

Chapter 17.35

PENINSULA VILLAGE OVERLAY ZONE

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17.35.010 Purpose

The purpose of the peninsula village overlay zone is to provide for the orderly development of a mixed-use village in the city’s main commercial area, to encourage a broad range of housing opportunities in conjunction with existing and future commercial/office uses, and to preserve regional shopping opportunities to meet the needs of the community.

17.35.20 Application requirements for the creation of a mixed-use development in the peninsula village overlay zone

Application requirements for the creation of a mixed-use development within the peninsula village overlay zone are as follows:

A. The applicant for a mixed-use development relating to property located within the peninsula village overlay zone (as indicated in the map 17.35[a]) shall provide the city with such data and information as will provide the city with an adequate basis for making the necessary findings that such a development is in the community’s interest, is in conformity with the municipal code, and is of good planning practice. The information and data shall include, but not be limited to, a site plan indicating the location of all buildings and structures and the relationship between them, floor plans, roof plan, and elevations. The plans shall also have indicated thereon the following information:

1. The location and amount of off-street parking as prescribed in Section 17.35.040(E) and Section 17.35.060 below;
2. The location of all walls and buffers, including landscaping, between the proposed new mixed-use development and the abutting land uses;
3. The location of all points of vehicle and pedestrian ingress and egress from the site to the abutting streets; and
4. Other data as will indicate to the city the manner in which the development will provide for the protection of the health, safety, and welfare in the surrounding area.

B. The applicant, in addition, shall provide such data and information as deemed necessary by the city. Such additional data may include economic studies and surveys, traffic studies, population studies, and any other information deemed to be pertinent.

C. Any request for a mixed-use project shall require a conditional use permit and precise plan of design in accordance with Chapters 17.68 and 17.58 respectively. Other discretionary approvals also may be required.

17.35.030 Guidelines in the design and development of mixed-use projects

As densities increase in mixed-use development, more care and creativity is required in areas such as privacy, security, access to open space, natural light, ventilation, parking, deliveries, and trash collection. The peninsula village overlay zone district descriptions and design guidelines have been established to encourage compatibility of uses, heights, setbacks, proportions, landscaping, materials, etc. in the design of new development. In approving a project in any development district, the planning commission and/or the city council must find that the project substantially conforms to the intent of the district as well as the design guidelines identified in the peninsula village overlay zone district descriptions and design guidelines. Site planning of a mixed-use project requires special attention to four primary guidelines:

- A. The functional compatibility with existing site conditions and neighboring uses;
- B. The functional and aesthetic relationships of buildings to each other (particularly height), to the street, to adjacent walkways, and to the surrounding open spaces;
- C. The functional and aesthetic design of open space as related to both residential and commercial uses; and
- D. The distribution, layout and character of parking.

17.35.040 Mixed-use projects—development standards

The following standards shall apply to the development of a mixed-use project within the peninsula village overlay zone regardless of the development district in which it is located:

- A. The parcel(s) upon which the mixed-use development is located and the building(s)/structure(s) developed upon such parcel(s) shall conform to the requirements prescribed herein and shall comply with all underlying applicable zoning requirements of Chapter 17.30 (C-G District) of the Municipal Code. In the event that there is a conflict between standards, the more restrictive standards shall apply, with the exception of setbacks which shall be as prescribed in Section 17.35.040(J) below, density, building height, and lot coverage standards

which shall be as prescribed in Section 17.35.050 below, and parking for commercial/office uses which shall be as prescribed in 17.35.060 below.

- B. At least 300 square feet of usable outdoor open space per dwelling unit shall be provided. This area may include private “open” balconies/terraces and common outdoor spaces, except that no more than 100 square feet of any “private” balcony area shall count toward the 300 square feet of usable outdoor open space required per unit. Parking and loading areas (including required landscaping in parking and setback areas), recreation/community rooms and laundry/mechanical rooms shall not be considered usable open space.

- C. Where residential units are in the same structure as the commercial use, access to residential units shall be provided separately from commercial access.

- D. Projects shall conform with California Title 24 handicapped laws.

- E. Separate parking facilities shall be provided for residential uses and commercial uses except that residential visitor parking and commercial parking may be shared, as determined during project review. Parking shall be required at 1 space per unit for 1 bedroom units, 2 parking spaces for 2 and 3 bedroom units. The planning commission and/or the city council may require more parking for larger units as determined under development review. Guest parking shall be counted as 1 space for every 3 units. Senior housing parking requirements shall be 1 space per unit and 3 parking spaces for every 4 units for guest and employee parking. Senior housing parking requirements may be adjusted on an individual project basis (as determined under development review), subject to a parking study based on project location and proximity to services for senior citizens including, but not limited to, medical offices, shopping areas, mass transit, etc.

