



Form-Based Code

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CHAPTER 2

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SECTIONS

- 2.01 Intent and Use of the Code
- 2.02 Administration of Regulating Code
- 2.03 Regulating Plan
- 2.04 Development Standards
- 2.05 Supplemental General Development Standards
- 2.06 General Public and Private Open Space Standards
- 2.07 Definitions

2.01 INTENT AND USE OF THE CODE

2.01.01 PREAMBLE

This Form Based Code (FBC) is a key component of the San Pablo Avenue Specific Plan. The Specific Plan promotes economic development and context-sensitive design to create San Pablo Avenue as a vibrant, walkable, sustainable and transit-oriented residential and commercial neighborhood that respects and compliments the surrounding community through a streamlined, tiered review process, increased development intensity thresholds, and supportive design guidelines.

The standards and codes in the FBC are based on detailed existing conditions analysis, City Council direction and community input received during numerous workshops directly related to the development of the Specific Plan. It also reflects the community feedback received during various concurrent and adopted projects such as the El Cerrito Strategic Plan (2013), El Cerrito Climate Action Plan (2013), Ohlone Greenway Master Plan (2009), El Cerrito Urban Forest Management Plan (2007), El Cerrito Urban Greening Plan (in development 2014), El Cerrito Active Transportation Plan (in development 2014), Richmond General Plan (2012) and Richmond Livable Corridors Form Based Code Plan (in development 2014).

2.01.01.01 Context-sensitivity and community assets

While the goal of this Plan is to foster new development, it does so with the understanding and sensitivity to existing conditions both within the

Plan area and throughout the El Cerrito community. Existing natural and human-made elements within the Plan Area are valued by the City of El Cerrito and should be given special consideration by developments adjacent to or containing them.

It is the intent of the City of El Cerrito to avoid unnecessary demolition or significant alteration of historic and/or cultural resources. Preservation and creative reuse of existing buildings is an excellent form of sustainable construction and instills a sense of history and character on the Avenue. Projects re-using these resources are required to use the Department of Interior Standards for any exterior modification. Demolition of these structures shall only be contemplated when other options have been exhausted. Please consult Chapter 7: Cultural and Historic Resources of the Environmental Impact Report.

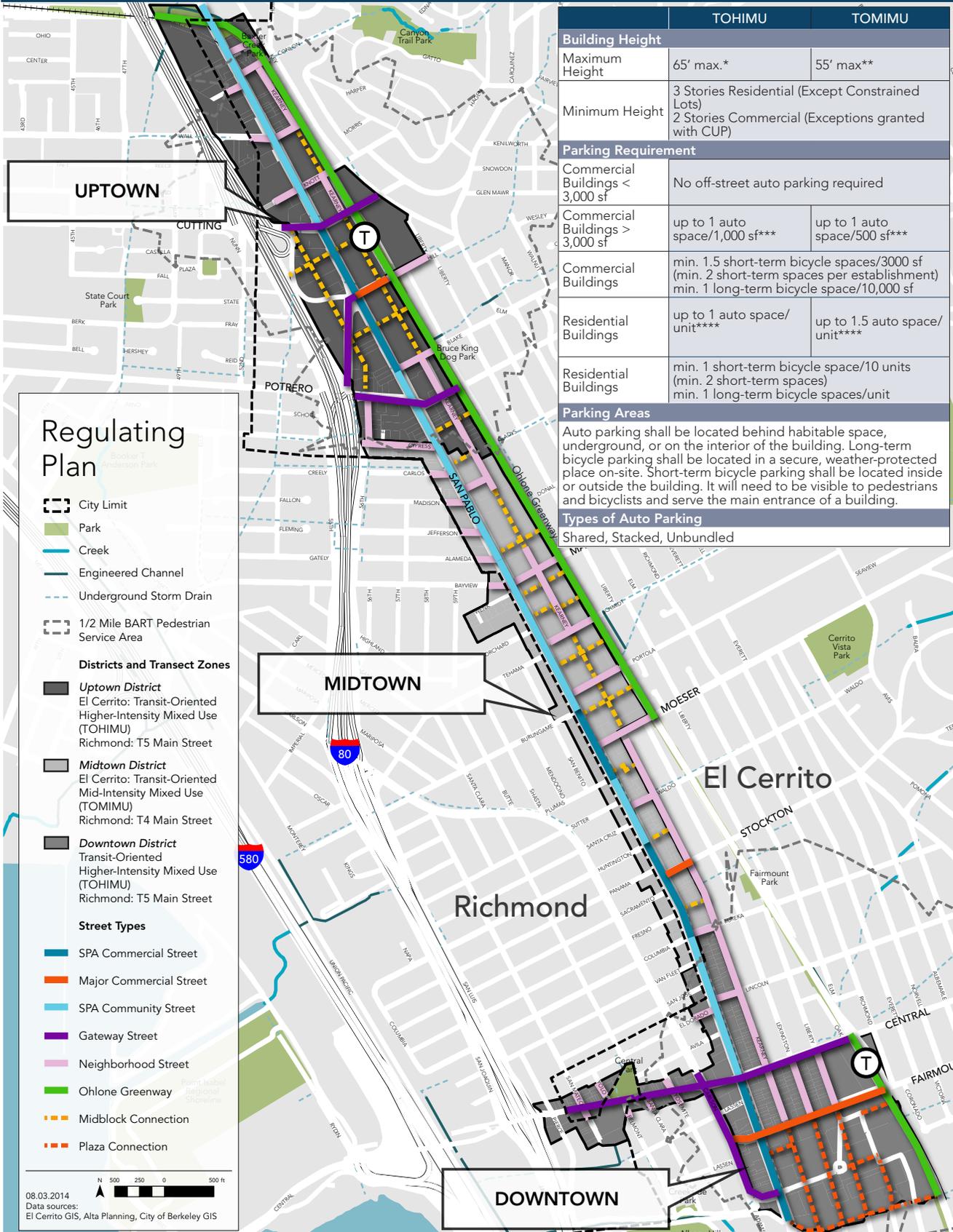
On parcels that contain creeks, Cerrito and Baxter Creek are of particular priority to the City and it is the intent of the City of El Cerrito that these resources be treated as important assets that provide environmental, recreational and aesthetic value to the community. Open-air creeks are a public good. Development should strongly consider daylighting creeks where they are buried, enhancing or restoring creeks where feasible and integrating them into a project as a site amenity. Please consult Section 19.12 Creek Protection Overlay District of the El Cerrito Municipal Code.

Additional open space standards ensure long-term environmental sustainability, while reinforcing El Cerrito's identity as an environmentally focused Bay Area destination. Shadows and views must be considered throughout the design process to create buildings that respect and compliment surrounding neighborhoods, while preserving existing community amenities. For more information see Section 2.05.02.03 Views, Section 2.05.02.02 Shadow Standards, and Section 2.06 General Public and Private Open Space Standards.

In order to increase accessibility and livability while increasing land use intensity, the Plan sets forth both design guidelines and development standards to increase walking, biking and transit use, including: pedestrian right-of-way regulations, bicycle parking standards, midblock connection design guidelines and Transportation Demand Management components. For more information, see Section 2.03 Regulating Plan.

2.01.02 FBC SUMMARY: REGULATING PLAN AND DEVELOPMENT STANDARDS

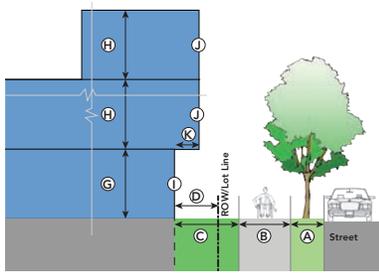
Standards are for Tier 2 projects. See Tier IV for projects which vary from these standards.



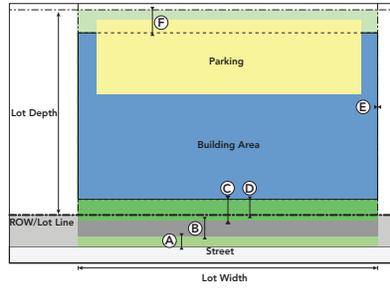
	TOHIMU	TOMIMU
Building Height		
Maximum Height	65' max.*	55' max.**
Minimum Height	3 Stories Residential (Except Constrained Lots) 2 Stories Commercial (Exceptions granted with CUP)	
Parking Requirement		
Commercial Buildings < 3,000 sf	No off-street auto parking required	
Commercial Buildings > 3,000 sf	up to 1 auto space/1,000 sf***	up to 1 auto space/500 sf***
Commercial Buildings	min. 1.5 short-term bicycle spaces/3000 sf (min. 2 short-term spaces per establishment) min. 1 long-term bicycle space/10,000 sf	
Residential Buildings	up to 1 auto space/unit****	up to 1.5 auto space/unit****
Residential Buildings	min. 1 short-term bicycle space/10 units (min. 2 short-term spaces) min. 1 long-term bicycle spaces/unit	
Parking Areas		
Auto parking shall be located behind habitable space, underground, or on the interior of the building. Long-term bicycle parking shall be located in a secure, weather-protected place on-site. Short-term bicycle parking shall be located inside or outside the building. It will need to be visible to pedestrians and bicyclists and serve the main entrance of a building.		
Types of Auto Parking		
Shared, Stacked, Unbundled		

*85'-0" max. if project is consistent as an affordable housing project, as defined by state law
 **65'-0" max. if project is consistent as an affordable housing project, as defined by state law
 *** All projects include basic Transportation Demand Management (TDM). Projects proposing 0-0.5 auto spaces/residential unit may be required to perform a parking study and/or provide additional TDM measures.
 **** All projects include basic TDM. Projects proposing 0-1 auto spaces/residential unit may be required to perform a parking study and/or provide additional TDM measures.

2.01.03 FBC SUMMARY: REGULATION BY STREET TYPE



Development Standards Section Diagram



Development Standards Plan Diagram



Amenity Zone Pedestrian Zone Activity Zone

Building Placement	SPA/Major Commercial	SPA Community Street	Gateway Street	Neighborhood Street	Ohlone Greenway	Midblock Connection	Potential Plaza Connection
Sidewalk Amenity Zone	A 6'-0" min.	6'-0" min.	4'-0" min.	5'-0" min.	n/a	5'-0" min.	14'-0" min.
Sidewalk Pedestrian Zone	B 8'-0" min. clear pathway	8'-0" min. clear pathway	6'-0" min. clear pathway	6'-0" min. clear pathway commercial uses, 5' min. clear pathway residential uses	n/a	10'-0" min. clear pathway	20'-0" min.
Sidewalk Activity Zone	C 4'-0" min.	0'-0" min.	0'-0" min.	0'-0" min.	n/a	Same as Amenity Zone	Same as Amenity Zone
Ground Floor Front Setback	D Min: Distance from ROW necessary to accommodate zones A, B, and C Max: Up to 10' non-residential uses, Up to 15' residential uses	Min: Distance from ROW necessary to accommodate zones A and B Max: Up to 10' non-residential uses, Up to 15' residential uses	Min: Distance from ROW necessary to accommodate zones A and B Max: Up to 10' non-residential uses, Up to 15' residential uses	Min: Distance from ROW necessary to accommodate zones A and B Max: Up to 10' non-residential uses, Up to 15' residential uses	Up to 10' non-residential uses, Up to 15' residential uses	n/a	n/a
Side Setback	E 0'-0"	0'-0"	0'-0"	0'-0"	0'-0"	0'-0"	0'-0"
Rear Setback	F See Shadows*	See Shadows*	See Shadows*	See Shadows*	See Shadows*	n/a	n/a
Pedestrian Access	Street fronting ground floor units and spaces to have individual entries along front. Upper floor units and spaces to be accessed by common entry along front.	Street fronting ground floor units and spaces to have individual entries along front or side streets. Upper floor units and spaces to be accessed along the front or side streets.	Street fronting ground floor units and spaces to have individual entries along front or side streets.	Street fronting ground floor units and spaces to have individual entries along front or side streets.	Ground floor units and spaces to have individual entries along front or side streets.	Ground floor units and spaces to have individual entries along front or side streets.	Ground floor units and spaces to have individual entries along front or side streets.
Vehicular Access	Max. 24' 2-way driveways, min. 100' apart. Side access on corner lots	Max. 20' 2-way driveways, min. 100' apart. Side access on corner lots	Max. 24' 2-way driveways. Side access on corner lots	Max. 20' 2-way driveways, and 10' 1-way driveways	n/a	n/a	n/a
Building Form							
Upper Floor Setbacks	See Shadows*	See Shadows*	See Shadows*	See Shadows*	See Shadows*	0'-0"	0'-0"
Ceiling Height Ground Floor (fin. floor to fin. ceiling)	G 14'-0" min. clear to allow for flex space	14'-0" min. clear to allow for flex space	14'-0" min. clear to allow for flex space	14'-0" min. clear to allow for flex space	9'-0" min. clear	Regulated by primary street	9'-0" min. clear
Ceiling Height Upper Floors (fin. floor to fin. ceiling)	H 9'-0" min. clear	9'-0" min. clear	9'-0" min. clear	9'-0" min. clear	9'-0" min. clear	9'-0" min. clear	9'-0" min. clear
Building Length	200' max. (Downtown), 300' max. (Uptown and Midtown)	200' max.	300' max.	200' max.	200' max (Downtown), 300' max (Uptown and Midtown)	300' max.	300' max.
Transparency Ground Floor	I 75% min.	Non-residential 75% min., Residential 40% min.	Non-residential 50% min., Residential 30% min.	Non-residential 50% min., Residential 30% min.	Non-residential 50% min., Residential 30% min.	Non-residential 50% min., Residential 30% min.	Non-residential 50% min., Residential 30% min.
Transparency Upper Floors	J 30% min.	30% min.	25% min.	25% min.	25% min.	25% min.	25% min.
Encroachments Front	K 4'-0" max	4'-0" max	2'-0" max	2'-0" max with ground floor commercial	not allowed	n/a	n/a
Encroachments Rear	4'-0" max	4'-0" max	4'-0" max	4'-0" max	4'-0" max	n/a	n/a
Allowed Frontage Types	Min. 50% Shop Front Max. 50% Arcade (NE side), Forecourt (NE side), Flex, or Eco-front	Min: 50% Flex Max: 50% Forecourt (NE side) Max: 100% Shop Front, Arcade (NE side SPA), or Eco-front	Shop Front, Forecourt (NE side), Flex, Frontyard, or Eco-front	Front Yard, Forecourt (NE side), Flex (commercial), Shop Front (commercial)	Forecourt (NE side), Flex, Frontyard, or Eco-front Max. 50%: Shop Front	Flex, Frontyard, or Eco-front Max. 50%: Shop Front	Front Yard, Forecourt (NE side), Flex, Shop Front, Eco-front

* See Section 2.01.05 FBC Summary: Shadows

2.01.04 FBC SUMMARY: FRONTAGE STANDARDS

Frontage Type	Street Type						MBC	PPC
	SPC	SPM	MC	GWY	NS	OG		
Shop Front	•	•	•	•	•***	•	•	•
Flexible	•	•	•	•	•***	•	•	•
Arcade/Gallery*	•	•						
Forecourt**	•	•	•	•	•	•		•
Front Yard				•	•	•	•	•

STREET TYPE GLOSSARY:

- SPC:** San Pablo Avenue Commercial
- SPM:** San Pablo Avenue Community
- MC:** Major Commercial
- GWY:** Gateway
- NS:** Neighborhood
- OG:** Ohlone Greenway
- MBC:** Midblock Connection
- PPC:** Potential Plaza Connection

* Note: Arcades are allowed only on the south and west facades of buildings to minimize sun glare.

** Note: Forecourts should be situated to maximize solar access.

***Note: Shop Fronts and Flex spaces are only allowed on Neighborhood Streets with planned commercial uses.



Shop Front



Flexible



Arcade/Gallery



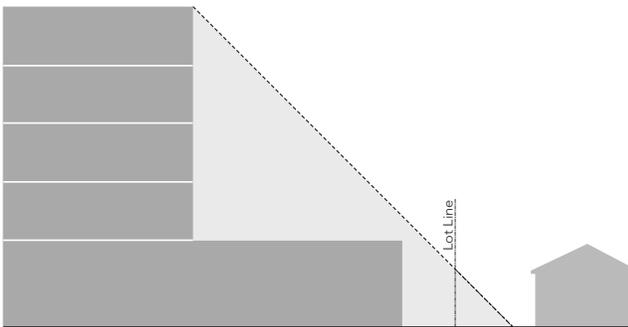
Forecourt



Frontyard

2.01.05 FBC SUMMARY: SHADOWS

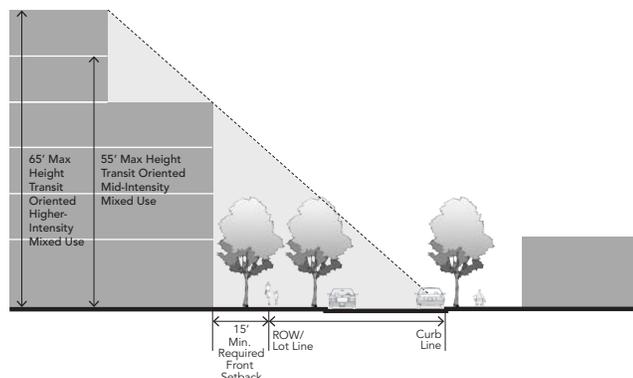
Rear and Upper Floor Rear Setback Adjacent to Residential Lot



Buildings shall not cast shadows onto adjacent existing residential uses on Winter Solstice (December 21):

- Adjacent parcels to the east greater than 14'-0" deep at 1:30pm.
- There is no requirement for shadows onto adjacent parcels to the west because shadows are negligible due to solar angle.

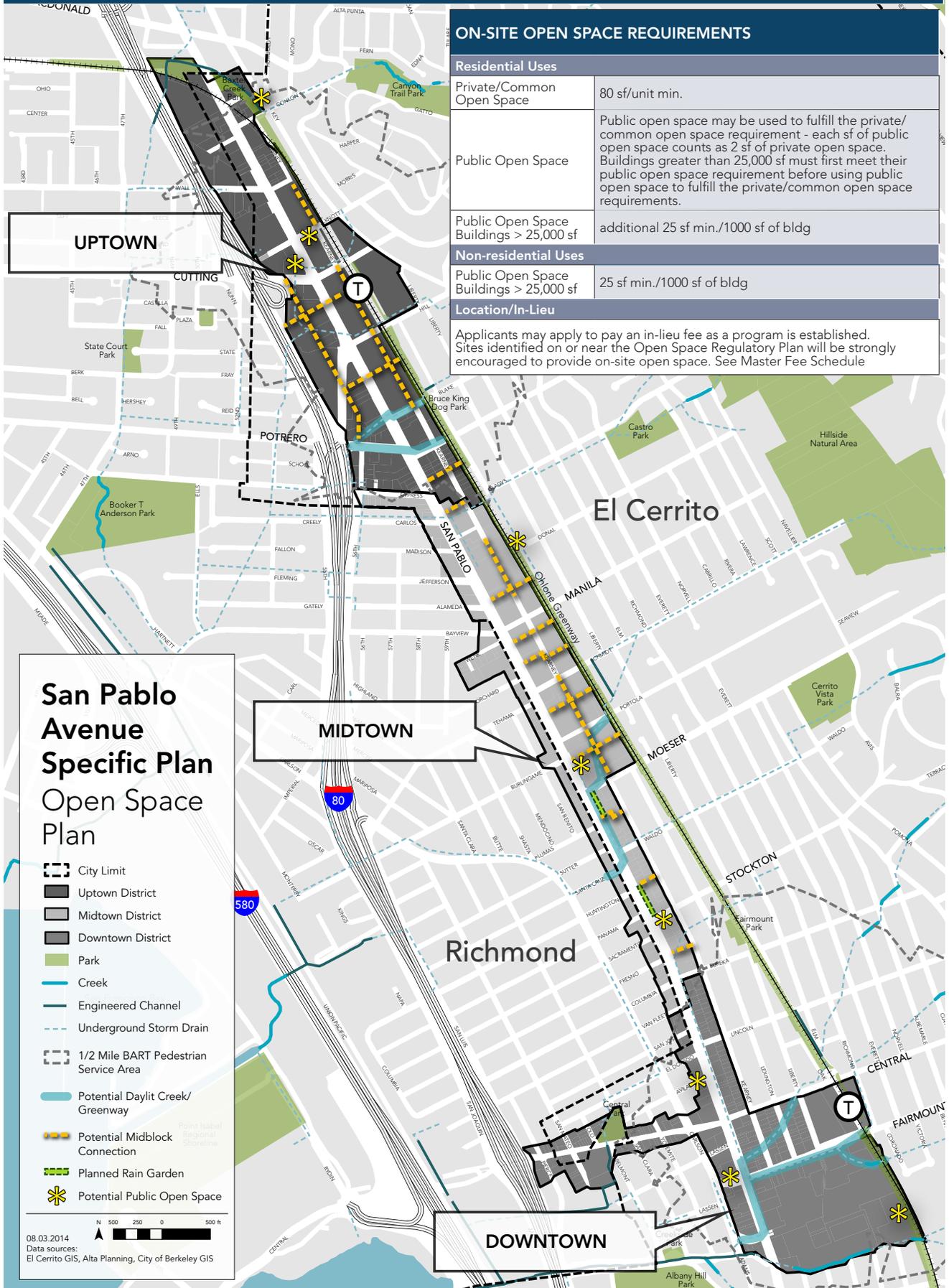
Front and Upper Floor Front Setback Along Street



Buildings shall not cast shadows beyond the curb line on the opposite side of the street on Winter Solstice (December 21):

- Streets to the east of the parcel at 1:30pm.
- Streets to the north of the parcel at 10:00am or 4:00pm.
- There is no requirement for streets to the south and west of the parcel because shadows are negligible due to solar angle.

2.01.06 FBC SUMMARY: OPEN SPACE STANDARDS



Note: Daylighting creeks may be considered on a project by project basis. The City has no adopted Creek Daylighting requirement.

2.01.07 HOW TO USE THE PLAN

1. Review the Application Process and Determine Design Review Tier Follow the application and processing procedures outlined in the Administration of Regulating Code Section.	<i>See Section 2.02 Administration of Regulating Code</i>
	
2. Determine Transect Zone Determine whether your parcel(s) are within one of the Transect Zones in the Specific Plan Area: Transit-Oriented Higher-Intensity Mixed Use (TOHIMU) or Transit-Oriented Mid-Intensity Mixed Use (TOMIMU).	<i>See Section 2.03.02 Transect Zones</i>
2a. Comply with Land Use Regulations Determine whether the proposed use(s) are permitted in the Transect Zone and comply with Land Use Regulations.	<i>See Section 2.03.03 Land Use Regulations and FBC Table 03. Transect Zone Land Use Regulations</i>
2b. Comply with Building Height Standards Determine minimum and maximum building height standards for the Transect Zone.	<i>See Section 2.03.02 Transect Zones and FBC Table 02. Transect Zone Development Standards</i>
	
3. Determine Street Type Determine which Street Type your parcel(s) front. If you have a corner parcel you must determine the primary street based on the street hierarchy outlined.	<i>See Section 2.03.13 Street Types</i>
3a. Comply with Development Standards Determine building placement and building form standards by Street Type.	<i>See Section 2.04.01 Regulation by Street Type</i>


Continued on next page

4. Comply with Supplemental Development and Open Space Standards

Determine pertinent additional development standards and guidelines that supplement Transect Zone and Street Type development standards.

See Sections 2.05 Supplemental General Development Standards and 2.05.06 General Public and Private Open Space Standards

4a. Comply with Site Layout Standards

Determine building orientation, as well as setback and height with respect to shadows and views.

Consider any existing assets such as creeks and historic or cultural resources in site layout, as appropriate.

See Sections 2.05.02 Site Layout, 2.01.01 Preamble, 2.05.02.01 Building Orientation, 2.05.02.02 Shadow Standards, and 2.05.02.03 Views

4b. Comply with Building Articulation Standards

Determine general articulation standards, frontage types, wall plane variations, colors, materials, and textures.

See Sections 2.05.03 Building Articulation, 2.05.03.02 Variable Wall Plane and Height, 2.05.03.03 Colors, Materials and Textures, and 2.05.04 Frontage Types

4c. Consider Sustainable Design Elements and Public Art

Consider implementation of public art requirements and any/all possible sustainable design elements.

See Sections 2.05.05 Sustainable Design Elements and Public Art, 2.05.05.01 Energy, 2.05.05.03 Urban Farming, 2.05.05.04 Art in Public Places Program

4d. Comply with Open Space Standards

Comply with open space requirements and determine appropriate on-site open space types based on open space type guidelines and map. Refer to planting standards for requirements and guidelines.

See Section 2.05.06 General Public and Private Open Space Standards

4e. Comply with Parking Requirements and Design Standards

See Section 2.05.07 Parking Standards

4f. Comply with Landscaping, Fencing and Screening Standards

See Section 2.05.08 Landscaping, Fencing and Screening Standards

4g. Comply with Signage Requirements and Standards

See Section 2.05.09 Sign Regulations and 2.05.10 Signage Standards

The following pages summarize the Regulating Plan, Development, Frontage and Open Space Standards for reference purposes only. The complete requirements are described in detail in the sections outlined above.

2.02 ADMINISTRATION OF REGULATING CODE

2.02.01 PURPOSE AND INTENT

- A. This ADMINISTRATIVE PROCEDURES Section sets forth the processes used for the application, review, and decision-making for land development and use requests within the Specific Plan area, and identifies the land use regulations for the various Transect Zones established by this Specific Plan.
- B. It is the intent of this Specific Plan that any developer, builder, property owner, or other authorized agent seeking to establish a use and/or develop pursuant to this Specific Plan will have an application processed in an expeditious manner with administrative approvals where allowed by these ADMINISTRATIVE PROCEDURES. Applications that deviate from the standard provisions, where allowed by this Specific Plan, will require discretionary review and action.

2.02.02 APPLICABILITY

The development and use of all properties included within the Specific Plan area shall conform to this Chapter.

2.02.02.01 Conflicting and Additional Requirements

- A. El Cerrito Municipal Code and Specific Plan. The *El Cerrito Municipal Code* shall be and remain in full force and effect. In the event of a conflict between the provisions of this Specific Plan and the *El Cerrito Municipal Code*, the provisions of the Specific Plan shall take precedence.
- B. Development Agreements. If conflict occurs between the requirements of the Specific Plan and any standards or other regulations adopted as part of any Development Agreement, the requirements of the Development Agreement shall apply.
- C. Other Requirements May Apply. The specifications for and quality of construction and installation of all structures and infrastructure shall comply with the rules, regulations, standards and requirements of the City of El Cerrito. Nothing in the Specific Plan is intended to and no provision of the Specific Plan shall be interpreted to preclude the application and enforcement of other state and federal laws and regulations, including but not limited to the California Building Standards Code (Title 24), the California Fire Code, the Permit Streamlining Act (Gov Code 65920), California Density Bonus Law and the C.3 requirements of the California Regional Water Quality Control Boards' Municipal Regional Permit. The Specific Plan shall not be regarded as preventing or exempting compliance with building and construction codes and accessibility standards.
- D. Master Fee Schedule. All projects within El Cerrito's jurisdiction are subject to the current El Cerrito Master Fee Schedule, including in-lieu fees as developed.

FBC TABLE 01. ADMINISTRATIVE TIERS

Tier Level	Applicability	Entitlement Process
Tier I	Improvements to Non-conforming structures less than 50% of the building's appraised value and Minor improvements and Additions	Administrative Design Review Use Permit may be required
Tier II	New Construction that complies with all Standards of the Specific Plan	Design Review Board Site Plan and Design Review Use Permit
Tier III	Major Improvements to Non-conforming structures equal to or exceeding 50% of the building's appraised value	Design Review Board Site Plan and Design Review Use Permit may be required
Tier IV	Innovative, High-Quality New Projects that comply with the Intent of the Specific Plan but do not conform to all Specific Plan regulations.	Planning Commission Site Plan and Design Review Use Permit may be required

2.03.04 APPROVAL PROCEDURES

2.03.04.01 Review Authority

This Specific Plan shall be administered by the City Council (Council), the Planning Commission (Commission), the Design Review Board (Board), the Zoning Administrator/Development Services Manager (hereafter referred to as "Zoning Administrator"), and the Community Development Director. *FBC Table 05. Designated Approving Authority* identifies the review authority established for the Specific Plan. The rules for each procedure are provided below.

FBC TABLE 05. DESIGNATED APPROVING AUTHORITY					
Type of Permit or Action	Review/Approving Authority				
	Zoning Admin. (Public Hearing)	Community Development Director	Design Review Board	Planning Commission (Public Hearing)	City Council (Public Hearing)
Administrative and Legislative Actions					
Development Agreement		Recommend		Recommend	Decision
Specific Plan Amendment		Recommend		Recommend	Decision
Specific Plan Interpretation	Decision			Appeal	Appeal
Development Permits and Approvals					
Administrative Use Permit	Decision			Appeal	Appeal
Conditional Use Permit	Recommend			Decision	Appeal
Site Plan and Design Review - Tier I	Decision		Appeal		Appeal
Site Plan and Design Review – Tier II	Recommend		Decision	Appeal	Appeal
Site Plan and Design Review – Tier III	Recommend		Decision	Appeal	Appeal
Site Plan and Design Review – Tier IV			Decision on Design Elements	Decision	Appeal
Sign Permit – Permanent Signage	Decision		Appeal		
Sign Permit – Temporary Signage	Decision	Appeal			
Sign – Master Sign Program	Recommend		Decision	Appeal	Appeal
Specific Plan Clearance Review	Decision			Appeal	Appeal
Temporary Uses	Decision	Appeal			
Waiver	Decision			Appeal	Appeal
Variance	Recommend			Decision	Appeal

2.03.04.02 Responsibilities of Zoning Administrator

The Zoning Administrator is the Community Development Director or other City staff member appointed by the Community Development Director to manage administration of the Planning Division and implementation of the Specific Plan. In addition to the responsibilities described in *El Cerrito Municipal Code Section 19.31.060, Zoning Administrator*, the Zoning Administrator has the powers and duties pursuant to this Specific Plan and as listed in *FBC Table 05. Designated Approving Authority*. In addition to the responsibilities listed in *FBC Table 05. Designated Approving Authority*, the Zoning Administrator has the following powers and duties:

- A. Interpret the Specific Plan to members of the public and to other City Departments.
- B. Issue written regulations for the administration of this Specific Plan.
- C. Make determinations of Specific Plan Tier level and conformance pursuant to Chapter 19.33, Zoning Conformance Review.
- D. Make written interpretations of the Specific Plan, verifications of zoning regulations, verifications related to previous permits, and other matters related to the application and interpretation of the Specific Plan.
- E. Make recommendations to the Design Review Board and Planning Commission on guidelines for conducting design review.
- F. Review applications to determine if they are complete and shall be accepted for processing under the requirements of this Specific Plan.
- G. Subject to appeal as specified in this Specific Plan and State law, administer environmental review requirements pursuant to the California Environmental Quality Act and the City's adopted environmental review guidelines. The highest decision-making entity above the Zoning Administrator responsible for action on an application for a development permit shall approve a Negative Declaration or Mitigated Negative Declaration or certify the Final Environmental Impact Report prior to the time the project is considered for approval.
- H. Review, approve, conditionally approve, or deny applications for Administrative Use Permits and Waivers.
- I. Approve amendments to Administrative Use Permits, Conditional Use Permits and Design Review approvals and other types of approvals as provided for in the *El Cerrito Municipal Code Chapter 19.32, Common Procedures*.
- J. Review, approve, conditionally approve, or deny applications for Tier I signs that do not require action by the Design Review Board or Planning Commission.
- K. Recommend to the Design Review Board for action on any Design Components of Tier II and Tier III review, and for a Master Sign Program.
- L. Recommend to the Planning Commission for action any application for a Conditional Use Permit, Site Plan and Design Review – Tier IV, Amendment to the Specific Plan, or Variance pursuant to the provisions of this Specific Plan.
- M. Analyze, process and make recommendations to the Planning Commission on all applications, appeals and other matters upon which the Commission has the authority and the duty to act under the provisions of this Specific Plan.
- N. Determine whether applications would require a zoning change or amendment to the General Plan.
- O. Provide public notice as required for Zoning Administrator, Planning Commission and Design Review Board hearings.
- P. Serve as or designate a member of the Planning Department staff to serve as Secretary of the Planning Commission and Design Review Board.

- Q. Investigate and make reports on violations of permit terms and conditions when the City has initiated revocation procedures.
- R. Require a public hearing before the Planning Commission or Design Review Board for any entitlement that the Administrator determines to have special neighborhood or community significance. In such cases the applicant shall pay the fee for the Planning Commission public hearing specified in the fee schedule adopted by the City Council. The decision shall be made by the Planning Commission, and appeals shall be heard by the City Council.

2.03.04.03 Responsibilities of Community Development Director

The Community Development Director is a City staff member designated by the City Manager to oversee and implement the Specific Plan. In addition to the responsibilities listed above in *FBC Table 05. Designated Approving Authority*, the Community Development Director has all the powers and duties pursuant to this Specific Plan.

- A. Act as or appoint a Zoning Administrator pursuant to the *El Cerrito Municipal Code, Section 19.31.060*.
- B. Provide professional recommendations to the City Council, Planning Commission, Design Review Board, other appointed officials and City management on matters related to the planning and development of the Specific Plan.

2.03.04.04 Responsibilities of the Design Review Board

The Design Review Board has the following power and duties under this Specific Plan and as listed *FBC Table 05. Designated Approving Authority*.

- A. Hold public hearings and approve, conditionally approve, amend or deny Design Components of Tier II and Tier III applications, as described in this chapter.
- B. Hold public hearings and approve, conditionally approve, amend or deny Master Sign Program applications, as described in this chapter.
- C. Hold public hearings and make recommendations to the Planning Commission about Tier IV projects as described in this chapter.
- D. Hear and decide appeals from Tier I decisions of the Zoning Administrator in the enforcement of this Specific Plan and any other decisions that are subject to appeal pursuant to the procedures in the *El Cerrito Municipal Code Chapter 19.39, Appeals*.
- E. Make environmental determinations on any approvals it grants that are subject to the California Environmental Quality Act and the City of El Cerrito's adopted environmental review guidelines, pursuant to the provisions of the *El Cerrito Municipal Code Chapter 19.42, Environmental Review*.

2.03.04.05 Responsibilities of the Planning Commission

The Planning Commission has the following power and duties under this Specific Plan and as listed *FBC Table 05. Designated Approving Authority*.

- A. Initiate, review, and recommend to the City Council amendments to the Specific Plan.
- B. Hold public hearings and approve, conditionally approve, amend or deny Tier IV applications, as described in this chapter.
- C. Approve, conditionally approve, amend or deny Conditional Use Permits and Variances pursuant to the provisions of the *El Cerrito Municipal Code Chapters 19.34, Use Permits, and 19.36, Variances*.
- D. Approve, conditionally approve, amend, or deny design review appeals of decisions by the Design Review Board pursuant to the *El Cerrito Municipal Code Chapter 19.39, Appeals*.
- E. Initiate proceedings to revoke Conditional Use Permits, Variances, or other zoning permits pursuant to the provisions of the *El Cerrito Municipal Code Chapter 19.32, Common Procedures*, and all other

enforcement provisions of this Specific Plan.

- F. Hear and decide appeals from decisions of the Zoning Administrator in the enforcement of this Specific Plan and any other decisions that are subject to appeal pursuant to the procedures in the *El Cerrito Municipal Code Chapter 19.39, Appeals*.
- G. Hold public hearings and make recommendations to the City Council about Development Agreements, pursuant to the provisions in the *El Cerrito Municipal Code Chapter 19.41, Development Agreements, El Cerrito Municipal Code Chapter 19.12, Creek Protection Overlay District, and El Cerrito Municipal Code Chapter 19.14, Planned Development District*.
- H. Make environmental determinations on any approvals it grants that are subject to the California Environmental Quality Act and the City of El Cerrito's adopted environmental review guidelines, pursuant to the provisions of the *El Cerrito Municipal Code Chapter 19.42, Environmental Review*.
- I. Determine which concessions the City should grant to development projects that are eligible for such concessions under the provisions of State law applicable to affordable housing.
- J. Other duties and powers as assigned by the City Council.

2.03.04.06 Responsibilities of the City Council

The City Council has the following powers and duties under this Specific Plan and as listed *FBC Table 05, Designated Approving Authority*.

- A. Consider and adopt, reject or modify amendments to the Specific Plan as recommended by the Planning Commission pursuant to the *El Cerrito Municipal Code*, this Specific Plan, and of the State Planning and Zoning Law.
- B. Hear and decide appeals from decisions of the Planning Commission on Conditional Use Permits, Variances, and any other permits that can be appealed pursuant to the provisions of the *El Cerrito Municipal Code Chapter 19.39, Appeals*, and other applicable requirements.
- C. Hear and decide appeals on environmental determinations by the Zoning Administrator, the Design Review Board, or the Planning Commission as provided for in the California Environmental Quality Act.

2.03.05 GENERAL APPLICATION PROCEDURES

2.03.05.01 Pre-Application Review (Optional)

- A. Prior to extensive project design and a formal submittal of required application(s), the applicant is encouraged to schedule a pre-application review with the Zoning Administrator to discuss the procedures, standards and regulations. This review may include preliminary feedback from other City departments, as needed. This review may include preliminary feedback from other City departments, as needed.
- B. Pre-Application review is an optional review process that is intended to provide information and feedback to applicants on relevant policies, regulations, guidelines, and procedures related to projects subject to discretionary approvals pursuant to this Specific Plan. This review is intended for large, complex, and/or potentially controversial projects.
- C. No submittal will be accepted for pre-application review without payment of a fee established by resolution of the City Council and submission of materials that the Zoning Administrator has determined necessary to conduct such review.
- D. A potential applicant may request or the Zoning Administrator may recommend pre-application review by the Planning Commission or Design Review Board. Any recommendations that result from such review shall be advisory only and not binding on the applicant or City.
- E. The Zoning Administrator shall inform the applicant of requirements as they apply to the proposed project, provide a preliminary list of issues that will likely be of concern during formal application review, suggest possible modifications to the project, convey community priorities, assess opportunities to provide additional community benefits in keeping with the goals of the Specific Plan and identify any technical studies that may be necessary for the review process when a formal application is submitted. Any work product produced as part of the pre-application is not binding for either the applicant or the City.

2.03.05.02 Community Charrette

- A. In addition to or in lieu of Pre-Application Review, Tier II, Tier III and Tier IV applicants may host a Community Charrette prior to project design to discuss community priorities and site history. The Zoning Administrator may require projects of unique significance or complexity to host a charrette.
- B. A Community Charrette is a process that is intended to provide information early on in the design process that may effect site layout, physical form and design characteristics. This review is intended for all projects looking to maximize community benefit, while meeting the regulations of this Specific Plan.
- C. Applicant may choose to host a Community Charrette separately or may choose to submit payment of a fee established by City Council to cover the cost of facility rental and Community Development Department Staff time. Applicant may request a pre-defined format from City Staff.
- D. Any discussions held are not binding for either the applicant or the City.

