the PD-42 zone:

- A. Subarea A. The following uses shall be permitted within this subarea:
 1. Commercial uses for the rental or sale of packing and moving of related items;
 2. Commercial uses for the operation of a postal box rental facility.
- B. Subarea B. The following uses shall be permitted within this subarea:
 1. Medical and dental offices and/or laboratories;
 2. Nursery, child care and day care centers;
 3. Public and quasi-public uses appropriate with the area such as electronical institutions, business, technical, vocational, and trade schools;
 4. Stock brokerages, mortgage and real estate companies, credit union offices, and financial institutions;
 5. Business and professional offices such as architects, attorneys, accountants, engineers, insurance agencies, and other professional and general business offices;
 6. Commercial uses or services such as beauty shop, barbershop, photo studio, convenience retail uses or services such as a bakery, pastry shop, bookstore, candy or ice cream store and shoe repair, apparel and accessory store, and similar small shops or boutiques;
 7. Addressing and mailing service, blueprinting, photostatting, and/or photocopying services (other than a printer or lithographer), drafting service, messenger service, telegraph office, answering service, private postal box service, travel agency and similar services typically associated with administrative and professional offices;
 8. General retail sales, excluding uses with outdoor storage or display;

9. Other retail uses subject to the approval of the community development director provided they are not conditionally approved uses or prohibited by this chapter.
- C. Subarea C. The following uses shall be permitted within this subarea:
1. Commercial uses or services such as beauty shop, barbershop, photo studio, convenience retail uses or services such as a bakery, pastry shop, bookstore, candy or ice cream store and shoe repair, apparel and accessory store, and similar small shops or boutiques;
 2. General retail sales, excluding uses with outdoor storage or display;
 3. Other retail uses subject to the approval of the community development director provided they are not conditionally approved uses or prohibited by this chapter.
- D. Subarea D. The following uses shall be permitted within this subarea:
1. Duplex, triplex, apartments, and other small multifamily structures; townhouses and single-family, attached or detached homes; all not exceeding a density of twelve dwellings per gross acre;
 2. Accessory facilities or buildings related to the primary use subject to Chapter 17.660;
 3. Nursery, child care and day care centers.
 4. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.
 5. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.
- E. Subarea E. The following uses shall be permitted within this subarea:
1. Medical and dental offices and/or laboratories up to a maximum of thirty-three percent of the building's square footage;
 2. Public and quasi-public uses appropriate with the area;
 3. Business and professional offices such as architects, attorneys, accountants, engineers, insurance agencies, stock brokerages, mortgage and real estate sales and leasing companies, credit union offices, banks and savings and loan companies, and other professional and general business offices;
 4. Commercial uses which manufacture their primary product on the premises, such as drapery shops, cabinet shops, upholstery shops, and similar uses;
 5. Commercial uses or services such as beauty shop, barbershop, photo studio, convenience retail uses or services such as a bakery, pastry shop, bookstore, candy or ice cream store and shoe repair, apparel and accessory store, and similar small shops or boutiques;
 6. Addressing and mailing service, blueprinting, photostatting, and/or photocopying services (other than a printer or lithographer), drafting service, messenger service, telegraph office, answering service, private postal box service, travel agency and similar services typically associated with administrative and professional offices;
 7. General retail sales, excluding uses with outdoor storage or display;

8. Other retail uses subject to the approval of the community development director provided they are not conditionally approved uses or prohibited by this chapter.
- F. Subarea F. The following uses shall be permitted within this subarea:
1. Medical and dental offices and/or laboratories. Within the project identified as Design Review 05-15, Gregory Ranch Office Condominiums, this use is restricted to Building A only;
 2. Nursery, child care and day care centers;
 3. Public and quasi-public uses appropriate with the area such as electronical institutions, business, technical, vocational, and trade schools;
 4. Stock brokerages, mortgage and real estate companies, credit union offices, and financial institutions;
 5. Business and professional offices such as architects, attorneys, accountants, engineers, insurance agencies, and other professional and general business offices;
 6. Commercial uses which may or may not manufacture their primary product on the premises, such as drapery shops, cabinet shops, upholstery shops, and similar uses;
 7. Commercial uses or services such as beauty shop, barbershop, photo studio, convenience retail uses or services such as a bakery, pastry shop, bookstore, candy or ice cream store and shoe repair, apparel and accessory store, and similar small shops or boutiques;
 8. Addressing and mailing service, blueprinting, photostatting, and/or photocopying services (other than a printer or lithographer), drafting service, messenger service, telegraph office, answering service, private postal box service, travel agency and similar services typically associated with administrative and professional offices;
 9. General retail sales, excluding uses with outdoor storage or display;
 10. Office uses which are supplementary to any industrial, business, or commercial uses permitted in the zone;
 11. Other retail uses subject to the approval of the community development director provided they are not conditionally approved uses or prohibited by this chapter.
- G. Subarea G. Permitted uses for this subarea shall be determined by subsequent planned development amendment.
- H. Subarea H. Permitted uses for this subarea shall be determined by subsequent planned development amendment.
- I. Subarea I. Permitted uses for this subarea shall be determined by subsequent planned development amendment.

(Ord. 857 § 2, 2008; Ord. 1013 § 2, 2020)

Chapter 17.499

PD-49 (PLANNED DEVELOPMENT FORTY-NINE) ZONE

§ 17.499.003 Permitted and conditionally permitted uses in subarea B.

The following uses are permitted "by right" in subarea B:

- A. Professional and business offices;
- B. Facilities for the care of the elderly including residential, congregate residential and convalescent care; health club or recreational club; veterinary clinic; public and quasi-public uses such as government office, library, employment office, utility offices, and similar uses, including day care facilities;
- C. General retail sales and services;
- D. Medium to high to very high density multifamily residential not exceeding an average density of twenty-five units per acre;

EF. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

G. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

H. Other similar uses as determined by the community development director.

The following uses are permitted within subarea B subject to approval of a conditional use permit:

- A. Hotels;
- B. Mixed residential and nonresidential uses within the same structure, except as permitted above;
- C. Other similar uses as determined by the community development director.

(Ord. 857 § 2, 2008; Ord. 1013 § 2, 2020)

Chapter 17.508 PD-58 (PLANNED DEVELOPMENT FIFTY-EIGHT) ZONE

§ 17.508.002 Permitted uses.