- F. Each residential unit shall be plumbed and wired for a washing machine and dryer, or shall provide common laundry facilities of sufficient number and accessibility, consistent with the number of living units.

- G. Adequate internal and external lighting shall be provided for security purposes. The lighting shall be energy efficient, stationary, downcast and deflected away from adjacent properties and public rights-of-way, and of an

intensity compatible with the underlying zone and neighboring uses. Lighting not required for security purposes (including, but not limited to, signage and landscape lighting) shall be extinguished by 10:00 p.m. or, in the case of lighted signage, at the close of business.

H. Trash receptacle(s) of sufficient size to accommodate the trash generated shall be provided on the premises. The receptacle(s) shall be within an enclosure and adequately screened from public view. The enclosure shall be architecturally compatible with the building and located within close proximity to the residential units which they are intended to serve. Commercial loading areas and trash storage areas shall not be shared with residential uses unless so determined during project review.

I. The city may require a bus stop location and shelter to be installed for the mixed-use project if deemed appropriate during project review.

J. No setback shall be required for side and rear yards, except that a minimum 10 foot-wide side yard setback shall be required in development district 1 and, in subarea A of district 3, no portion of any building or structure shall be located within 8 feet of any property line. No setback shall be required for front yards, except that a minimum 8 foot-wide front setback shall be required between a property line abutting a public street and a building where ground-floor residential uses are provided to be fully landscaped in a manner to preserve privacy for residents; and, in subarea A of district 3, no portion of any building or structure shall be located within 8 feet of any property line.

K. Adequate vehicular access shall be provided to each development project from a dedicated improved street or alley.

L. No parking of vehicles shall be permitted between the property line and the face of any building on the site. The area between the property line and face of any building may contain pedestrian amenities including, but not limited to, landscaping, walkways, outdoor seating, fountains, street furniture (e.g., benches, trash receptacles, light standards, etc.) and other improvements deemed appropriate by the city.

M. Outdoor decks shall not be permitted to be located more than 1 foot above the

finished floor of the uppermost story of any building.

N. All roof mounted-equipment and roof stairways shall be fully screened from public view, including views from above any project, by walls and a roof constructed of solid material compatible with the architecture of the building. All roof-mounted equipment and structures shall be located away from building edges toward the center of the project site as feasible.

O. Residential occupancy for senior citizen facilities shall be limited to single persons 55 years of age or older, or married couples of which one spouse is 55 years of age or older. Other considerations as to age of occupants under 55 shall be considered on a case-by-case basis.

P. A density bonus, pursuant to state law (Government Code Section 65915), shall be permitted for all projects regardless of development district as prescribed by law.

17.35.050 Density, building height, and lot coverage requirements

The following density, building height, and lot coverage requirements, as summarized in tables 1 through 3 herein, shall apply to projects in each of the specified development districts as indicated in map 17.35(a) herein:

A. No dwelling units shall be permitted in development district 2. For projects in development districts 1, 3, and 4, the minimum number of dwelling units shall be limited to 15 dwelling units per acre. For projects in development district 1, the number of dwelling units shall be limited to a maximum of 40 units per acre. For projects in development district 3, the number of dwelling units shall be limited to a maximum of 35 dwelling units per acre, except that the number of dwelling units in the district 3 subarea B shall be limited to a maximum of 40 dwelling units per acre. For projects in development district 4, the number of dwelling units shall be limited to a maximum of 35 dwelling units per acre.

Table 1 – Permitted Density by Development District

	Density	
	Minimum	Maximum
District 1	15 du/ac	40 du/ac
District 2	n/a	n/a
District 3	15 du/ac	35 du/ac
Subarea A	15 du/ac	35 du/ac
Subarea B	15 du/ac	40 du/ac
District 4	15 du/ac	35 du/ac

B. For projects in development district 1, the maximum building height shall be 44 feet. For projects in development districts 2 and 4, the maximum building height shall be 44 feet. For projects in development district 3, the maximum building height shall be 44 feet, except that the maximum building height in the district 3 subarea B shall be limited to 54 feet. Mechanical screen walls, chimneys, penthouses, and/or stairwells required by the Uniform Building Code may project a maximum of 10 feet above any maximum permitted building height. Architectural features may project a maximum of 10 feet above any maximum permitted building height subject to design review. When a sloped site is terraced, a building may exceed the maximum permitted building height by 6 feet at the transition area(s) between the lowest point of the terraced area on which the building is located and the highest point of the building above it. Building height shall be measured from existing grade to the point of the highest element of any proposed building or structure.