2.03.05.03 Application forms and fees.

- A. Applicants. The following persons may file applications:
 1. The owner of the subject property.
 2. An agent representing the owner, duly authorized to do so in writing by the owner.
 3. A lessee in possession of the subject property applying for a Zoning Clearance or Use Permit for a Home Occupation may file without the consent of the owner, provided that in the case of an application for a Use Permit for a Home Application, the owner of the property shall be given notice of the application.

B. Application Forms and Supporting Materials.

1. The Zoning Administrator or designee shall prepare and issue application forms and lists that specify the information that will be required from applicants for projects subject to the provision of this Specific Plan.
2. The Zoning Administrator may require the submission of supporting materials as any part of the application, including but not limited to statements, photographs, plans, drawings, renderings, visual simulations, models, materials samples and other items necessary to describe existing conditions and the proposed project. The Zoning Administrator may require sufficient information to permit the City to determine the level of additional environmental review that may be required pursuant to the California Environmental Quality Act and the City's adopted environmental review guidelines. This documentation may include, as appropriate, special studies to investigate the possibility of:
 - a. Historic, cultural or archeological resources
 - b. Creeks or other environmental resources
 - c. Any information regarding toxic contaminants, and
 - d. Odors.

The City has a number of resources to assist in identifying sites that have the potential for requiring further study in the areas. This includes the Oakland Museum Watersheds of El Cerrito map and a list of properties located within the Plan Area that may have historic, cultural or archeological significance.

Unless otherwise specified, all renderings shall depict the proposed structure, landscaping, other improvements, and surrounding land uses as they would appear three years after project completion.

3. All materials submitted becomes the property of the City and public information.
4. At any time upon reasonable request, and during normal business hours, any person may examine an application and materials submitted in support or in opposition to an application in the Planning Department offices. Unless barred by law, copies of such materials shall be made available at a reasonable cost to be established annually through City Council resolution.

2.03.05.04 Review of Applications

When an application has been determined to be complete, the Zoning Administrator shall make a record of that date. If an application requires a public hearing, the Zoning Administrator shall schedule such hearing and notify the applicant of the date and time.

The Zoning Administrator may, upon written request by the applicant and for good cause, grant extensions of any time limit for review of applications imposed by this Specific Plan in compliance with State law.

2.03.07 APPROVAL REQUIREMENTS: APPLICATION FOR DISCRETIONARY ACTION NOT REQUIRING A PUBLIC HEARING

2.03.07.01 Specific Plan Interpretation

2.03.07.01.01 Authority

The Zoning Administrator shall interpret the provisions of the Specific Plan. Applications for a Specific Plan Interpretation shall be filed with the Zoning Administrator. The Zoning Administrator shall respond in writing to written requests for Specific Plan Interpretations within 30 days from the date the application has been deemed complete. The Zoning Administrator may issue an official interpretation or refer any issue of interpretation to the Planning Commission for its determination.

2.03.07.01.02 Official Interpretations

- A. Official interpretations shall be written and shall quote the provisions of this Specific Plan being interpreted, and the applicability in the particular or general circumstances that caused the need for interpretations, and the determination.
- B. Official interpretations shall be distributed to the Community Development Director, City Attorney, and City Clerk. Any provision of this Specific Plan that is determined by the Zoning Administrator to need refinement or revision will be corrected by amending this Specific Plan as soon as is practical. Until an amendment can occur, the Zoning Administrator will maintain a complete record of all official interpretations to this Specific Plan, indexed by the number of the Article or Section that is the subject of the interpretation.
- C. Rules of Interpretation
 1. Language - When used in the Specific Plan, the words "shall," "must," "will," "is to," and "are to" are always mandatory. "Should" is not mandatory but is strongly recommended; and "may" is permissive. The present tense includes the past and future tenses; and the future tense includes the present. The singular number includes the plural number, and the plural the singular, unless the natural construction of the word indicates otherwise. The words "includes" and "including" shall mean "including but not limited to . . ."
 2. Time limits - Whenever a number of days is specified in the Specific Plan, or in any permit, condition of approval, or notice provided in compliance with the Specific Plan, the number of days shall be construed as calendar days. A time limit shall extend to close of business day on the following working day when the last of the specified number of days falls on a weekend or holiday.
 3. State law requirements - Where the Specific Plan references applicable provisions of State law (for example, the California Government Code, Subdivision Map Act, or Public Resources Code), the reference shall be construed to be the applicable State law provisions as they may be amended from time to time.
 4. Interpretations of the Specific Plan may be appealed to the Planning Commission. The appeal must demonstrate that there is either an error or abuse of discretion by the Zoning Administrator, or that the Zoning Administrator decision is not supported by the evidence in the record. In its review of the appeal, the Planning Commission shall consider the purpose and intent, as well as the letter, of the pertinent provisions, and shall affirm, modify, or reverse the Zoning Administrator determination. The appeal shall be considered pursuant to the provisions of the *El Cerrito Municipal Code, Chapter 19.39, Appeals*.

2.03.07.02 Use Permits

This Chapter specifies the requirements for two Use Permit classifications that are the purview of the Zoning Administrator: Administrative Use Permits and Temporary Use Permits.

2.03.07.02.01 Administrative Use Permits.

Administrative Use Permits are required to approve those uses specifically identified in *FBC Table 03. Transect Zone Land Use Regulations*. These uses are generally noncontroversial but still require special consideration to ensure that they can be designed, located, and operated in a manner that will not interfere with the use and enjoyment of surrounding properties.

- A. Decisions on Administrative Use Permits - All Administrative Use Permit applications shall be decided by the Zoning Administrator. The Zoning Administrator may hold a public hearing to consider the application if the Zoning Administrator determines there is significant public controversy and/or the hearing affords an opportunity to resolve issues of concern. Notification of the public hearing and decision by the Zoning Administrator shall be provided in accordance with public notification requirements in *El Cerrito Municipal Code Section 19.32.050* and the Supplemental Noticing requirement of the Specific Plan. Appeals of an Administrative Use Permit shall be processed in accordance with the *El Cerrito Municipal Code Chapter 19.39, Appeals*.
- B. Referral to Planning Commission - The Zoning Administrator may refer any Administrative Use Permit application for a public hearing before the Planning Commission that the Zoning Administrator determines to have special neighborhood or community significance. In such cases the applicant shall pay the fee for the Planning Commission public hearing specified in the fee schedule adopted by the City Council. The decision shall be made by the Planning Commission, and appeals shall be heard by the City Council.

2.03.07.02.02 Temporary Use Permits.

Temporary Use Permits shall be subject to the provisions contained herein. The decision authority for Temporary Uses within the Specific Plan shall be the Zoning Administrator. The Zoning Administrator's decision regarding Temporary Use Permits shall be subject to appeal to the Community Development Director, whose decision shall be final.

- A. Exempt Temporary Uses - The following minor and limited duration temporary uses are exempt from the requirement for a Temporary Use Permit:
 1. Car Washes. Car washes conducted by a qualifying sponsoring organization on non-residential properties. Sponsorship shall be limited to educational, fraternal, religious, or service organizations directly engaged in civic or charitable efforts, or to tax exempt organizations in compliance with 501(c) of the Federal Internal Revenue Code. Temporary car washes shall not occur on a site more than four times per calendar year and may not operate for a continuous period of more than 12 hours in accordance with the City's Stormwater program.
 2. Events. City sponsored Events: any temporary activities sponsored by the city, on nonresidential property. Any temporary activities sponsored by the city, unless the Zoning Administrator determines a temporary use permit is necessary to effectuate the purposes of this Chapter.
 3. Emergency Facilities. Emergency public health and safety needs/land use activities.
 4. Garage Sales. Garage sales are exempt from the requirement for a temporary use permit; provided, the sales occur no more often than two times per quarter per residence, for a maximum of three consecutive days each.
 5. On-site Construction Yards. On-site contractors' construction yards, including temporary trailers and storage of equipment, in conjunction with an approved construction project on the same site. The construction yard shall be removed immediately upon completion of the construction project, or the expiration of the companion Building Permit authorizing the construction, whichever occurs first.

6. Temporary Real Estate Sales Office. A temporary real estate sales office within the area of an approved development project, solely for the first sale of homes, approved as part of the overall project.
- B. Temporary Use Permit Required - A Temporary Use Permit shall be required for the following types of temporary uses:
1. Commercial Filming. The temporary use of an approved site for the filming of commercials, movies, videos, etc. The Zoning Administrator shall make the additional finding that the approval would not result in a frequency of uses likely to create incompatibility between the temporary filming activity and the surrounding neighborhood.
 2. Events. Events on nonresidential property including the following:
 - a. Arts and crafts shows, auctions, civic and community events, fairs, farmers' markets, festivals, flea markets, food events, recreation events, rummage sales, second-hand sales, street fairs, and swap meets. Temporary Use Permits can be for up to 12 months.
 - b. Outdoor meetings or group activities for seven consecutive days or less, within a 90-day period.
 - c. Temporary parklets within parking lots.
 3. Off-site Construction Yards. Off-site contractors' construction yards, in conjunction with an approved construction project. The permit shall expire and the construction yard shall be removed immediately upon completion of the construction project, or the expiration of the companion Building Permit authorizing the construction project, whichever first occurs.
 4. Onsite real estate sales from a manufactured or mobile unit office for the temporary marketing, sales, or rental of residential, commercial, or industrial development.
 5. Residence. A mobile home as a temporary residence of the property owner when a valid Building Permit for a new single-family dwelling is in force, or for temporary caretaker quarters during the construction of a subdivision, multi-family, or nonresidential project. The permit may be approved for a specified duration, or upon expiration of the Building Permit, whichever first occurs.
 6. Retail uses on the same property with an established commercial business holding a valid city business license where such retail activity is not in conflict with a Use Permit or the requirements of the Transect Zone of the Specific Plan where the use is located.
 7. Seasonal sales of pumpkins and Christmas trees for a period not longer than 45 days.
 8. Temporary Work Trailer. A trailer or mobile home may be used as a temporary work site for employees of a business: a) during construction of a subdivision or other development project when a valid Building Permit is in force, or 2) upon demonstration by the applicant that the temporary work site is a short-term necessity while a permanent work site is being obtained. A permit for a temporary work trailer may be granted for up to 12 months.
 9. Temporary uses otherwise regulated by this Specific Plan or similar temporary uses. Similar temporary uses which, in the opinion of the Zoning Administrator, are compatible with the Transect Zone and surrounding land uses, and are necessary because of unusual or unique circumstances beyond the control of the applicant.
- C. Administrative Use Permit Required in Certain Circumstances - The Zoning Administrator may require an Administrative Use Permit application if the Zoning Administrator finds that the temporary use may have substantial and detrimental impacts to surrounding properties, such as noise or traffic impacts that should be considered through an Administrative Use Permit review process. Administrative use permits shall be required for amusement rides, carnivals, circuses, concerts, live entertainment, outdoor entertainment/sporting events, and tent revival.

2.03.07.03 Specific Plan Clearance Review

Specific Plan Clearance Review is intended to ensure that all single-family residences and duplexes comply with the applicable requirements of the Specific Plan.

2.03.07.03.01 Applicability

Specific Plan Clearance Review is required for the construction of or an addition of greater than 50 percent of existing square footage to a house or duplex on an individual lot, including associated accessory structures.

2.03.07.03.02 Authority

The Zoning Administrator is authorized to approve applications for Specific Plan Clearance Review. No permit may be issued from any department, or structure or building erected, and no existing building or structure may be altered, remodeled, enlarged or extended until the Zoning Administrator has approved the application for Specific Plan Clearance. The Zoning Administrator's decision regarding the Specific Plan Clearance shall be subject to appeal to the Planning Commission. The Planning Commission decision can be appealed to the City Council, which shall be final.

2.03.07.03.03 Approval Findings

In approving an application for Zoning Clearance Review, the Zoning Administrator must consider the following:

- A. Compliance with all applicable Specific Plan standards; and
- B. Compliance with all applicable Zoning Ordinance requirements.

2.03.08 APPLICATION FOR DISCRETIONARY ACTIONS REQUIRING A PUBLIC HEARING

2.03.08.01 Design Review

2.03.08.01.01 Applicability

Design review is required for all projects for which a building permit is required that involves new construction or development; exterior alterations and installations for an existing building; the erection, replacement, or alteration of signage; and landscaping associated with such construction and alterations. The following exceptions shall apply:

- A. The construction or alteration of a single-family dwelling or residential accessory structures on pre-existing lots, unless: (1) it is a subdivision of five or more lots when design review is required as a condition of subdivision approval or (2+) when Planning Commission requires design review as a condition of approval.
- B. Alterations, additions, and repairs that do not change the exterior appearance of a structure, including replacement in kind of existing features. To be considered "replacement in kind," the features must reasonably match the design, profile, material, and general appearance of the originals.
- C. Changes in the color or finish of building exteriors when the original colors or finishes were not subject to approval by the Design Review Board.

2.03.08.01.02 Types of Design Review

A. Tier I Design Review

1. Applicability - This review process applies to minor projects, including: 1) temporary signs and other signs set forth in Section 2.05.10, Signage Standards, 2) minor additions and alterations to the exterior of existing buildings which do not significantly alter the visual character or function of a building as defined by the Zoning Administrator, 3) new construction of accessory structures on an existing lot, or 4) exterior alterations that cost less than 50% of the appraised value of the improvements on the property. Included in this tier would be projects like slurry seal/re-stripping of parking lots, painting of buildings, signs that are not part of a master sign program, minor alterations or façade changes.
2. Authority - The Zoning Administrator will conduct Tier I design review and make decisions to approve with amendments, or deny the design of an application to bring the structure into closer compliance with the design requirements of the Specific Plan. The Zoning Administrator may refer any such project to the Design Review Board or elevate to Tier III if the Administrator determines it has special significance.
3. Required Findings - In acting to approve or conditionally approve an application for the Design Component of a Tier I Site Plan and Design Review, the Zoning Administrator shall make the following findings:
 - a. That the project brings the property into closer compliance with the development standards of this Specific Plan as deemed appropriate and achievable by the Zoning Administrator; and
 - b. That the project implements applicable goals and policies of the El Cerrito General Plan.

B. Tier II Design Review

1. Applicability - This review process applies to new projects that are designed in full compliance with development and design standards of the San Pablo Specific Plan. This would be inclusive of Section 2.02.08.04, Waivers.
2. Authority - The Design Review Board is authorized to review and act upon the Design Component of a Tier II Site Plan and Design Review application for consistency with the design requirements of this Specific Plan. For the purposes of this Specific Plan, the Design Component shall include:

- a. Exterior building colors, materials, and textures
 - b. Landscaping
 - c. Site Plan
 - d. Building facades and articulation
 - e. Relationship of the development to adjacent public rights-of-way
 - f. Signs
 - g. Locations and footprints of bioretention facilities as required for stormwater management
3. Required Findings - In acting to approve or conditionally approve an application for the Design Component of a Tier II Site Plan and Design Review, the Design Review Board shall make the following findings:
- a. That the project complies with all applicable Specific Plan design standards; and
 - b. That the project implements applicable goals and policies of the El Cerrito General Plan.

C. Tier III Site Plan and Design Review

- 1. Applicability - Tier III Site Plan and Design Review shall apply to 1) Exterior modifications to existing structures exceeding 50% of the appraised value of the improvements on the property, or 2) major additions and alterations to the exterior of existing buildings which significantly alter the visual character or function of a building as defined by the Zoning Administrator,
- 2. Authority - The Design Review Board is authorized to act upon Tier III. For the purposes of this Specific Plan, the Design Component shall include:
 - a. Exterior building colors, materials, and textures
 - b. Landscaping
 - c. Site Plan
 - d. Building facades and articulation
 - e. Relationship of the development to adjacent public rights-of-way
 - f. Signs
- 3. Required Findings. In acting to approve or conditionally approve an application for Tier III, the Design Review Board shall make the following findings:
 - a. That the project brings the property into closer compliance with the development standards of this Specific Plan as deemed applicable and achievable by the Design Review Board; and
 - b. That the project implements applicable goals and policies of the El Cerrito General Plan.

D. Tier IV Site Plan and Design Review

- 1. Applicability - Tier IV is intended to allow high-quality new development projects that would not otherwise be allowed under a strict interpretation of the Specific Plan regulations but nevertheless comply with the intent of the Specific Plan.
- 2. Authority - The Planning Commission and Design Review Board both have authority under Tier IV. The Planning Commission is authorized to act upon the site plan and the aspects of the project that do not meet the development standards of the form based code; and to act upon a determination

that the project achieves an over arching public benefit, subject to the findings, below. The Design Review Board is authorized to review and act upon the Design Component of a Tier IV Site Plan and Design Review application for consistency with the design goals of this Specific Plan.

3. Required Findings. In acting to approve or conditionally approve a Tier IV application, the Planning Commission shall make the following findings:
 - a. That the project furthers the goals of this Specific Plan by encouraging practical and market-friendly development, ensuring return on investment, strengthening a sense of place, enhancing and humanizing the public realm, and catalyzing mode shift;
 - b. That the project provides a public benefit which is consistent with the goals of the Specific Plan and furthers an important goal(s) as stated in adopted city policy documents as identified by the Community Development Director. These documents include but are not limited to:
 - *El Cerrito Climate Action Plan.*
 - *El Cerrito Strategic Plan.*
 - *El Cerrito General Plan, especially the Housing Element.*
 - *El Cerrito Economic Development Action Plan*
 - *El Cerrito Urban Greening Plan*
 - *El Cerrito Active Transportation Plan*

The public benefit shall be beyond that which is required by Tier II of this Specific Plan and other adopted regulations
 - c. That the development will not have an undue adverse effect upon the Transect Zone in which it is located, and will be compatible with the design features and land uses permitted in the Transect Zone in which the project is located.
 - d. That the proposed development complies with the intent of the Specific Plan and;
 - e. That the project implements applicable goals and policies of the El Cerrito General Plan.
4. Required Findings - In acting to approve or conditionally approve an application for the Design Component of a Tier IV Site Plan and Design Review, the Design Review Board shall make the following findings:
 - a. That the project complies with all applicable and achievable Specific Plan design standards; and
 - b. That the project implements applicable goals and policies of the El Cerrito General Plan.
5. The Design Review Board is authorized to act upon the Design Component, including:
 - a. Limitations regarding building height, form and massing;
 - b. Limitations regarding view blockage of the key views listed in 2.05.02.03;
 - c. Building facades and articulation;
 - d. Exterior building colors and materials;
 - e. Landscaping, including use and design of open spaces;
 - f. Relationship of the development to adjacent public rights-of-way
 - g. Signs
6. Planned Development - Detailed review of development that warrants special review and deviations from the existing development standards and any adopted City ordinances. This district is also

intended to provide opportunities for creative development approaches and standards that will achieve superior community design, environmental preservation and public benefit, in comparison to development under established regulations. For more information on Planned Developments, see Section 2.02.07.04.04 *Planned Development District*

2.03.08.02 Conditional Use Permits

2.03.08.02.01 Purpose and Intent

Conditional Use Permits are required for specifically identified uses requiring special consideration as described in Section 2.03.03 *Land Use Regulations* of the Specific Plan and which may be problematic or controversial due to their size, location, type of operation, or other characteristics that indicate potential for impacts that will affect more than the immediately surrounding properties.

2.03.08.02.02 Decisions on Conditional Use Permits

All Conditional Use Permit applications shall require a public hearing before the Planning Commission. Notification shall be provided in compliance with the public notification requirements in *El Cerrito Municipal Code Section 19.32.050* and per the Public Notice requirements contained in this Administrative Procedures Chapter of the Specific Plan.

2.03.08.02.03 Required Findings

A Conditional Use Permit shall only be granted if the Planning Commission finds that the proposal as submitted, modified, and/or conditioned conforms to all of the following criteria:

- A. The location, size, design, and operating characteristics of the proposed development and/or use will be harmonious and compatible with and will not adversely affect the livability or appropriate development of abutting properties and the surrounding neighborhood;
- B. The location and design of the proposal will provide a convenient and functional living, working, shopping, or civic environment that will be an attractive amenity for the City;
- C. The proposal provides an over-arching public benefit; and
- D. The proposal is consistent with the purposes of the Transect Zone where it is located and conforms in all significant respects with the Specific Plan, El Cerrito General Plan, and with any other applicable policy or plan adopted by the City Council.

2.03.08.02.04 Denial

If the Planning Commission determines that it is not possible to make all of the required findings for approval, the application shall be denied. The specific basis for denial based on the above findings shall be established for the record.

2.03.08.03 Variance

2.03.08.03.01 Purpose and Intent

A Variance is intended to provide relief to property owners where strict application of this Specific Plan will deprive the property owner of privileges enjoyed by similar properties because of the subject property's unique and special conditions. Variances may be granted with respect to dimensional and performance standards. Variances from the use regulations of this Specific Plan are not allowed.

2.03.08.03.02 Application Requirements

Applications for Variances shall be submitted and reviewed in the same manner as required for Use Permits pursuant to the *El Cerrito Municipal Code Chapter 19.32, Common Procedures*. In addition to any other specified application requirements, the application for a Variance shall include data or other evidence demonstrating that:

- A. Exceptional or extraordinary circumstances or conditions apply to the land, or structures referred to in the application, which circumstances or conditions do not apply generally to uses, land or structures in the same zoning district;
- B. Due to the special circumstances applicable to this property, strict application of the respective zoning regulation would deprive the property owner of substantial property rights enjoyed by other property owners in the same zoning district and the granting of the Variance is necessary for the preservation and enjoyment of the applicant's substantial rights;
- C. Special circumstances applicable to the property were or are not self-imposed by the property owner; and
- D. Authorization of the Variance substantially meets the intent and purpose of the Transect Zone in which the subject property is located and will not be detrimental to the health, safety, and welfare.

2.03.08.03.03 Decisions on Variances

All Variance applications shall be reviewed and recommended by the Zoning Administrator and the Design Review Board (at the discretion of the Zoning Administrator), and require a public hearing before the Planning Commission. Notification shall be provided in compliance with the public notification requirements in *El Cerrito Municipal Code Section 19.32.050* and per the Supplemental Noticing Requirements contained in this Administrative Procedures Chapter of the Specific Plan.

2.03.08.03.04 Required Findings

After conducting a public hearing, the Planning Commission shall approve, conditionally approve, or deny the Variance application. The Planning Commission may approve or conditionally approve a Variance application only if it makes all of the following findings:

- A. There are special circumstances applicable to the property, including its size, shape, topography, location, or surroundings, whereby the strict application of the Specific Plan will deprive such property of privileges enjoyed by other property of the same classification in the same zoning district;
- B. Such special circumstances were not created by the owner or applicants; The Variance does not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and Transect Zone in which such property is located; and
- C. The authorization of the Variance will meet the intent and purpose of the Transect Zone in which the subject property is located, and will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or the public welfare in general.

2.03.08.03.05 Denials

The Planning Commission shall deny an application for a Variance if it is unable to make all of the required findings, in which case it shall state the reasons for that determination.

2.03.08.03.06 Conditions of Approval

In approving a Variance, the Planning Commission may impose conditions necessary to ensure that the Variance shall not constitute a grant of special privileges inconsistent with the limitations upon other properties in the vicinity and Transect Zone in which the subject property is located, including conditions to:

- A. Ensure that the proposal conforms with the General Plan, Specific Plan and with any other applicable regulations, plans or policies;
- B. Protect the public health, safety, and welfare;
- C. Ensure operation and maintenance of the use in a manner compatible with existing and potential uses in the surrounding area;
- D. Mitigate any potentially significant environmental impacts; and

E. Address other conditions deemed necessary and reasonable.

2.03.08.04 Waivers

2.03.08.04.01 Purpose and Intent

The Waiver process is established to allow a limited scope of flexibility in the development and design standards of this Specific Plan in circumstances where, owing to special physical conditions, strict enforcement would be physically impractical and/or impede achieving the desired Specific Plan goal outcome. This process may occur only where the applicant has filed an application for a Waiver to a standard specified in this Section. The application may be filed as a stand-alone request or as part of another discretionary application.

2.03.08.04.02 Authority

During the permit processes for projects within the Specific Plan, the designated Review Authority shall have the authority to approve, conditionally approve, or deny a Waiver.

- A. Permitted Deviations for Waiver - The Review Authority shall review the request in light of the intent and purpose of the Specific Plan to achieve an over-arching public benefit by furthering the goals of encouraging practical and market-friendly development, ensuring return on investment, strengthening a sense of place, enhancing and humanizing the public realm, or catalyzing mode shift. The Review Authority is authorized to approve a Waiver to the following standards:
 - 1. Front yard build-to line or setback requirements: up to 10 percent
 - 2. Side yard setback requirements: up to 10 percent
 - 3. Reduction in size of required landscape area: up to five percent
 - 4. Fence/wall height: pursuant to Table 29
 - 5. Building heights: not exceeding five feet above the maximum permitted height
 - 6. Shop Front reductions: applicants may reduce their Shop Frontage to 25%, provided the applicant provides proof of total commercial square footage supportive of the Specific Plan goals.
- B. Unlisted Standards - Any request for relief from a required standard, other than those listed above, must be reviewed and processed pursuant to Variances subsection in the Approval Requirements of this Administrative Procedures Chapter of the Specific Plan.

2.03.08.04.03 Development Agreements

Development Agreements shall be subject to the provisions of *El Cerrito Municipal Code Chapter 19.41, Development Agreements*.

2.03.08.04.04 Planned Development District

Planned Development Districts shall be subject to the provisions of *El Cerrito Municipal Code Chapter 19.14, Planned Development District*.

2.03.08.04.05 Specific Plan Amendment

For any proposed amendment to this Specific Plan, the application for the Amendment shall be processed pursuant with the procedures and standards that governed the original approval. Each request shall include all sections or portions of the Specific Plan that are affected by the amendment.

2.03.10 REGULATIONS APPLICABLE TO ALL DISCRETIONARY PERMITS

2.03.10.01 Effective Dates

No building permit or business license shall be issued for any project where a Variance, Conditional Use Permit, or other discretionary permit subject to appeal, except a Temporary Use Permit, is required by the terms of this Specific Plan until after the tenth day following the date of the approval of the discretionary permit.

2.03.10.02 Expiration and Extension

Any permit granted under this Specific Plan may be declared lapsed and of no further force and effect if:

- A. The permit is not exercised or extended within two years of its issuance.
- B. The property has been vacant for at least one year and the permit holder or the owner of the property, in the event they are different, has not demonstrated a continuous good faith effort to reoccupy the property with the use specified in the approved permit. In such cases, the permit holder shall have the burden of establishing his/her continuous good faith effort to reestablish the use. The Zoning Administrator may require the permit holder to produce documentation to substantiate that intent.

2.03.10.03 Exercise of Use Permit

A permit for the use of a building or a property is exercised when the authorized agent for the permitted use has secured a valid business license for use located on the property and has paid all required fees.

2.03.10.04 Extension

The Zoning Administrator may approve a single two-year extension of any permit or approval granted under this Specific Plan upon receipt of a written application with the required fee prior to expiration of the permit. All other extensions shall require approval by the Planning Commission.

2.03.10.05 Lapse by Written Notice

Permits may be declared lapsed (null and void) by the Zoning Administrator upon 15 days written notice to the permit holder. Any determination by the Zoning Administrator that a permit has lapsed may be appealed to the Planning Commission in the same manner as an action by the Zoning Administrator on an Administrative Use Permit.

2.03.10.06 Scope of Approvals – All Applications

- A. Any approval shall permit only those uses and activities actually authorized by the action of the Approving Authority, and excludes other uses and activities.
- B. Unless otherwise specified therein, the approval of a new use shall terminate all rights and approvals for previous uses no longer occupying the same site or location.
- C. Unless otherwise specified or approved by the Zoning Administrator, Planning Commission, Design Review Board, or City Council, the site plan, floor plans, building elevations and/or any additional information or representations—whether oral or written—indicating the proposed structure or manner of operation submitted with an application or submitted during the approval process shall be deemed conditions of approval. Any approval may be subject to requirements that the permittee guarantees, warranties, or insures that the Permit's plans and/or conditions shall in all respects be complied with.
- D. The approved use and/or construction is subject to and shall comply with all applicable provisions of this Specific Plan, City ordinances, and laws and regulations of other governmental agencies.
- E. If the construction of a building or structure or the use established is contrary to the description or illustration in the approved application so as to either violate any provision of the Specific Plan or require additional permits, then the approval shall be deemed null and void.
- F. All approvals may be subject to periodic review to determine compliance with the permit and applicable conditions. If a condition specifies that activities or uses allowed under the Conditional Use Permit are subject to periodic reporting, monitoring, or assessments, it shall be the responsibility of the permit holder, the property owner, or successor property owners to comply with such conditions.
- G. Where the Specific Plan references applicable provisions of State law (for example, the California Government Code, Subdivision Map Act, or Public Resources Code), the reference shall be construed to be the applicable State law provisions as they may be amended from time to time.

2.03.11 PUBLIC NOTICES

2.03.11.01 Requirements

Public noticing of all permit and action requests shall comply with the requirements contained in *El Cerrito Municipal Code Section 19.32.050*.

2.03.11.02 Intent to Streamline Review

In an attempt to streamline the project application review process, the City intends to provide administrative review and action on Tier I and the use of Tier II projects, whenever permissible pursuant to this Specific Plan. The City further states its intent to provide opportunity for public comment on applications, subject to administrative review, and therefore establishes supplemental noticing requirements to alert all neighbors within 300 feet of proposed projects of Notice of Applications and Notice of Decisions.

2.03.11.03 Notice of Application

For all cases requiring a Notice of Application (actions that do not require a hearing), the Zoning Administrator, within five working days of the date the application has been deemed complete, shall send notice by an approved method. Such notification shall also be sent to interested parties that are on file with the City located therein and shall be posted to the City's website.

2.03.11.04 Notice of Hearing

For all cases requiring a Notice of Hearing, the Zoning Administrator shall within 21 days prior to the hearing send notice by first class mail or other approved method to each owner of real property as last disclosed by County real estate tax records, situated wholly or partially within the notification distances specified in *El Cerrito Municipal Code Section 19.32.050*. Such notification shall also be sent to interested parties that are on file with the City and shall be posted to the City's website.

A notice shall also be mailed to every property address within the notification distances specified in *El Cerrito Municipal Code Section 19.32.050*.

The project site shall also be posted at least 21 days prior to the hearing with basic land use information regarding the proposed project.

2.03.12 NONCONFORMING USES AND STRUCTURES

2.03.12.01 Purpose and Intent

In recognition of the unique circumstances of existing, non-conforming structures and land uses, this Plan has established the following procedures. The intent

of this section is to streamline the review process for renovation of non-conforming structures and land uses while bringing these properties into closer conformance with the goals and policies of this Plan.

2.03.12.02 Applicability

All nonconforming buildings or structure and nonconforming uses shall comply with *El Cerrito Municipal Code Chapter 19.27, Nonconforming Uses, Structures, and Lots* unless otherwise specified in this section.

2.03.12.03 Nonconforming Use – Continuation

An existing nonconforming use may remain upon change of ownership of a business. *El Cerrito Municipal Code Section 19.27.070* shall apply to abandoned nonconforming uses.

2.03.12.04 Nonconforming Building or Structure – Alteration

The rehabilitation, enlargement, or exterior structural alterations of any nonconforming structure or structure occupied by a nonconforming use, except for structures occupied by single-family and two-family dwellings, may be rehabilitated as follows:

- A. **Tier I.** Rehabilitation limited to minor projects, including: 1) temporary signs and other signs set forth in Section 2.05.10, Signage Standards, 2) minor additions and alterations to the exterior of existing buildings which do not significantly alter the visual character or function of a building as defined by the Zoning Administrator, 3) new construction of accessory structures on an existing lot, or 4) exterior alterations that cost less than 50% of the appraised value of the improvements on the property is permitted if:
 1. All signage on the structure and the site on which it is located shall be brought into conformity with the signage requirements of this Specific Plan.
 2. All outdoor storage shall be screened in accordance with the Specific Plan, Section 2.04-68 Fences and Screening.
 3. There shall be no change in the number of dwelling units unless the site on which the structure is located complies with the off-street parking and open space requirements of the Specific Plan,
 4. Architectural massing, features and detailing shall be modified to bring the structure into closer compliance with the

architectural standards of this Specific Plan, as deemed appropriate by the Zoning Administrator.

- B. Tier I.** Rehabilitation may include expansion when the total floor area of all expansion does not exceed 10 percent of the floor area, provided that the following conditions are met:
1. All signage on the structure and the site on which it is located shall be brought into conformity with the requirements of this Specific Plan.
 2. All outdoor storage shall be screened in accordance with the Specific Plan, Section 2.04-68 Fences and Screening.
 3. There shall be no enlargement or expansions which would intrude into any required setback as required in this Specific Plan.
 4. There shall be no enlargement which would result in a new nonconformity with the requirements of this Specific Plan.
 5. Off-street parking shall be provided in conformance with the requirements of Specific Plan. If the parking requirements are not met, a Variance in accordance with the Specific Plan shall be filled.
 6. Landscaping shall be improved to bring the site on which the structure is located into closer compliance with the landscaping requirements of this Specific Plan, as deemed appropriate by the Zoning Administrator.
 7. Architectural massing, features and detailing, shall be modified to bring the structure into closer compliance with the architectural standards of this Specific Plan, as deemed appropriate by the Zoning Administrator.
- C. Tier III.** Rehabilitation activities, including: 1) exterior modifications to existing structures exceeding 50% of the appraised value of the improvements on the property, or 2) major additions and alterations to the exterior of existing buildings which significantly alter the visual character or function of a building as defined by the Zoning Administrator, shall be modified to bring the structure into closer compliance with the development standards of this Specific Plan, to the satisfaction of the Zoning Administrator and approved by the Design Review Board. See Section 2.02.07, Application for Discretionary Actions Requiring a Public Hearing.

D. Nonconforming Building or Structure – Alteration of Single-family and Two-family Dwellings

1. Rehabilitation, enlargement or exterior structural alterations of single-family and two-family dwellings is permitted subject to the following:
 - a. Structural alterations and additions may be made where the total floor area of all such expansions occurring in a five-year period does not exceed 40 percent of the floor space of the building as it existed at the beginning of said time, provided the number of dwelling units is not increased and no new non-conformances with the requirements of this Specific Plan are created.
 - b. Structural alterations and additions which exceed 40 percent of the total floor area as it existed at the beginning of a five-year period; or remodeling which involves the demolition of more than 50 percent of the building shall be permitted, provided that the following conditions are met:
 - i. *Off-street parking shall be provided in conformance with the requirements of Specific Plan.*
 - ii. *No new nonconformities with the Specific Plan are created.*
2. An existing two-car garage with a minimum dimension of 18 feet by 18 feet exterior dimension shall be considered conforming.
3. For the purposes of this subsection, remodel shall mean to reconstruct, or to make over in structure or style, but shall exclude re-roof, window replacement, exterior finish replacement and repair, or similar modifications.

2.03 REGULATING PLAN

2.03.01 PURPOSE

This FBC supports the community vision to create a vibrant, walkable, sustainable and transit-oriented corridor that respects surrounding neighborhoods. Through the planning process three unique areas emerged within the Specific Plan Area: Uptown, Midtown and Downtown. The Regulating Plan then designates the Transect Zones and Street Types to be applied to properties within the Specific Plan Area.

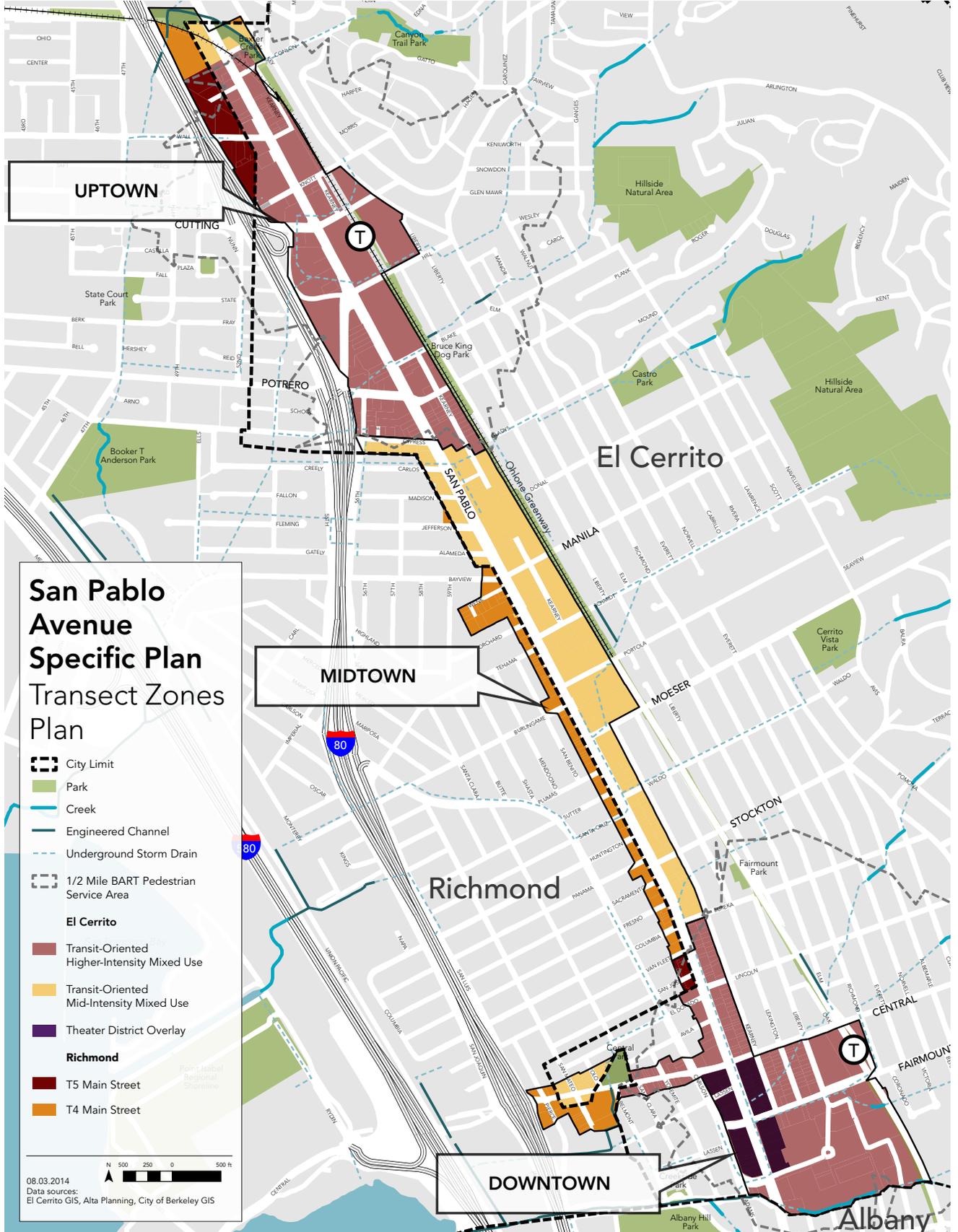
A. Transect Zones Plan

1. The Specific Plan Area shall be divided into Transect Zones designated in the Regulating Plan.
2. Transect zones regulate the building heights, parking requirements, open space and land uses for new developments.