- A. Duplex, triplex, apartments and other small multifamily structures; townhouses and single-family attached homes;
- B. Rooming and boarding subject to Section 17.650.003;
- C. Accessory facilities or buildings related to the primary use subject to Chapter 17.660;
- D. Temporary uses related to the primary use subject to obtaining a temporary use permit pursuant to Chapter 17.850;
- E. Home occupations subject to obtaining a home occupation permit pursuant to Chapter 17.840;
- F. The keeping of domestic animals or pets subject to Chapter 17.670;
- G. Signs subject to Chapter 17.640.

H. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

I. Agricultural employee housing for six or fewer persons, in compliance with California Health and

Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

(Ord. 857 § 2, 2008)

§ 17.508.003 Conditionally permitted uses.

- A. Public facilities including parks, playgrounds, public schools and other public buildings;
- B. Churches and religious institutions and parochial or private schools;
- C. Community buildings, clubs and activities of quasi-public, social, fraternal or recreational character such as golf, tennis and swimming clubs intended to primarily serve the immediate neighborhood or residential project;

~~D. Large residential care facilities;~~

~~E.D.~~ Dog fancier's license in accordance with the provisions of Section 17.670.009.

(Ord. 857 § 2, 2008)

**Chapter 17.509
PD-59 (PLANNED DEVELOPMENT FIFTY-NINE) ZONE**

§ 17.509.002 Permitted uses for each subarea.

A. Subarea A:

- 1. Single-family dwelling units;
- 2. Parks, playgrounds and recreation trails;
- 3. Rooming and boarding subject to Section 17.650.003;
- 4. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850;
- 5. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840;
- 6. The keeping of domestic animals or pets subject to Chapter 17.670.

7. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

8. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

B. Subarea B (duet lots):

- 1. Single-family attached dwelling units;
- 2. Accessory facilities or buildings related to the primary use subject to Chapter 17.660;
- 3. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850;

4. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840;
5. The keeping of domestic animals or pets subject to Chapter 17.670.
6. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.
7. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

C. Subarea C:

1. Single-family dwelling units;
2. Recreation trails;
3. Accessory facilities or buildings related to the primary use subject to Chapter 17.660;
4. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850;
5. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840;
6. The keeping of domestic animals or pets subject to Chapter 17.670.
7. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.
8. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

D. Subarea D:

1. Single-family dwelling units;
2. Parks, playgrounds and recreation trails;
3. Rooming and boarding subject to Section 17.650.003;
4. Accessory facilities or buildings related to the primary use subject to Chapter 17.660;
5. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850;
6. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840;
7. The keeping of domestic animals or pets subject to Chapter 17.670.
8. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.
9. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

within the same zone.

E. Subarea E:

1. Single-family dwelling units;
2. Parks, playgrounds and recreation trails;
3. Rooming and boarding subject to Section 17.650.003;
4. Accessory facilities or buildings related to the primary use subject to Chapter 17.660;
5. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850;
6. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840;
7. The keeping of domestic animals or pets subject to Chapter 17.670.

8. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

9. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

F. Subarea F:

1. Single-family dwelling units;
2. Rooming and boarding subject to Section 17.650.003;
3. Accessory facilities or buildings related to the primary use subject to Chapter 17.660;
4. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850;
5. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840;
6. The keeping of domestic animals or pets subject to Chapter 17.670.

7. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

8. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

(Ord. 857 § 2, 2008; Ord. 915 § 2, 2013)

Chapter 17.511 PD-61 (PLANNED DEVELOPMENT SIXTY-ONE) ZONE

§ 17.511.001 Authority, purpose and intent.

The authority, purpose, and intent for the adoption of the PD-61 (planned development sixty-one) zone are as

follows:

- A. Authority. The PD-61 zone is adopted pursuant to the authority set forth in Chapter 17.450, Planned Development Zones—General Regulations, of the Brentwood Municipal Code.
- B. Purpose. The purpose of the PD-61 zone is to permit and regulate the orderly development of 5.81 acres located generally between Sycamore Avenue and Spruce Street, east of Brentwood Boulevard, with high density residential uses in accordance with the Brentwood general plan, for a maximum of fifty-three lots. The area is divided into two subareas as shown on the subarea map.
- C. Intent. The intent of creating the PD-61 zone is to ensure the coordinated development of the entire property in order to minimize impacts on adjacent properties. The boundaries of the PD-61 zoning district and its subareas are as shown on the map in Section 17.511.007.

(Ord. 857 § 2, 2008)

§ 17.511.002 Permitted uses for each subarea.

Subarea A:

- A. Single-family dwelling units not exceeding a density of fifteen and a half dwelling units per gross acre;
- B. Recreational trails;
- C. Rooming and boarding subject to Section 17.650.003;
- D. Temporary uses related to the primary use and subject to obtaining a temporary use permit subject to Chapter 17.850;
- E. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840; and
- F. The keeping of domestic animals or pets subject to Chapter 17.670.

G. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

H. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

Subarea B:

- A. Single-family dwelling units not exceeding a density of fifteen and a half dwelling units per gross acre;
- B. Parks, playgrounds, and recreational trails;
- C. Rooming and boarding subject to Section 17.650.003;
- D. Temporary uses related to the primary use and subject to obtaining a temporary use

permit subject to Chapter 17.850;

E. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840; and

F. The keeping of domestic animals or pets subject to Chapter 17.670.

G. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

(Ord. 857 § 2, 2008)

Chapter 17.514

PD-64 (PLANNED DEVELOPMENT SIXTY-FOUR) ZONE

§ 17.514.002 Permitted and conditionally permitted uses and general development standards for subarea A.

Low density residential area with active adult neighborhoods, executive neighborhoods, a recreation center, a water tank and pump stations, storm drainage basins, parks and associated open space.