Table 2 – Permitted Building Height by Development District

	Maximum Building Height
District 1	44'
District 2	44'
District 3	44'
Subarea A	44'
Subarea B	54'
District 4	44'

C. For projects in development districts 1 and 3, the minimum required coverage of a lot by buildings or structures shall be 60%. For projects in development districts 2 and 4, the minimum lot coverage shall be 30%. For projects in development districts 1 and 3, the maximum permitted lot coverage shall be 75%. For projects

in development districts 2 and 4, the maximum permitted lot coverage shall be 50%. Lot coverage shall be defined as the amount of the lot covered by buildings and structures as viewed from a site plan perspective. Courtyard areas, including courtyard areas above parking garages, open to the sky shall be excluded from lot coverage calculations.

Table 3 – Permitted Lot Coverage by Development District

	Lot Coverage	
	Minimum	Maximum
District 1	60%	75%
District 2	30%	50%
District 3	60%	75%
Subarea A	60%	75%
Subarea B	60%	75%
District 4	30%	50%

17.35.060 Parking requirements for commercial/office uses

A. Where a commercial use is provided in conjunction with residential uses or office uses in a mixed-use project, the general parking requirement for the commercial use shall be 1 space for each 250 square feet of gross leaseable area, but not less than a minimum of 2 spaces for each business. Where an office use is provided in conjunction with residential or commercial uses in a mixed-use project, the general parking requirement for the office use shall be 1 space for each 300 square feet of gross leaseable area, but not less than a minimum of 2 spaces for each business, except that medical office uses shall require 1 space for each 250 square feet of gross leaseable area.

B. Parking for commercial uses within development district 2 shall be 1 space for each 250 square feet of gross leaseable area, but not less than a minimum of 2 spaces for each business.

17.35.070 Requirements for projects adjacent to Silver Spur Road within development districts 2 and 3 and “Little Silver Spur Road” within development district 1

A. For multi-story projects developed on parcel(s) adjacent to Silver Spur Road within

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development districts 2 and 3 and “Little Silver Spur Road” within development district 1, upper level-stories beyond the second story shall be required to be set back 10 feet as measured from the face of the building at the first story.

17.35.080 Requirements for projects in development district one

A. Any proposed project in development district 1 shall maintain a minimum of 25% of the ground-floor building area for non-residential uses. Said area shall be directly accessible from the public right-of-way.

17.35.090 Requirements for projects in development district two

A. Any proposed project in development district 2 shall not result in less than 2 buildings of at least 15,000 square feet of gross leasable area within the development district. Permitted uses in said buildings shall be limited to those retail uses as prescribed in Section 17.30.020(B) of the C-G District.

17.35.100 Requirements for projects adjacent to Deep Valley Drive

A. For multi-story projects developed on parcel(s) adjacent to Deep Valley Drive, second-stories shall be required to be set back 10 feet as measured from the face of the building at the first story. Upper-level stories beyond the second story shall be required to be set back 10 feet as measured from the face of the building at the second story.

B. Ground-floor building entrances facing Deep Valley Drive shall be recessed at least 36 inches and level with the public right-of-way.

C. Permitted ground-floor uses within the first 60 feet of a building as measured from the building face toward the interior of the project site shall be limited to those retail or service uses as prescribed in Sections 17.30.020(B) and 17.30.020(C) of the C-G District, except that office uses as described in Sections 17.30.020(C)(29), 17.30.020(C)(35), 17.30.020(C)(37), 17.30.020(C)(42) shall be prohibited.

D. A master sign plan shall be required for each project. Permitted wall signage shall be limited to reverse halo signage, non-internally illuminated channel letters, and pin-mounted letters with indirect illumination. Permitted pedestrian-oriented signage shall be limited to projecting signs, blade signs, or signage permanently affixed to windows. Internally-illuminated channel letters and can signs shall be prohibited.

17.35.110 Requirements for development in conformance with peninsula village overlay zone standards

Remodel and expansion of existing buildings in conformance with standards prescribed in the C-G District shall be permitted; however, existing buildings and uses shall be subject to the standards in the peninsula village overlay zone where a development on such property proposes to:

A. Add more than 50% of existing project square footage or alter more than 50% percent of existing linear walls for developments located in development districts 1, 3, and 4;

B. Add more than 25% percent of existing project square footage or alter more than 25% percent of linear walls for developments located in development district 2.