B. Street Types Plan

1. New and existing roadways and connections within the Specific Plan Area shall be divided into Street Types designated in the Street Types Plan.
2. Street types regulate the building placement, form, articulation and character.

2.03.02 TRANSECT ZONES



FBC Figure 01. Transect Zones Map

Zoning designations for all properties in the City of Richmond are subject to change pursuant to the Richmond Livable Corridors Form-Based Code adoption process. Please refer to the Richmond Livable Corridors Form-Based Code for all zoning regulations.

Parcels in both jurisdictions shall be subject to the entitlement process of the jurisdiction in which it has the majority of its lot acreage.

2.03.02.01 Transit-Oriented Higher-Intensity Mixed Use (TOHIMU)



- A. Intent: Provide a vibrant, walkable, transit oriented higher intensity area within a 1/2 mile BART walkshed that allows a wide variety of uses including retail, commercial, residential and public uses in the distinctive Downtown and Uptown areas. Encourage multifamily residential uses to provide a variety of housing types, including units with 3 or more bedrooms, to meet the diverse needs of residents.
- B. Desired Form:
 - 1. Attached, simple wall plane and buildings at or close to ROW along San Pablo Avenue
 - 2. Small to large footprint/grain in Downtown, medium to large in Uptown
 - 3. Up to 65 feet (85 feet max. if project is consistent as an affordable housing project, as defined by state law)
 - 4. Flush ground floor - ADA compliant
 - 5. Primarily with Shop Fronts on commercial street types, 'flex' spaces all along San Pablo Avenue and forecourts on Gateway and Neighborhood Street types
- C. General Use:
 - 1. Vertical mixed use such as residential over retail and horizontal mixed use which includes buildings with different uses on the same block
 - 2. Primarily commercial on the ground floor with upper residential uses on Commercial Street Types
- D. Parking:
 - 1. Low to no automobile parking requirements
 - 2. Individual, shared, un-bundled off-street lots or on-street.
 - 3. Bicycle parking requirements

2.03.02.02 Transit-Oriented Mid-Intensity Mixed Use (TOMIMU)



- A. Intent: Provide a walkable and bikeable, transit-friendly medium intensity area that allows a wide variety of uses including residential, civic and public uses along with commercial and retail uses around Stockton and Moeser nodes. Encourage multifamily residential uses to provide a variety of housing types, including units with 3 or more bedrooms, to meet the diverse needs of residents.
- B. Desired Form:
 - 1. Attached, simple wall plane and buildings at or close to ROW along San Pablo Avenue
 - 2. Medium to large footprint/grain in Midtown
 - 3. Up to 55 feet (65 feet max. if project is consistent as an affordable housing project, as defined by state law)
 - 4. Flush ground floor - ADA compliant
 - 5. Primarily with Shop Fronts on Commercial Street types, 'flex' spaces all along San Pablo Avenue and forecourts on Neighborhood Street types
- C. General Use:
 - 1. Vertical and horizontal mixed use
 - 2. Primarily residential with mixed use (ground floor commercial with upper residential uses) at Stockton and Moeser nodes
- D. Parking:
 - 1. Low to moderate parking requirements
 - 2. Individual, shared, un-bundled off-street lots or on-street
 - 3. Bicycle parking requirements

FBC TABLE 02. TRANSECT ZONE DEVELOPMENT STANDARDS		
	TOHIMU	TOMIMU
Building Height		
Maximum Height	65' max.*	55' max**
Minimum Height	3 Stories Residential (Except Constrained Lots) 2 Stories Commercial (Exceptions granted with CUP)	
Parking Requirement*		
Commercial Buildings < 3,000 sf	No off-street auto parking required	
Commercial Buildings > 3,000 sf	Up to 1 auto space/1,000 sf****	Up to 1 auto space/500 sf****
Commercial Buildings	Min. 1.5 short-term bicycle spaces/3000 sf (min. 2 short-term spaces per establishment) Min. 1 long-term bicycle space/10,000 sf	
Residential Buildings	Up to 1 auto space/unit***	Up to 1.5 auto space/unit***
Residential Buildings	Min. 1 short-term bicycle space/20 units (Min. 2 short-term spaces) Min. 1.5 long-term bicycle spaces/unit	
Parking Areas		
Auto Parking shall be located behind habitable space, underground, or on the interior of the building. Long-term bicycle parking shall be located in a secure, weather-protected place on-site. Short-term bicycle parking shall be located inside or outside the building. It will need to be visible to pedestrians and bicyclists and serve the main entrance of a building.		
Types of Parking		
Shared, Stacked, Unbundled see Section 2.05.07 Parking Standards		

*85'-0" max. if project is consistent as an affordable housing project, as defined by state law

**65'-0" max. if project is consistent as an affordable housing project, as defined by state law

*** All projects include basic Transportation Demand Management (TDM). Projects proposing 0-0.5 auto spaces/residential unit may be required to perform a parking study and/or provide additional TDM measures.

**** All projects include basic TDM. Projects proposing 0-1 auto spaces/residential unit may be required to perform a parking study and/or provide additional TDM measures.

*****All projects include basic TDM. For projects proposing 0-0.5 auto spaces/1,000 sf, the Zoning Administrator may require a parking study and additional TDM measures.

Note: these are base standards for Tier II Projects. See Section 2.02.07.01.02 Types of Design Review for Tier I, Tier III and Tier IV Project Review Process for all projects not meeting these standards.

See Section 2.04.01 Regulation by Street Type for additional development standards

See Section 2.05.06.01 On-Site Open Space Requirements for additional Open Space Requirements

See Section 2.02 Administration of Regulating Code for bonuses and incentives

See Section 2.05.08.08.01 Fence and Screening: Additional Regulations for explanation of terms

See Section 2.05.07 Parking Standards for additional parking standards

2.03.02.03 T5 Main Street and T5 Main Street

Refer to *Richmond Livable Corridors Form-Based Code* for T4 Main Street and T5 Main Street regulations.

Note: parcel zoning designation for all properties in the City of Richmond are subject to change pursuant to the *Richmond Livable Corridors Form-Based Code* adoption process.

2.03.02.04 Parcels in both Jurisdictions

Parcels which lie across jurisdictional boundaries shall be subject to the entitlement process of the jurisdiction in which it has the most land acreage. The other jurisdiction will remain a responsible agency and projects may be subject to additional design review.

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2.03.03 LAND USE REGULATIONS

- A. *FBC Table 03. Transect Zone Land Use Regulations* prescribes the land use regulations for the Transect Zones and Theatre Block Overlay. The regulations for each zone and overlay are established by letter designations as follows:

“P” — Uses permitted as-of-right that require no discretionary review if in compliance with all standards.

“L” — Uses permitted as-of-right subject to limitations restricting location, size or other characteristics to ensure compatibility with surrounding uses.

L-1: Permitted if an existing use; new uses are prohibited.

L-2: Location limitations; see *Section 19.20.110 Large Family Day Care* for Additional Regulations.

L-3: Emergency shelters are permitted subject to the following standards: Emergency shelters shall have a maximum of 50 beds, shall provide on-site staffing and shall comply with licensing requirements and all applicable health and safety codes. Emergency shelters shall provide a written management plan to the Zoning Administrator. A minimum separation of 300 feet is required between Emergency Shelters.

L-4: Not permitted on the ground floor.

“A” — Uses subject to an Administrative Use Permit following discretionary review by the Zoning Administrator.

“C” — Uses subject to a Conditional Use Permit following discretionary review and public hearing by the Planning Commission.

“—” — Uses that are not permitted.

- B. Use classifications not listed in *FBC Table 03. Transect Zone Land Use Regulations* are prohibited.
- C. The Zoning Administrator shall have the authority to make an administrative determination as to whether a specific use is substantially similar to one of the listed uses in *FBC Table 03. Transect Zone Land Use Regulations*. The Zoning Administrator may at his or her discretion refer the determination to the Planning Commission. In making a determination that a proposed use is or is not similar to those listed, the Zoning Administrator or Planning Commission shall consider:
1. Whether the characteristics of, and activities associated with, the proposed use are equivalent to those of one or more of the uses listed in the zone as allowable, and will not involve a greater level of activity, population density, intensity, traffic generation, parking, dust, or noise than the uses listed in the zone;
 2. The purposes of the applicable zone and conformance with the goals of the Specific Plan; and
 3. The goals and policies of the General Plan.

All such final determinations shall be recorded in writing to include a finding that the proposed use is substantially similar to uses permitted in the proposed zone and consistent with the intent of the applicable zone.

- D. The use regulations in *FBC Table 03. Transect Zone Land Use Regulations* apply to any new use proposed to be established in an existing building or any new use application submitted in conjunction with a development application. Where the separate but related development application requires a discretionary review process different than indicated in *FBC Table 03. Transect Zone Land Use Regulations*, both the use and development applications shall be reviewed together using the process required for the development application.

FBC TABLE 03. TRANSECT ZONE LAND USE REGULATIONS

	TOHIMU	TOMIMU	Theater Overlay Block	
Residential Use Types*				
Single Family Dwelling	L-1	L-1	—	
Second Unit	L-1	L-1	—	See Section 19.20.190 Second units*
Two-Family Dwelling (Duplex)	L-1	L-1	—	
Multiple Family Residential	P	P	—	
Family Day Care				
<i>Small Family</i>	P	P	P	
<i>Large Family</i>	L-2	L-2	L	See Section 19.20.110 Large Family Day Care*
Group Housing	A	A	—	
Public, Semipublic and Service Use Types				
Clubs and Lodges	A	A	C	
Community Center	A	A	C	
Community Social Service Facilities	A	A	—	
Cultural Institutions	A	A	C	
Day Care Center	A	A	C	See Section 19.20.060 Day care centers*
Emergency Shelters**	L-4	L-4	—	
Government Offices	L-3	L-3	C	
Hospitals and Clinics				
<i>Hospitals</i>	C	C	C	
<i>Clinics</i>	A	A	C	
Park and Recreation Facilities	A	A	C	
Parking Facilities, Public	A	A	C	
Public Safety Facilities	P	P	P	
Religious Facilities	A	A	C	
Residential Care Facilities (Institutional Residential)				
				See Section 19.20.180 Residential Care Facilities*
<i>Residential Care Facilities, General</i>	C	C	C	
<i>Residential Care Facilities, Limited</i>	C	C	C	
<i>Residential Care Facilities, Senior</i>	C	C	C	
Schools, Private and Trade	A	A	C	

Note: Transitional and Supportive Housing are allowed in all residential areas.

* See the El Cerrito Municipal Code Title 19: Zoning Ordinance

** Note: As required per SB 2, aka (Gov Code Section 65583(a)(4)).

FBC TABLE 03. TRANSECT ZONE LAND USE REGULATIONS

	TOHIMU	TOMIMU	Theater Overlay Block	
Commercial Use Types				
Adult Business Establishments	C	C	—	See Section 19.20.020 Adult Businesses*
Animal Sales and Services	A	A	C	
Animal Kennel	A	A	—	
Artists' Studios	P	P	P	
Automobile/Vehicle Sales and Services				
<i>Automobile Rentals</i>	A	A	—	See Section 19.20.040 Automobile/Vehicle Sales and Services or Inside building*
<i>Automobile/Vehicle Sales and Leasing</i>	A	A	—	See Section 19.20.040 Automobile/Vehicle Sales and Services or Inside building*
<i>Automobile/Vehicle Service and Repair, Major</i>	A	A	—	See Section 19.20.040 Automobile/Vehicle Sales and Services or Inside building*
<i>Automobile/Vehicle Service and Repair, Minor</i>	A	A	—	See Section 19.20.040 Automobile/Vehicle Sales and Services or Inside building*
<i>Automobile Washing</i>	—	—	—	See Section 19.20.040 Automobile/Vehicle Sales and Services or Inside building*
<i>Large Vehicle Sales, Services and Rental</i>	A	—	—	See Section 19.20.040 Automobile/Vehicle Sales and Services or Inside building*
Banks and Other Financial Institutions				
<i>Traditional Financial Institutions</i>	P	P	P	
<i>Non-Traditional Financial Institutions</i>	—	—	—	
<i>With Drive-Through Facilities</i>	—	—	—	
<i>Automated Teller Machines (ATMs)</i>	P	P	P	See Section 19.20.030 Automated Teller Machines (ATMs)*
Bed and Breakfasts	A	A	—	See Section 19.20.050 Bed and Breakfasts*
Building Materials and Services	—	—	—	
Business Services	P	P	P	
Commercial Recreation				
<i>Large-scale</i>	A	A	C	
<i>Small-scale</i>	A	A	C	
Eating and Drinking Establishments				
<i>Bars/Night Clubs/Lounges</i>	A	A	A	
<i>Restaurants, Fast Food</i>	A	A	A	
<i>Restaurants, Full Service, No Alcohol Sales</i>	P	P	P	

FBC TABLE 03. TRANSECT ZONE LAND USE REGULATIONS				
	TOHIMU	TOMIMU	Theater Overlay Block	
<i>Restaurants, Limited Service, No Alcohol Sales</i>	P	P	P	
<i>Restaurants, Full or Limited Service, With Alcohol Sales</i>	A	A	A	
<i>Restaurants, Take Out Only</i>	P	P	A	
<i>With Drive-Through Facilities</i>	—	—	—	
<i>With Outdoor Dining Areas</i>	A	A	A	<i>See Section 19.20.150 Outdoor Dining Areas in the Public Right-of-Way*</i>
Food and Beverage Sales				
<i>Catering Services</i>	A	A	A	
<i>Convenience Market</i>	A	A	A	
<i>General Market</i>	A	A	A	
<i>Liquor Stores</i>	A	A	C	<i>See Section 19.20.120 Liquor Stores*</i>
<i>Funeral Parlors and Mortuaries</i>	A	A	C	
<i>Handicraft Shop</i>	P	P	P	
<i>Home Improvement Sales and Services</i>	A	A	C	
<i>Hotels and Motels</i>	A	A	C	
<i>Laboratories</i>	A/P	A/P	C	A = Ground Floor, P = Upper Floors
<i>Live/Work Unit</i>	P	P	P	<i>See Section 19.20.130 Live/work units*</i>
<i>Maintenance and Repair Services</i>	A	A	C	
<i>Offices, Business and Professional</i>	A/P	A/P	A/P	A = Ground Floor, P = Upper Floors
<i>Walk-in Clientele</i>	P	P	C	
<i>Offices, Medical and Dental</i>	P	P	C	
<i>Parking Facilities, Commercial</i>	C	C	C	<i>Including structured and surface parking</i>
<i>Personal Improvement Services</i>	P	P	A	
<i>Personal Services</i>	P	P	P	
<i>Retail Sales</i>	P	P	P	
<i>Large Format</i>	A	A	C	
<i>Tobacco Sales</i>	A	A	C	<i>See Section 19.20.210 Tobacco sales*</i>
<i>Tattoo Establishments</i>	A	A	C	
<i>Theaters</i>	A	A	A	
Industrial Use Types				
<i>Contractors' Yards</i>	—	—	—	
<i>Handicraft/Custom Manufacturing</i>	A	A	C	

*See the El Cerrito Municipal Code Title 19: Zoning Ordinance

FBC TABLE 03. TRANSECT ZONE LAND USE REGULATIONS				
	TOHIMU	TOMIMU	Theater Overlay Block	
Industry, Limited	A/P	A/P	C	A = Ground Floor, P = Upper Floors
Industry, General	C	C	C	
Warehousing and Storage				
Indoor Commercial Storage	A	A	—	
Outdoor Storage	A	A	—	
Personal Storage	A	A	—	
Transportation, Communication and Utilities Use Types				
Communication Facilities				See Chapter 19.28 Wireless Telecommunication Facilities*
Antennae and Transmission Towers	C	C	C	
Facilities within Buildings	P	P	P	
Recycling Facilities				See Section 19.20.170 Recycling Facilities*
Recycling Collection Point	A	A	—	
Recycling Processing Facility	A	A	—	
Reverse Vending Machines	C	C	—	
Utilities, Major	—	—	—	
Hazardous Waste Facility	—	—	—	
Utilities, Minor	C	C	C	
Agriculture Use Types				
Nurseries	A	A	—	

*See the El Cerrito Municipal Code Title 19: Zoning Ordinance

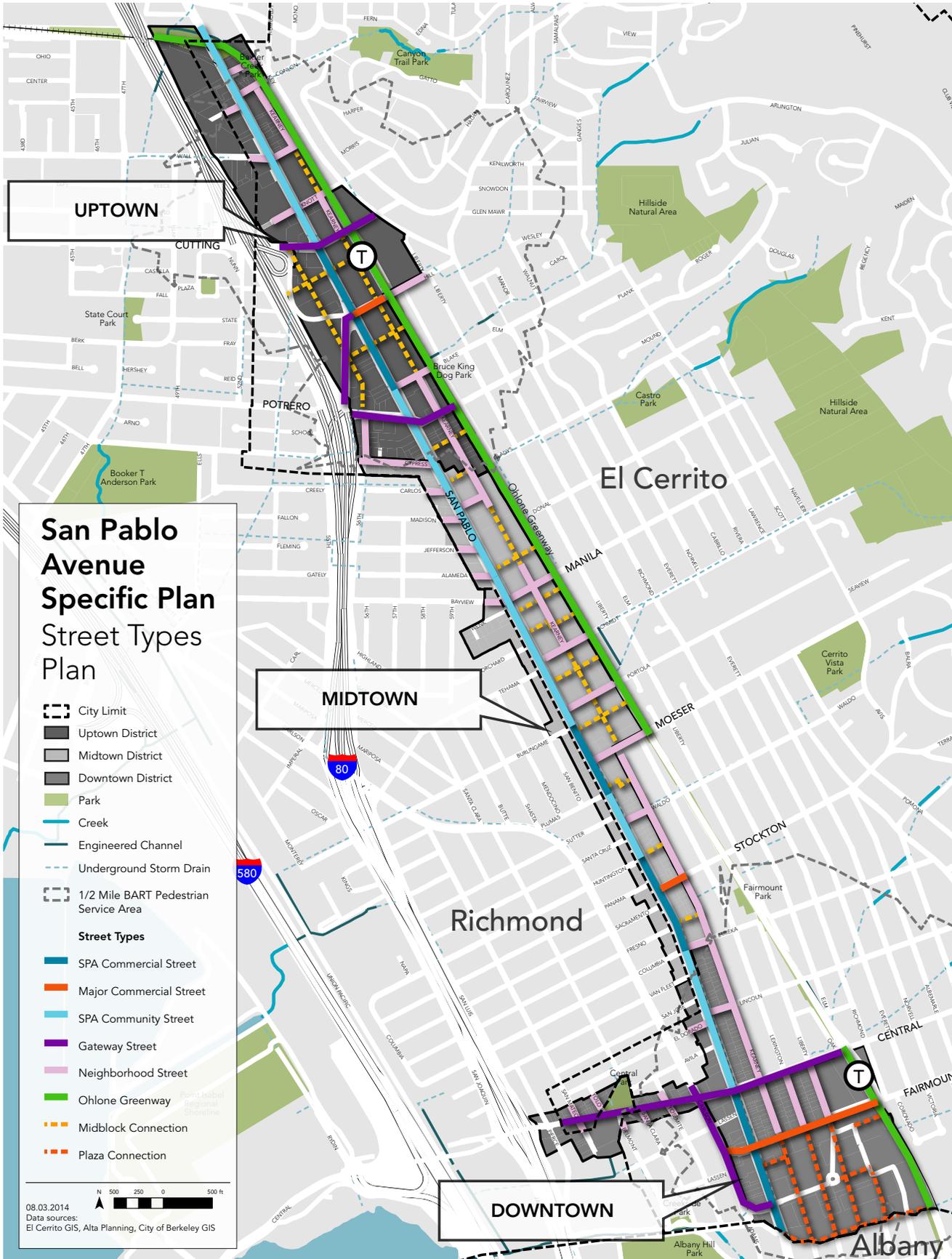
- E. Odors.
 1. Avoid Odor Conflicts. Coordinate land use planning to prevent new odor complaints.
 2. Identify Potential for Odor Complaints. Consult with BAAQMD to identify the potential for odor complaints from various existing and planned or proposed land uses in the Specific Plan area. Use BAAQMD Odor Screening Distances or City-specific screening distances to identify odor potential.
 3. Odor Sources. Prohibit new sources of odors that have the potential to result in frequent odor complaints unless it can be shown that potential odor complaints can be mitigated.
 4. Limit Sensitive Receptors Near Odor Sources. Prohibit sensitive receptors from locating near odor sources where frequent odor complaints would occur, unless it can be shown that potential odor complaints can be mitigated.

FBC TABLE 04. ODOR SCREENING DISTANCES

Land Use/Type of Operation	Project Screening Distance
Wastewater Treatment Plant	2 miles
Wastewater Pumping Facilities	1 mile
Sanitary Landfill	2 miles
Transfer Station	1 mile
Composting Facility	1 mile
Asphalt Batch Plant	2 miles
Chemical Manufacturing	2 miles

Land Use/Type of Operation	Project Screening Distance
Fiberglass Manufacturing	1 mile
Painting/Coating Operations	1 mile
Coffee Roaster	1 mile
Food Processing Facility	1 mile
Green Waste and Recycling Operations	1 mile

2.03.13 STREET TYPES



FBC Figure 02. Street Types Plan

FBC TABLE 06. STREET TYPES DESCRIPTIONS

San Pablo Avenue Commercial Street and Major Commercial Street: To strengthen a sense of place, streets should be designed to walk, shop and socialize with building frontages that activate the street. Commercial uses are prioritized at corners and intersections with flex spaces on the ground floor throughout.



San Pablo Avenue Community Street: To catalyze mode shift and maintain a strong sense of place along the Avenue, new developments allow a wide variety of uses through ground floor flex space and pedestrian friendly design elements that encourage walking and provide for gathering opportunities.



Gateway Street: To establish a sense of place in El Cerrito, new developments along these major auto routes maximize the large-scale commercial opportunities provided by proximity to the freeway, while using distinct building form and landscaping elements to buffer pedestrians from traffic and soften the urban feel of wide, busy streets.



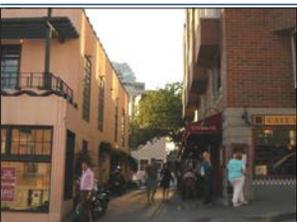
Neighborhood Street: To support and maintain the character of existing neighborhoods, new developments along low traffic volume residential and commercial streets respect existing building types by stepping down the building's height, breaking up the building's mass and incorporating pedestrian design elements.



Ohlone Greenway: To enhance this major regional pedestrian and bicycle connection, adjacent buildings orient windows, doors and balconies towards the Ohlone Greenway, while providing connections, ground floor uses and additional open spaces along the Greenway to increase activity, connectivity and safety.



Midblock Connection: To catalyze mode shift and strengthen a sense of place, new developments provide pedestrian and bicycle passageways through long blocks to enhance connectivity, reduce travel distances, encourage non-motorized transportation and provide active open spaces. Adjacent buildings orient windows, openings and balconies onto Midblock Connections to increase safety and activate the space.



Potential Plaza Connection: To provide additional commercial opportunities and increase walkability in the El Cerrito Plaza shopping center, additional buildings provide pedestrian, bicycle and auto connections and gathering spaces through the site.

2.04 DEVELOPMENT STANDARDS

2.04.01 REGULATION BY STREET TYPE

The following section outlines the regulatory standards for new developments by street type. The various street types are related to each other in a hierarchical manner. When these spaces intersect, the primary street frontage is determined by its higher order in the hierarchy. The front of a building and its main entrance must face the primary street frontage. These regulations are to be combined with the standards included in the *2.05 Supplemental General Development Standards*

A. Hierarchy of Street Types

1. San Pablo Avenue Commercial Street
2. Major Commercial Street
3. Community Street
4. Gateway Street
5. Neighborhood Street
6. Ohlone Greenway
7. Midblock Connection
8. Potential Plaza Connection

B. Street Zones Overview

1. Sidewalk Amenity Zone, Pedestrian Zone and Activity Zone are the sidewalk public spaces that front a building.
 - a. Sidewalk Amenity Zone can contain landscaping, seating, lighting and other urban furniture. On Major Commercial Streets, Midtown San Pablo Avenue and Neighborhood Streets the Amenity Zone can also serve as an Activity Zone. However, along San Pablo Avenue Downtown and Uptown the Amenity Zone is intended as a buffer to traffic. The Amenity Zone design must incorporate accessibility and shall not block access to bus stops, intersections and crossings.
 - b. Sidewalk Pedestrian Zone is a clear pathway allowing flow of pedestrian movement and full accessibility along the sidewalk.
 - c. Sidewalk Activity Zone provides space for activities such as outdoor dining in front of commercial uses and a buffer zone at residential uses. The Activity Zone must be designed to incorporate accessibility requirements.
2. In the Downtown and Midtown areas, the right-of-way is often generous enough to accommodate these zones, however in areas where the sidewalk width is constrained buildings can be designed/further set back to accommodate these zones.



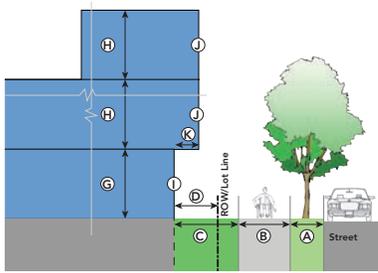
Amenity Zone

Pedestrian Zone

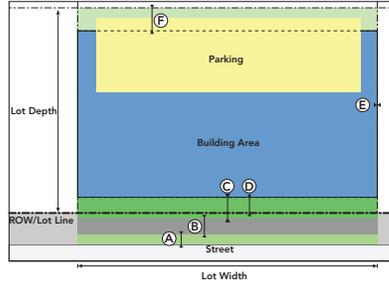
Activity Zone

FBC Figure 03. Pedestrian Right-of-Way Illustration

2.04.02 FBC SUMMARY: REGULATION BY STREET TYPE



Development Standards Section Diagram



Development Standards Plan Diagram



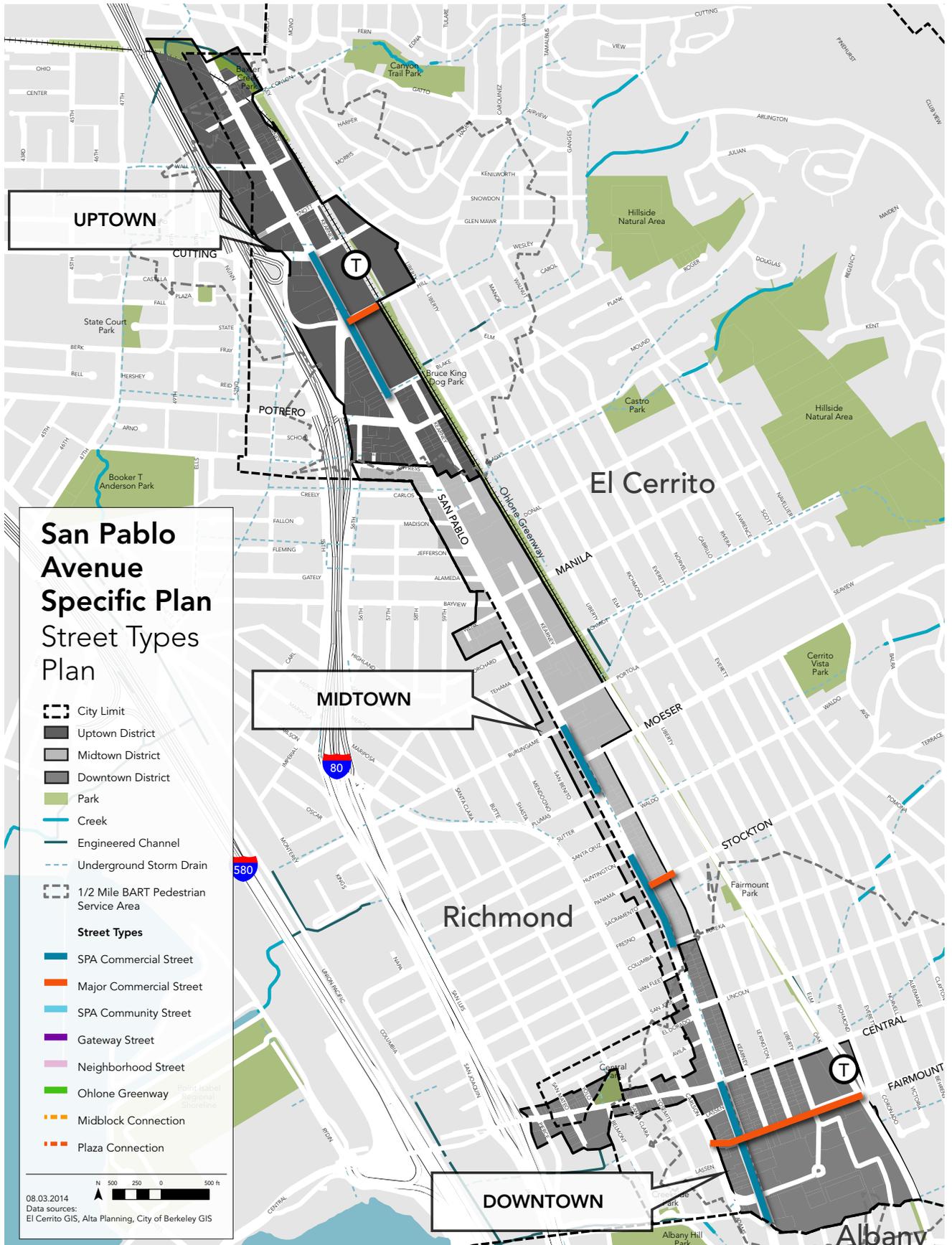
Amenity Zone Pedestrian Zone Activity Zone

Building Placement		SPA/Major Commercial	SPA Community Street	Gateway Street	Neighborhood Street	Ohlone Greenway	Midblock Connection	Potential Plaza Connection
Sidewalk Amenity Zone	A	6'-0" min.	6'-0" min.	4'-0" min.	5'-0" min.	n/a	5'-0" min.	14'-0" min.
Sidewalk Pedestrian Zone	B	8'-0" min. clear pathway	8'-0" min. clear pathway	6'-0" min. clear pathway	6'-0" min. clear pathway commercial uses, 5' min. clear pathway residential uses	n/a	10'-0" min. clear pathway	20'-0" min.
Sidewalk Activity Zone	C	4'-0" min.	0'-0" min.	0'-0" min.	0'-0" min.	n/a	Same as Amenity Zone	Same as Amenity Zone
Ground Floor Front Setback	D	Min: Distance from ROW necessary to accommodate zones A, B, and C Max: Up to 10' non-residential uses, Up to 15' residential uses	Min: Distance from ROW necessary to accommodate zones A and B Max: Up to 10' non-residential uses, Up to 15' residential uses	Min: Distance from ROW necessary to accommodate zones A and B Max: Up to 10' non-residential uses, Up to 15' residential uses	Min: Distance from ROW necessary to accommodate zones A and B Max: Up to 10' non-residential uses, Up to 15' residential uses	Up to 10' non-residential uses, Up to 15' residential uses	n/a	n/a
Side Setback	E	0'-0"	0'-0"	0'-0"	0'-0"	0'-0"	0'-0"	0'-0"
Rear Setback	F	See Shadows*	See Shadows*	See Shadows*	See Shadows*	See Shadows*	n/a	n/a
Pedestrian Access		Street fronting ground floor units and spaces to have individual entries along front. Upper floor units and spaces to be accessed by common entry along front.	Street fronting ground floor units and spaces to have individual entries along front or side streets. Upper floor units and spaces to be accessed along the front or side streets.	Street fronting ground floor units and spaces to have individual entries along front or side streets.	Street fronting ground floor units and spaces to have individual entries along front or side streets.	Ground floor units and spaces to have individual entries along front or side streets.	Ground floor units and spaces to have individual entries along front or side streets.	Ground floor units and spaces to have individual entries along front or side streets.
Vehicular Access		Max. 24' 2-way driveways, min. 100' apart. Side access on corner lots	Max. 20' 2-way driveways, min. 100' apart. Side access on corner lots	Max. 24' 2-way driveways. Side access on corner lots	Max. 20' 2-way driveways, and 10' 1-way driveways	n/a	n/a	n/a
Building Form								
Upper Floor Setbacks		See Shadows*	See Shadows*	See Shadows*	See Shadows*	See Shadows*	0'-0"	0'-0"
Ceiling Height Ground Floor (fin. floor to fin. ceiling)	G	14'-0" min. clear to allow for flex space	14'-0" min. clear to allow for flex space	14'-0" min. clear to allow for flex space	14'-0" min. clear to allow for flex space	9'-0" min. clear	Regulated by primary street	9'-0" min. clear
Ceiling Height Upper Floors (fin. floor to fin. ceiling)	H	9'-0" min. clear	9'-0" min. clear	9'-0" min. clear	9'-0" min. clear	9'-0" min. clear	9'-0" min. clear	9'-0" min. clear
Building Length		200' max. (Downtown), 300' max. (Uptown and Midtown)	200' max.	300' max.	200' max.	200' max (Downtown), 300' max (Uptown and Midtown)	300' max.	300' max.
Transparency Ground Floor	I	75% min.	Non-residential 75% min., Residential 40% min.	Non-residential 50% min., Residential 30% min.	Non-residential 50% min., Residential 30% min.	Non-residential 50% min., Residential 30% min.	Non-residential 50% min., Residential 30% min.	Non-residential 50% min., Residential 30% min.
Transparency Upper Floors	J	30% min.	30% min.	25% min.	25% min.	25% min.	25% min.	25% min.
Encroachments Front	K	4'-0" max	4'-0" max	2'-0" max	2'-0" max with ground floor commercial	not allowed	n/a	n/a
Encroachments Rear		4'-0" max	4'-0" max	4'-0" max	4'-0" max	4'-0" max	n/a	n/a
Allowed Frontage Types		Min. 50% Shop Front Max. 50% Arcade (NE side), Forecourt (NE side), Flex, or Eco-front	Min: 50% Flex Max: 50% Forecourt (NE side) Max: 100% Shop Front, Arcade (NE side SPA), or Eco-front	Shop Front, Forecourt (NE side), Flex, Frontyard, or Eco-front	Front Yard, Forecourt (NE side), Flex (commercial), Shop Front (commercial)	Forecourt (NE side), Flex, Frontyard, or Eco-front Max. 50%: Shop Front	Flex, Frontyard, or Eco-front Max. 50%: Shop Front	Front Yard, Forecourt (NE side), Flex, Shop Front, Eco-front

* See Section 2.01.05 FBC Summary: Shadows

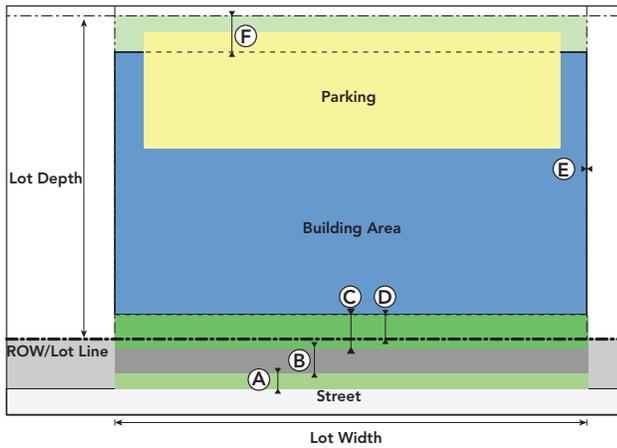
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2.04.02.01 San Pablo Avenue Commercial Street and Major Commercial Street

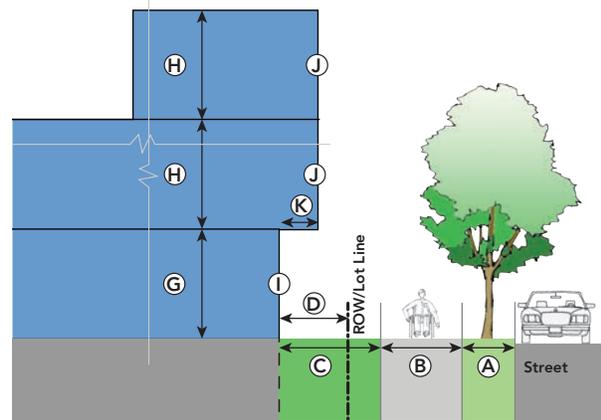


FBC Figure 04. SPA Commercial and Major Commercial Street Types Map

San Pablo Avenue Commercial Street and Major Commercial Street



FBC Figure 05. Development Standards Plan Diagram



FBC Figure 06. Development Standards Section Diagram

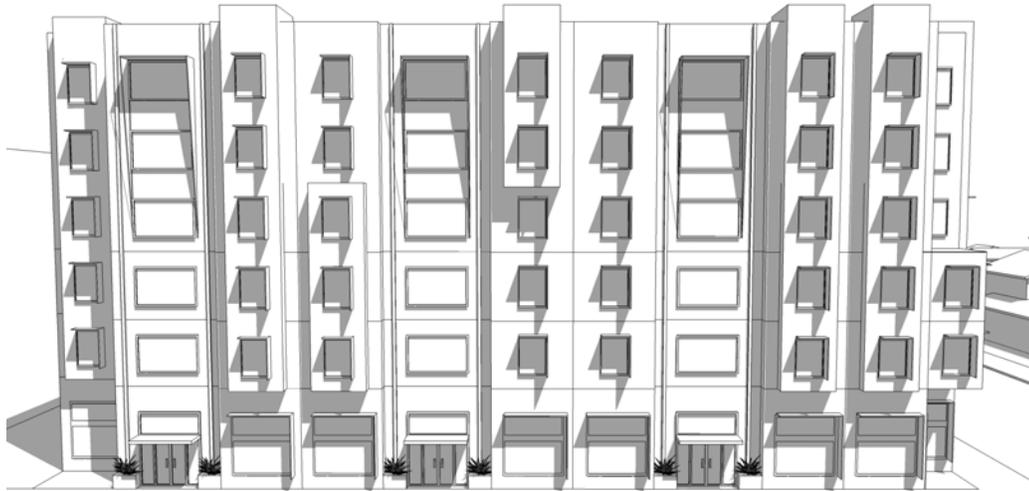
2.04.02.01.01 Intent

To strengthen a sense of place, streets should be designed to walk, shop and socialize with building frontages that activate the street. Commercial uses are prioritized at corners and intersections with flex spaces on the ground floor throughout. Street trees and landscaping are used to highlight commercial activity nodes.

FBC Table 07. SPA Commercial/Major Commercial Street Building Placement

Amenity Zone	6'-0" min.	A
Pedestrian Zone	8'-0" min. clear pathway	B
Activity Zone	4'-0" min.	C
Ground Floor Front Setback	Min: Distance from ROW necessary to accommodate zones A, B and C Max: Up to 10' non-residential uses, Up to 15' residential uses	D
Side Setback	0'-0"	E
Rear Setback	See Section 2.05.02.02 Shadow Standards	F
Pedestrian Access	Street fronting ground floor units and spaces to have individual entries along front. Upper floor units and spaces to be accessed by common entry along front.	
Vehicular Access	Max. 24' 2-way driveways, min. 100' apart. Side access on corner lots	

San Pablo Avenue Commercial Street and Major Commercial Street



FBC Figure 07. Prototypical building elevation along SPA Commercial and Major Commercial Streets illustrating the Shop Frontage and transparency on ground and upper floors.