A. Permitted Uses.

1. Single-family single-story detached for age-restricted occupancy;
2. Duet units for age-restricted occupancy;
3. Single-family detached homes for non-age-restricted occupancy;
4. Single-family uses not exceeding a density of five dwelling units per gross acre;
5. Accessory facilities or buildings related to the primary use subject to Chapter 17.660;
6. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840;
7. The keeping of domestic animals or pets subject to Chapter 17.670;
8. Model home sales facilities;
9. Recreation center and related facilities including clubhouse, tennis courts, swimming pools, maintenance structures and related recreation facilities;
10. Homeowners' association recreation buildings, tennis courts, swimming pools, gatehouses, other common-use facilities and open area;
11. Water tank, pump stations and associated structures;
12. Detention basin, water quality basin and associated structures;
13. Agricultural planting areas with vineyards and olive groves, maintenance and related structures;

14. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850;

15. Parks, playgrounds and recreational trail;

~~16.~~ 16. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

17. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

18. Other uses determined by the community development department to be similar to and compatible with the preceding permitted uses.

B. Conditionally Permitted Uses.

1. Uses ancillary to a recreation center, which will serve persons other than residents of the active adult community, such as a restaurant or bar;

2. Other uses determined by the community development department to be similar to the ancillary use.

C. General Development Standards.

1. Maximum Number of Units and Minimum Lot Area.

a. Maximum Active Adult Units. A maximum of one thousand one hundred single story active adult Single-Family dwelling units and duets shall be permitted within the lands of subarea A.

b. Maximum Executive Units. A maximum of one hundred fifty single-family dwelling units shall be permitted within the lands of subarea A.

c. Recreation Center. One community center which may have a distinguishing tower that exceeds thirty-five feet in height, is allowed on a centrally located approximately nine-acre site.

d. Lot area. Minimum lot area shall be four thousand square feet for active adult single-family lots, two thousand five hundred square feet for active adult duet lots, and nine thousand square feet for executive single-family lots. A variety of lot sizes, larger than the minimums, shall be included to provide a variety of housing products and yard conditions.

e. Setbacks, Height and Parking. Each yard setback below shall be measured from its respective property line, regardless of guest parking bays, except that measurement shall be from the back of sidewalk wherever a street's sidewalk lies inside a lot. All yard setbacks shall be measured to the nearest specified wall of the dwelling. Allowable projections into yard setbacks shall be as set forth in Section 17.660.005, Encroachments Into Required Yards.

The Vineyards at Marsh Creek Setback Criteria and Lot Coverage

Active Adult Residential	Duet Lot	48' x 97' Lot	58' x 97' Lot	72'-75' x 97' Lot
Minimum Frontage on a Curve/Cul-de-sac or Knuckle	18'	35'	35'	35'

The Vineyards at Marsh Creek Setback Criteria and Lot Coverage

Active Adult Residential	Duet Lot	48' x 97' Lot	58' x 97' Lot	72'-75' x 97' Lot
A. Minimum Front Yard				
1. To a garage door of a front-entry garage	18'	18'	18'	18'
2. To a wall of a side entry garage	12'	12'	12'	12'
3. To a wall of a habitable room	12'	12'	12'	12'
B. Minimum Side Yard Adjoining a Street				
	10'	10'	10'	10'
C. Minimum Side Yard at an Interior Lot Line				
1. To a wall of a garage	0/5'	5'	5'	5'
2. To a wall of a habitable room	0/5'	5'	5'	5'
3. To landscape structures not exceeding 6' in height	3'	3'	3'	3'
4. Aggregate, both side yards at garage	5'	10'	10'	10'
5. Aggregate, both side yards at non-garage	5'	10'	10'	10'
6. Aggregate, both side yards at landscape walls	3'	6'	6'	6'
D. Minimum Rear Yard				
		8' minimum with a 15' average	8' minimum with a 15' average	8' minimum with a 15' average
E. Minimum Off-Street Parking Spaces				
1. In a garage	2	2	2	2
2. In a driveway	2	2	2	2
F. Maximum Building Height				
	35'	35'	35'	35'

The Vineyards at Marsh Creek Setback Criteria and Lot Coverage

Active Adult Residential	Duet Lot	48' x 97' Lot	58' x 97' Lot	72'-75' x 97' Lot
G. Lot Coverage (Note: all plans are single story)	Sq. Ft.	% Coverage	% Coverage	% Coverage
Plan 1	1737	37.31		
Plan 2	2135	45.85		
Plan 3	2221	47.70		
Plan 4	2357		41.89	
Plan 5	2515		44.70	
Plan 6	2664		47.40	
Plan 7	2966			40.77
Plan 8	3003			41.29
Plan 9	3189			43.79

	9,000 SF Lot	13,000 SF Lot
	Minimum 9,000 SF	Minimum 13,000 SF
	Average 11,500SF	Average 17,000SF
Executive Single-Family Residential	(Min 70' x 110')	(Min 75' x 110')
Minimum Frontage on a Curve/Cul-de-sac or Knuckle	35'	35'
A. Minimum Front Yard		
1. To a garage door of a front-entry garage	20'	20'
2. To a wall of a side entry garage	15'	15'
3. To a wall of a habitable room	15'	15'
B. Minimum Side Yard Adjoining a Street	10'	15'
C. Minimum Side Yard at an Interior Lot Line		
1. Minimum/aggregate setbacks	5/15	10/20

The Vineyards at Marsh Creek Setback Criteria and Lot Coverage

Active Adult Residential	Duet Lot	48' x 97' Lot	58' x 97' Lot	72'-75' x 97' Lot
D. Minimum Rear Yard		15' first floor 20' second floor	Lots backing onto 20' second floor Fairview: 20' first floor; 25' second floor; other lots 25'	
E. Minimum Off-Street Parking Spaces				
1. In a garage		3		3
2. In a driveway		2		2
3. Total off-street		5		5
F. Maximum Building Height		35'		35'
G. Lot Coverage		% Coverage		% Coverage
1. Single story		45		45
2. Two-story		40		40
D. Construction Standards for Active Adult and Executive Housing.				
1. Variety in Building Mass. Variety in building mass shall be accomplished by:				
a. Inclusion in the floor plans available for purchase, varying front façade design, such as side-entry garages and varying the entryway location and design;				
b. Avoidance of use of a single façade design more than twice in any group of contiguous homes;				
c. Inclusion of floor plan purchase-options, such as additional golf cart garage space, which alters the visual mass of a floor plan;				
d. Executive single-family homes that back up onto Fairview shall have one story profiles. This is defined by having a minimum of a five-foot horizontal setback between the first and second floors, having a single story component for at least eighty percent of the length of the rear elevation. See the development plan and related exhibits for lot locations and example profiles.				
e. At the time site design and development review of multiple floor plans, incorporating design variations such as those described above, shall be submitted.				
E. Additional Residential Design Items.				
1. Design Review. Design review shall be required as follows:				
a. Residential Buildings. Design and site development review shall be required pursuant to Chapter 17.820. The architectural style has a palette of cut and rustic stone with hues of rose, buff and ochre, ornamental carved or cast stone, terra cotta colored clay or concrete roof tile, awning shutters, detailed ironwork and plants in terra cotta pots. Residential units have been organized for "street presence" with				

several models possessing gathering and semi-private terraces on the street side of the property. Identifying features may consist of:

- i. Roofs are typically "S" and barrel concrete or clay tiles at a low pitch;
 - ii. Doors and windows are generally recessed into thick walls;
 - iii. Accents may include tile surround, metal railings, shutters and awnings;
 - iv. Use of columns, window and door surrounds.
- b. Landscaping, Fencing and Walls. Landscaping, fencing and walls in areas adjoining a public or private street shall conform to the plans approved by the planning commission. Individual lot landscaping includes a lawn area and a palette of groundcovers and smaller trees in the front and side yards with a mix of shrubs, flowering groundcovers and grasses to provide moderate privacy screening and seasonal interest. Where lot size permits, gardens will be anchored by larger shade trees. Trellises or patio trees that shade courtyards off of living spaces are encouraged. Trellises and walls may be covered with climbing landscaping. Walls are generally stucco, smooth and in earth tone colors. Gatehouses will reflect the residential architecture and incorporate community monumentation.
- c. Public and Common Open Space. As part of the aesthetic productive landscape, grapes and olives will be cultivated wherever possible. In larger open-space production areas, grapes will be grown in rows spaced to allow mechanical harvesting. However, in some areas where aesthetics are equally important such as the rows flanking Fairview Avenue, the rows may have to be spaced more tightly and thus harvested by hand. Olive orchards can be located on slopes that are steeper than three to one. Harvest will be by hand or mechanical means, depending on orchard access.

Since the agricultural components are part of a true working landscape, access within the vineyards and orchards will be restricted to those who are growing the grapes and olives. Limited pedestrian and service vehicular access only will be allowed where possible in designated areas.

- d. Recreation Facilities and Conditional Use Permit Uses. Design and site development review approval by the planning commission pursuant to Chapter 17.820 shall be required for the following:
- i. Recreation center buildings and accompanying outdoor facilities such as pools;
 - (a) Design elements may include stone accents and a distinguishing tower. Large view oriented spaces will be designed as lightly scaled trellis or outdoor loggia elements (though glass enclosed) attached to the more traditional mass of this architectural character.
 - ii. Buildings for which approval of a conditional use permit by the planning commission is required.
- F. Roadway Items.
1. Fairview Avenue. Public one hundred forty-foot right-of-way, including two to four travel lanes, turn lanes at intersections, bike lanes, with no parking allowed. Landscaping to allow vineyards and olive groves in addition to traditional street trees and groundcover. Public eight-foot multi use path located on each side of Fairview Avenue.
 2. Local Spine Streets. Private thirty-six-foot curb-to-curb, including two travel lanes and on-street parking allowed. One side only five-feet of traditional landscaping between a separated four-foot sidewalk and the curb. Ten-foot PUE, that overlaps the right-of-way by six-inches located each side of the roadway.
 3. Local Streets. Private thirty-six-foot curb-to-curb, including two travel lanes and on-street parking allowed. One side only four and one-half-foot curb adjacent sidewalk. Ten-foot PUE, that overlaps the

right-of-way by six-inches located each side of the roadway.

(Ord. 857 § 2, 2008)

Chapter 17.515 **PD-65 (PLANNED DEVELOPMENT SIXTY-FIVE) ZONE**

§ 17.515.002 Permitted uses for each subarea.

A. Subarea A.

1. Single-family dwelling units;
2. Parks, playgrounds and recreation trails;
3. Rooming and boarding subject to Section 17.650.003;
4. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850;
5. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840;
6. The keeping of domestic animals or pets subject to Chapter 17.670.
7. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.
8. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

B. Subarea B.

1. Single-family dwelling units;
2. Parks, playgrounds and recreation trails;
3. Rooming and boarding subject to Section 17.650.003;
4. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850;
5. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840;
6. The keeping of domestic animals or pets subject to Chapter 17.670.
7. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.
8. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

C. Subarea C.

1. Single-family dwelling units;

2. Parks, playgrounds and recreation trails;
3. Rooming and boarding subject to Section 17.650.003;
4. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850;
5. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840;
6. The keeping of domestic animals or pets subject to Chapter 17.670.

7. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

8. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

D. Subarea D.

1. Single-family dwelling units;
2. Parks, playgrounds and recreation trails;
3. Rooming and boarding subject to Section 17.650.003;
4. Accessory facilities or buildings related to the primary use subject to Chapter 17.660;
5. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850;
6. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840;
7. The keeping of domestic animals or pets subject to Chapter 17.670.

8. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.

9. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

E. Subarea E (Duet Lots).

1. Single-family attached dwelling units;
2. Accessory facilities or buildings related to the primary use subject to Chapter 17.660;
3. Temporary uses related to the primary use and subject to obtaining a temporary use permit pursuant to Chapter 17.850;
4. Home occupation subject to obtaining a home occupation permit pursuant to Chapter 17.840;
5. The keeping of domestic animals or pets subject to Chapter 17.670.

- 6. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.
- 7. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

F. Subarea F (Swim Club).

- 1. Swimming and related facilities serving the surrounding Rose Garden neighborhood only, including pools and pool equipment, shade structures, restrooms, shower areas, changing areas, aquatic apparatus, meeting rooms, facility staff offices, and vending machines.

(Ord. 857 § 2, 2008)

Chapter 17.521 **PD-71 (PLANNED DEVELOPMENT SEVENTY-ONE) ZONE**

§ 17.521.002 Permitted uses.