FBC Table 08. SPA Commercial/Major Commercial Street Building Form		
Upper Floor Setbacks	See Section 2.05.02.02 Shadow Standards	
Ceiling Height Ground Floor (fin. floor to fin. ceiling)	14'-0" min. clear to allow for flex space (residential or commercial)	G
Ceiling Height Upper Floors (fin. floor to fin. ceiling)	9'-0" min. clear	H
Building Length	200' max. (Downtown), 300' max. (Uptown and Midtown) <i>Longer building length to be approved by Design Review Board and Planning Commission</i>	
Transparency Ground Floor	75% min. See Section 2.05.03 Building Articulation	I
Transparency Upper Floors	30% min. See Section 2.05.03 Building Articulation	J
Encroachments Front	4'-0" max projection of architectural features into front setback	K
Encroachments Rear	4'-0" max projection of architectural features into rear setback	
Allowed Frontage Types	Min. 50% Shop Front* Max. 50% Arcade (NE side SPA), Forecourt (NE side SPA), Flex, or Eco-front	

*Shop Front reductions: applicants may reduce their Shop Frontage to 25%, provided the applicant provides proof of total commercial square footage supportive of the Specific Plan goals, pursuant to Section 2.02.07.04, Waivers and as approved by the Zoning Administrator.

See Section 2.03.02 Transect Zones for Building Height and Parking Requirements
 See Section 2.05.06.01 On-Site Open Space Requirements for additional Open Space Requirements
 See Section 2.05.08.08.01 Fence and Screening: Additional Regulations for explanation of terms

San Pablo Avenue Commercial Street and Major Commercial Street

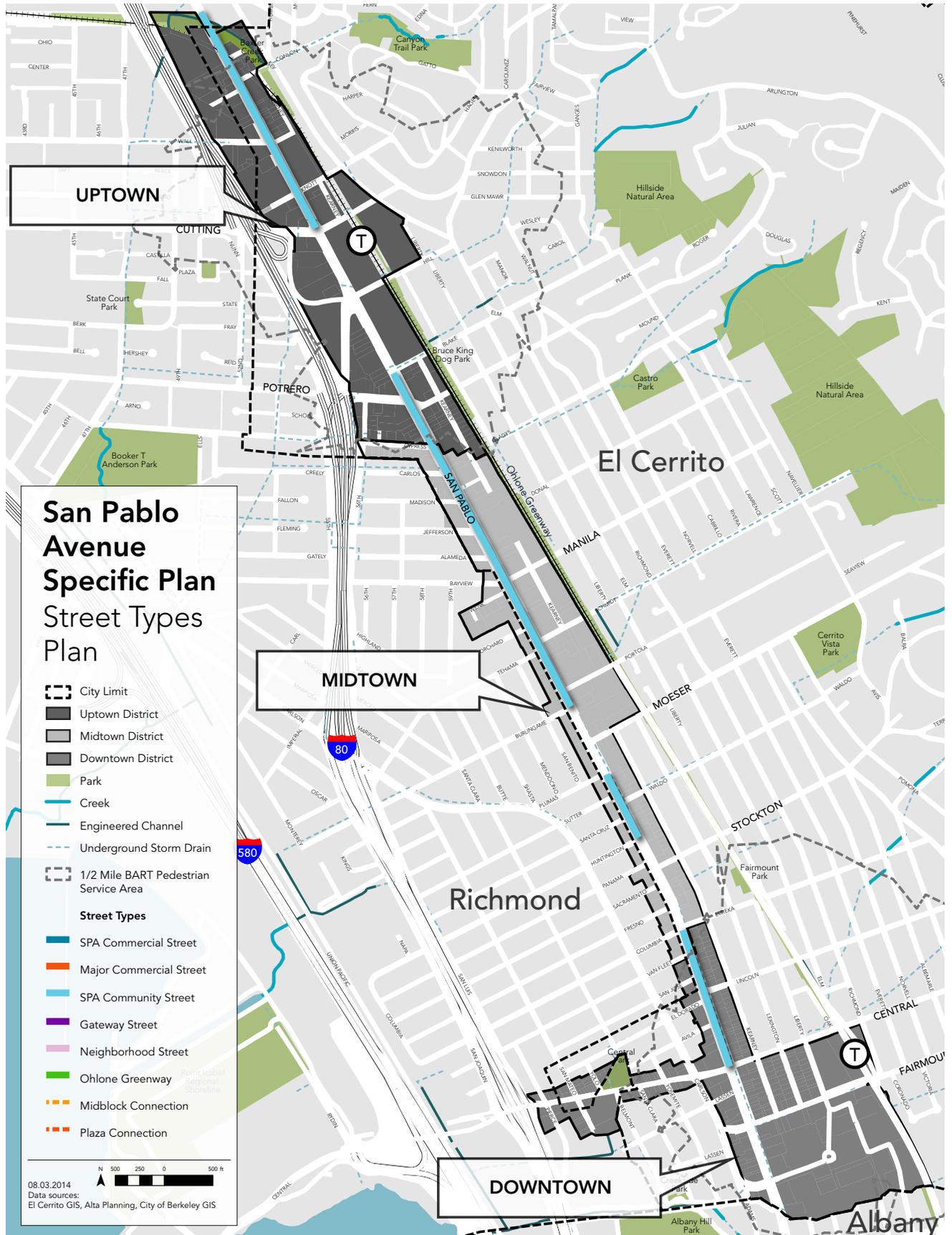


FBC Figure 08. Illustrative photo: Commercial street where Amenity Zone serves as Activity Zone with outdoor dining. This sidewalk configuration is allowed on all Major Commercial Streets and along San Pablo Avenue Commercial Street segments in Midtown.



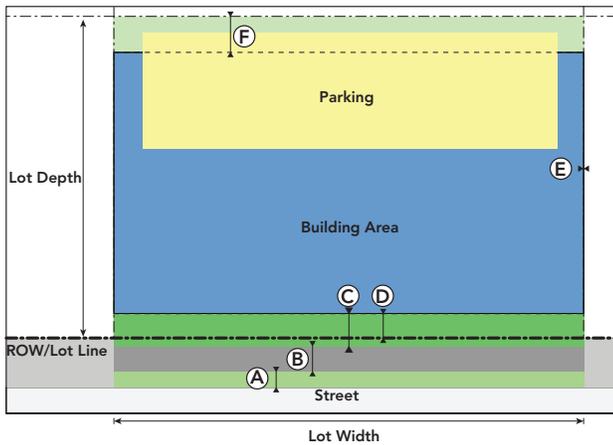
FBC Figure 09. Illustrative photo: Commercial street with outdoor dining in Activity Zone and the Amenity Zone has landscaping and lighting as a buffer to the street. This configuration is allowed along San Pablo Avenue Commercial Street segments in the Uptown and Downtown Areas.

2.04.02.02 SPA Community Street

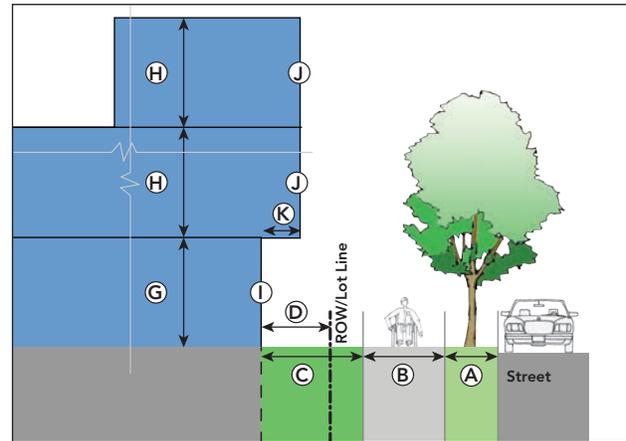


FBC Figure 10. Community Street Type Map

SPA Community Street



FBC Figure 11. Development Standards Plan Diagram



FBC Figure 12. Development Standards Section Diagram

2.04.02.02.01 Intent

To catalyze mode shift and maintain a strong sense of place along the Avenue, new developments allow a wide variety of uses through ground floor flex space and pedestrian friendly design elements that encourage walking and provide for gathering opportunities. Ground floor residential provides flexibility and expands the residential base in the Plan Area.

FBC Table 09. Community Street Building Placement

Amenity Zone	6'-0" min.	A
Pedestrian Zone	8'-0" min. clear pathway	B
Activity Zone	0'-0" min.	C
Ground Floor Front Setback	Min: Distance from ROW necessary to accommodate zones A and B Max: Up to 10'-0" non-residential uses, Up to 15'-0" residential uses	D
Side Setback	0'-0"	E
Rear Setback	See Section 2.05.02.02 Shadow Standards	F
Pedestrian Access	Street fronting ground floor units and spaces to have individual entries along front or side streets. Upper floor units and spaces to be accessed along the front or side streets.	
Vehicular Access	Max. 20' 2-way driveways, min. 100' apart. Side access on corner lots	

SPA Community Street



FBC Figure 13. Prototypical building elevation along SPA Community Street illustrating flex space on the ground floor, allowing either shop front or ground floor residential.

FBC Table 10. Community Street Building Form		
Upper Floor Setbacks	See Section 2.05.02.02 Shadow Standards	
Ceiling Height Ground Floor (fin. floor to fin. ceiling)	14'-0" min. clear to allow for flex space (residential or commercial)	G
Ceiling Height Upper Floors (fin. floor to fin. ceiling)	9'-0" min. clear	H
Building Length	200' max. <i>Longer building length to be approved by Design Review Board and Planning Commission</i>	
Transparency Ground Floor	Non-residential 75% min., Residential 40% min. <i>See Section 2.05.03 Building Articulation</i>	I
Transparency Upper Floors	30% min. <i>See Section 2.05.03 Building Articulation</i>	J
Encroachments Front	4'-0" max projection of architectural features into front setback	K
Encroachments Rear	4'-0" max projection of architectural features into front setback	
Allowed Frontage Types	Min: 50% Flex Max: 100% Shop Front, Arcade (NE side), or Eco-front Max: 50% Forecourt (NE side)	

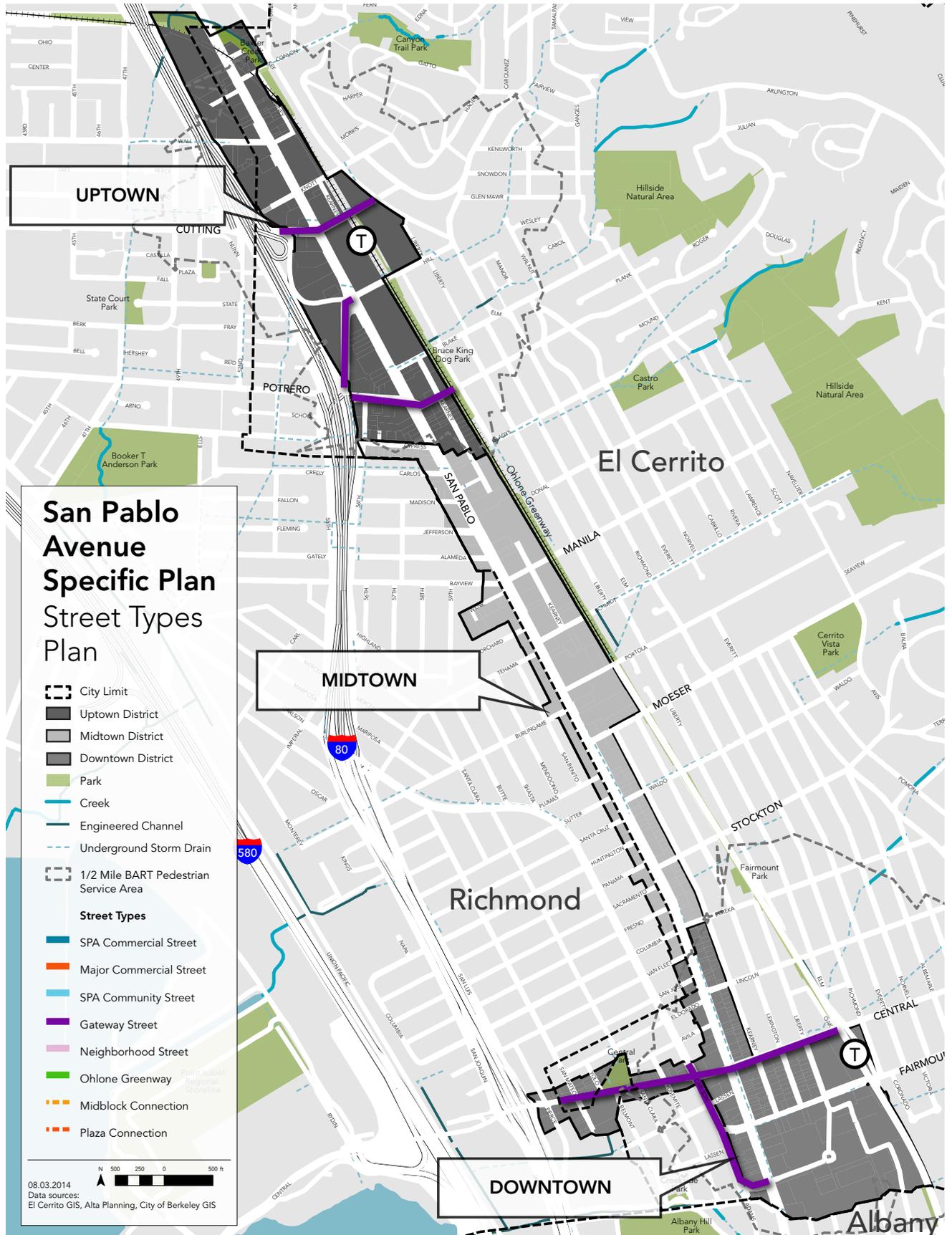
See Section 2.03.02 Transect Zones for Building Height and Parking Requirements
 See Section 2.05.06.01 On-Site Open Space Requirements for additional Open Space Requirements
 See Section Appendix 1: Glossary for explanation of terms

SPA Community Street



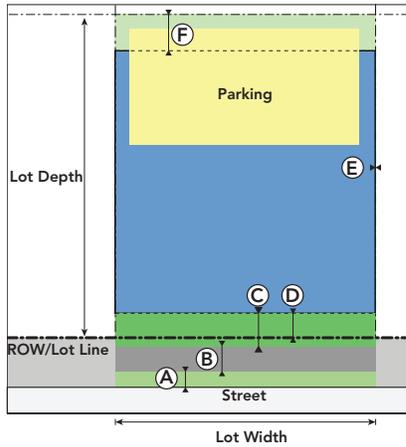
FBC Figure 14. Illustrative Photo: Community Street along San Pablo Avenue with sufficient sidewalk zone and stormwater planters in Amenity Zone.

2.04.02.03 Gateway Street

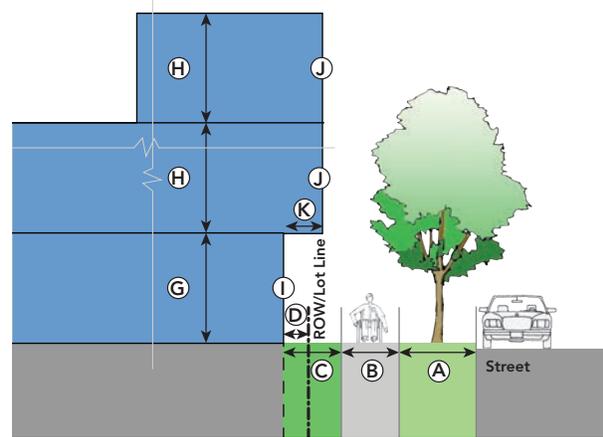


FBC Figure 15. Gateway Street Type Map

Gateway Street



FBC Figure 16. Development Standards Plan Diagram



FBC Figure 17. Development Standards Section Diagram

2.04.02.03.01 Intent

To announce that El Cerrito is an environmental and ecological destination, new developments along these major auto routes maximize the large-scale commercial opportunities provided by proximity to the freeway, while using distinct building form and landscaping elements to buffer pedestrians from traffic and soften the urban feel of wide, busy streets. Signature trees are used to differentiate El Cerrito from surrounding cities.

FBC Table 11. Gateway Street Building Placement

Amenity Zone	4'-0" min.	(A)
Pedestrian Zone	6'-0" min. clear pathway	(B)
Activity Zone	0'-0" min.	(C)
Ground Floor Front Setback	Min: Distance from ROW necessary to accommodate zones A and B Max: Up to 10'-0" non-residential uses, Up to 15'-0" residential uses	(D)
Side Setback	0'-0"	(E)
Rear Setback	See Section 2.05.02.02 Shadow Standards	(F)
Pedestrian Access	Street fronting ground floor units and spaces to have individual entries along front or side streets.	
Vehicular Access	Max. 24' 2-way driveways. Side access on corner lots	

Gateway Street



FBC Figure 18. Prototypical building elevation along Gateway Street illustrating flex space on the ground floor allowing either shop front or ground floor residential.

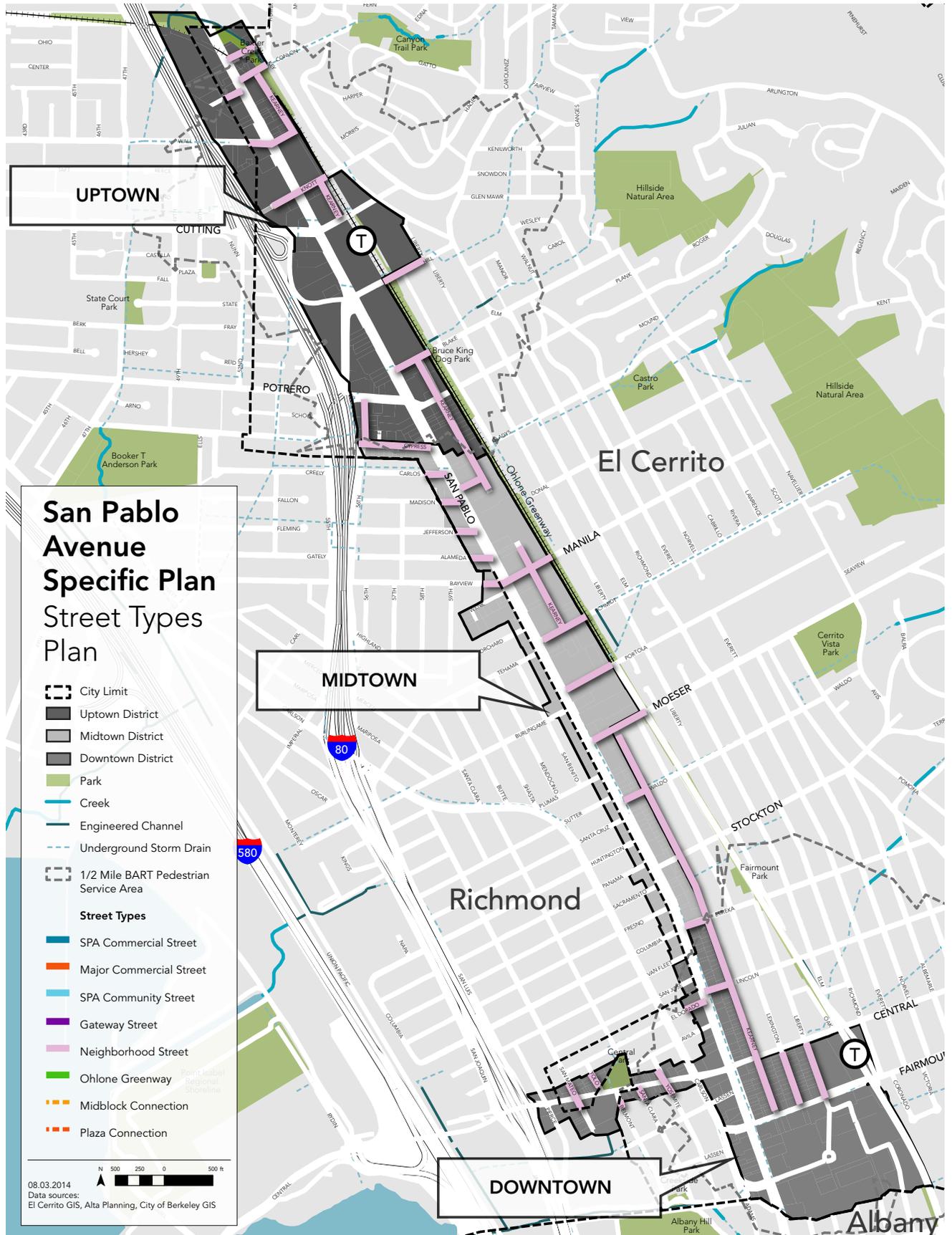
FBC Table 12. Gateway Street Building Form		
Upper Floor Setbacks	See Section 2.05.02.02 Shadow Standards	
Ceiling Height Ground Floor (fin. floor to fin. ceiling)	14'-0" min. clear to allow for flex space (residential or commercial)	A
Ceiling Height Upper Floors (fin. floor to fin. ceiling)	9'-0" min. clear	B
Building Length	300' max. <i>Longer building length to be approved by Design Review Board and Planning Commission</i>	
Transparency Ground Floor	Non-residential 50% min., Residential 30% min. <i>See Section 2.05.03 Building Articulation</i>	I
Transparency Upper Floors	25% min. <i>See Section 2.05.03 Building Articulation</i>	J
Encroachments Front	2'-0" max projection of architectural features into front setback	K
Encroachments Rear	4'-0" max projection of architectural features into rear setback	
Allowed Frontage Types	Max: 100% Shop Front, Forecourt (NE side), Flex, Frontyard, or Eco-front	

See Section 2.03.02 Transect Zones for Building Height and Parking Requirements
 See Section 2.05.06.01 On-Site Open Space Requirements for additional Open Space Requirements
 See Section 2.05.08.08.01 Fence and Screening: Additional Regulations for explanation of terms



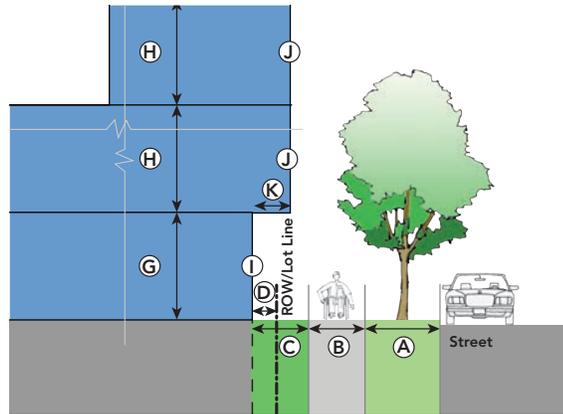
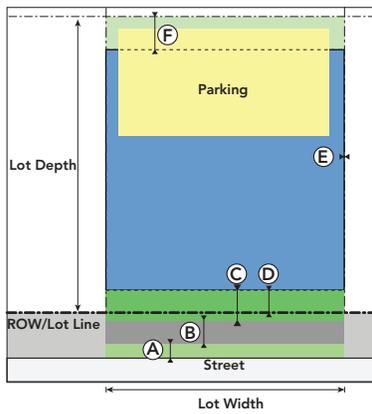
FBC Figure 19. Illustrative Photo: Gateway Street with entry monument in median and banners to highlight entry and create a distinct identity.

2.04.02.04 Neighborhood Street



FBC Figure 20. Neighborhood Street Type Map

Neighborhood Street



FBC Figure 21. Development Standards Plan Diagram

FBC Figure 22. Development Standards Section Diagram

2.04.02.04.01 Intent

To support and maintain the character of existing neighborhoods, new developments along low traffic volume residential and commercial streets respect existing building types by stepping down the building's height, breaking up the building's mass and incorporating pedestrian design elements.

FBC Table 13. Neighborhood Street Building Placement

Amenity Zone	5'-0" min.	(A)
Pedestrian Zone	6'-0" min. clear pathway along commercial use, 5' min. clear pathway along residential use	(B)
Activity Zone	0'-0" min.	(C)
Ground Floor Front Setback	Min: Distance from ROW necessary to accommodate zones A and B. Max: Up to 10'-0" non-residential uses, Up to 15'-0" residential uses	(D)
Side Setback	0'-0"	(E)
Rear Setback	See Section 2.05.02.02 Shadow Standards	(F)
Pedestrian Access	Street fronting ground floor units and spaces to have individual entries along front or side streets.	
Vehicular Access	Max. 20' 2-way driveways, and 10' 1-way driveways	

Neighborhood Street



FBC Figure 23. Prototypical building along Neighborhood Street with Front Yard frontage for residential uses.

FBC Table 14. Neighborhood Street Building Form		
Upper Floor Setbacks	See Section 2.05.02.02 Shadow Standards	
Ceiling Height Ground Floor (fin. floor to fin. ceiling)	14'-0" min. clear to allow for flex space (residential or commercial)	G
Ceiling Height Upper Floors (fin. floor to fin. ceiling)	9'-0" min. clear	H
Building Length	200' max. <i>Longer building length to be approved by Design Review Board and Planning Commission</i>	
Transparency Ground Floor	Non-residential 50% min., Residential 30% min. <i>See Section 2.05.03 Building Articulation</i>	I
Transparency Upper Floors	25% min. <i>See Section 2.05.03 Building Articulation</i>	J
Encroachments Front	2'-0" max projection with ground floor commercial	K
Encroachments Rear	4'-0" max projection of architectural features into rear setback	
Allowed Frontage Types	Front Yard, Forecourt (NE side), Flex (commercial), Shop Front (commercial)	

See Section 2.03.02 Transect Zones for Building Height and Parking Requirements

See Section 2.05.06.01 On-Site Open Space Requirements for additional Open Space Requirements

See Section 2.05.08.08.01 Fence and Screening: Additional Regulations for explanation of terms



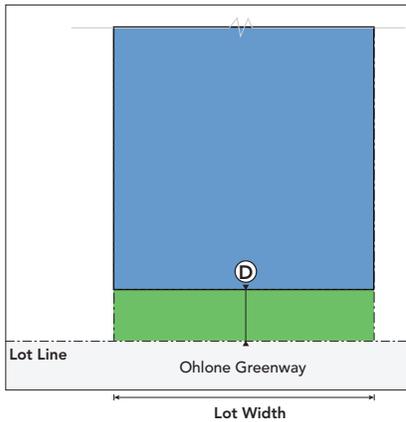
FBC Figure 24. Illustrative Photo: Neighborhood Street with Pedestrian Zone and planted Amenity Zone.

2.04.02.05 Ohlone Greenway

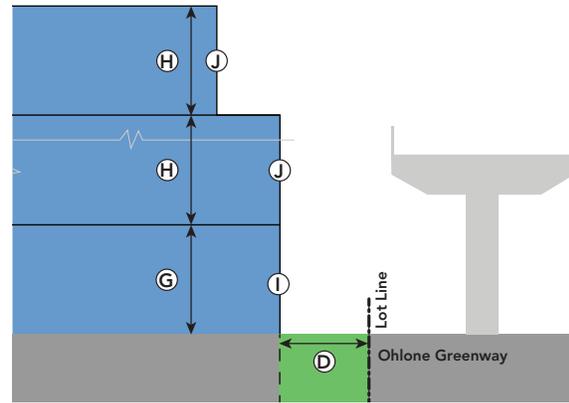


FBC Figure 25. Ohlone Greenway Street Type Map

Ohlone Greenway



FBC Figure 26. Development Standards Plan Diagram



FBC Figure 27. Development Standards Section Diagram

2.04.02.05.01 Intent

To enhance this major regional pedestrian and bicycle connection, adjacent buildings orient windows, doors and balconies towards the Ohlone Greenway, while providing connections, ground floor uses and additional open spaces along the Greenway to increase activity, connectivity and safety.

FBC Table 15. Ohlone Greenway Building Placement

Amenity Zone	n/a	
Pedestrian Zone	n/a	
Activity Zone	n/a	
Ground Floor Front Setback	Up to 10'-0" non-residential uses, Up to 15'-0" residential uses	D
Side Setback	n/a	
Rear Setback	n/a	
Pedestrian Access	Ground floor units and spaces to have individual entries along front or side streets.	
Vehicular Access	n/a	

Ohlone Greenway



FBC Figure 28. Prototypical building elevation along Ohlone Greenway illustrating ground floor residential and private open space opening onto the walkway.

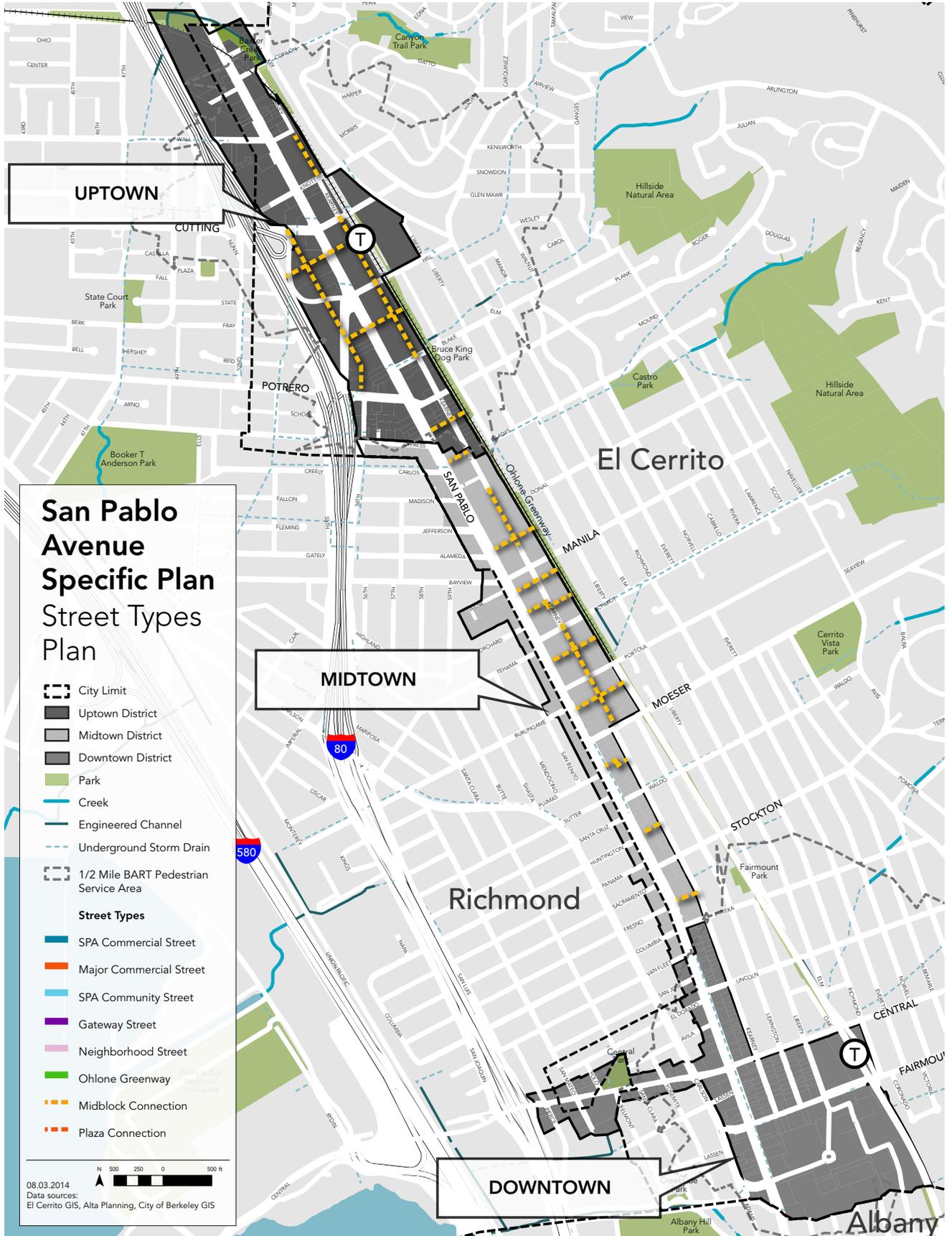
FBC Table 16. Ohlone Greenway Building Form		
Upper Floor Setbacks	See Section 2.05.02.02 Shadow Standards	
Ceiling Height Ground Floor (fin. floor to fin. ceiling)	9'-0" min. clear	G
Ceiling Height Upper Floors (fin. floor to fin. ceiling)	9'-0" min. clear	H
Building Length	200' (Downtown), 300' (Uptown and Midtown) <i>Longer building length to be approved by Design Review Board and Planning Commission</i>	
Transparency Ground Floor	Non-residential 50% min., Residential 30% min. <i>See Section 2.05.03 Building Articulation</i>	I
Transparency Upper Floors	25% min. <i>See Section 2.05.03 Building Articulation</i>	J
Encroachments Front	Not allowed	
Encroachments Rear	4'-0" max projection of architectural features into rear setback	
Allowed Frontage Types	Max. 100%: Forecourt (NE side), Flex, Frontyard, or Eco-front Max. 50%: Shop Front	

See Section 2.03.02 Transect Zones for Building Height and Parking Requirements
 See Section 2.05.06.01 On-Site Open Space Requirements for additional Open Space Requirements
 See Section 2.05.08.08.01 Fence and Screening: Additional Regulations for explanation of terms



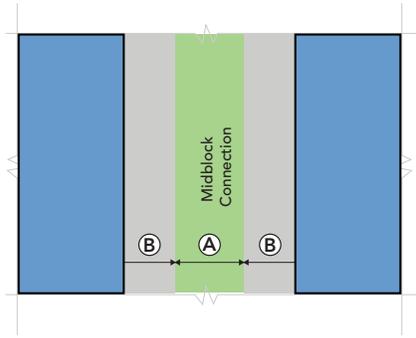
FBC Figure 29. Illustrative Photo: New development with planting and private balconies along a Greenway.

2.04.02.06 Midblock Connection

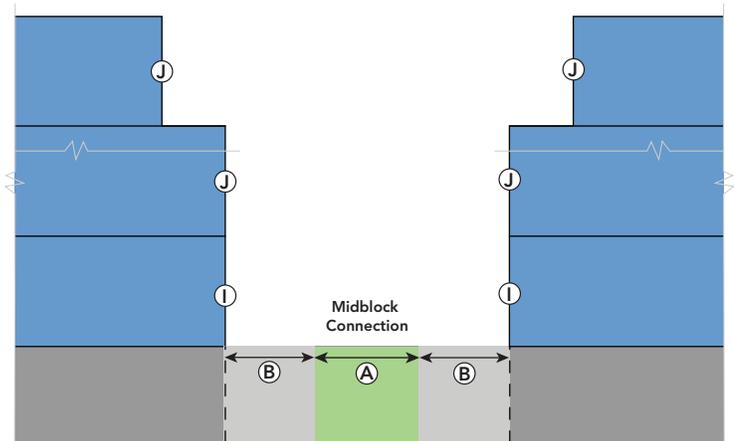


FBC Figure 30. Midblock Connection Map

Midblock Connection



FBC Figure 31. Development Standards Plan Diagram



FBC Figure 32. Development Standards Section Diagram

2.04.02.06.01 Intent

To catalyze mode shift and strengthen a sense of place, new developments provide pedestrian and bicycle passageways through long blocks to enhance connectivity, reduce travel distances, encourage non-motorized transportation and provide active open spaces. Adjacent buildings orient windows, openings and balconies onto Midblock Connections to increase safety and activate the space.

FBC Table 17. Midblock Connection Building Placement

Amenity Zone	5'-0" min.	Ⓐ
Pedestrian Zone	10'-0" min. clear pathway	Ⓑ
Activity Zone	Same as Amenity Zone	
Ground Floor Front Setback	n/a	
Side Setback	n/a	
Rear Setback	n/a	
Pedestrian Access	Ground floor units and spaces to have individual entries along front or side streets.	
Vehicular Access	n/a	

Midblock Connection



FBC Figure 33. Prototypical building elevation along Midblock Connection illustrating ground floor residential and private open space opening onto the walkway.

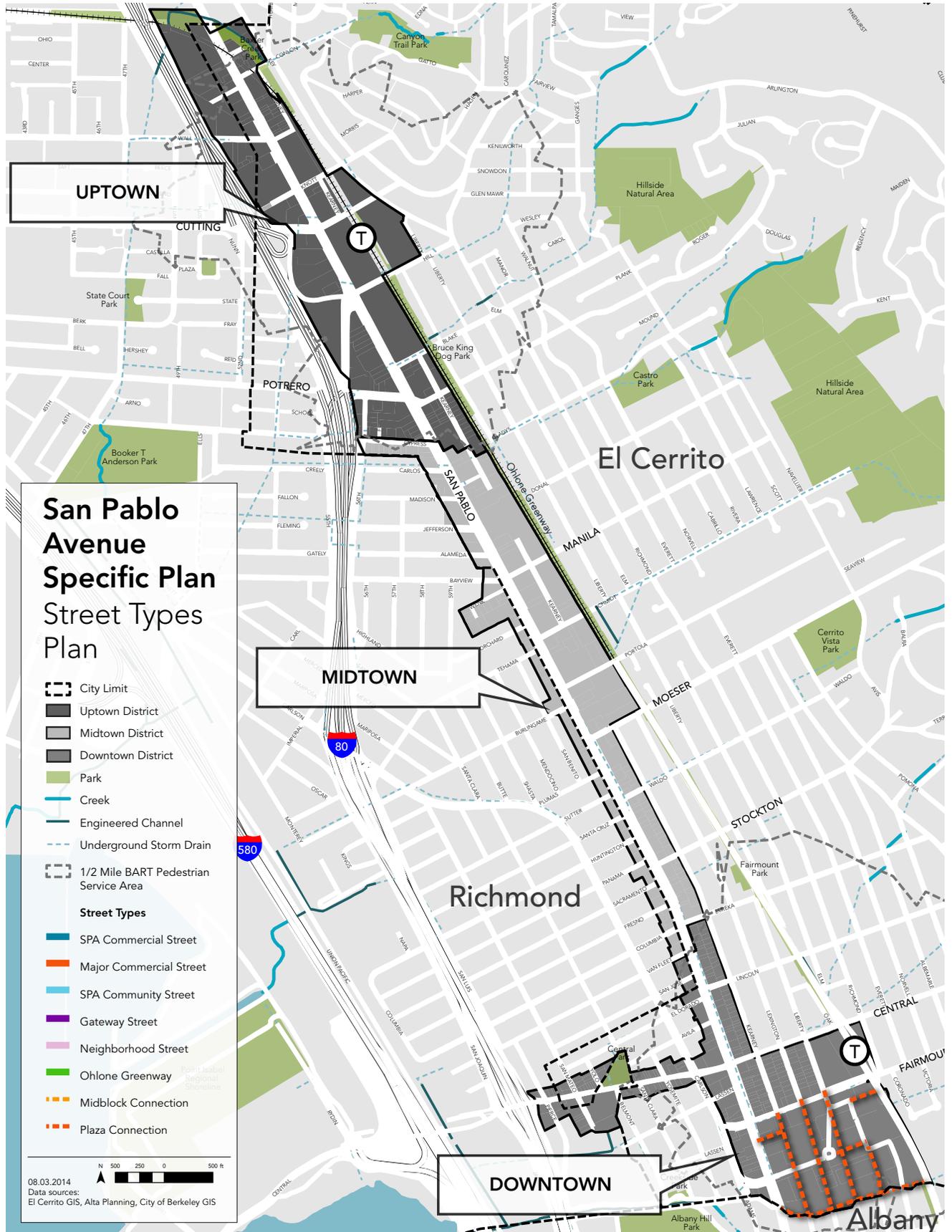
FBC Table 18. Midblock Connection Building Form		
Upper Floor Setbacks	0'-0"	
Ceiling Height Ground Floor (fin. floor to fin. ceiling)	Regulated by primary street	
Ceiling Height Upper Floors (fin. floor to fin. ceiling)	Regulated by primary street	
Building Length	300' max. <i>Longer building length to be approved by Design Review Board and Planning Commission</i>	
Transparency Ground Floor	Non-residential 50% min., Residential 30% min. <i>See Section 2.05.03 Building Articulation</i>	I
Transparency Upper Floors	25% min. <i>See Section 2.05.03 Building Articulation</i>	J
Encroachments Front	n/a	
Encroachments Rear	n/a	
Allowed Frontage Types	Max. 100%: Flex, Frontyard, or Eco-front Max. 50%: Shop Front	

See Section 2.05.08.08.01 Fence and Screening: Additional Regulations for explanation of terms



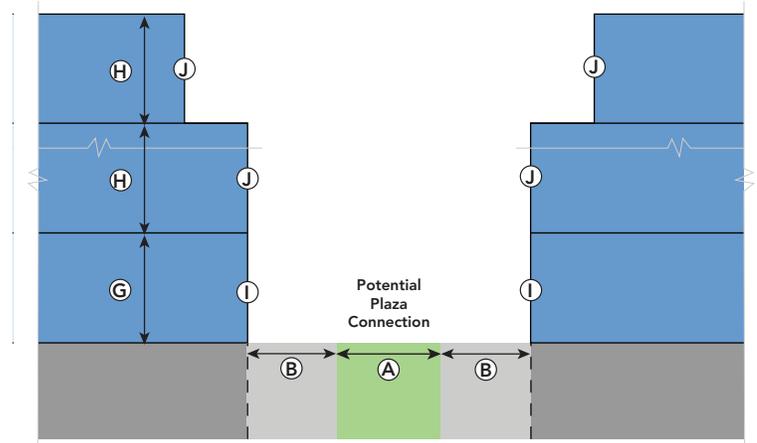
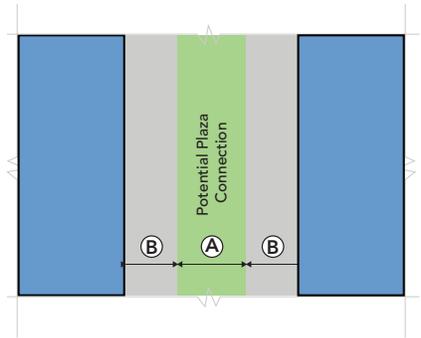
FBC Figure 34. Illustrative Photo: Midblock Connection with planting, ground floor residential entries and upper floor transparency.

2.04.02.07 Potential Plaza Connection



FBC Figure 35. Potential Plaza Connection Map

Potential Plaza Connection



FBC Figure 36. Development Standards Plan Diagram

FBC Figure 37. Development Standards Section Diagram

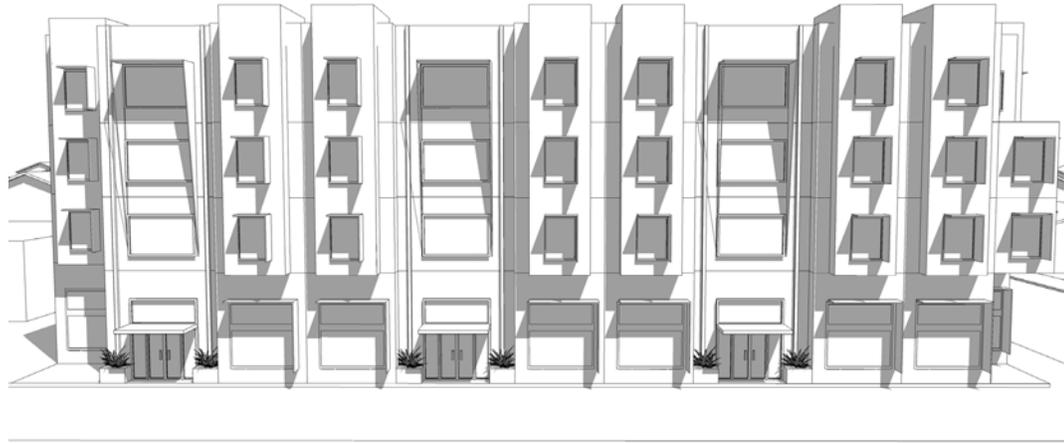
2.04.02.07.01 Intent

To provide additional commercial opportunities and increase walkability in the El Cerrito Plaza shopping center, additional buildings provide pedestrian, bicycle and auto connections and gathering spaces through the site.

FBC Table 19. Plaza Connection Building Placement

Amenity Zone	14'-0" min.	A
Mixed-flow Auto-Pedestrian Zone	20'-0" min.	B
Activity Zone	Same as Amenity Zone	
Ground Floor Front Setback	n/a	
Side Setback	n/a	
Rear Setback	n/a	
Pedestrian Access	Ground floor units and spaces to have individual entries along front or side streets.	
Vehicular Access	n/a	

Potential Plaza Connection



FBC Figure 38. Prototypical building elevation along Midblock Connection illustrating ground floor Shop Frontage opening onto the plaza connection.

FBC Table 20. Plaza Connection Building Form		
Upper Floor Setbacks	0'-0"	
Ceiling Height Ground Floor (fin. floor to fin. ceiling)	9'-0" min. clear	G
Ceiling Height Upper Floors (fin. floor to fin. ceiling)	9'-0" min. clear	H
Building Length	300' max. <i>Longer building length to be approved by Design Review Board and Planning Commission</i>	
Transparency Ground Floor	Non-residential 50% min., Residential 30% min. <i>See Section 2.05.03 Building Articulation</i>	I
Transparency Upper Floors	25% min. <i>See Section 2.05.03 Building Articulation</i>	J
Encroachments Front	n/a	
Encroachments Rear	n/a	
Allowed Frontage Types	Front Yard, Forecourt (NE side), Flex, Shop Front, Eco-front	

See Section 2.05.08.08.01 Fence and Screening: Additional Regulations for explanation of terms



FBC Figure 39. Illustrative Photo: Commercial pedestrian and bike connection.

2.05 SUPPLEMENTAL GENERAL DEVELOPMENT STANDARDS

2.05.01 PURPOSE

There is a large body of evidence that the Bay Area will experience significant population growth over the next twenty-five years. In order to accommodate this growth in a responsible and sensitive manner, recent policy documents created at the State, regional and local levels have proposed to locate this growth in higher density developments in existing cities near transit hubs to reduce urban sprawl and maximize existing resource efficiency. With this document, the City of El Cerrito is putting forth a clear set of parameters in which to prepare for and accommodate this projected growth in the manner most respectful of existing key assets, amenities and neighborhoods in the City as identified by the community; this Plan seeks to maintain development feasibility, while celebrating the extensive historic, cultural, environmental and ecological amenities of El Cerrito.

These standards supplement the Development Standards for each Transect Zone and Street Type (See *2.04 Development Standards*). These standards are intended to ensure development that employs context-sensitive design that strengthens a sense of place, ensures return on investment, encourages practical and market friendly development, enhances and humanizes the public realm, and positions the Avenue as an environmental and ecological destination of the Bay Area.

2.05.02 SITE LAYOUT

2.05.02.01 Building Orientation

2.05.02.01.01 Intent

The following guidelines are general and demonstrated superior design due to site or project specifics will be considered through the administrative review process highlighted in Section 2.02 *Administration of Regulating Code*.

2.05.02.01.02 Design Guidelines

- A. All buildings located along a public street should be oriented toward and have their primary entrances toward, the public street. The primary street frontage is determined by its higher order in the hierarchy outlined in Section 2.04.01 *Regulation by Street Type*.
- B. On properties that border the Ohlone Greenway orientation of windows and entrances should follow the Ohlone Greenway street type standards (See Section 2.04.02.05 *Ohlone Greenway*).
- C. Ground floor building entrances on the interior of the site should be accessible from the public sidewalk.
- D. On parcels that contain historic and/or cultural resources, preservation and creative reuse should be considered as part of the site layout. Project designs that celebrate and highlight historic and/or cultural resources contribute to a sense of identity along the Avenue.
- E. On parcels that contain creeks, developments should strongly consider daylighting creeks where naturalized or culverted streambeds exist within property boundaries or in the adjacent public right-of-way. Projects should celebrate the fact that open-air creeks are considered a public good and can contribute to open space requirements.

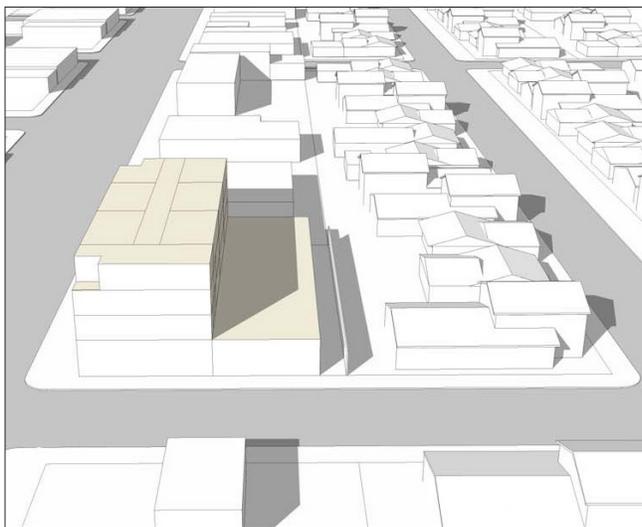
2.05.02.02 Shadow Standards

2.05.02.02.01 Intent

To minimize impacts of shadows on public right-of-ways and open space and adjacent residential lots through leveraging creative design solutions, establishing context-sensitive setbacks and height guidelines. Shadows shall be measured on Winter Solstice (December 21) to ensure compliance with the upper floor setback and height regulations outlined in the following section except along local residential streets. For more information on administrative process and exceptions for constrained lots see Section 2.02 Administration of Regulating Code.



FBC Figure 40. Illustrative Photo: Context-sensitive building development that steps down to adjacent single-family residential uses.



FBC Figure 41. Illustrative model demonstrating limited shadow on adjacent parcel with upper floor setback.



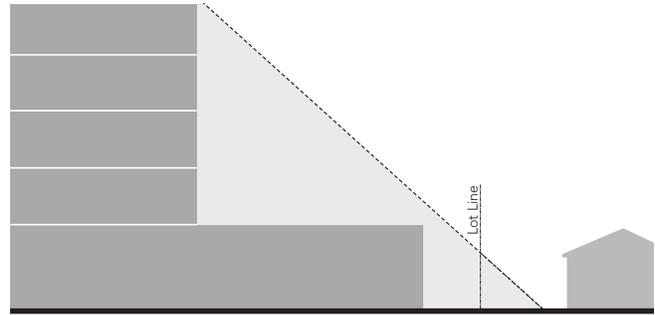
FBC Figure 42. Higher-density development with upper floor setback.

Shadows

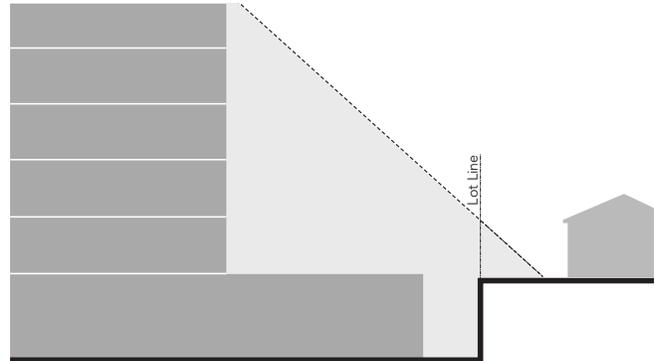
2.05.02.02.03 Rear and Upper Floor Setback Adjacent to Existing Residential Uses

Buildings shall not cast shadows onto adjacent existing residential uses on Winter Solstice (December 21) :

- Greater than 14'-0" deep at 1:30p.m. on adjacent parcels to the east.
- Due to solar angle, there is no shadow requirement for adjacent parcels to the west.



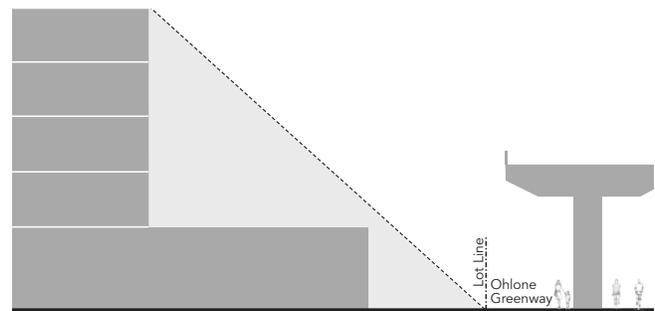
FBC Figure 43. Shadow Diagram: Rear and Upper Floor Setback Adjacent to Residential Lot.



FBC Figure 44. Shadow Diagram: Rear and Upper Floor Setback Adjacent to Residential Lot with Grade Change.

2.05.02.02.02 Front and Upper Floor Setback Along Ohlone Greenway

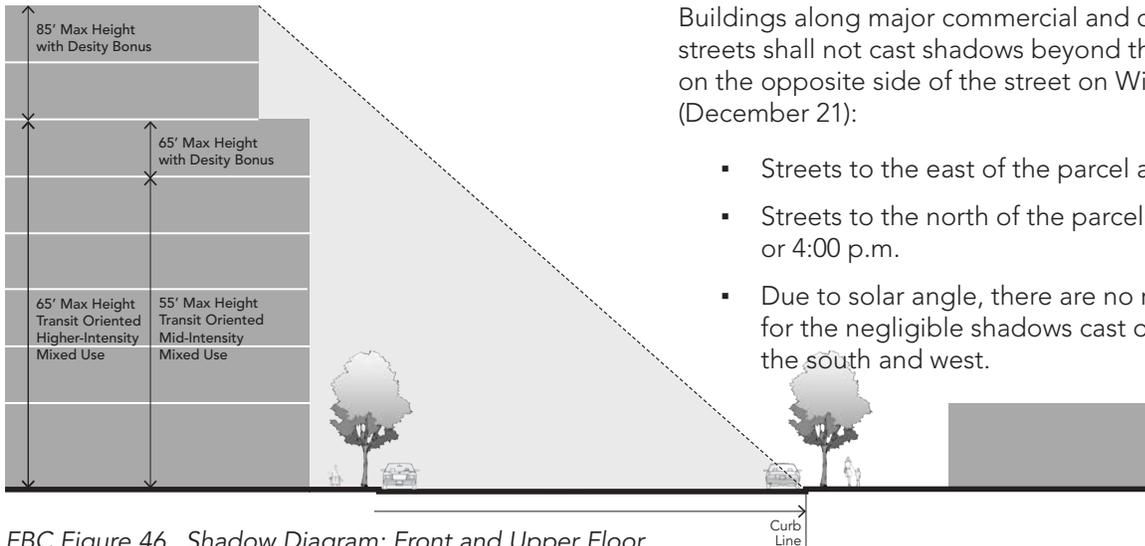
Buildings shall not cast shadows onto the Ohlone Greenway on Winter Solstice (December 21) at 1:30 p.m.



FBC Figure 45. Shadow Diagram: Rear and Upper Floor Setback Adjacent to Ohlone Greenway.

Shadows

2.05.02.02.04 Front and Upper Floor Setback Along Major Commercial and Commercial Streets

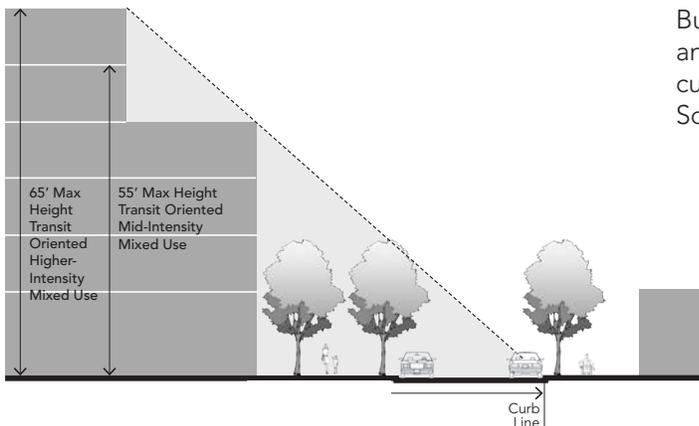


Buildings along major commercial and commercial streets shall not cast shadows beyond the curb line on the opposite side of the street on Winter Solstice (December 21):

- Streets to the east of the parcel at 1:30 p.m.
- Streets to the north of the parcel at 10:00 a.m. or 4:00 p.m.
- Due to solar angle, there are no requirements for the negligible shadows cast on streets to the south and west.

FBC Figure 46. Shadow Diagram: Front and Upper Floor Setback Along Major Commercial Street.

2.05.02.02.05 Front and Upper Floor Setback Along Neighborhood Street

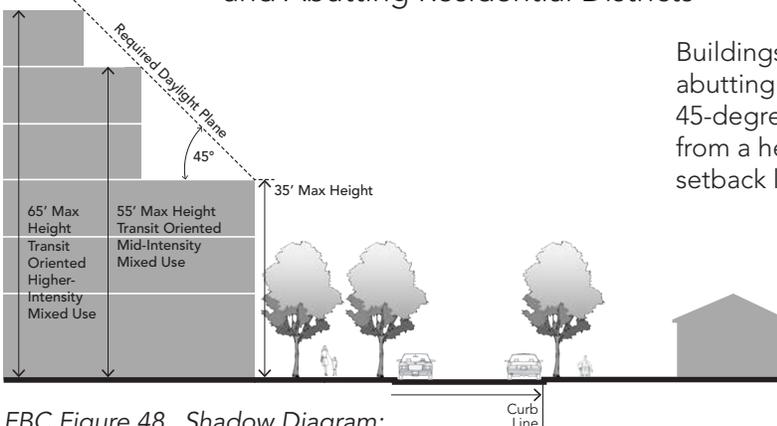


Buildings along neighborhood streets with commercial and mixed uses shall not cast shadows beyond the curb line on the opposite side of the street on Winter Solstice (December 21):

- Streets to the east of the parcel at 1:30 p.m.
- Streets to the north of the parcel at 10:00 a.m. or 4:00 p.m.
- Due to solar angle, there are no requirements for the negligible shadows cast on streets to the south and west.

FBC Figure 47. Shadow Diagram: Front and Upper Floor Setback Along Neighborhood Street (Commercial/Mixed-use).

2.05.02.02.06 Front and Upper Floor Setback Along Neighborhood Street and Abutting Residential Districts



Buildings along neighborhood streets and buildings abutting residential districts shall not intercept a 45-degree daylight plane inclined inward starting from a height of 35 feet above existing grade at the setback line.

FBC Figure 48. Shadow Diagram: Front and Upper Floor Setback Along Neighborhood Street (Residential).

2.05.02.03 Views

2.05.02.03.01 Intent

To acknowledge existing key natural and scenic views of Mount Tamalpais, the Golden Gate Bridge, Albany Hill, the East Bay Hills and the San Francisco Skyline, and to leverage context-sensitive design and minimize the impact of new development on these views. Design solutions might include adjustments in height, bulk, setbacks and orientation to frame or retain partial views.

2.05.02.03.02 Key Views



FBC Figure 49. Key Views

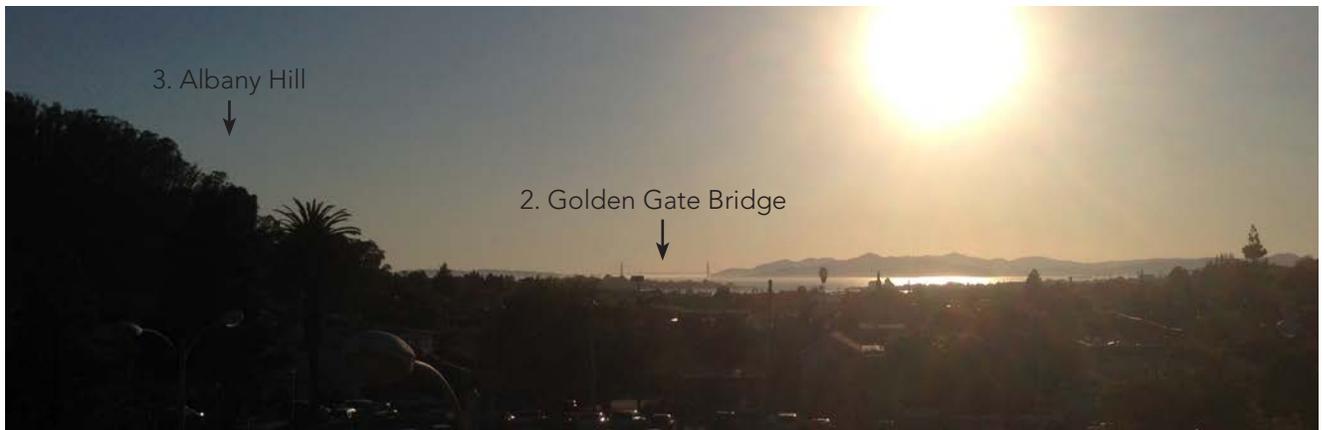
2.05.02.03.03 View Design Guidelines

1. New developments should be designed to acknowledge the existing key views located on the map in section 2.05.02.03.02 Key Views from the following locations: public right-of-way of east-west streets (roadways and sidewalks) and the BART platforms.
2. In new developments, buildings should break to ground level every 200 feet Downtown and every 300 feet Uptown and Midtown in the East-West direction to allow view corridors through the site. Distance between buildings should be no less than 25'-0" wide. These breaks can be designed as mid-block connections. See Section 2.05.06.02.03 Midblock Connections. The Zoning Administrator reserves the right to require a more context-sensitive solution if available.

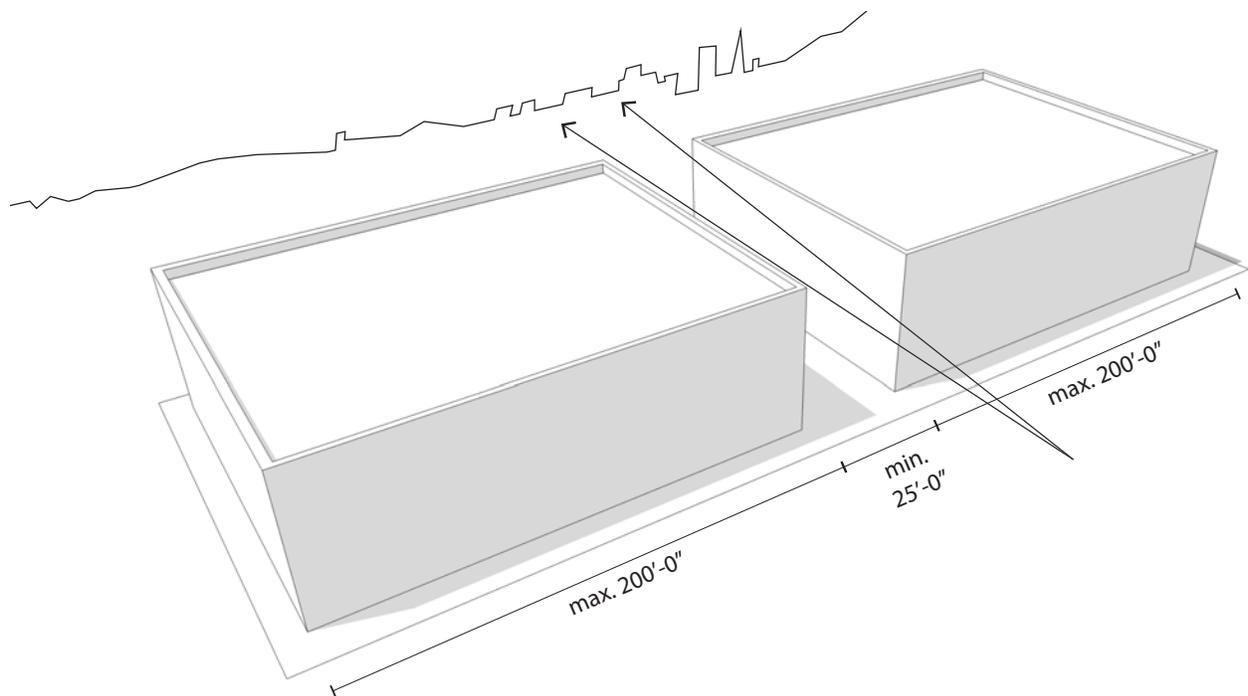
Views



FBC Figure 50. View from El Cerrito del Norte BART Station Platform



FBC Figure 51. View from El Cerrito Plaza BART Station Platform

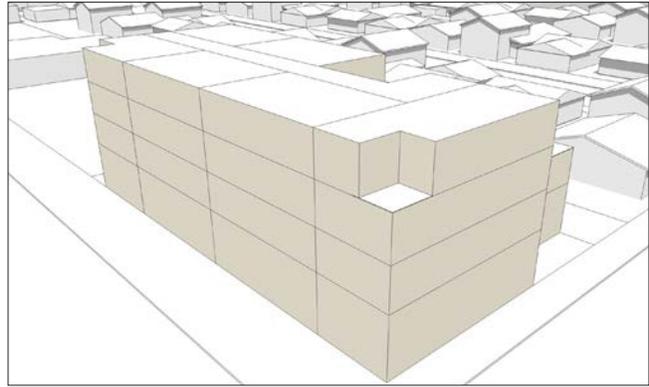


FBC Figure 52. View corridor design guideline for new developments

2.05.03 BUILDING ARTICULATION

2.05.03.01 Intent

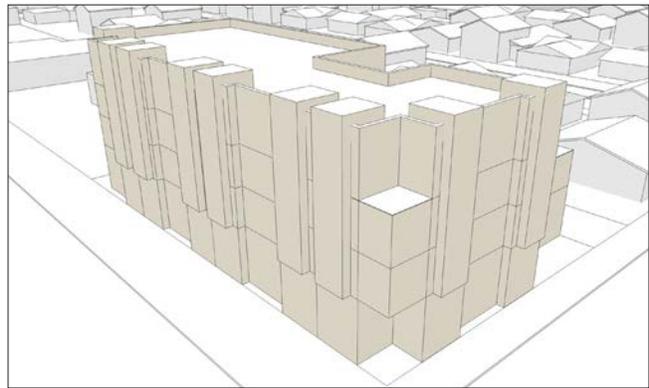
To respect the scale and grain of existing development and ensure that the design and character of new buildings enhance San Pablo Avenue and the surrounding neighborhoods. Variations in height, wall plane, colors, materials and textures and the provision of art, open spaces and sustainable design elements create a more interesting pedestrian environment at a scale that encourages walking, biking, shopping, active recreation and gathering.



FBC Figure 53. Building massing without articulation.

2.05.03.02 Variable Wall Plane and Height

- A. At least 50% of the planes of the exterior walls along public streets shall vary in depth and/or direction through the use of cornices, recesses, ecological elements and overhangs.
- B. Instead of having a continuous flat wall, the wall shall have offsets of a minimum of 1 foot for every 50 feet of length in the Uptown and Midtown areas and 1 foot for every 25 feet of length in the Downtown area as outlined in *FBC Table 21. Building Articulation*.
- C. Front doors shall be offset up to 5 feet on the ground floor. Distances between entries are outlined in *FBC Table 21. Building Articulation*.



FBC Figure 54. Building with variable wall plane.

FBC TABLE 21. BUILDING ARTICULATION

	Uptown/Midtown	Downtown
Wall Plane Offset	1'-0" min. for every 50' length	1'-0" min. for every 25' length
Distance Between Entries Non-Residential	100' max.	50' max.
Distance Between Entries Residential	50' max.	30' max.

2.05.03.03 Colors, Materials and Textures

- A. 50% of building facades shall be articulated by use of a change in plane, color, arrangement of facade elements, or a change in materials (including glazing) to break the building mass.
- B. A flat building facade shall incorporate details such as window trim, window recesses, cornices, changes in material, color or other design elements in an integrated composition. Some of the architectural features of the main facade shall be incorporated into the rear and side elevations.
- C. Building materials used on the ground floor shall be high quality durable materials.
- D. There shall be a same or greater level of detail and articulation on the ground floor as on the upper floors of a building.
- E. Sustainable Design Elements. Prominently feature the incorporation of sustainable technologies, including but not limited to solar energy or hot water generation, wind power generation, green walls, stormwater retention or treatment landscapes, artistic installations, or native habitat areas in the facade of the building to increase environmental sustainability, soften the building's edge and provide visual interest for the pedestrian. Sustainable design elements are particularly appropriate on Gateway Streets, where they will contribute to the City's identity and celebrate the City's sustainability programs.
 - 1. Sustainable technologies must be an integral part of the building's form and shall be designed as visible iconic elements in the sidewalk environment.
 - 2. The body of design review will make the final determination as to the design integration and appropriateness of sustainable elements.
 - 3. Solar panel installations shall minimize glare reflected onto adjacent properties.
 - 4. All overhanging elements shall be at least 8 feet above the adjacent sidewalk or grade.



FBC Figure 55. Building with varying colors, materials, and textures.

2.05.04 FRONTAGE TYPES

2.05.04.01 Intent

- A. To establish requirements for building frontage types allowable on each street type. The frontage types work in concert with the underlying Transect Zone to ensure that proposed development is consistent with the City's goals for building form, character and quality.
- B. Subject to the requirements of the applicable street type, buildings shall be designed with one of the frontage types permitted in the zone by *FBC Table 22. Frontage Type Permitted by Street Type*.



FBC Figure 56. Front Yard



FBC Figure 57. Arcade/Gallery



FBC Figure 58. Forecourt



FBC Figure 59. Flexible



FBC Figure 60. Shop Front

2.05.04.02 Standards for all Frontage Types

- A. All buildings should provide 100% lot frontage except where usable open space has been provided or vehicular access is necessary.
- B. All Shop Fronts shall provide clear views of merchandise displays within the shop space and/or maintained and lighted merchandise displays within a display zone with a minimum depth of 3 feet from the glass.

FBC TABLE 22. FRONTAGE TYPE PERMITTED BY STREET TYPE

Frontage Type	Street Type							MBC	PPC
	SPC	SPM	MC	GWY	NS	OG			
Shop Front	•	•	•	•	•***	•	•	•	
Flexible	•	•	•	•	•***	•	•	•	
Arcade/Gallery*	•	•							
Forecourt**	•	•	•	•	•	•		•	
Front Yard				•	•	•	•	•	

* Note: Arcades are allowed only on the south and west facades of buildings to minimize sun glare.

** Note: Forecourts should be situated to maximize solar access.

***Note: Shop Fronts and Flex spaces are only allowed on Neighborhood Streets with planned commercial uses.

STREET TYPE GLOSSARY:

SPC: San Pablo Avenue Commercial

SPM: San Pablo Avenue Community

MC: Major Commercial

GWY: Gateway

NS: Neighborhood Street

OG: Ohlone Greenway

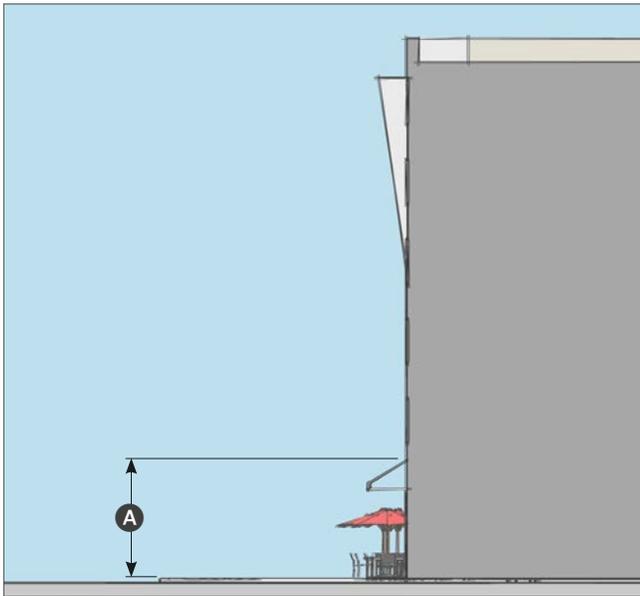
MBC: Midblock Connection

PPC: Potential Plaza Connection

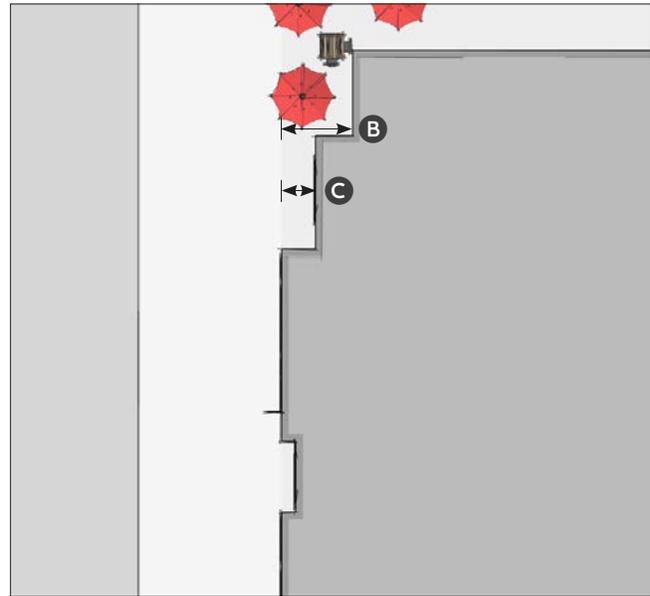
Shop Front Axonometric View



FBC Figure 61. Shop Front Axonometric View



FBC Figure 62. Shop Front Section View



FBC Figure 63. Shop Front Plan View



FBC Figure 64. Shop Front Illustrative Photos



FBC Figure 65. Shop Front Illustrative Photos

2.05.04.03 Shop Front Frontage Type

Shop Fronts are facades placed at or close to the right-of-way line, with the entrance at side walk grade. This type is conventional for retail frontage and is commonly equipped with cantilevered awnings or similar shade-providing overhangs. Substantial glazing at pedestrian level encourages sidewalk activation. Most appropriate for active commercial areas.

2.05.04.03.01 Configuration

A great variety of shop front designs are possible, but the following shall apply:

FBC Table 23. Dimensions	
A	A minimum of 12 feet clear to a maximum of 18 feet tall, as measured from the adjacent sidewalk.
B	Shop Fronts can be recessed from the frontage line by up to 10 feet from ROW to accommodate outdoor retail such as cafe seating, or allow for Amenity, Activity and Pedestrian Zone requirements for different street types.
C	Entryways can be recessed a maximum of 5 feet from the remainder of the ground floor facade.
Glazing	
D	The corresponding shop front glazing along the primary frontage shall comprise at least 75% of the 1st floor wall area facing the street and shall not have opaque or reflective glazing.

2.05.04.03.02 Elements

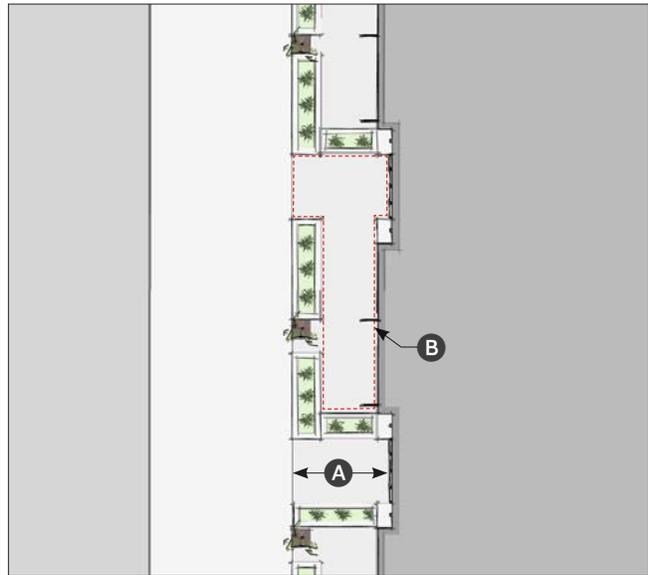
- A. Shade providing awnings and overhangs shall be integral to building form and character, and are especially appropriate on the northeast side of San Pablo Avenue.
- B. Awnings, signs and overhangs shall allow at least 8 feet clear above the adjacent sidewalk or grade.
- C. Operable and open-ended awnings are encouraged.



FBC Figure 66. Flex Axonometric View



FBC Figure 67. Flex Section View



FBC Figure 68. Flex Plan View



FBC Figure 69. Flex Frontage Illustrative Photos



FBC Figure 70. Flex Frontage Illustrative Photos

2.05.04.04 Flex Frontage Type

Flex Frontages are designed so that ground floor retail and commercial uses may be used for temporary residential uses, and uses may be interchanged. The design flexibility allows for ground floor facades to transition between shop front requirements and residential uses.

2.05.04.04.01 Configuration

A great variety of designs are possible, but the following shall apply:

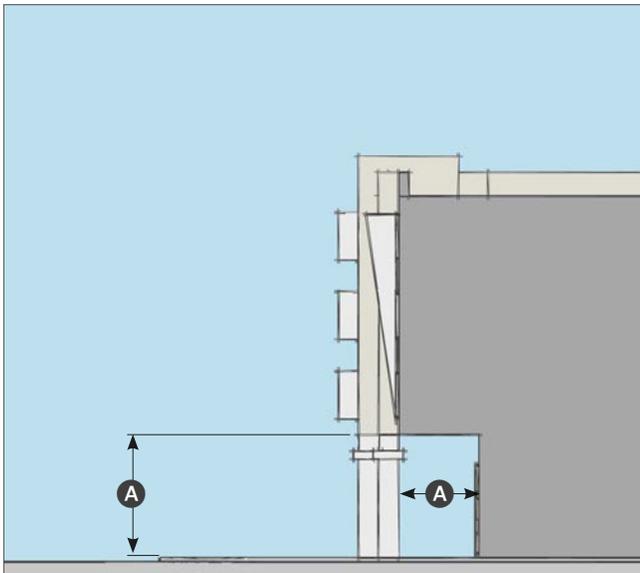
FBC Table 24. Clearance	
A	Flex Frontages may be recessed from the ROW by up to 10 feet to allow for more privacy.
B	Recessed areas and Activity Zone for all street types can be temporarily used as private outdoor space for residential uses. Up to 75% of the vertical plane above 3 feet separating the temporary ground floor residential use and Pedestrian Zone should be open to sidewalk. This allows for eyes on the street.
Glazing	
C	Facades are to be designed to have variable transparency for varying uses. The minimum transparency for temporary residential uses is 25%. The minimum transparency for commercial or retail uses is stated in Section 2.03.13 Street Types.
D	Required transparent areas shall not have opaque or reflective glazing.