The following uses are permitted within the PD-71 zone:

- A. Single-family dwelling units and duets not exceeding a density of five dwelling units per acre;
- B. Accessory facilities or buildings related to the primary use subject to Chapter 17.660;
- C. Temporary uses related to the primary use subject to obtaining a temporary use permit pursuant to Section 17.850;
- D. Home occupations subject to obtaining a home occupation permit pursuant to Chapter 17.840;
- E. Public parks and related facilities;
- F. Improved open space and trails;
- G. Pedestrian bridges and riparian habitat enhancement and restoration activities subject to obtaining all applicable local, state, and federal permits;
- H. The keeping of domestic animals or pets subject to Chapter 17.670;
- I. Small family residential care facilities;
- J. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.
- K. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.
- L. Similar uses subject to the approval of the community development director.

(Ord. 857 § 2, 2008)

§ 17.521.003 Conditionally permitted uses.

The following uses require special consideration and approval of a conditional use permit in accordance with

Chapter 17.830:

- A. Secondary housing units subject to Section 17.100.005;
- B. Churches and religious institutions and parochial or private schools;
- C. Community buildings, recreational clubs such as tennis and swimming clubs intended to primarily serve the immediate neighborhood or residences within one-half mile of the recreational club when they are located at least fifty feet from the top of the bank of Marsh Creek;
- ~~D. Large residential care facilities;~~
- ED. Other uses as determined by the community development director that because of the type of operation, materials stored, or other special circumstances require special consideration and regulations through the conditional use permit procedure.

(Ord. 857 § 2, 2008)

Chapter 17.522
PD-72 (PLANNED DEVELOPMENT SEVENTY-TWO) ZONE

§ 17.522.003 Permitted uses.

The following uses are permitted within the PD-72 zone:

- A. Apartments, condominiums, townhouses, and attached single-family homes;
- B. Rooming and boarding subject to Section 17.650.003;
- C. Accessory structures related to the primary use subject to Section 17.522.006(D);
- D. Temporary uses related to the primary use, subject to obtaining a temporary use permit pursuant to Chapter 17.850;
- E. Home occupations subject to obtaining a home occupation permit pursuant to Chapter 17.840;
- F. Small family residential care facilities;
- G. The keeping of domestic animals or pets subject to Chapter 17.670; and
- H. Signs subject to Chapter 17.640.
- I. Residential Care Facilities, regardless of size and occupancy, shall be subject only to the same requirements as other residential uses within the same zone.
- J. Agricultural employee housing for six or fewer persons, in compliance with California Health and Safety Code Section 17021.5, shall be subject only to the same requirements as other residential uses within the same zone.

(Ord. 905 § 2, 2012)

§ 17.522.004 Conditionally permitted uses.

The following uses are conditionally permitted within the PD-72 zone:

- A. Public facilities including parks, playgrounds, public schools and other public buildings;

- B. Churches and religious institutions and parochial or private schools;
- C. Community buildings, clubs and activities of quasi-public, social, fraternal or recreational character such as golf, tennis and swimming clubs intended to primarily serve the immediate neighborhood or residential project; and

~~D. Large residential care facilities.~~

(Ord. 905 § 2, 2012)

Article IX Supplementary Regulations

Chapter 17.620 OFF-STREET PARKING

§ 17.620.007 Off-street parking spaces required—Residential zones.

Except as specified in Section 17.620.012 there shall be required for permitted uses in a residential zone the number of off-street parking spaces specified in this section:

- A. Single-Family Dwelling.
 - 1. Primary Dwelling Unit. Two spaces, both of which shall be enclosed within a garage.
 - 2. Accessory Dwelling Unit. The number of spaces required in Section 17.100.005(D)(10).
- B. Two- and Three-Family Dwellings. A total of 0.5 assigned, covered spaces per 0-bedroom units (studios) and 1.5 assigned, covered spaces per 1-bedroom unit. Two assigned spaces for each dwelling unit larger than 1-bedroom, all of which shall be covered;
- C. Four- and More Family Dwellings. A total of 0.5 assigned, covered spaces per 0-bedroom units (studios) and 1.5 assigned, covered spaces per 1-bedroom unit. Parking for units larger than 1-bedroom shall be provided for each dwelling unit in an apartment complex at a ratio of one assigned space which shall be covered plus one common space which may be uncovered;
- D. Condominium or Similar Single-Family Residence Projects. Two assigned spaces which shall be enclosed within a garage, and two common spaces for each dwelling unit which may be uncovered;
- E. Mobile Home Park. Two assigned spaces on each mobile home lot, one of which shall be covered, plus one of which may be covered, plus one common space for each two mobile home lots which may be uncovered;
- F. Common parking spaces in mobile home park, apartment, condominium and similar projects shall be distributed throughout the project with some concentration near recreation, laundry and other community facilities;
- G. Two-unit housing developments, as defined in Chapter 17.797, shall comply with the parking requirements set forth therein.

(Ord. 408, 1987; Ord. 991 § 2, 2017; Ord. 1021 § 5, 2021; Ord. 1030 § 3, 2021; Ord. 1033 § 5, 2022)

Article X

Supplementary Regulations—Continued

Chapter 17.760

REASONABLE ACCOMMODATION FOR PERSONS WITH DISABILITIES

§ 17.760.003 Application requirements.

- A. Application. Requests for reasonable accommodation shall be submitted on an application form provided by the community development director or in the form of a letter, ~~to~~. Information regarding the directorspecifics of the disability will remain confidential and inaccessible by the public. The application, whether on the form or in the form of a letter shall contain the following information:
1. The applicant's name, address and telephone number.
 2. Address of the property for which the request is being made.
 3. The current actual use of the property.
 4. The basis for the claim that the individual is considered disabled under the Acts.
 5. The municipal code provision, zoning ordinance provision, or other regulation or policy from which reasonable accommodation is being requested.
 6. Why the reasonable accommodation is necessary to make the specific property accessible to the individual.
- B. Review with Other Land Use Applications. If the project for which the request for reasonable accommodation is being made also requires some other discretionary approval (including, but not limited to, use permit, plan check review, general plan amendment, zone change, etc.), then the applicant shall file the information required by subsection A together for concurrent review with the application for discretionary approval.

(Ord. 943 § 6, 2015)

§ 17.760.006 Findings and decision.