2.05.04.04.02 Elements

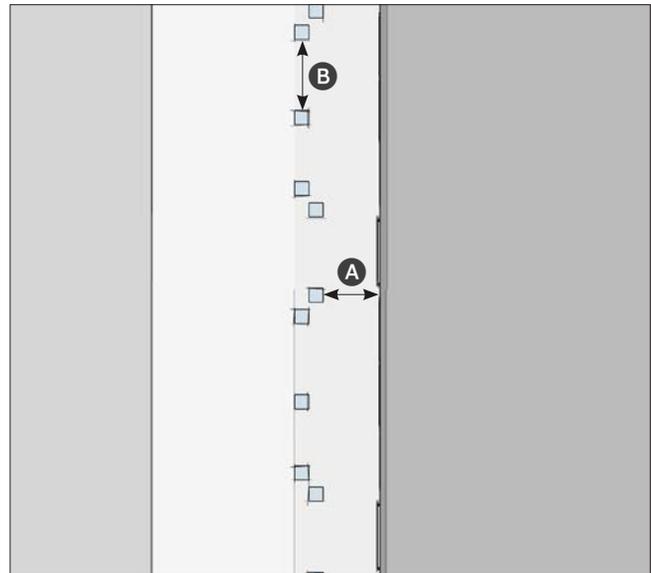
- A. Temporary elements, such as raised planters, seats and low walls, may be used to create privacy for residential uses; these elements should be clear of the Pedestrian Zone required by the street types.
- B. Permanent elements in the Activity Zone, such as trees, should be designed to accommodate future use for ground floor commercial.
- C. Awnings, signs, overhangs and other temporary horizontal overhangs shall be at least 8 feet above the adjacent sidewalk or grade.
- D. Wood paneling, opaque or reflective glass, etc. can be temporarily used for ground floor residential facades.
- E. Public or semi-public uses should be encouraged on the ground floor.
- F. Shading and glare reduction needs should be addressed using outside shading devices where possible.



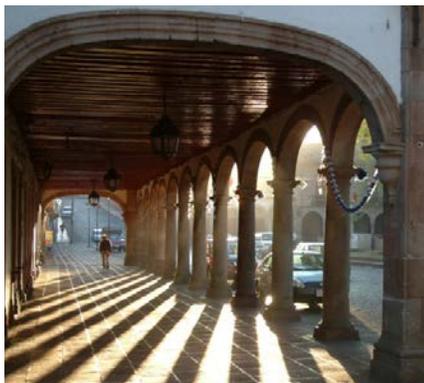
FBC Figure 71. Axonometric View



FBC Figure 72. Arcade Section View



FBC Figure 73. Arcade Plan View



FBC Figure 74. Arcade Illustrative Photos



FBC Figure 75. Arcade Illustrative Photos

2.05.04.05 Arcade Frontage Type

Arcades are a Flex Frontage type where facades have an attached colonnade covered by upper stories. This type is ideal for Flex use on the northeast side of San Pablo Avenue. For Building Code considerations, this frontage type cannot cover the public right-of-way.

2.05.04.05.01 Configuration

Arcades shelter pedestrians and building interiors from the elements, including sun, rain and wind. A great variety of arcade designs are possible, but the following shall apply:

- A. Arcades must be designed to minimize Southwest sun glare on the southern and western facades of buildings.
- B. The height and the proportions of the arcade shall correspond to the facade consistent with the architectural style of the building
- C. Along primary frontages, the arcade shall correspond to shop front openings

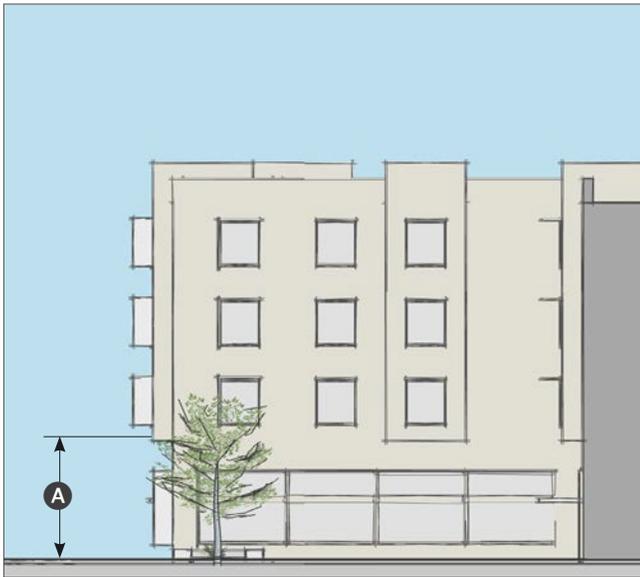
2.05.04.05.02 Elements

- A. Arcade space may be temporarily used as portico spaces for ground floor residential through the use of planters, seat walls and the like.
- B. Awnings, signs, overhangs and other temporary horizontal overhangs shall be at least 8 feet above the adjacent sidewalk or grade.

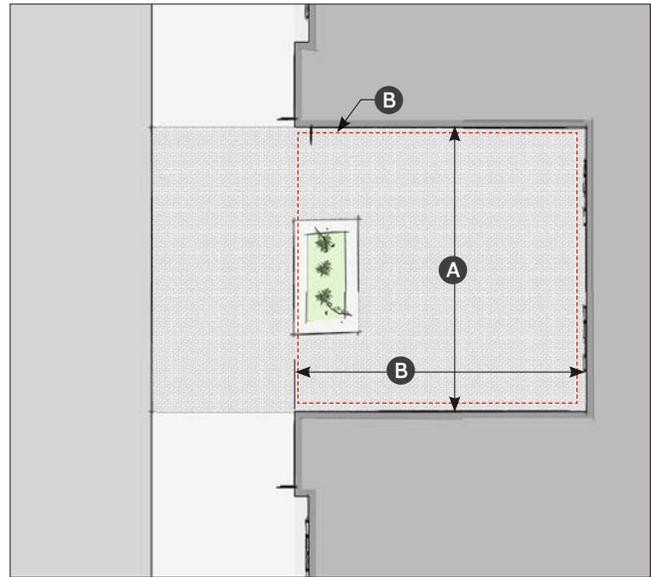
FBC Table 25. Clearance	
A	A minimum of 8 feet wide clear depth and 10 feet clear height is required.
B	Soffits, columns/arches shall be treated consistently with the architecture of the building.
Glazing	
C	Primary frontage shop front openings shall be at least 10 feet tall and comprise 75% of the 1st floor wall area facing the street and shall not have opaque or reflective glazing.



FBC Figure 76. Forecourt Axonometric View



FBC Figure 77. Forecourt Section View



FBC Figure 78. Plan View



FBC Figure 79. Forecourt Illustrative Photos



FBC Figure 80. Forecourt Illustrative Photos

2.05.04.06 Forecourt Frontage Type

A Forecourt is a public or semi-public exterior space partially surrounded by a building and open to a thoroughfare, within the shop front, gallery or arcade frontage. The space is suitable for gardens, outdoor dining, shared open space and public plazas and should be situated to maximize solar access.

2.05.04.06.01 Configuration

The forecourt can be designed to serve as a privately-owned semi-public or public open space. The open space requirements should meet the open space standards in section 2.05.06.02 *Open Space Type Design Guidelines*. A great variety of forecourt designs are possible, but the following shall apply:

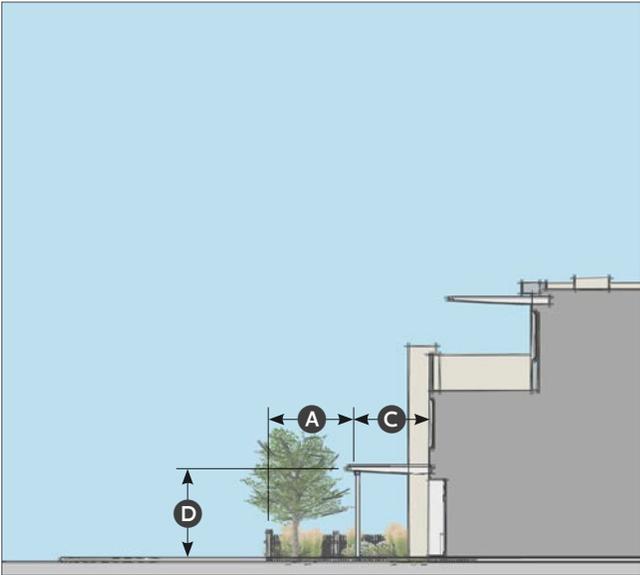
2.05.04.06.02 Elements

- A. Minimum clearances for signs and awnings shall be 8 feet from sidewalk for vertical clearances and the width of the side walk for horizontal clearances.
- B. Planters, seat walls and other elements of up to 30 inches high can be used to define the sidewalk edge.

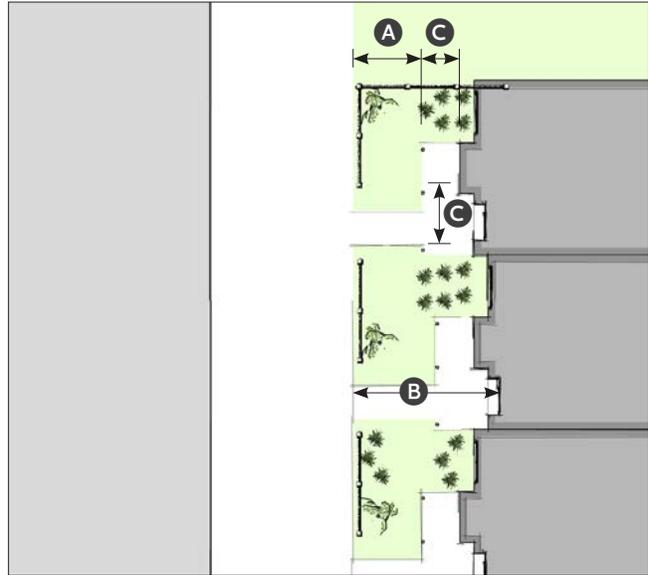
FBC Table 26. Dimensions	
A	A minimum of 10 feet deep and 20 feet wide and a maximum of 50% lot frontage for a semi-public space.
B	For a privately owned open space, minimum forecourt area is 2,000 square feet, with an average depth of 40 feet.
Glazing	
C	The corresponding shop front(s) opening(s) along the primary frontage shall be at least 50% of the 1st floor wall area and shall not have opaque or reflective glazing.



FBC Figure 81. Front Yard/Porch Axonometric View



FBC Figure 82. Front Yard/Porch Section View



FBC Figure 83. Front Yard/Porch Plan View



FBC Figure 84. Front Yard Illustrative Photos



FBC Figure 85. Front Yard Illustrative Photos

2.05.04.07 Front Yard/Porch Frontage Type

Front Yards are a common frontage primarily associated with single family houses, but may be used with other building types depending on context. The facade is set back from the right of way with a front yard. An encroaching porch may also be appended to the facade. A fence or wall at the property line may be used to define the private space of the yard.

2.05.04.07.01 Configuration

A great variety of designs are possible, if used. The following shall apply:

FBC Table 27. Dimensions	
A	A minimum of 5 feet deep clear.
B	Maximum of 15 foot setback from the ROW.
Porches	
C	A minimum of 12 feet wide clear for centered entry; or a minimum of 10 feet clear for asymmetrical entry.
D	A minimum of 10 feet tall clear.
E	Porches shall be at grade or raised to transition into the building. In no case shall porches not be ADA accessible from the adjacent grade.
F	Glazing min. 25%

2.05.04.07.02 Elements

- A. Fences or walls defining the front yard shall not exceed 3 feet in height from the adjacent sidewalk, and shall comply with Section 2.05.08 *Landscaping, Fencing and Screening Standards*.
- B. Retaining walls within the front yard setback cannot exceed 18 inches in height.
- C. Front yards can be designated to serve common open space requirements.
- D. Front yards can serve as community gardens and may accommodate mandatory stormwater treatment requirements.

2.05.05 SUSTAINABLE DESIGN ELEMENTS AND PUBLIC ART



FBC Figure 86. Sustainable Design Illustrative Photos

2.05.05.01 Energy

Intent – Reduce energy usage and El Cerrito’s carbon footprint using energy efficiency and generation technologies in support of Climate Action Plan goals.

2.05.05.01.01 General Energy Reduction

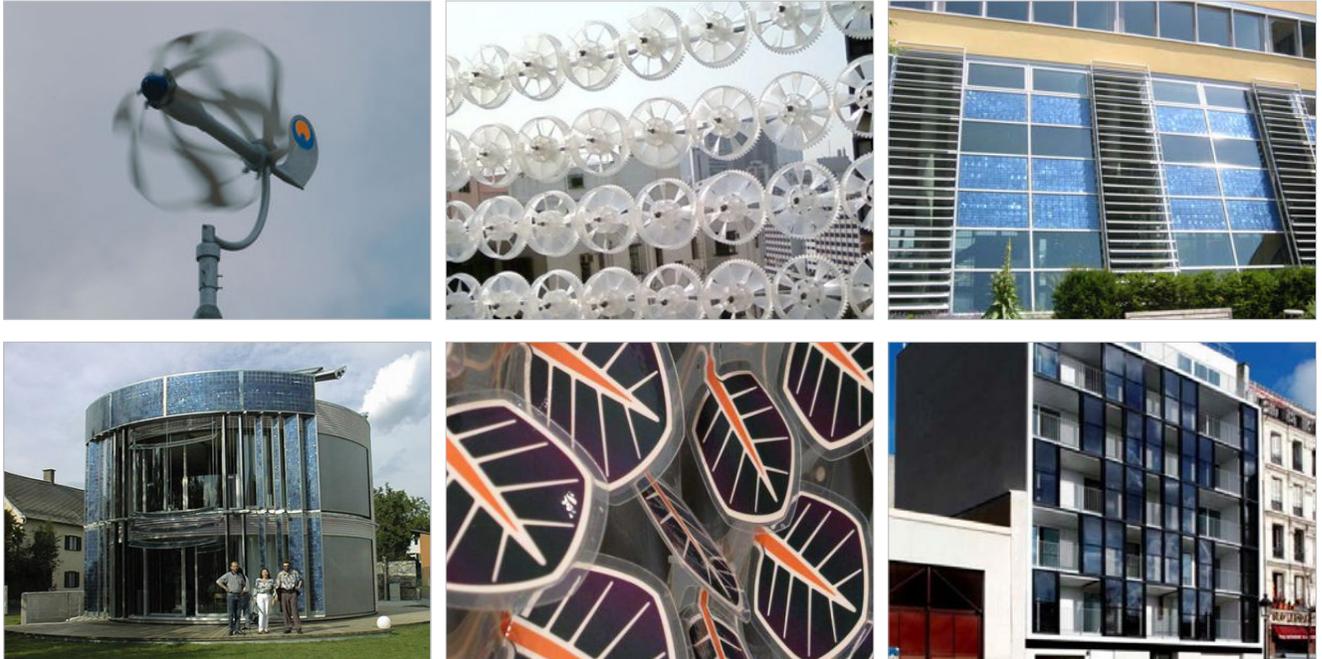
- A. All external lighting fixtures must be Dark Sky certified, or equivalent.
- B. Consider passive heating and cooling techniques during building design. All buildings must adhere to California State regulations, including current Building Energy Efficiency Standards (Title 24, Part 6).
- C. Control solar heat gain and glare using external shading devices.
- D. Consider developing Zero-Net Energy buildings as defined by the California Energy Commission. In accordance with state regulations this standard will be mandatory for residential buildings in 2020, and mandatory for commercial buildings by 2030.

2.05.05.01.02 Solar Power

These regulations allow the use of building-scale solar power generation facilities, while eliminating the potential negative impacts of these facilities. Consider maximizing the solar readiness of each building by maximizing the surface area of southern and western facing roof-slopes.

A. Active Solar

1. The solar energy code for the city is the Uniform Solar Energy Code (USEC), 2009 Edition, adopted by the International Association of Plumbing and Mechanical Officials, as amended in *El Cerrito Municipal Code 16.12: Uniform Solar Energy Code*.
2. Panel Placement is governed by *El Cerrito Municipal Code 16.02: California Building Code* and *16.26: California Fire Code* and the California Solar Rights Act.



FBC Figure 87. Urban Energy Generation Illustrative Photos

3. Roof mounted solar panels are permitted on main structures and accessory units.
4. Excess power production is allowed provided that on-site usage is the primary purpose and the production is non-commercial. Exemption: Excess power production is encouraged if it is sold back to the grid or power provider.
5. Solar collection systems used as street furniture or located within public spaces are subject to approval by the Planning and Public Works Departments.

B. Noise. Solar inverter noise must be abated to the City's noise ordinance standards.

C. Solar Access. Site elements shall not excessively shade potential solar system locations on adjacent properties. Excessive shading shall be determined by the Zoning Administrator.

2.05.05.01.03 Wind Power

These regulations allow the use of small, urban-scale wind turbines while eliminating the potential negative impacts of these devices.

A. Setbacks and Height. The height of the turbine is measured to the tip of the rotor blade at its highest point. All turbines must be building mounted, except in the case of street furniture and artistic installations.

1. Building-Mounted turbines are subject to the minimum building setbacks of the building they are mounted upon.
2. Building-Mounted turbines may rise no more than 10 feet above the roofline of buildings on the associated property.

B. Noise. Turbines must have an American Wind Energy Association (AWEA) rated sound level of 45 dBA or less.

C. Power. Turbines are limited to a production capacity of 2.5 kW each.

D. Excess power production is allowed provided that on-site usage is the primary purpose and the production is non-commercial. Exemption: Excess power production is encouraged if it is sold back to the grid or power provider.

E. All turbines must comply with the *California Guidelines for Reducing Impacts to Birds and Bats from Wind Energy Development*.

F. Wind power generation devices used as street furniture or located within public spaces may be pole-mounted and subject to approval by the Planning Department. These features must adhere to all relevant regulations for wind generation, and must be located at least eight feet from grade.



2.05.05.02 Ecology

Intent – Preserve, maintain and enhance El Cerrito’s natural environment to improve quality of life and create the conditions for thriving wildlife habitats and ecological systems.

2.05.05.02.01 Plant Selection

- A. Utilize locally appropriate plant species in all landscaped areas. Edible species or species required for specialized installations, like green walls, may be excepted at the discretion of the Zoning Administrator.
- B. Consider deliberately providing habitat or food sources for butterflies, birds, honey bees and other pollinators.
- C. Consider establishing green roofs, green walls and edible landscapes. Edible plants may be segregated into particular landscaped areas, or integrated with the larger landscape.

2.05.05.02.02 Open Space Access

- A. Provide inhabitants and/or tenants with visual and pedestrian access to open space areas. Open spaces may be public or private. Private open space is only available to tenants.

2.05.05.02.03 Green Infrastructure

- A. In keeping with the City’s NPDES Permit, evaluate opportunities for Low Impact Development (LID) facilities and features, that not only retain and treat stormwater, but provide attractive landscape amenities on site.
- B. Consider designing rain gardens and green infrastructure projects as interactive or educational spaces that provide additional social functions on site, particularly when used to fulfill open space requirements.
- C. Utilize low-maintenance, drought tolerant and native plants within the LID facility to improve natural function and reduce resource usage.



2.05.05.03 Urban Farming

Intent – Support the goals of the Urban Greening Plan by encouraging the production of nutritious food, saving energy by reducing food miles travelled, mitigating the urban heat island effect by increasing vegetation, celebrating cultural diversity and providing opportunities to build community.

Small-scale agriculture is allowed in the Plan Area as defined below. All gardening areas that abut the public right of way must be well maintained, and covered with mulch or a cover crop when not in production. Food may be used for personal consumption, donation, or direct commercial use, as when a restaurant has a small garden where ingredients are sourced. Farming and gardening buildings are subject to all existing setback regulations. Hoop buildings are not permitted. The keeping of animals is regulated by *El Cerrito Municipal Code Chapter 7.08: Keeping of Animals*.

A. **Home Gardens.** A garden maintained by one or more individuals who reside in a dwelling unit located on the subject property. Food and horticultural products may be grown for personal consumption. A home garden is an accessory use to a principal residential use.

B. **Community Garden.** An area of land managed by a group of individuals to grow and harvest food and horticultural products for personal consumption. A community garden may include common areas or facilities, like garden storage sheds, maintained and used by the group. A community garden may be a principal or accessory use. Community gardens are allowed in all Plan Areas.

C. **Green Roofs.** A green roof is partially or completely covered with vegetation and a growing medium or planters. Green roofs must comply with all applicable building codes, including *El Cerrito Municipal Code Chapter 16.02: California Building Code*.

D. **Rooftop greenhouses.** A rooftop greenhouse is allowed a 15-foot height exception to height limits as a rooftop feature. Hoop greenhouses are not allowed.

E. Urban farming areas are considered open space and may be used to fulfill the Open Space Requirements defined in *Section 2.06 General Public and Private Open Space Standards*.



2.05.05.04 Art in Public Places Program

The Art in Public Places ordinance (ECMC Section 13.50.030) details the Program’s contribution requirements, known as the “1% for Public Art”. In summary, private and municipal developments with development costs of \$250,000 or more shall devote an amount not less than one percent of such costs for acquisition and installation of public art on or near the development site, up to \$150,000. In lieu of acquisition and installation of public art on the development site, an owner or developer, at its discretion, may make an equal in-lieu contribution to the City’s Public Art Fund. The City’s Arts and Culture Commission administers the Art in Public Places program including determination as to the project’s compliance with the ordinance.

The program applies to:

- A. Commercial, industrial and municipal projects, and residential projects that create five or more residential units
- B. An existing building that is remodeled with a construction value equal to or more than 50% of the replacement cost of the building

All nonprofit agency and non-municipal governmental development shall be exempt from the requirements of this section. The City Council may exempt any municipal building.

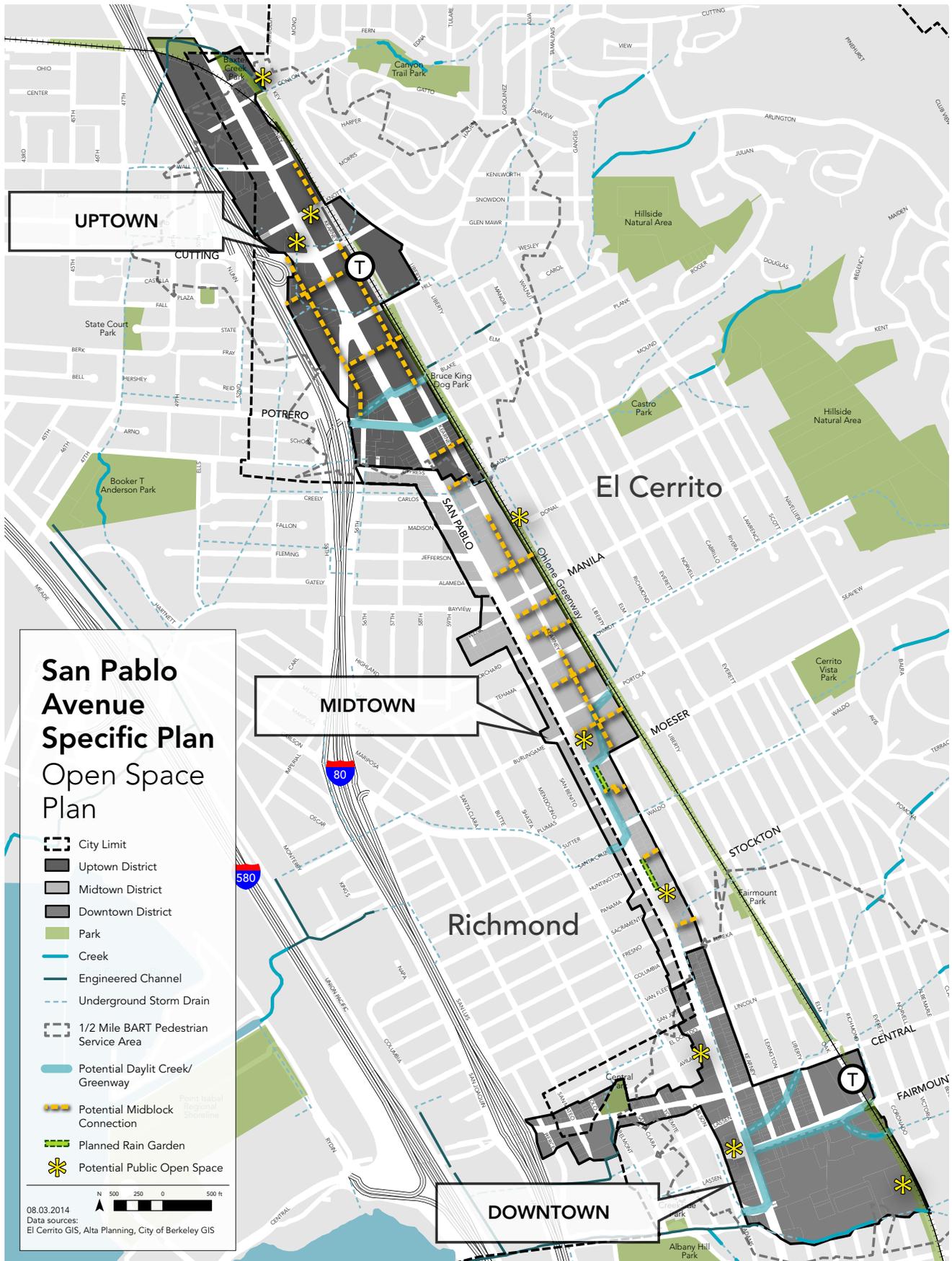
2.05.06 GENERAL PUBLIC AND PRIVATE OPEN SPACE STANDARDS

Public open space is a critical component of a vibrant and healthy urban environment and central to the community vision outlined in the El Cerrito Strategic Plan. The open space standards and guidelines outlined in this section support the goals of the City's Urban Greening Plan (in development 2014) and are intended to achieve the following:

- A. To incentivize development of multifunctional new public open space.
 - 1. This includes on-site privately owned and operated or on-site publicly owned and operated open space.
 - 2. An In-lieu Fee Program will be developed pursuant to additional analysis of open space conditions within the Specific Plan Area.
- B. To encourage urban open spaces, which include: plazas, midblock connections and community gardens
- C. To allow private open space for residential buildings.
- D. To customize the design of open space to site context.
 - 1. Create midblock connections at the locations delineated in the Street Types Plan 2.03.13 *Street Types*.
 - 2. Daylight or landscape creeks.
 - 3. Contribute to citywide stormwater improvements. By limiting new impervious surfaces and treating runoff in a manner consistent with provision C.3 of the municipal regional permit.
 - 4. Implement goals and strategies outlined in the Urban Greening Plan.
- E. To increase safety by providing more "eyes on the street" and implementing relevant Crime Prevention through Environmental Design (CPTED) principles.

2.05.06.01 On-Site Open Space Requirements

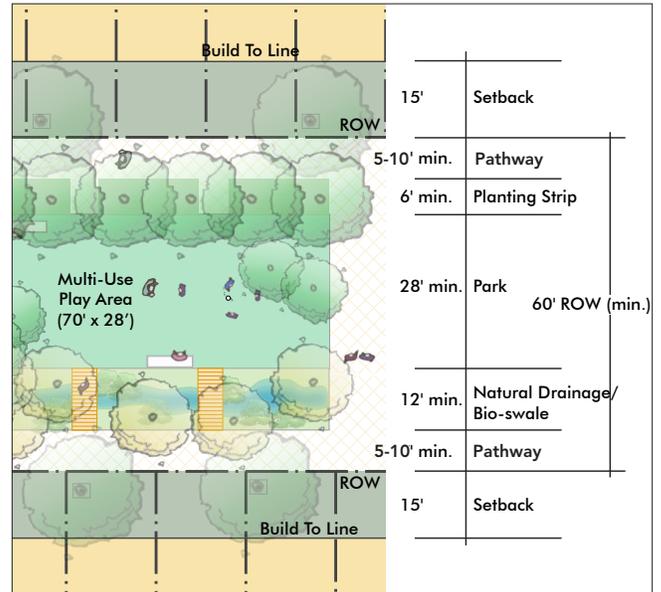
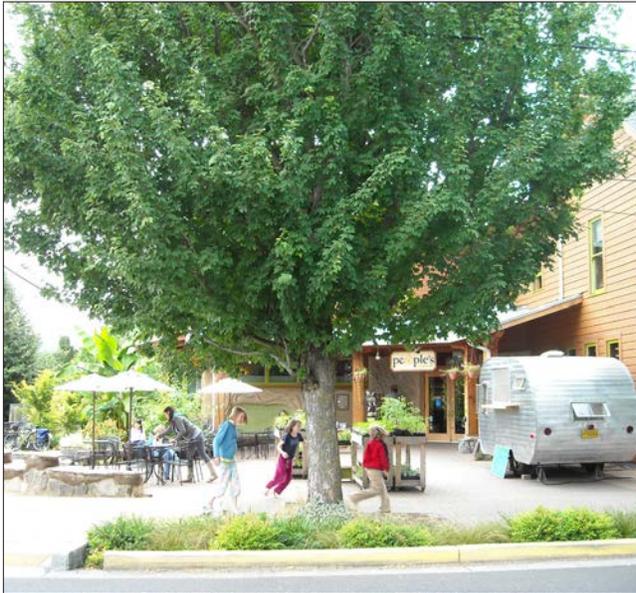
FBC TABLE 28. ON-SITE OPEN SPACE REQUIREMENTS	
Residential Uses	
Private/Common Open Space	80 sf/unit min.*
Public Open Space	Buildings < 25,000 sf there is no public open space requirement Buildings > 25,000 sf required public open space is 25 sf/1000 sf of bldg
*Public open space may be used to fulfill the private/common open space requirement - each 1 sf of public open space counts as 2 sf of private/common open space. Buildings greater than 25,000 sf must first meet their public open space requirement before using public open space to full the private/common open space requirements.	
Non-Residential Uses	
Public Open Space	Buildings < 25,000 sf there is no public open space requirement Buildings > 25,000 sf required public open space is 25 sf/1000 sf of bldg
Location/In-Lieu	
Applicants may apply to pay an in-lieu fee. Sites identified on the Open Space Regulatory Plan will be strongly encouraged to provide on-site open space as a program is established (See <i>FBC Figure 88. Open Space Plan</i>).	



FBC Figure 88. Open Space Plan

Daylighting creeks may be considered on a project by project basis. The City has no adopted Creek Daylighting requirement.

2.05.06.02 Open Space Type Design Guidelines



2.05.06.02.01 Pocket Parks

A small, well-integrated open space designed to provide access to natural landscapes, gathering and play spaces in high-density, residential, mixed use and commercial areas.

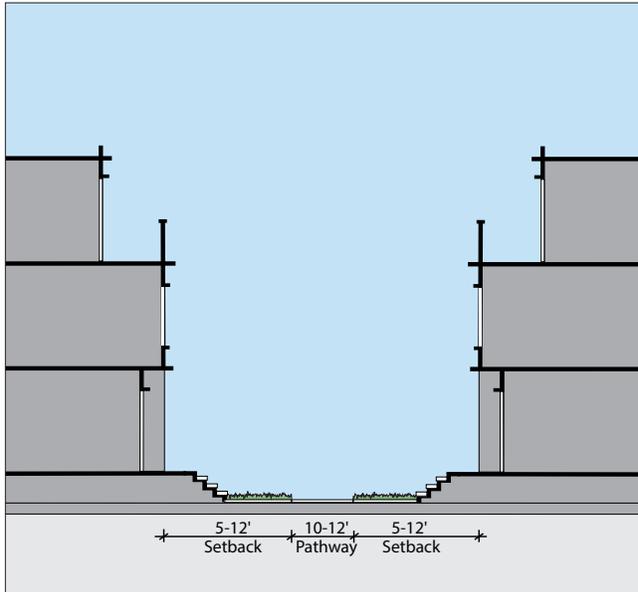
- | | |
|---|--|
| <ul style="list-style-type: none"> A. Pocket parks should be wide enough to provide adequate space for users. B. For developments adjacent to Ohlone Greenway, develop public open space as nodes of activity to enhance the Greenway's use, character and safety. C. Include play equipment areas, gathering space, community gardens and multi-use play areas to make open spaces multipurpose. D. Provide minimum 5 foot wide continuous pathways for ADA access through open spaces, and a minimum 10 foot wide multi-use pathway for pedestrians and bicycles. E. Provide adequate lighting and shade trees within open spaces. F. Design natural drainage bioswales in open spaces as a way to filter surface run-off from adjacent roofs and paving in compliance with C.3 Requirements. | <ul style="list-style-type: none"> G. Conserve and reuse water used for irrigation purposes. H. Plant restorative, resource-conserving landscaping. I. Allow up to 15 foot front setbacks on public open spaces from adjacent buildings for ground floor privacy. J. Fences within private lots should be no higher than 3 feet to provide a meaningful connection between residents and open space users. |
|---|--|



2.05.06.02.02 Plazas

A hardscape public space with seating and other urban furniture intended to provide opportunities for rest and relaxation, outdoor dining, commerce, social gathering and events that compliment the use of the building.

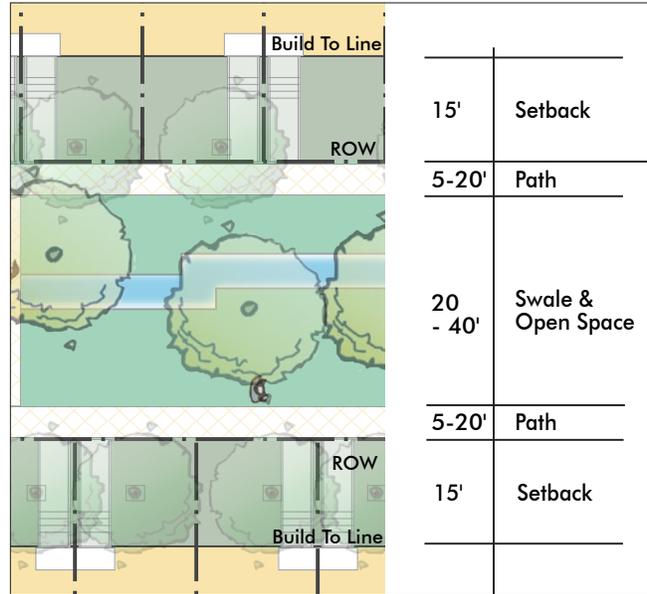
- A. Plazas shall be a minimum of 10 feet deep, 20 feet wide and a maximum of 50% lot frontage. The average dimension should be 40 feet with a minimum of 1,500 sf for corner plazas and 2,000 sf for internal plazas (forecourts).
- B. For development adjacent to transit in Downtown and Uptown, locate plazas at transit stops.
- C. Locate plazas in high visibility areas such as intersections, commercial areas and community nodes.
- D. Minimize shade from the adjoining building and ensure 50% of the open space is free of shadow during 2/3 of daylight hours (sunrise to sunset). Do not locate on the north facing edge of a building.
- E. Include amenities in all plazas such as benches, trees and landscaping, pedestrian-scaled lighting and shade structures.
- F. Include special paving in the plazas to increase visibility and identity. Where possible, pave plazas with permeable paving that meets the requirements of the stormwater C.3 Guidebook to lend identity.
- G. Design plazas to be places for community gathering, play, performance and commerce.
- H. Provide up to 15 foot front residential setbacks for buildings that front onto the plazas.
- I. Outdoor seating from small-scale retail uses is permitted and encouraged on the plazas to activate the space.
- J. Provide doors onto plazas, a minimum of 75% transparency on the ground floor façade facing the plaza, and up to 10 feet upper story setbacks to be activated with balconies and other uses to promote interaction between the private and public realms.



2.05.06.02.03 Midblock Connections

New pedestrian and bicycle passageways through large blocks designed to enhance connectivity, reduce travel distances, encourage non-motorized transportation and provide active open spaces. Adjacent buildings orient windows, openings and balconies to provide safety.

- A. Locate midblock connections when block length exceeds 300 feet or according to midblock connections in Section 2.03.03 Street Types Plan to break the building edge, increase connectivity and create a strong pedestrian network through the neighborhood.
- B. Allow minimum five feet pedestrian paths if not used by bicyclists. Provide minimum 10 feet paths when used by pedestrians and bicyclists.
- C. Provide adequate lighting along midblock connections.
- D. Where possible, pave midblock connections with permeable paving to lend identity to the connections and to minimize surface run-off. Allow trees in tree wells along midblock connections.
- E. Provide minimum five feet side setbacks for residential uses on midblock connections.
- F. Provide doors onto midblock connections, a minimum of 75% transparency on the ground floor façade facing the midblock connection, and upper story setbacks along midblock connections to be activated with balconies and other uses to promote interaction between the private and public realms.



2.05.06.02.04 Greenways/Creek Greenways

Linear open spaces designed to provide enhanced connectivity between destinations and other opens spaces while also providing areas for activity and gathering. Creek greenways run along the riparian edge and provide opportunities to bring the public closer to this natural amenity.

- A. Where possible, daylight creeks and create creek greenways to provide open space and pedestrian and bicycle pathways through blocks.
- B. Maintain sufficient buffer areas (as per creek buffer guidelines) between greenway pathways and creek banks and beds to limit the negative impacts of human use on creeks.
- C. Provide adequate lighting, seating, trash cans, etc. along greenways. If greenways are 60 feet wide, provide additional amenities in accordance with standards for open space.
- D. Maintain and increase biodiversity and protect native habitats in creek corridors.
- E. Identify and highlight creek greenways with enhanced landscaping, public art and signage.
- F. Provide 15 feet front setbacks for residential uses on greenways to provide “eyes on the park” and activate the space.
- G. Provide doors onto greenways, a minimum of 75% transparency on the ground floor façade facing the greenway and upper story setbacks along greenways to be activated with balconies and other uses to promote interaction between the private and public realms.



2.05.06.02.05 Repurposed Open Spaces

Vacant and underutilized spaces within existing building setbacks and underutilized surface parking lots converted into usable open spaces to activate the public realm. Improvements can be low-cost including paint and planters.

- A. Locate such that at least 25% of the plaza is along sidewalks of key commercial streets.
- B. Where seating is provided, incorporate a variety of seating to accommodate a range of physical abilities, as well as companion seating that enables wheelchair users to sit next to friends or family members.
- C. Provide buffers from traffic flow in parking lots through planters or low barriers.
- D. Allow open space amenities such as community gardens and unprogrammed play areas.
- E. Allow up to 50 sf of moveable structures for uses such as florists, etc. The mobile structure can occupy up to 25% of the open space.
- F. Allow permanent landscaping like trees only within setbacks regulated by street types.



2.05.06.02.06 Temporary Open Spaces

Seasonal or temporary use of private parcels for activities such as community events, food vending and pop-up parks.

- A. Incorporate movable features, such as seating, container planting, screens, bollards, etc., that can be used to change the size and scale of spaces.
- B. Provide elements that allow for change in usage depending on time of day or year, such as temporary shade structures, lighting, etc.
- C. Make sure that there is a minimum 5-foot wide travel way for pedestrians that is clear of any obstructions. Avoid any protrusions into pedestrian travel ways that are higher than 27 inches so that protrusions can be detected by someone with a visual impairment.
- D. Ensure any signs, shade elements (such as umbrellas or trees), or other features are high enough (80 inches or higher) to pose no hazard.
- E. Permit temporary open spaces on private property as an allowable use.

2.05.07 PARKING STANDARDS

2.05.07.01 Purpose

Regulate and ensure the provision of adequate parking and access for motor vehicles and bicycles.

The section also provides for adjusting parking requirements parking locations, and providing parking alternatives. These standards ensure that the parking needs of new land uses and development are met, while being designed and located in a manner consistent with the desired character and development patterns of the Specific Plan Area.

2.05.07.02 Applicability

- A. The parking standards of this Section shall apply to the following within the Specific Plan Area:
 1. New development; and
 2. Changes in land use
- B. **Applicability to Transect Zones.** The standards in this Section are intended to supplement those found in Section 2.03.02 *Transect Zones*. Should a conflict between the standards found in this Section and Section 2.03.02 *Transect Zones* arise, the standards found in Section 2.03.02 *Transect Zones* shall prevail.
- C. **Nonconforming Uses, Structures or Lots.** When a nonconforming use, structure or lot is abandoned for a period of 180 consecutive days and then changed to a new use according to the requirements of *El Cerrito Municipal Code Chapter 19.27 Nonconforming Uses, Structures and Lots*, then parking facilities shall be provided for the entire building, structure or premises, to the maximum extent possible as determined by the Zoning Administrator.
- D. **Location, Design, Landscaping.** All parking spaces shall meet the location, design, landscaping and improvement requirements in this Section, Section 2.03.02 *Transect Zones* and Section 2.05.08 *Landscaping, Fencing and Screening Standards*.
- E. **Timing of Improvements.** A land use shall not be commenced and a structure shall not be occupied until the parking and loading improvements required by this Section are completed and approved by the Zoning Administrator.

2.05.07.03 Off- Street Parking

- A. **Parking in Vehicular Use Area Required.** Vehicles whether parked or stored shall be located in a vehicular use area. For the purposes of this Subsection, "vehicles" shall include but not be limited to passenger vehicles, all trucks under 20,000 pounds of gross vehicle weight (GVW), vans, golf carts, or other similar vehicles whether operable or otherwise. Vehicles exceeding 20,000 pounds GVW are subject to the standards in Subsection D, below.
- B. **Maximum Area Allowable for Parking and Driving Use.** Parking and driving area not located behind habitable spaces, underground or on the interior of the building shall be limited to 33 percent of the entire front and/or corner side yard area.
- C. **Vehicular Use Area Demarcated.** Vehicular use areas serving single-family detached dwellings shall maintain a visibly discernible and definable edge distinguishing the vehicular use area from the front or corner side yard area.
- D. **Parking for Accessory Uses.** Required off-street parking facilities shall be used for the parking of bicycles, passenger motor vehicles or other non-commercial motor vehicles owned by occupants of the dwelling structures to which such facilities are accessory, or for the parking of passenger motor vehicles and bicycles by guests of the occupants. For single-family dwellings, this includes the driveways to the parking facilities.

- E. **Parking of Commercial Vehicles.** Under no circumstances shall required off- street parking facilities accessory to residential structures be used for the storage or parking of commercial vehicles associated with a business operation other than for an allowed home occupation at the same location. Such residential parking facilities shall not be used for the parking of motor vehicles belonging to the employees, owners, tenants, visitors, or customers of nearby commercial or manufacturing establishments.
- F. **Commercial Work on Motor Vehicles.** Commercial work of any kind on motor vehicles shall not be allowed in conjunction with accessory off-street parking.

2.05.07.04 Number of Motor Vehicle Parking Spaces Required

- A. Calculation of Required Parking Spaces.
 - 1. **Fractions.** All fractions shall be rounded down to the nearest whole number. No additional space shall be required for a fractional unit.
 - 2. **Multiple Uses.** Development containing more than one use must provide parking in an amount equal to the total requirements of all individual uses, unless there is a reduction in the required number of parking spaces through the use of shared parking as described in Section 2.05.07.05 *Parking Adjustments*.
 - 3. **Floor Area.** In any case where *FBC Table 29. Number of Parking Spaces Required* expresses a parking requirement based on floor area in square feet, the measurement shall mean square feet of gross floor area, minus any mechanical rooms, storage rooms, bathrooms, stairwells, or elevators, unless stated otherwise. Exceptions may be granted by the Zoning Administrator.
 - 4. **Accessory Buildings.** No parking spaces are required for accessory buildings 500 square feet or less.
 - 5. **Parking Requirement Reductions.** The required parking may be reduced per 2.05.07.05 *Parking Adjustments* or provided by an alternate means per 2.05.07.06 *Parking Alternatives*.
 - 6. **Parking Requirement Increases.** The required parking may be increased per 2.05.07.05 *Parking Adjustments* and will be subject to Tier IV Site Plan and Design Review processes per 2.03.08.01.02 *Types of Design Review*.

FBC TABLE 29. NUMBER OF PARKING SPACES REQUIRED

Transit Oriented Mid-Intensity

Use	Less than 3000 Sq ft	Larger than 3000 sq ft	Bicycle Parking
Commercial	No off-street auto parking required	Up to 1 auto space/500 sf For projects proposing 0-0.5, the Zoning Administrator may require a parking study and additional TDM measures	Min. 1.5 short-term bicycle spaces/3000 sf (min. 2 short-term spaces per establishment) Min. 1 long-term bicycle space/10,000 sf
Residential	Up to 1.5 parking spaces/unit All projects include basic TDM For projects proposing 0-1, the Zoning Administrator may require a parking study and additional TDM measures		Min. 1 short-term bicycle space/20 units (Min. 2 short-term spaces) Min. 1.5 long-term bicycle spaces/unit

Transit Oriented Higher Intensity

Use	Less than 3000 Sq ft	Larger than 3000 sq ft	Bicycle Parking
Commercial	No off-street auto parking required	Up to 1 auto space/1,000 sf For projects proposing 0-0.5, the Zoning Administrator may require a parking study and additional TDM measures	Min. 1.5 short-term bicycle spaces/3000 sf (min. 2 short-term spaces per establishment) Min. 1 long-term bicycle space/10,000 sf
Residential	Up to 1 parking space/unit All projects include basic TDM For projects proposing 0-0.5 parking spaces, the Zoning Administrator may require a parking study and additional TDM measures		Min. 1 short-term bicycle space/10 units (Min. 2 short-term spaces) Min. 1.5 long-term bicycle spaces/unit

Parking Areas

Auto Parking shall be located behind habitable space, underground, or on the interior of the building. Long-term bicycle parking shall be located in a secure, weather-protected place on-site. Short-term bicycle parking shall be located inside or outside the building. It will need to be visible to pedestrians and bicyclists and serve the main entrance of a building.

Types of Parking (automobile and bicycle)

Shared, Stacked, Unbundled

2.05.07.05 Parking Adjustments

Reduction of Parking. The required number of parking spaces regulated within Section 2.05.07.04 *Number of Motor Vehicle Parking Spaces Required* may be reduced per the methods described in this Section. Existing parking that is determined to be nonconforming in accordance with *El Cerrito Municipal Code Chapter 19.27 Nonconforming Uses, Structures and Lots*, because less than the required number of spaces are provided, shall not be further reduced from the number of parking spaces required by this Form-Based Code.

- A. **Shared On-Site Parking.** Where two or more uses on the same site or adjacent parcels have distinct and differing peak parking usage periods (e.g., a theater and a bank), a reduction in the required number of parking spaces as determined by the Zoning Administrator may be allowed in the following manner:
 1. The reduction in number of required parking spaces shall be based on a parking demand study. The parking demand study shall be in accordance with established professional practices.
 2. Approval shall also require a recorded covenant running with the land, recorded by the owner of the parking lot, guaranteeing that the required parking will be maintained for the uses served and remain for the duration of the use.
- B. **Transportation Demand Management (TDM) Parking Adjustment.** The Zoning Administrator shall have the ability to reduce the motor vehicle parking requirements. The reduction shall be based on a TDM Program adopted by the City or a TDM Plan submitted with an application for Site Plan Review. A reduction is granted if all of the following standards are met:
 1. The buildings shall have a single user/owner or a designated TDM manager who can effectively exercise control over compliance with the TDM Plan.
 2. If a TDM Program has not been adopted by the City or alternate strategies are being proposed, a TDM Plan shall be a submitted by a transportation planner and include:
 - a. Information on the strategies being used such as designated parking, carpool parking, priced parking, transit subsidies, transit group discounts, company vehicles, shared car service, rideshare matching, bicycle parking facilities, bicycle share, work shuttles, personalized commute assistance, staggered work hours, parking cash-outs, salary bonuses, or other incentives;
 - b. Data on the effectiveness of similar plans elsewhere; and
 - c. Information indicating the owner's ability to provide and enforce these elements over time.
- C. **Municipal Discretion.** The Zoning Administrator may consider a parking requirement reduction, in addition to any other parking reductions requested, for a development requesting a density bonus under State Law and entitled to concessions in development standards. The Zoning Administrator may also impose conditions that are needed to ensure the long-term compliance to the TDM Plan, including but not limited to a reserve parking area, phasing, or contributions to transit or other alternative means of transportation.

Increase in Parking. The required number of parking spaces regulated within Section 2.05.07.04 *Number of Motor Vehicle Parking Spaces Required* may be increased per the methods described in this section.

- A. **Tier IV Site Plan and Design Review.** A parking requirement increase will be subject to the Tier IV Site Plan and Design Review Process.
- B. **Additional Study.** The Zoning Administrator reserves the right to ask for additional studies and parking and/or TDM measures in areas where parking is known to be impacted and/or with uses known to require high levels of parking.

2.05.07.06 Parking Alternatives

If an applicant is unable to provide the required parking on-site, the applicant may at the discretion of the

Zoning Administrator satisfy the parking requirements by one or more alternatives in this Section.

- A. **Off-Site Parking.** The location of off-premise parking facilities in relation to the use served are described in this Subsection. All distances specified shall be between the closest edge of such parking facilities to the closest edge of the site being served.
1. Pedestrian access between the use or the site and the off-premise parking area shall be via accessible paved sidewalk or walkway and be within a five minute walking distance.
 2. The applicant shall provide a recorded parking agreement reflecting the arrangement with the other site.
 3. If the off-premise parking facility is shared, the Zoning Administrator may allow a reduction in the following manner: (1) The reduction in number of required parking spaces shall be based on a parking demand study. The parking demand study shall be in accordance with established professional practices; and (2) The shared parking arrangement shall require a recorded covenant running with the land, recorded by the owner of the parking lot, guaranteeing that the required parking will be maintained exclusively for the uses served and remain for the duration of the use.
- B. **In-Lieu Fee.** The owner of any property upon which a development project is proposed may pay an in-lieu parking fee, where parking is required. An In-Lieu Fee Program will be developed pursuant to additional parking demand study.

2.05.07.07 Parking Spaces, Lot Design and Layout

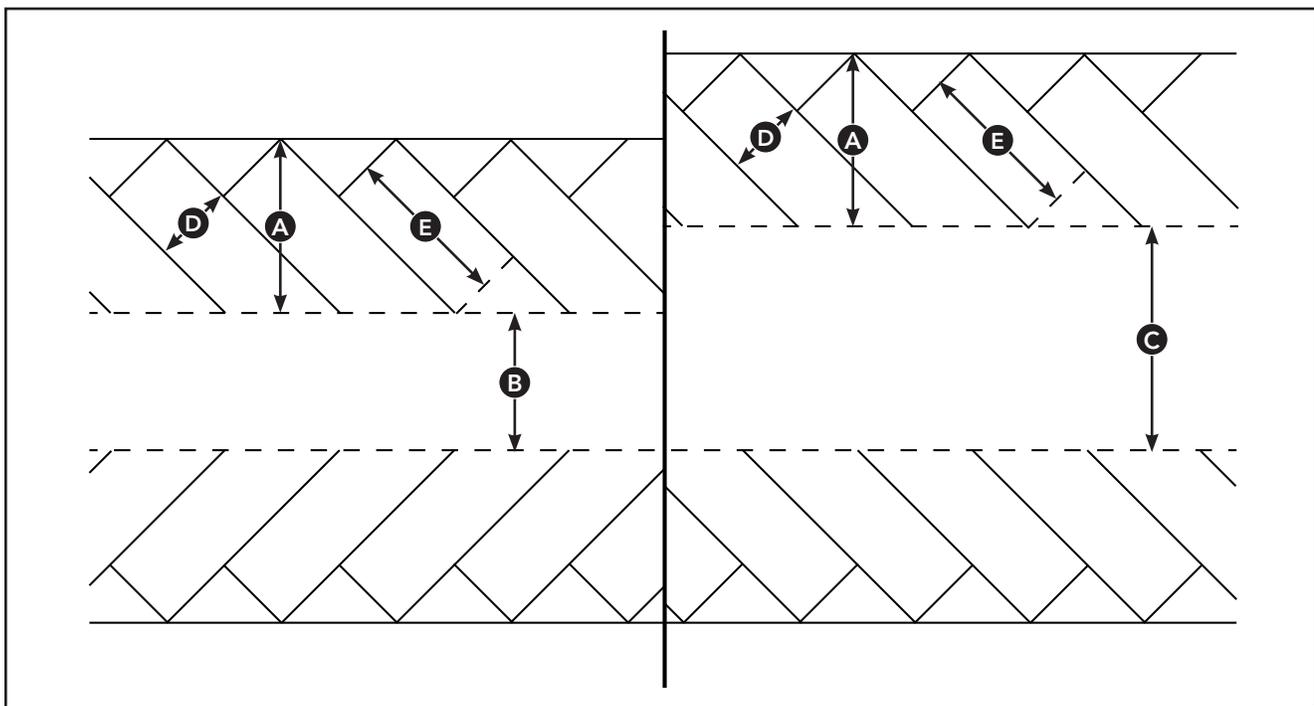
- A. **Access.** The following regulations are applicable to off-street parking lot access design unless modified by Section 2.03.02 *Transect Zones*.
1. All parking spaces will be designed as unbundled.
 2. Each required off-street parking space shall be accessed by an aisle or driveway as specified in *FBC Table 30. Minimal Dimensional Requirements for Parking Spaces and Aisles*. All off-street parking facilities shall be designed with an appropriate means of vehicular access to a street or to an alley to cause the least interference with traffic movements. Except for designated accessible parking spaces, no parking spaces shall be required to be individually accessible.
 - a. For non-residential uses, tandem parking, stacking and valet parking may be used to meet parking requirements.
 - b. For residential uses, tandem parking per Subsection N below, stacking and valet parking may be used to meet parking requirements.
 3. Parking spaces in any parking lot or parking structure for any use other than single-family dwellings shall not be designed or located so as to permit a vehicle to enter or exit a parking space directly from a public thoroughfare. Driveways to the public thoroughfares shall be by forward motion of the vehicle. Ingress to and egress from parking spaces shall be from an on-site aisle or driveway.
 4. Driveways from a public thoroughfare to off-street parking areas shall meet the following:
 - a. Driveways shall be a minimum of 10 feet wide;
 - b. No curb cut shall be more than 24 feet wide;
 - c. One curb cut shall be allowed per site. Additional curb cuts will require a conditional permit.
 - d. Driveways shall provide a 5 foot level accessible path of travel across the driveway.
 - e. If a driveway serves more than two dwelling units or is longer than 150 feet, the driveway shall have a minimum width and turnaround per Fire Department requirements and the City of El Cerrito Standard Plans and Specifications.

5. The design and construction of all off-street parking access drives shall meet the requirements of the City of El Cerrito Standard Plans and Specifications.

B. **Identified as to Purpose and Location.** Off-street parking areas of four or more spaces and off-street loading areas shall include painted lines, wheel stops and/or other methods of identifying individual parking spaces and loading areas, which distinguish such spaces from aisle and other circulation features.

FBC TABLE 30. MINIMAL DIMENSIONAL REQUIREMENTS FOR PARKING SPACES AND AISLES

Angle	Parking Row Depth A	Drive Aisle Width		Space width D	Space Length E
		One-way B	Two-way C		
Parallel	8'	12'	20'	8'	20'
30°	17'	11'	24'	9'	20'
45°	20'	13'	24'	9'	20'
60°	21'	18'	24'	9'	18'
Perpendicular	18'	24'	24'	9'	18'
Tandem	36'	24'	24'	9'	36'



C. **Materials.**

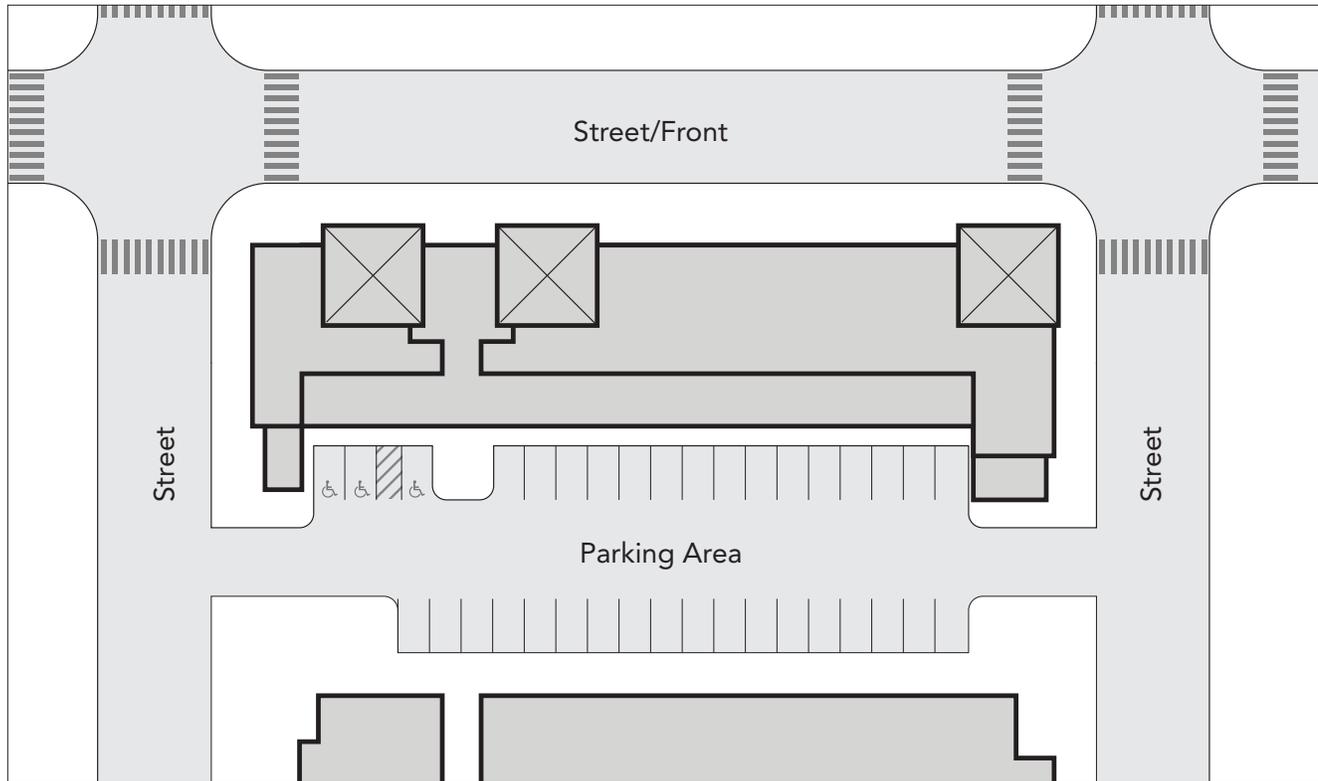
- a. All off-street parking areas and driveways shall be surfaced with materials as approved by the City Engineer and maintained in accordance with the City of El Cerrito Standard Plans and Specifications.
- b. Driveway materials shall extend and include the area between the property line and the street.

FBC Figure 90. Parking Dimensions Diagram

- c. In areas where roads are not paved, the requirement for paving a driveway is not required.
 - d. The use of pervious or semi-pervious parking area surfacing materials— including, but not limited to “grasscrete,” or recycled materials such as glass, rubber, used asphalt, brick, block and concrete—may be approved by the Zoning Administrator for required vehicular surface area on a site, provided such areas are properly maintained and meet the design guidelines included in the *Stormwater C.3 Guidebook*.
- D. **Accessible Parking.** All parking facilities that require accessible parking spaces shall ensure that a portion of the total number of required parking spaces shall be specifically designated, located and reserved for use by persons with physical disabilities, in accordance with the standards in the federal American with Disabilities Act (ADA).
- E. Dimensional Standards for Parking Spaces and Aisles.
- 1. **General.** Standard car parking spaces and parking lot aisles shall comply with the minimum dimension standards established in *FBC Table 30. Minimal Dimensional Requirements for Parking Spaces and Aisles*.
 - 2. **Dimensional Adjustments.** Parking structures may be subject to dimensional adjustments based on utilization, but in no case shall the standard parking space width be less than eight feet. Reduction in design standards shall be subject to approval by the Zoning Administrator.
 - 3. **Vertical Clearance.** All parking spaces must have a minimum overhead clearance of seven feet.
 - 4. **Reduction for Sidewalk and Planter Overhangs.** When a parking space abuts a sidewalk or planter; the front two feet of the required parking space length may overhang the planter or sidewalk provided that wheel stops or curbing are provided and the remaining area outside of the overhang meets the minimum width requirements of the sidewalk or planter.
 - 5. **Spaces near Obstructions.**
 - a. When the side of a parking space abuts a wall or other structure that is taller than six inches, the width of the parking space shall be increased by two feet.
 - b. This provision does not apply to parking spaces abutting support columns in a parking garage.
- F. **Landscaping, Fencing and Screening.** For requirements for landscaping, fencing, or screening of parking areas see Section *2.05.08 Landscaping, Fencing and Screening Standards*.
- G. **Lighting.** For requirements for lighting see *El Cerrito Municipal Code Chapter 19.24.060 General Parking Design Standards*.
- H. **Location.**
- 1. Location of required on-site parking in all zones is regulated by setbacks and set forth in Section *2.03.02 Transect Zones*, buffers established in Section *2.05.08 Landscaping, Fencing and Screening Standards* and the following:
 - a. All parking will be designed to be unbundled as and when the need requires.
 - b. Parking shall be located behind habitable or occupied space, underground, or on the interior or rear of the building.
 - c. All off-street parking areas shall be separated at least five feet from buildings in order to make room for sidewalks, landscaping and other plantings between the building and the parking area.
 - d. This separation may be eliminated to the rear of buildings in areas designed for unloading and

loading of materials.

2. In all zones, required parking is not allowed in the required front and exterior side yard setbacks, except as follows:
 - a. Parking in the exterior side yard is allowed when the parking space is a minimum of 20 feet from the exterior side property line and the parking space is located behind the front of the building.



FBC Figure 89. Parking Location Diagram

- I. **Bicycle Parking.** Bicycle parking may be located in front, to the side, back, or inside of buildings.
- J. **Signs.** For standards related to signage see Section 2.05.09 *Sign Regulations*.
- K. **Size of Parking Lot.** A single parking area shall not exceed one acre in size. Parking areas larger than one acre in size shall be broken down into smaller lots with tree planted buffers and, where needed, have ADA accessible pathways between them to minimize the perceived scale of the total field of stalls.
- L. **Slope Of Parking Areas.** The surface grade of the parking area shall be designed and constructed in accordance with the El Cerrito Standard Plans and Specifications.
- M. **Drainage.** All off-street parking and loading areas shall be properly drained so as not to cause any nuisance on adjacent land. Drainage may be directed to bioretention facilities designed according to criteria in the *Stormwater C.3 Guidebook*.
- N. **Tandem and Stacked Parking.** Tandem and Stacked parking are allowed in all zones for all uses as follows:
 1. Both tandem parking spaces satisfy the parking requirement of one residential unit or are being used for valet parking; and

2. Neither of the tandem parking spaces shall be for required accessible parking spaces.
3. Stacked and tandem parking is allowed for commercial uses only if it is valet parked.

O. Electric Vehicle (EV) Charging. Where parking is being provided on a multifamily residential project, 10 percent of the total number of parking spaces provided for all types of parking facilities, but in no case less than one, shall be pre-wired to allow for future Level 2 PEV charging system installation or provision of an outlet. Each of the subject parking spaces must be served by a 208/240 volt, 40 amp grounded AC outlet or there must be electric panel capacity and conduit to support future 208/240 volt, 40 amp outlets at each subject parking space.

1. At least one of the pre-wired parking spaces must be an accessible parking space, as defined by the California Building Code, or a standard parking space that can provide a 5' wide, 18' long access aisle and a path of travel to the building.
2. Any level 2 PEV charging systems installed at parking spaces will be counted toward the applicable pre-wiring requirement. All parking spaces with PEV charging systems may be counted toward the number of parking spaces required by *2.05.09.04 Number of Motor Vehicle Parking Spaces Required*.

2.05.07.08 Bicycle Parking

- A. **Applicability.** The following regulations are applicable whenever the provisions of Section 15.05.320.020 (Applicability) have been met.
- B. **Minimum Number of Bicycle Parking Spaces Required.** The number of bicycle parking spaces provided shall be provided per the requirements *FBC Table 29. Number of Parking Spaces Required*.
- C. **Bicycle Spaces Design.** Bicycle spaces shall be provided in accordance with the following requirements:
 1. **Long-term Bicycle Parking Spaces.** Long-term bicycle parking is intended to be used for more than two hours and is typically used by employees at work, students at school, commuters at transit stations or park-and-ride lots and residents at home. Long-term facilities are secure and weather-protected; examples include bike lockers and "bicycle corrals" (fenced-in areas usually secured by lock and opened by keys provided to users). They also may be unsupervised, such as bicycle lockers or bicycle rooms, or supervised, such as valet bicycle parking or within the paid area of a transit station.
 2. **Short-term Bicycle Parking Spaces.** Short-term parking bicycle parking is meant for visitors, customers at stores and other users who normally park for less than two hours. The most common example of short-term bicycle parking is bicycle racks which are typically unsheltered and unsecured.
 3. **Bicycle Parking Design.**
 - a. Bicycle parking shall consist of either a lockable enclosure (locker) in which the bicycle is stored or a rack to which the bicycle can be locked;
 - b. Lockers and racks shall be securely anchored to the pavement or a structure;
 - c. Racks shall be designed and installed to permit the frame and one or both wheels to be secure;
 - d. Areas containing bicycle spaces shall be surfaced with impervious surfaces such as concrete or pavers. Pervious pavements or gravel may be used where appropriate as determined by the Zoning Administrator;
 - e. When located within a parking area, curbs, fences, planter areas, bumpers, or similar barriers shall be installed and maintained for the mutual protection of bikes, motor vehicles and pedestrians, unless determined by the Zoning Administrator to be unnecessary; and
 - f. Short-term bicycle parking shall be placed convenient to cyclist destination, placed no more

than 50 feet from a building entrance, visible from the destination to reassure cyclists about the security of the rack, located in a high-traffic area with passive surveillance or eyes on the street, identified by a sign at the visitor entrance, located along the 'desire line' and weather-protected where possible. Short-term bicycle parking may be located in the public right-of-way as determined by the Public Works Department.

4. **Bicycle Parking Space Dimensions.** All bicycle parking shall meet the design and layout guidelines contained in the City's Circulation Plan for Bicyclists and Pedestrians (2007) or to be consistent with approved best practices.

2.05.08 LANDSCAPING, FENCING AND SCREENING STANDARDS

2.05.08.01 Purpose

The purpose of this Section is to establish standards for the design, construction and maintenance of landscaping, fencing and screening in the Plan Area. Landscaping shall be a major component of site design. This will create a corridor that has a strong, welcoming landscaped character. Standards governing fencing and screening are established to maintain access to light and air, encourage a beautiful environment, allow for privacy and promote public health, safety and welfare. The provisions of this Section shall apply as minimum standards for all new projects and existing development with applications requiring a permit under the provisions of this Code. For additional landscaping requirements, please see the El Cerrito Environmental Services Division.

2.05.08.02 Applicability

A. These standards apply to land uses within the Plan Area, as follows:

1. The standards of this Chapter apply to all areas that are required to be landscaped. The landscaping standards must be met for all new development, and for additions that expand existing floor area by 15 percent or more, except for new construction of or additions to Single Family Dwellings, Second Units, or Two Family Dwellings. Reduced requirements for landscaping for an addition of 15 percent or more to an existing use or structure may be permitted upon the granting of a Conditional Use Permit.
2. **Timing of Installation.** All required landscape and irrigation improvements shall be completed before occupancy permits are granted and/or the City releases gas and electric service. Installations of landscaping may be permitted to be delayed for up to 90 days with the Zoning Administrator's approval due to seasonal considerations, including adverse weather conditions, and similar circumstances in which it may not be advisable to install all approved landscaping before the occupancy of the development.
3. **Alternatives to these requirements.** The Zoning Administrator may modify the standards of this Section to accommodate alternatives to required landscape materials or methods where the proposed alternatives will be equally or more effective, as determined by the Zoning Administrator.
4. All landscaping and irrigations systems must be in compliance with the *California Code of Regulations, Title 23. Waters, Division 2. Department of Water Resources, Chapter 2.7. Model Water Efficient Landscape Ordinance, and Stormwater C.3 Guidebook.*

2.05.08.03 Landscaping and Irrigation Plans

A. Landscape Plan

1. For all projects for which landscaping is required, a landscape and irrigation plan shall be submitted as part of the permit application. A landscape plan shall be drawn to scale and shall at a minimum indicate: proposed plant locations, species, and size; any additional landscape features; proposed irrigation systems; and any measures to facilitate plant growth or control erosion.
2. After Public Works's review of the landscape plans and required revisions are made the landscape plan will be considered final. The start of grading or other construction and the issuance of building permits shall not occur until after the Zoning Administrator has approved the final landscape plan.

B. Content and Preparation

1. Required Information. Landscape plans shall contain the information required by the Planning Division. At a minimum, they shall include:
 - a. Locations of proposed materials, including identified plant species;
 - b. Detailed drawings and specifications that clearly label the name, size and precise location of all materials, including fences and screens; and
 - c. The precise location and technical description of the irrigation system and its individual components.

2. **Prepared by a Qualified Professional.** Each landscape plan submitted in compliance with this Section shall be prepared by a licensed California landscape architect, licensed architect, licensed landscape contractor, or other professional determined by the Zoning Administrator to be qualified.
- C. **Renewal and approval.** The body of decision responsible for review of the larger entitlement shall also be charged with approval of the landscape plan. If the landscape plan is not part of a larger project, it shall be the purview of the Zoning Administrator.
- D. **Statement of Surety.** The Zoning Administrator may require that security, in the form of cash, performance bond, letter of credit, or instrument of credit, in an amount equal to 150 percent of the total value of all plant materials, irrigation, installation and maintenance be posted with the City for a two-year period. The Zoning Administrator may require statements of surety for phased development, a legitimate delay in landscape installation.

2.05.08.04 Required Landscaping

- A. Landscaping along streets shall be placed per the Amenity Zone standards in Section 2.04.01 *Regulation by Street Type*.
- B. Landscaping along Public and Private Open Spaces shall be required per the standards in Section 2.05.06 *General Public and Private Open Space Standards*.
- C. Required landscaping shall be landscaped and maintained in compliance with Section 2.05.08.05 *Landscaping Standards*, Section 2.05.08.06 *Parking Lot Landscaping Standards*, 2.05.08.07 *Maintenance of Landscaped Areas* and Section 2.05.08.08 *Fences and Screening*.

2.05.08.05 Landscaping Standards

- A. Minimum dimensions
 1. Frontage Landscaping and Private Open Space Landscaping areas shall meet the dimensional requirements for the Transect Zone in the Frontage Type in Section 2.05.04 *Frontage Types*.
- B. **Materials.** Landscaping shall primarily consist of live, drought-resistant plant material. Food gardens and decorative landscape features such as pavers, walls, art, fountains and ponds may be used within the landscape area, provided such materials are integrated into an attractive setting consistent with the intent of the landscaping requirements, as determined by the Zoning Administrator.
 1. All new landscapes shall meet the requirements of the following documents:
 - a. The City of El Cerrito's Approved City Street Tree List
 - b. The City of El Cerrito's Street Tree Requirements for the Public Right-of-Way or as approved by the Public Works Department
 - c. The State of California's Model Water Efficient Landscape Ordinance
 - d. Prohibited species including all species listed as invasive by the California Invasive Plants Council
 2. In general, all new planting should keep in mind the following criteria and guidelines:
 - a. Bay-Friendly Landscape Guidelines
 - b. East Bay Municipal Water District's Plants and Landscapes for Summer Dry Climates
 - c. Pacific Gas and Electric's Right Tree Right Place Guidelines
 - d. Focus on native or adapted species in order to provides landscapes that are:
 - i. *Drought tolerant,*
 - ii. *Use minimal water, and*
 - iii. *Require little maintenance*

- e. Provide a variety of textures and colors, both in foliage and bloom
 - f. Provide interest throughout the year
 - g. Be sensitive to site conditions and make selections based on any special constraints, such as reduced size planting areas, adjacent utilities, or specialized adjacent uses
 - h. Be planned in such a way as to not encroach on adjacent properties and/or the Public Right of Way through careful species selection and plant placement.
3. An important aim of the tree and plant selections is to reinforce the identity for the different Street Types. Where applicable, the tree palette should build on the palette that exists on the ground
4. Minimum Size
- a. New Street trees shall have a minimum caliper (trunk diameter) of 2.5 inches dbh and exhibiting trunk taper.
 - b. Minimum tree size at planting is a 24-inch box or as approved by the City Arborist.
 - c. 15-inch box specimens and smaller caliper sizes may be allowed for volunteer efforts and property owner initiated replacement.
5. All street trees and/or any other tree plantings within 10 feet of the Public Right of Way including sidewalks, curbs and gutters, or street surface shall be installed with approved root barriers and deep water tubes (2 per tree).
- C. **Natural Areas.** Areas planted with native plantings which have a naturalistic state may be approved by the Zoning Administrator as green growing ground cover.
- D. **Safety Requirements.** Landscape and screening materials shall be located so that at maturity they:
- 1. Do not interfere with safe sight distances for bicycle, pedestrian, or vehicular traffic;
 - 2. Do not conflict with overhead lights, traffic controls, traffic signage, utility lines or poles, or walkway lights;
 - 3. Do not block bicycle or pedestrian ways; and
 - 4. Decrease crime using environmental design principles.
- E. **Water Conservation.** Conserve water use for landscaping or other outdoor purposes to achieve Climate Action Plan and Urban Greening Plan Goals.
- 1. All irrigation systems must be equipped with rain sensors that disable systems when the soil is adequately moist.
 - 2. Consider harvesting rain water or indoor grey water to be used for irrigation.
 - 3. All landscaping and irrigation systems must be in compliance with the California Code of Regulations, Title 23. Waters, Division 2. Department of Water Resources, Chapter 2.7 Model Water Efficient Landscape Ordinance.

2.05.08.06 Parking Lot Landscaping Standards

- A. Installation and maintenance of shade trees, landscaping and stormwater retention. Parking lots shall be improved and permanently maintained by the property owner in accordance with the following standards and the requirements in *FBC Table 34. General Sign Types* and *FBC Table 32. Tree Requirements for Parking Lot Landscaping* below. The Zoning Administrator may grant an exception for small infill parking lots where compliance is not feasible without significantly reducing the development potential of the site.

FBC TABLE 31. REQUIRED INTERIOR PARKING LOT LANDSCAPING

Number of Parking Spaces	Percent of Gross Parking Area in Landscaping
6 or fewer	0%
7 to 15	4%
16 to 30	8%
31 to 70	12%
71 and over	16%

FBC TABLE 32. TREE REQUIREMENTS FOR PARKING LOT LANDSCAPING

Landscaping Component	Description
Amount	1 tree per 5 parking spaces
Can Size	15-gallon
Box Size	20% must be 24-inch
Caliper	1" min.
Min. height at installation	6-8'
Min. mature canopy	40'
Characteristics	High branching, broad headed, shading form
Installation	Root barriers and deep root irrigation
Location	Along the line between or at the back of parking bays. At both ends of a line of parking spaces, Evenly spaced to provide uniform shade
Required border	6" high curb or equivalent
Border and stormwater	Curbs shall meet the design guidelines of the Contra Costa Clean Water Program Stormwater C.3 Guidebook
Min. tree well dimension	5' in any direction required
Car overhangs	Must be prevented by stops

* Any vehicle overhang shall require the minimum planter area width to be expanded by an equivalent dimension.

- B. **Location of landscaping.** Landscaping shall be evenly dispersed throughout the parking area according to the following requirements:
 1. **Parking areas over 15 spaces:** Orchard-style planting (the placement of trees in uniformly-spaced rows).
 2. **Parking lots over 50 spaces:** A concentration of landscape elements at primary entrances, including,

- at a minimum, specimen trees, flowering plants, enhanced paving and project identification.
3. Landscaping shall be located so that pedestrians are not required to cross unpaved landscaped areas to reach building entrances from parked cars.
- C. **Parking lot screening.** All parking areas shall be screened from streets and adjoining properties. Open areas between the property line and the public street right-of-way shall be landscaped.
1. Adjacent to streets
 - a. A parking area for a non-residential use shall be designed to provide a landscaped planting strip between the street right-of-way and parking area. The planting strip shall be equal in depth to the required setback or 10 feet, whichever is greater.
 - b. A parking area for a residential use, except for a single family dwelling, shall be designed to provide a landscaped planting strip between the street right-of-way and parking area equal in depth to the required setback.
 - c. Landscaping shall be designed and maintained to screen cars from the street to a minimum height of three feet.
 - d. Screening materials may include a combination of plant materials, earth berms, raised planters, decorative walls, or other screening devices that meet the intent of this requirement.
 - e. Shade trees shall be provided at a minimum rate of one for every 25 linear feet of landscaped area, or other spacing as determined by the Zoning Administrator to be appropriate to the site and surrounding development.
 2. **Adjacent to side or rear property lines.** Parking areas for non-residential uses shall provide a perimeter landscape strip at least five feet wide (inside dimension) where the parking area adjoins a side or rear property line. A fence, wall, or hedge or combined open fence and planter, at least 3.5 feet in height but no higher than the maximum height permitted by Section 2.05.08 *Landscaping, Fencing and Screening Standards* is permitted, wherever the parking area is within 20 feet of the side or rear property line.
 3. **Adjacent to structures.** When a parking area is located adjacent to a non-residential structure, a minimum five-foot wide (inside dimension) landscape strip shall be installed adjacent to the structure, exclusive of any building entries, or pedestrian points of access.
 4. **Adjacent to residential use.** A non-residential parking area abutting a residential use shall provide a landscaped buffer with a minimum dimension of 10-foot between the parking area and the property line of the residential use.
 - a. A seven-foot high solid decorative masonry wall or fence and landscape buffer shall be provided along the property line, except at approved pedestrian access points, to address land use compatibility issues (e.g., light/glare and nuisance noise) as determined by the Zoning Administrator.
 - b. Trees shall be provided at the rate of one for each 25 linear feet of landscaped area, or other spacing as determined by the Zoning Administrator to be appropriate to the site and surrounding development.
 5. The required width of the landscape strip may be reduced by the Zoning Administrator where it is determined that certain factors would justify the reduction (e.g., the overall site area is insufficient to accommodate the allowable structures and required parking along with a landscape strip of the otherwise required width or that the otherwise required width would be inconsistent with the existing development patterns on adjacent properties). The requirement for a landscape strip may be satisfied by a setback or buffer area that is otherwise required.