- A. Findings. The written decision to grant or deny a request for reasonable accommodation will be consistent with the Acts and shall be based on consideration of the following factors:
1. Whether the housing, which is the subject of the request, will be used by an individual with a disability protected under the Acts. ~~Zero to one bedroom: one on-site parking space.~~
 2. Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts. ~~Two to three bedrooms: two on-site parking spaces.~~
 3. Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the city. ~~Four and more bedrooms: two and one-half on-site parking spaces., as defined in the Fair Housing Act (FHA) and Federal and State Fair Housing Laws.~~
 4. Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a city program or law, including, but not limited to, land use and zoning.
 5. ~~Potential impact on surrounding uses.~~
 6. ~~Physical attributes of the property and structures~~ Whether the requested reasonable accommodation would constitute a direct threat to the health or safety of others or would cause substantial physical damage to the property of others.

~~7. Alternative reasonable accommodations which may provide an equivalent level of benefit.~~

B. Conditions of Approval. In granting a request for reasonable accommodation, the reviewing authority may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation would comply with the findings required by subsection A.

(Ord. 943 § 6, 2015)

§ 17.760.007 Appeal of determination.

A. Appeals of the Decision of the Director. An applicant or any party with interest may appeal any determination of the director to the planning commission if appropriate notice is given to the community development department office within ~~ten~~thirty calendar days of the director's decision. The city shall charge a fee for costs involved in the appeal. If an individual needs assistance in filing an appeal on an adverse decision, the city will provide assistance to ensure that the appeals process is accessible. The planning commission shall hear and determine any appeal within thirty days of such notice.

B. Appeals of Decision of the Planning Commission or Other Reviewer. An applicant or any party with interest may appeal any determination of the planning commission or other reviewer to the city council if appropriate notice is given to the community development department office within ten calendar days of the planning commission's decision. The city shall charge a fee for costs involved in the appeal. If an individual needs assistance in filing an appeal on an adverse decision, the jurisdiction will provide assistance to ensure that the appeals process is accessible. The city council shall hear and determine any appeal within thirty days of such notice. The decision of the city council shall be deemed final.

(Ord. 943 § 6, 2015)

**Chapter 17.770
EMERGENCY SHELTERS**

§ 17.770.003 Standards for emergency shelters.

A. Occupancy. The maximum number of beds or persons permitted to be served nightly by an emergency shelter, or any combination of emergency shelters in the city, shall not exceed the number of unsheltered homeless as determined by the general plan housing element in accordance with state law.

B. Length of Stay. Occupancy for an individual in an emergency shelter is limited to no more than six months. The operator of the emergency shelter shall maintain adequate documentation to demonstrate compliance with this provision.

C. Location. No emergency shelter shall be located within three hundred feet of another emergency or homeless shelter or similar type facility. The distance between emergency shelters shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall or the closest location of any outdoor common facilities of one emergency shelter to the closest exterior wall or the closest location of any outdoor common facilities of another emergency shelter.

D. Management Plan. Prior to the establishment of the use and development, the operator of the emergency shelter must submit to the community development department a written management plan, approved by the city manager. As a minimum, the management plan shall include and address the following:

1. Procedures for staff training to meet the needs of the shelter residents, and have processes to address the following topics: client intake, confidentiality, health and safety training, mental health, and substance abuse treatment and referrals;

2. Operational rules and standards of conduct for residents, including policies prohibiting the use or possession of controlled substances by residents, rules concerning the use or possession of alcohol, curfew, prohibition of loitering, and any other provisions necessary to ensure compatibility with surrounding uses;
3. Policies and procedures for eviction from the facility for violation of rules and standards of conduct;
4. A detailed safety and security plan to protect shelter residents and surrounding residents and uses;
5. A process for resident screening and identification;
6. A process for identification and registration with the chief of police of clients required to register as convicted sex offenders;
7. Provisions for on-site or partnerships with off-site organizations to provide job training, counseling, and treatment programs for the residents;
8. Services to assist residents with obtaining permanent shelter and income;
9. Policies regarding pet care and boarding during residents' stay at the facility;
10. If applicable, timing and placement of outdoor activities;
11. Location within the facility for temporary storage of residents' personal belongings;
12. Provisions for continuous on-site supervision during hours of operation. Specifically, there shall be a minimum of one staff person per eight clients during daytime hours, seven a.m. to ten p.m., and a minimum of two staff people at the facility during nighttime hours, ten p.m. to seven a.m.;
13. If applicable, procedures for ensuring safety and security of women and children within the facility;
14. Each emergency shelter must provide refuse containers or an enclosure that is consistent with city standards as set forth in the city's Standard Plans and Specifications;
15. The exterior of the building must be kept in a good state of repair and the exterior finish and landscaping must be kept clean and well maintained. Each site shall be kept in a neat and orderly manner, free of weeds, loose trash, debris and other litter, including, but not limited to, shopping carts;
16. Organized outdoor activities on the site may only be conducted between the hours of eight a.m. and ten p.m.;
17. Noise shall be limited so as not to create an adverse impact on surrounding uses. No loudspeakers or amplified sound shall be placed within, or project outside of, the emergency shelter;
18. Employees, partners, directors, officers, managers and similar persons shall be screened prior to occupancy to confirm that they have no history of a previously failed emergency shelter (or similar facility) due to the fault of the operator, and have not been convicted of any of the following offenses within the prior five years:
 - a. A crime requiring registration under Penal Code Section 290,
 - b. A violation of Penal Code Section 311.2 or 311.4 through 311.7,
 - c. A violation of Penal Code Sections 313.1 through 313.5,

- d. A violation of Penal Code Section 647(a), (b), or (d),
- e. A violation of Penal Code Section 315, 316, or 318,
- f. A felony crime involving the use of force or violence on another, or
- g. The maintenance of a nuisance in connection with the same or similar business operation.

The management of the emergency shelter shall effectuate a background investigation on all employees to the satisfaction of the chief of police.

- E. Common Facilities and Services. An emergency shelter may include the following facilities and services as ancillary to the emergency shelter use:
 - 1. Commercial kitchen facilities;
 - 2. Dining area;
 - 3. Laundry room;
 - 4. Recreation or meeting room;
 - 5. Outdoor recreational spaces; provided, that the space is located within a building interior courtyard or is enclosed by a building, solid fence, or wall or some combination thereof to secure the space and ensure that it is not accessible to the general public;
 - 6. Support services (counseling, job training, and other social and medical services);
 - 7. Animal boarding and related veterinary services for current residents of the facility only;
 - 8. Child care facilities for current residents of the facility only.
- F. Client Intake Areas. An enclosed intake area shall be provided within the emergency shelter building. The intake area shall be a minimum of one hundred square feet in size, located entirely within the building. The intake hours shall be posted clearly on the doors to the emergency shelter. Clients shall be allowed to wait in an interior or exterior waiting area that shall not exceed one hundred square feet. Clients shall not loiter nor form a queue outside of the exterior waiting area.
- G. ~~———— Parking. Each emergency shelter shall have a minimum of two off-street parking spaces plus one additional off-street parking space for each ten beds, or fraction thereof.~~ Parking. Emergency shelters shall provide sufficient on-site parking to accommodate all employees, consistent with Section 65583, subdivision (a)(4)(B)(ii) provided that the standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone.
- H. Lighting. Exterior lighting shall be located along all pedestrian pathways, parking lots, entrances and exits, common outdoor areas and at the front of the building. All lighting shall be maintained in good operating condition and shall be fully-shielded.
- I. On-Site Security. Security measures shall be reviewed and approved by the chief of police prior to commencement of operations on the site and shall be sufficient to protect clients and neighbors. On-site security shall be provided during the hours when the emergency shelter is in operation and at all times when clients are present on-site. In the event that five or more calls for police services have been received over a thirty-day period by the police department, the facility shall be required to provide additional on-site security staff to the satisfaction of the chief of police and the community development

director.

- J. City, County and State Requirements. An emergency shelter shall obtain and maintain in good standing all required licenses, permits, and approvals from the city, county and state agencies or departments and demonstrate compliance with applicable building and fire codes. An emergency shelter shall comply with all county and state health and safety requirements for food, medical and other supportive services provided on-site.

(Ord. 943 § 6, 2015)

§ 17.770.004 Development regulations for emergency shelters.

Except as otherwise set forth in this chapter, all new construction shall comply with the residential, commercial and industrial land use regulations for the underlying district in which the emergency shelter will be located. If no such regulations exist, the developer shall file an application with and obtain approval from the city of a rezone to establish development standards for the emergency shelter prior to any building permit issuance.

Emergency shelters shall be permitted by-right in the PD-38 zone consistent with Section 65583, subdivision (a)(4) of the State Government Code and AB 2339 (2023). All emergency shelters, regardless of the number of occupants, shall meet all applicable development standards to the zoning districts in which they are permitted by-right. (Ord. 943 § 6, 2015)

Article XI

Administrative Procedure and Permits Regulations

Chapter 17.820

DESIGN AND SITE DEVELOPMENT REVIEW

§ 17.820.001 Title and purpose of provisions.

- A. Title. The provisions of this chapter shall be known as the "design and site development review procedure" of this title.
- B. Purpose. The purpose of these regulations is to allow design and site development review of all developments, signs, buildings, structures and other facilities constructed or modified in any zone where design and site development review is required in order thereby to foster a good design character through consideration of aesthetic and functional relationships to surrounding development, and in order to further enhance the city's appearance, and the livability and usefulness of properties.

The purpose of the architectural planning commission in the design and site development review committee process is to recognize the interdependence of land values and aesthetics, and to provide a method by which the city may implement this interdependence to its benefit, and to the benefit of its individual citizens. It is also the purpose of the committee planning commission to preserve and enhance the beauty and environmental amenities of the city by:

1. Stimulating creative design;
2. Encouraging the innovative use of materials, methods and techniques;
3. Preserving balance and harmony;
4. Integrating the functions, appearance, and locations of buildings and improvements, including parking, so as to best achieve a balance between private prerogatives and preferences and the public interest and welfare.

(Ord. 408, 1987; Ord. 663 § 1, 2001)

§ 17.820.005 Architectural review ~~committee structure and authority~~; design standards and guidelines.
~~An architectural review committee is hereby established, consisting of the~~The members of the Brentwood planning commission, as appointed by the city council. ~~The architectural review committee,~~ shall have the authority to review, conditionally approve and disapprove architectural plans, drawings and sketches.

The ~~committee shall establish, and the~~ city council shall adopt, objective design standards for residential projects and design guidelines for commercial and industrial projects, all of which shall be applied by the ~~committee~~planning commission, the community development director, and on appeal, the city council, in reviewing applications for development. Said standards and guidelines are to be set forth in pictorial and/or narrative form and may illustrate undesirable as well as desirable examples of design. ~~A document~~Documents containing the standards and guidelines shall be available for public reference in the community development department. ~~The committee may periodically review these guidelines and may make appropriate amendments subject, in all cases, to city council approval.~~

(Ord. 408, 1987; Ord. 663 § 1, 2001)

§ 17.820.006 Review process.

- A. The ~~architectural review committee~~planning commission shall review and act on architectural plans concurrently with any other land use permit or entitlement application submitted to the city, such as a conditional use permit or tentative parcel or tract map.
- B. The ~~architectural review committee~~planning commission may delegate specific types of projects to the community development director for review and action.

(Ord. 408, 1987; Ord. 663 § 1, 2001)

§ 17.820.007 Design and site review criteria.

~~The architectural review committee~~The planning commission, community development director, and on appeal the city council, in consideration of all applications for design and site development review shall determine whether the proposed project conforms to the following criteria:

- A. The proposed development shall ~~create a well-composed urban~~comply with all applicable design, harmoniously related to criteria or standards set out in this title or other facilities in city ordinance including the immediate areaCity's Objective Design Standards for Residential and ~~to the total setting as seen from key vantage points in the community;~~
- ~~B. Elements of design which have significant relationship to the exterior appearance of structures~~Mixed-Use Projects (including Interim Standards as adopted by the City Council through Ordinance 1060) and facilities shall be given special consideration; these elements include but are not limited to height, arrangement on the site, texture, lighting, material, color, signs, landscaping, size, bulkthe City's Commercial and seale, and appurtenancesIndustrial Design Guidelines;
- ~~C. The proposed development shall be of a quality and character appropriate to, and serving to protect the value of, private and public investments in the immediate area;~~
- ~~D.~~B. Where the proposed development is located in an area for which a specific plan, planned development, neighborhood plan or precise plan has been adopted by the city council, the design of the development shall conform in all significant respects with such plans;
- ~~E.~~C. The proposed development shall conform with all requirements for landscaping, screening, parking, usable open space and off-street loading as set forth in this title;

~~F.—The site development criteria set forth in Section 17.820.008;~~

~~G.—"The City of Brentwood Design Guidelines" Draft, dated February 1, 2001, and any other applicable specific design criteria or standards set out in this title or other city ordinance;~~

~~HD.~~ All applicable regulations of the zoning ordinance and other city ordinances, policies or resolutions.

(Ord. 408, 1987; Ord. 663 § 1, 2001)

§ 17.820.008 ~~Site development review criteria.~~

~~The following criteria shall be applied in considering all applications for design and site development review approval:~~

~~A.—The siting and internal arrangement of all structures and other facilities on the site, including the land uses, internal circulation, off-street parking and loading facilities, lighting, signing and access to and from public rights-of-way, shall be conducive to an orderly, attractive, efficient and harmonious development.~~

~~B.—The proposed development shall not have adverse environmental effects on adjacent developments, existing or potential, by reason of conflicts in land use, topography or traffic.~~

~~(Ord. 408, 1987)~~

§ 17.820.009 Performance standards.

If, in the opinion of the planning commission or zoning administrator, the proposed use may cause the emission of dangerous or objectionable noise, odors, lights, dust, smoke or vibrations, the ~~board may refer the application~~ may be referred for investigation and report to one or more expert consultants qualified to advise as to whether a proposed use will conform to general acceptable or applicable performance standards. Such consultant or consultants shall report in writing and a copy of such report shall be furnished to the applicant. The applicant shall be required to pay the fee for the service of such consultant(s).

~~(Ord. 408, 1987)~~

~~(Ord. 408, 1987)~~

§ 17.820.010 ~~Conditional approval.~~

~~It is the express intent of this procedure that whenever the planning commission or zoning administrator finds that compliance with these design review criteria or site development criteria requires higher standards of development and performance than otherwise required by the applicable zone regulations, such reasonable higher standards as it deems necessary to fulfill the purposes of this procedure shall be established as a condition of design and site development review approval.~~

~~(Ord. 408, 1987)~~

§ 17.820.011009 Termination of permit.

Unless a different termination date is prescribed, all design and site development review permits shall terminate one year from the effective date of their granting, unless actual construction or alteration under valid permits has begun within such period. However, such period of time may be extended by the planning commission upon application filed at any time before such period has expired.

(Ord. 408, 1987)

§ 17.820.012010 Appeal.

Action of the planning commission or zoning administrator may be appealed pursuant to Chapter 17.880.

(Ord. 408, 1987)

Chapter 17.830
CONDITIONAL USE PERMIT

§ 17.830.005 Conditional use permit criteria.

A conditional use permit may be granted only if the proposal conforms to all of the following general criteria, as well as to all other applicable specific criteria:

- A. The proposed use is allowed with a Conditional Use Permit within the applicable zoning district, specific plan, or planned development and complies with all applicable provisions of this Title;
- B. The proposed use is in conformance with the goals, policies, and objectives of the General Plan and the purpose and intent of any applicable specific plan;
- C. There are provisions for public access, water, sanitation, and public utilities and services to ensure that the proposed use would not be detrimental to public health and safety;
- D. The design, location, size, design and operating characteristics of the proposed development must be use are compatible with and must not adversely affect the livability of appropriate development of abutting properties and the surrounding neighborhood. Consideration shall be given to the existing and planned future land uses within the general area in which the proposed use is to be given, but shall be located and will not create significant noise, traffic or other conditions or situations that may be limited to: objectionable or detrimental to other permitted uses operating nearby or adverse to the public interest, health, safety, convenience or welfare of the city;
 - 1. ~~Harmony in scale, bulk, coverage and density;~~
 - 2. ~~The availability of public facilities and utilities;~~
 - 3. ~~The harmful effect, if any, upon desirable neighborhood character or the planned specialization of retail, commercial or community service areas;~~
 - 4. ~~Generation of traffic and the capacity of surrounding streets;~~
 - 5. ~~Any other relevant impact of the development;~~
 - 6. ~~The criteria set forth in Chapter 17.820 for design and site development review if applicable.~~
- B. ~~The location, design, landscaping and screening, and overall site planning of the proposed development will provide an attractive, useful and convenient living, working, shopping or community service area.~~
- ~~(Ord. E. The approval of the Conditional Use Permit for the proposed use is in compliance with the requirements of the California Environmental Quality Act (CEQA), the City's Objective Design Standards and the City's Commercial and Industrial Design Guidelines;(Ord. 408, 1987)~~

Chapter 17.910
REPLACEMENT HOUSING REGULATIONS

§ 17.910.001 Purpose and intent.

The purpose of this Chapter is to implement provisions regarding replacement housing contained in the Housing Crisis Act of 2019 (Government Code Section 66300.5 et seq.), Density Bonus Law (Government

Code Section 65915 et seq.) and Housing Element law (Government Code Section 65583.2) (collectively State Replacement Housing Law) to insure that the City does not approve a development project that that does not meet the requirements of State Replacement Housing Law.

§ 17.910.002 Definitions.

- A. “Housing Development Project” is as defined in State Replacement Housing Law.
- B. “Protected Units” shall mean certain residential dwelling units as defined in State Replacement Housing Law.

§ 17.910.003 Applicability.

- 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 as will be demolished.
- B. The City shall not approve or issue a building permit for any development project that will require the demolition of occupied or vacant protected units, or that is located on a site where protected units were demolished in the previous five years, unless the development project meets all of the requirements of State Replacement Housing Law.
- C. This chapter shall be applicable to all applications for development projects, a change in the number of dwelling units of existing projects, a land subdivision, and a change of a residential use to another use.

If any section of this chapter conflicts with State Replacement Housing Law or other applicable state law, state law shall supersede this chapter. References to state statutes, codes, or regulations include successor provisions.

§ 17.910.005 Requirements.

All development projects shall submit a replacement unit determination application.