2.05.08.07 Maintenance of Landscaped Areas

- A. A landscaped area provided in compliance with this Section shall be planted with live and healthy plant materials suitable for screening or ornamenting the site and/or providing habitat, as appropriate.
- B. Plant materials shall be replaced as needed to maintain full landscape functioning and aesthetics.
- C. Landscaped areas shall be watered, weeded, pruned, fertilized, kept litter free or otherwise maintained to assure compliance with the regulations requiring landscaped areas. Integrated Pest Management practices are encouraged.
- D. All public landscaped areas shall be watered by automatic irrigation systems starting at the time landscaping is installed.
- E. All private landscaped areas required to have automatic irrigation systems by *California Code of Regulations, Title 23. Waters, Division 2. Department of Water Resources, Chapter 2.7. Model Water Efficient Landscape Ordinance* shall be watered by automatic irrigation systems starting at the time landscaping is installed.
- F. All stormwater retention and treatment areas shall be maintained per the "Operation and Maintenance of Stormwater Facilities" Guidelines in the *Contra Costa Clean Water Program Stormwater C.3 Guidebook*.
- G. The landscaped areas of off-street parking lots and front and street side yards shall be maintained in a landscaped, decoratively treated condition, largely or wholly covered with living plant materials, with the exception of access driveways, curbs and sidewalks. In no case shall more than 50 percent of the required front yard or street side yard be used for a purpose other than landscaping as described herein.

2.05.08.08 Fences and Screening

- A. **Applicability.** The requirements of this Section apply to all fences and walls in the Transect Zones unless otherwise stated.
- B. **Height limits.** Each fence or wall shall comply with the height limits shown in *FBC Table 33. Maximum Height of Fences or Walls*.

FBC TABLE 33. MAXIMUM HEIGHT OF FENCES OR WALLS		
Location of Fence or Wall	Maximum Basic Height	Maximum Height Exceptions
Within front or side street setback	3 feet*	6 feet if non view-obscuring and not in excess of 50% opacity over 3 feet
Not within front or side street setback	6 feet	8 feet**

* Front and side street fences must meet the Design Requirements of Section 2.05.08 *Landscaping, Fencing and Screening Standards*. Fences above 3 feet in height require the approval of the Zoning Administrator.

** The exception is only applicable when a rear yard is abutting an interior side yard or any yard is abutting residential or industrial use and requires approval of the Zoning Administrator.

2.05.08.08.01 Fence and Screening: Additional Regulations

- A. Measurement of fence and wall height. Fence height shall be measured as the vertical distance between the finished grade at the base of the fence and the top edge of the fence material. Where a fence is constructed on top of a retaining wall, the height shall be measured from the outside base of the retaining wall, where the yard is on the high side of the retaining wall. Where the yard is on the low side of the retaining wall, fence height shall be measured from the top of the retaining wall.
- B. Fence Clearance Requirements
 - 1. A fence clearance is required to construct any fence of any height. A building permit (Section 6.02 and California Code of Regulations, Title 24) is required to construct any fence more than six feet in height.
 - 2. An application for a fence clearance may be obtained from the Planning Division and shall be filed with and approved ministerially by the Planning Division if it conforms to the provisions of this Section.
- C. **Fence Design.** Fences shall be constructed, designed and maintained as follows:
 - 1. **Permitted Materials.** Chain link fences visible from public view are not allowed. If fencing visible from public view is used for commercial uses, open work such as wrought iron and metal (tube) fences with design features are preferred, although masonry, stucco and plaster are permitted. Wood fences are permitted only with approval of the Zoning Administrator.
 - 2. **Fence Maintenance.** Every fence shall be kept in good repair, consistent with the design thereof. The property owner shall be responsible for landscaping and maintaining the area, if any, between the property line and the owner’s fence.
 - 3. **Hazardous and Prohibited Materials.** Fences shall not incorporate electrically charged wire, barbed wire and razor wire, spiked tips, chain link of any kind, woven wire mesh (“chicken wire”), welded wire mesh, woven wire (“hog wire”) rope, cable, railroad ties or any other similar materials or materials not specifically manufactured for permanent fencing.

4. **Posts and Supporting Members.** All fence posts and related supporting members of the fence shall be erected so that the finished side or sides of the fence shall be facing the adjacent property or public right-of-way.
5. Gates
 - a. Gates with locks shall be equipped with a doorbell device capable of notifying the occupants within the residential structure, or marked with a telephone number that can be used to notify the occupants.
 - b. Entry features over front yard gates (e.g., open latticed arbors and trellises), not exceeding eight feet in height, three feet in depth or five feet in width are allowed when located within the required front yard. Entry features may not interfere with the safety requirements in the *El Cerrito Municipal Code*.
 - c. When a rear yard abuts an alley, the alley facing side of a solid fence shall be clearly labeled with the house address number.
- D. **Temporary Security Fencing.** Temporary security fencing up to 10 feet in height may be erected around construction sites subsequent to issuance of a building permit for construction activities. Such fencing must be immediately removed upon completion of the construction authorized by the building permit. Chain link and wire mesh are permitted for temporary security fencing.
- E. **Screening.** This Subsection establishes standards for the screening and separation of adjoining land uses, equipment and outdoor storage areas.
 1. **Landscaping Recommended.** Lots within the plan area are encouraged to provide landscaping within the interior side and/ or rear setbacks in compliance with Section *2.05.08.05 Landscaping Standards*.
 2. **Screening Requirements.** Land uses proposed in commercial areas on sites adjacent to residential areas shall provide ornamental masonry, stucco or plaster walls and/or landscaping at the interior side and/or rear parcel boundary as follows.
 - a. The screen shall consist of plant materials and a solid, ornamental wall of masonry, stucco, plaster or similar durable material, six feet in height. Openings or pedestrian connections may be required at the discretion of the Zoning Administrator.
 - b. The ornamental wall shall be architecturally treated on both sides, and is subject to the approval of the Zoning Administrator.
 - c. A landscaping strip with a minimum width of five feet shall be installed adjacent to the screening wall, except where a larger strip is required by Section *2.05.08.06 Parking Lot Landscaping Standards*.
 3. Industrial equipment, loading docks and refuse areas
 - a. Roof or ground mounted mechanical equipment shall be screened from public view from adjoining public streets and rights-of-way and adjoining areas zoned for residential uses. This equipment includes air conditioning, heating, ventilation ducts, exhaust vents, loading docks, refuse storage areas, utility services, electrical transformers, gas meters, etc.
 - b. The colors, materials and architectural style of screening devices shall be architecturally compatible with other on-site development.
 4. Outdoor storage and work areas
 - a. Open storage of materials and equipment shall be permitted only within an area surrounded and screened by an ornamental solid wall or fence or compact evergreen hedge (with solid gates where necessary).

5. The Zoning Administrator may waive or approve a substitute for the requirements of Subsections E.2-E.3 above if the Zoning Administrator first determines that:
 - a. The relationship of adjacent proposed uses make the required screening unnecessary;
 - b. The intent of this Section can be successfully met by means of alternative screening methods;
 - c. Physical constraints on the site make the required screening infeasible; or
 - d. The physical characteristics of the site or adjoining parcels make the required screening unnecessary.

2.05.09 SIGN REGULATIONS

2.05.09.01 Sign - Master Sign Program

2.05.09.01.01 Applicability

The issuance of sign permits and approval of Master Sign Programs shall be subject to the provisions of Section 2.05.10 *Signage Standards* of the Specific Plan. Master Sign Programs shall be reviewed by the Zoning Administrator, who shall forward a recommendation to the Design Review Board. The Design Review Board shall have the authority to take action on a Master Sign Program.

2.05.09.01.02 Required Submittals

Applications for a Master Sign Program shall include the following plans and text:

- A. A computation of allowable area for all signs.
- B. Plans drawn to scale showing the total number of proposed signs, the area of each individual sign as well as aggregate area of all signs on the site, the proposed height and dimensions of all signs, the location of each sign indicated on both a site plan and on typical building elevations, and drawings of generic sign types, including general information on materials and color schemes.
- C. An application shall also include a written program of standards for all sign types to be distributed to future tenants, including color, size, illumination, construction details, and placement of signs.

2.05.09.01.03 Required Findings

In acting to approve or conditionally approve a Master Sign Program, the Design Review Board shall be required to make the following findings:

- A. That the proposed signs further the goals of this Specific Plan to create distinctive and attractive mixed-use areas along San Pablo Avenue;
- B. That the signs serve the purpose they are intended without creating confusion for motorists and pedestrians; and
- C. That the proposed signs are complementary in architectural style and character with the building or buildings they are associated with; and
- D. That the proposed signs will comply with all the provisions of this Specific Plan.

2.05.09.02 Signs - Permanent Signage

2.05.09.02.01 Applicability

The erection, installation, alteration, enlargement, or relocation of all permanent signs shall be subject to design review and approval by the Zoning Administrator. The Zoning Administrator may refer any application for a permanent sign to the Design Review Board for review and action.

2.05.09.02.02 Required Findings

In acting to approve or conditionally approve an application for a permanent sign, the Zoning Administrator shall be required to make the following findings:

- A. That the proposed sign or signs further the goals of this Specific Plan to create distinctive and attractive mixed-use areas along San Pablo Avenue;
- B. That the signs serve the purpose they are intended without creating confusion for motorists and pedestrians; and
- C. That the proposed signs are complementary in architectural style and character with the building or buildings they are associated with; and
- D. That the proposed sign or signs conform to all design standards set forth in this Specific Plan, as in *2.05.10 Signage Standards*, and any applicable approved Master Sign Program:

2.05.09.02.03 Application

An application for a sign or signs shall be submitted on a form provided by the City and shall include detailed drawings to show the locations, dimensions, structure, colors, materials, fonts, and symbols of all proposed signs. The application shall indicate the area of each individual sign and the aggregate area of all existing and proposed signs on the lot, and demonstrate through drawings and/or calculations that all standards of the Specific Plan are met. The application shall be accompanied by a fee in the amount specified in the City's Master Fee Schedule.

2.05.09.02.04 Design Review Board Review for Exceptions to Standards

An exception to any standard of this Specific Plan regarding the size, dimensions, or height of individual signs, or the number of signs of a particular type, may be reviewed and approved by the Design Review Board. No exception to a standard shall be granted unless the Design Review Board can make the following findings:

- A. That unusual circumstances exist with regard to lot size, lot configuration, building placement, or other physical features that prevent strict conformance with the sign standards established in this Specific Plan, and that such circumstances limit the ability of the property or business owner from enjoying the same business identification opportunities that other properties in the area have;
- B. That the proposed signage is consistent with the purpose and intent of the sign standards of this Specific Plan;
- C. That the proposed signage is not excessive in relation to the size of the site or the size of signs in the surrounding area; and
- D. That the proposed departure from a standard is necessary in order to adequately identify businesses, or will result in a superior design solution given the characteristics of the site or buildings.

2.05.09.03 Signs – Temporary Signage

2.05.09.03.01 Applicability

All temporary signs shall meet the requirements of the Specific Plan, Section *2.05.10 Signage Standards*, and may be displayed with approval by the Zoning Administrator. Temporary signs may be displayed for a period of time not to exceed 30 days or a shorter period as determined by the Zoning Administrator based on the length of time of the use or activity.

2.05.09.03.02 Application

An application for a temporary sign or signs shall be submitted on a form provided by the City and shall include a dimensioned drawing of the sign and the name, address, and telephone number where the applicant may be reached by the Zoning Administrator or Police Chief or the respective deputies responsible for the enforcement of these provisions. The application shall indicate the area of each individual sign and the aggregate area of all existing and proposed signs on the lot, and demonstrate through drawings and/or calculations that all

standards of the Specific Plan are met. The application shall be accompanied by a fee in the amount specified in the City's master fee schedule.

2.05.09.03.03 Owner/Occupant Consent Required

No Temporary Sign shall be placed, erected or maintained without the authorization of the property owner or occupant.

2.05.10 SIGNAGE STANDARDS

2.05.10.01 Purpose

The purpose of this Section is to establish signage standards for the San Pablo corridor. These standards are designed to establish and reinforce a vibrant, pedestrian-oriented environment.

2.05.10.02 Applicability

- A. These standards apply to all signs within the plan area, except those listed in Section 2.05.10.03 *Exempt Signs*.
- B. The regulations in this Section do not apply to the message content of signs (sign copy), for both commercial or non-commercial signs and messages.
- C. Installing a sign within the plan area shall require a sign permit in accordance with this Form-Based Code and relevant *El Cerrito Municipal Code* requirements.

2.05.10.03 Exempt Signs

The following types of signs are exempt from the standards in this Section and are allowed throughout the plan area.

- A. Public notices and warnings as required by local, state and federal law, regulation, or ordinance.
- B. Public signage, including:
 1. Public signs posted by or for governmental agencies in order to provide public information, identify public property, post legal notices, or direct or regulate traffic of any kind;
 2. Public utility signs that convey information about its lines, pipes, poles, or other facilities; and/or
 3. Emergency warning signs posted by a governmental agency, public utility, or contractor doing authorized work in the public right-of-way.
- C. Nonelectrical name signs that display only the name and address of the occupant and measure less than one square foot.
- D. Traffic control and directional signs on private property that measure four square feet or less.
- E. Clocks, thermometers, barbershop poles, or similar devices that are not part of a permanent sign.
- F. Flags of any nation, state or city when displayed in accordance with the Flag Code (36 USC, Section 173 et seq.)
- G. Displays in shop front windows
- H. Works of art, including sculptures, statues, reliefs, mosaics and murals, which are decorative and do not contain commercial messages of symbols.
- I. Names of Buildings, dates of erection, commemorative tables and the like, when carved into stone, set in concrete or similar material, or contracted out of bronze, aluminum, or other permanent material.
- J. Property addresses made up of numbers and/or letters 12 inches high or less.

- K. A temporary attachment or covering of wood, plastic, or canvas over a permanent sign indicating a change of ownership or activity may be displayed for no longer than 30 days following the change of ownership or activity for which the sign is intended.
- L. Signs that are located in interior areas of a building or site and are not visible from public streets or adjacent properties. For the purpose of this regulation, "visible" means legible to a person of ordinary eyesight (with vision adequate to pass a state driver's license exam) standing at ground level at a location on the public right-of-way or other private property.
- M. Noncommercial informational signs located wholly on private property not exceeding one square foot in area erected for the immediate convenience of the public, such as signs identifying rest rooms, public telephones, walkways, and similar features or facilities.
- N. Noncommercial decorative holiday displays, provided that such displays are removed within 45 days of their installation.
- O. Signs on a public bus bench, public bus shelter, or any waste bin attached to a public bus bench or public bus shelter, which convey a commercial message as their primary purpose and that are authorized by a contract or franchise agreement with the applicable transit agency.
- P. Signs that are part of newspaper stands, provided the sign area does not exceed six square feet.
- Q. Temporary open house signs, provided they are:
 - 1. Limited in number to a maximum of four per event;
 - 2. Limited in size to a maximum of 12 square feet in area; and
 - 3. Located at least 12 feet from the edge of the thoroughfare pavement;
 - 4. Only installed the day before the event;
 - 5. Removed the same day of the event, after its conclusion;
 - 6. In no case installed for longer than 48 hours.
- R. Real Estate Signs
 - 1. Only one Real Estate sign is allowed per property per street frontage. Signs are limited to a total maximum face area size of 24 square feet and 12 square feet for any single sign face.
 - 2. The sign may be a yard, window, or wall sign.
 - 3. All signs must be removed within 14 days after the sale, lease, or rental has been completed.
 - 4. Real Estate signs may only be posted on the available property.
 - 5. Open house and real estate signs are not permitted in the public ROW.
- S. Window signs not exceeding 20% of the area of any window, window pane or transparent door frontage. Any sign located within two feet of a window is considered a window sign.

FBC TABLE 34. GENERAL SIGN TYPES

Specific Sign Type	Description	Max. Allowed
Awning Sign	These signs are traditional storefront fittings. Awnings can be used to protect merchants' wares, keep storefront interiors shaded and cool in hot weather and protect pedestrians from sun and rain.	1 projecting per awning; or 1 valance and 1 sloping pane per awning. Maximum 3 awning signs per tenant/use.
Blade Sign	These signs are mounted perpendicular to a buildings' façade. They are small, pedestrian scale and easy to read from both sides.	1 per entry door
Marquee Sign	These signs are vertical signs located either projecting perpendicularly from the façade of a building, or projecting at a 45-degree angle from the corner of the building.	1 per building
Wall Sign	These signs lie flat against the building façade and consist of a single panel with raised letters, individual cut letters applied directly to the façade, or are painted directly on the building.	1 per storefront
Wall Mural Sign	These signs lie flat against a secondary façade, often along a side street, alley, or paseo.	1 per building
Floor Sign	These signs are inlaid into the walkway at building entrances, often when entrances are set back from the sidewalk.	1 per entrance
Yard Sign	These signs are mounted in a yard or on a porch between the building façade and the public right-of-way.	1 per porch; 1 per yard
Sidewalk Sign	These signs provide secondary signage, and may be used to announce daily specials or sales, or to direct customers to shops.	1 per tenant
Monument Sign	Monument signs are freestanding signs with a solid base that the sign face is installed on.	1 per building

2.05.10.04 Allowed Signs

- A. All signs are regulated by *FBC Table 34. General Sign Types*.
- B. The maximum area of signs per property shall be limited to 1 square foot of sign area per linear foot of building frontage.
- C. Wall mural signs may exceed the maximum allowable area, if approved by the Zoning Administrator.
- D. Allowed signs shall be designed and located in accordance with the standards of this Section.
- E. The Zoning Administrator must approve signs that require administrative review.

2.05.10.05 Sign Area Measurement

- A. The area of a sign shall be measured by encompassing the shape in the simplest regularly-shaped geometric figure, including a rectangle, diamond, triangle, or circle. Where one or more message, consisting of letters, numbers, or symbols, are attached to a surface, the sign area shall be the sum of the areas of all messages. The area of a sphere or similar shape shall be one half of its surface.
- B. The area of multi-sided signs shall be the total of each exposed sign face, except for blade signs, where faces are parallel and back-to-back. The area of a motor fuel sign shall be the total of each exposed face, regardless of orientation.

2.05.10.06 Sign Location Requirements

- A. Signs shall be located on the same lot as the subject of the sign, except for sidewalk or wall mural signs used for an off-premise location as approved by the Zoning Administrator per the requirements of this Form-Based Code.
- B. Signs shall adhere to the encroachment rules of the area in which the sign is located.
- C. No sign shall be allowed to interfere with the operation of a door or window.
- D. No sign shall be placed so that it covers or obscures prominent architectural features of the building.
- E. In accordance with accessibility standards, no sign shall obstruct an accessible pedestrian route. Routes must have a clear width of 36 inches, and maintain a clear above-ground clearance of eight feet.

2.05.10.07 Sign Design

These criteria shall be used by the Zoning Administrator to review design proposals for individual signs. Compliance with each of the following criteria shall be required before a sign permit application will be approved.

- A. The colors and structural elements of a sign should be harmonious with one another, and relate to the dominant colors of the buildings on the site. Contrasting or accent colors may be used if the overall effect is one of harmony with the building and its colors.
- B. Ecologically friendly materials are strongly encouraged in sign construction. These materials may be recycled and recyclable, non-toxic and/or constructed using renewable resources.
- C. The design and construction of signs shall adhere to the following criteria:
 - 1. Each sign shall be constructed of permanent materials and shall be permanently installed in the ground or attached to a building or other structure by means of direct attachment to a ridged wall, frame, or structure. Exceptions for this criterion include sidewalk signs, banners, flags, temporary signs and temporary window signs that conform with the requirements of this Form-Based Code.
 - 2. Each permanent sign shall be professionally designed (e.g. by an environmental graphic designer, architect, building designer, landscape architect, interior designer, or others whose principal business is the design, manufacture, or sale of signs), or designed by one capable of producing professional results.
 - 3. Persons whose primary business is building or sign construction and installation, or others capable of producing professional results, shall construct and install each permanent sign. The intent is to ensure public safety, and ensure that signs are durably and carefully constructed, with neat and readable copy, which will reduce maintenance needs and general dilapidation.
 - 4. Vinyl banner signs shall not be used as permanent signage.
- D. Sign structure and materials shall adhere to the following regulations:
 - 1. Materials used to construct signs, including framing and supports, shall be harmonious with the

- type and scale of materials used on the site where the sign is located. Sign materials shall be similar to those used on the buildings and other signs on the site.
2. No sign shall include reflective material.
 3. Materials used to construct permanent signs shall be capable of withstanding weathering over the life of the sign with reasonable maintenance.
 4. The size of sign supports, like columns, crossbeams and braces, shall be proportional to the sign panel they are supporting.
 5. Composing signs of individual letters incorporated directly into building design is encouraged, rather than a sign with background and framing other than the structure of the wall.
- E. The City does not regulate the message content, or copy, of signs; however, the following principals of copy design and layout can enhance the readability and attractiveness of signs. Sign layout consistent with these principals is encouraged, but not required.
1. Sign copy should only relate to the name and/or nature of the business or building.
 2. Signs and window displays that depict or display the wares of a store may be more effective at attracting customers than verbal descriptions.
 3. Permanent signs that advertise information such as permanent sales, special prices, or phone numbers should be avoided. Information should be conveyed briefly and simply using a logo, symbols, or other graphic tools. Signs should be readable and thereby enhance the identity of the business.
- F. Sign lighting installations shall minimize light and glare on surrounding right-of-ways and properties, and adhere to the following criteria:
1. Lighting fixtures shall be International Dark Sky Association Approved
 2. External light sources shall be directed and shielded so they do not produce glare off site, or on objects other than the sign.
 3. Signs that blink, flash, flutter, or vary in light intensity or color are not allowed unless used for public safety or are time or temperature displays whose numerals change to ensure accuracy.
 4. Neither the direct nor reflected light from signs and related lighting shall create hazards for pedestrians, bicyclists, or motor vehicle operators.
 5. For energy conservation, light sources shall be LED lamps, or other lighting technology that is of equal or greater energy efficiency. Incandescent bulbs are prohibited.

2.05.10.08 Temporary Signs

Temporary signs, such as banners, or posters, may be placed along a commercial frontage of displayed in storefront windows, provided that they comply with the following design criteria:

- A. Temporary signs may only be used to announce sales or special events, and must be removed upon the conclusion of the event.
- B. Temporary signs with a combined area greater than or equal to 20 square feet may be displayed for a maximum of 30 days, with a minimum of 30 days between installation periods and a maximum of four display times per calendar year.
- C. The combined area of signage within any storefront, including temporary and permanent signage, may not exceed 20 percent of the total storefront area.

- D. City sponsored temporary banners placed within the public right-of-way must maintain a minimum clear height of eight feet.
- E. Temporary signage must be clean and in good repair.
- F. Political campaign signs must comply with *El Cerrito Municipal Code Chapter 19.26: Sign Regulations*.

2.05.10.09 Prohibited Signs

- A. Prohibited Signs are regulated by *El Cerrito Municipal Code Section 19.26.40: Prohibited Signs*.

2.05.10.10 Signage Specifications

- A. The following specifications complement and do not supersede the standards found in *El Cerrito Municipal Code Section 19.26.050: Signs- Commercial, mixed-use and other non-residential zones*.

FBC TABLE 35. ALLOWED TEMPORARY SIGNS**Construction Sign**

Number of Signs	1 per site max.
Types Allowed	Ground or Wall
Total Sign Face Area	16 sf per sign face max.
Duration/Frequency	May be installed no sooner than one week prior to the commencement of construction and shall be removed within 24 hours of completion of construction or if the project ceases construction for 12 months or longer.

Construction Site Wrap Sign

Number of Signs	1 per street frontage max.
Sign Height	8' max.
Duration/Frequency	May be installed no sooner than one week prior to the commencement of construction and shall be removed within 24 hours of completion of construction or if the project ceases construction for 12 months or longer.

Special Event Banner

Size	12' max. along any length
Duration/Frequency	Display shall not exceed 30 days with a minimum of 30 days between installation periods and a maximum of four display times per calendar year.
Number of Signs	1 per street frontage max.

Residential Subdivisions with Multiple Lots for Sale, Lease, or Rent

Number of Signs	1 per perimeter street frontage, max., in addition to any allowed real estate sign(s)
Types Allowed	Ground
Total Sign Face Area	10 sf per lot up to 250 sf max.
Location	Along perimeter street or right-of-way
Setback from ROW	50' min.
Spacing between Signs	200' min.
Duration	Installed after Development Permit is issued and removed when 75% of lots in the subdivision have received a Certificate of Occupancy

Commercial On-Site

Number of Signs	1 per site max.
Number of Faces	2 max.
Total Sign Face Area	36 sf per sign face max.
Sign Height	5' max.
Duration/Frequency	Display shall not exceed 30 days with a minimum of 30 days between installation periods and a maximum of four display times per calendar year.

2.05.10.10.01 Awning Sign



FBC Figure 91. Awning Sign Diagram

A. Description

Awnings are a traditional storefront fitting and can be used to protect merchants’ wares, keep storefront interiors shaded and cool in hot weather, and protect pedestrians from sun and rain. Retail tenant signs may be painted, screen printed, or appliquéd on the awnings.

B. Size

Projecting

Sign Area	1 sf per linear foot of storefront, max.	A
Lettering Height	16" max	B
Lettering Thickness	6" max	C

Sloping Plane

Sign Area	6 sq. ft. or 25% of exterior surface of awning or canopy, whichever is greater.	D
Lettering Height	18" max.	E

B. Size (continued)

Valence		
Sign Area	75% coverage max.	F
Valence Width	Storefront width, max.	G
Valence Height	8" min.; 16" max.	H
Lettering Height	8" max.	I

C. Location

Clear Height	8' min	J
Signs per Awning	1 projecting; or 1 valance and 1 sloping plane max.	

D. Miscellaneous

Only the tenant’s store name, logo, and/or address should be applied to the awning. Additional information is prohibited.

Open-ended awnings are strongly encouraged.

Vinyl or plastic awnings are strongly discouraged.



FBC Figure 92. Awning with valance and sloping plane signage.



FBC Figure 94. Wrap-around awning.



FBC Figure 93. Awning combined with a Wall Sign.



FBC Figure 95. Awning customized to architectural features.

2.05.10.10.02 Blade Sign



FBC Figure 96. Blade Sign Diagram

A. Description

Blade signs mount perpendicular to a building's facade. They are often hung from decorative cast or wrought iron brackets, or from the underside of beams or ceilings of a gallery, arcade, or similar covered area. They are typically hung in a manner that permits them to swing slightly. These signs are small, pedestrian-scaled, and easily read from both sides. Often, a blade sign offers the opportunity for a more creative or "playful" sign. Blade signs shall be hung well out of reach of pedestrians and all exposed edges of the sign shall be finished. These signs may also be called "Projecting Signs"

B. Size

Sign Area	6 sf max. if located beneath a canopy or awning. 10 sf max is not located below a canopy or awning.	A
Width	48" max.	B
Height	36" max.	C
Thickness	4" max. Creative signs may have a greater thickness subject to approval.	D

C. Location

Clear Height	8' min.	E
Projection	5' max.	F
Signs per Building	1 per entry door max.	



FBC Figure 97. Simple under-awning blade sign



FBC Figure 99. Architectural blade sign



FBC Figure 98. Creative blade sign



FBC Figure 100. Blade signs with iron mounts

2.05.10.10.03 Floor Inlay Sign



FBC Figure 101. Floor Inlay Sign Diagram

A. Description

Floor Inlay Signs are signs that are embedded into the walkway or sidewalk outside the entryway to a building.

B. Size

Maximum area 25' square **A**

C. Location

Signs must be installed flush with the pavement.

Signs per Building	One per primary tenant entryway.
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D. Miscellaneous

Floor Signs may not be located within the public ROW.



FBC Figure 102. Mosaic Floor Inlay Sign



FBC Figure 104. Tile Logo Floor Inlay Sign

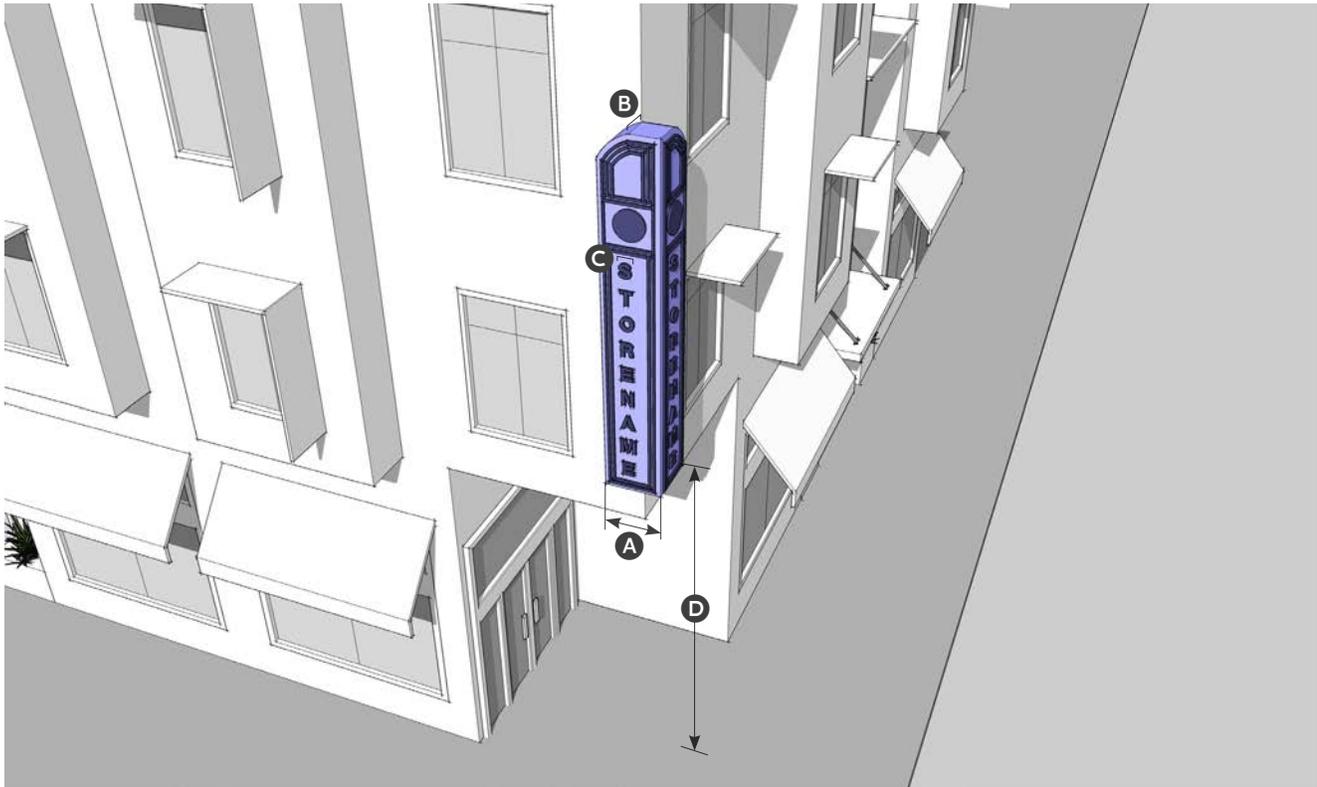


FBC Figure 103. Typographical Floor Inlay Sign



FBC Figure 105. Plaque Floor Inlay Sign

2.05.10.10.04 Marquee Sign



FBC Figure 106. Marquee Sign Diagram

A. Description

Marquee signs are vertical signs that project perpendicularly to the façade of the building; or are located at the corner of the building, where they project at a 45-degree angle. Marquee signs may extend beyond the parapet of the building or terminate below the cornice or eave. Marquee signs often have neon and painted lettering.

B. Size

Width	36" max.	A
Depth	12" max	B
Lettering Width	75% of sign width max.	C

C. Location

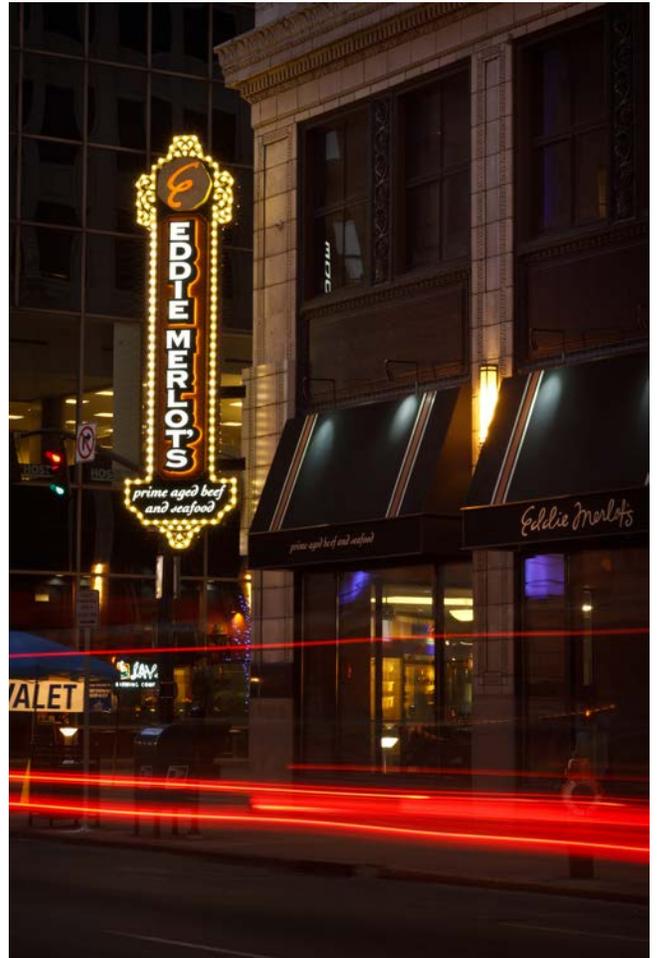
Clear Height	12' max.	D
Extension	12' max. total height, up to six feet above the roof line with Planning Commission approval.	
Signs per Building	1 max.	

D. Miscellaneous

Notwithstanding any other provision in this Chapter, a marquee sign may include animated lights, subject to review and approval by the Design Review Board. Neon lettering may only be used in conjunction with painted lettering. Signs with only neon lettering are not allowed.

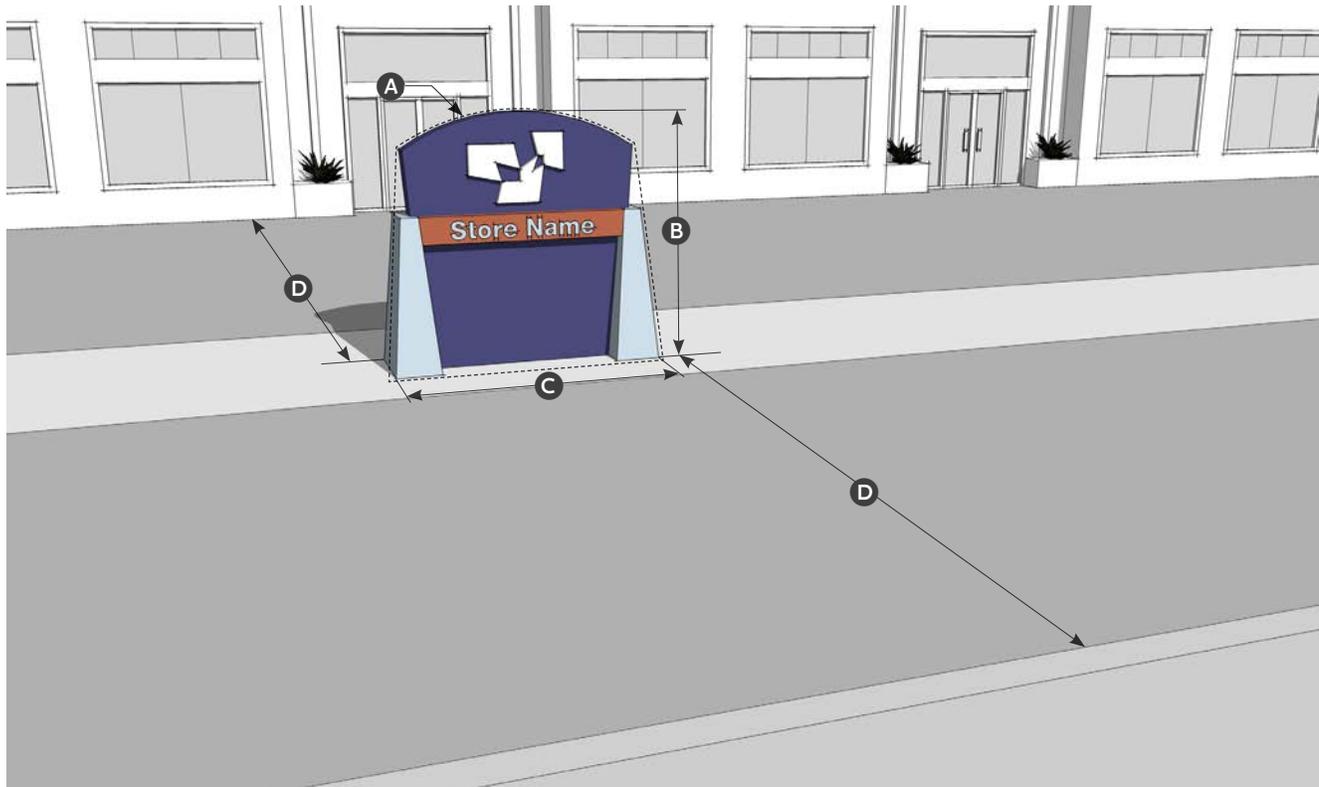


FBC Figure 107. Theater Marquee Sign in El Cerrito



FBC Figure 108. Marquee Sign

2.05.10.10.05 Monument Sign



FBC Figure 109. Monument Sign Diagram

A. Description

Monument signs are freestanding signs with a solid base that the sign face is installed on. They are only to be used where building setbacks, orientation or design make it difficult to adequately provide other types of signage, such as wall signs.

B. Size

Maximum area	50 sq. ft. per side, or 100 sq. ft. total	A
Maximum height	10'	B
Maximum width	5'	C

C. Location

Minimum setback from any property line or curb.	5'	D
Signs shall not interfere with driver, bicyclist or pedestrian visibility.		

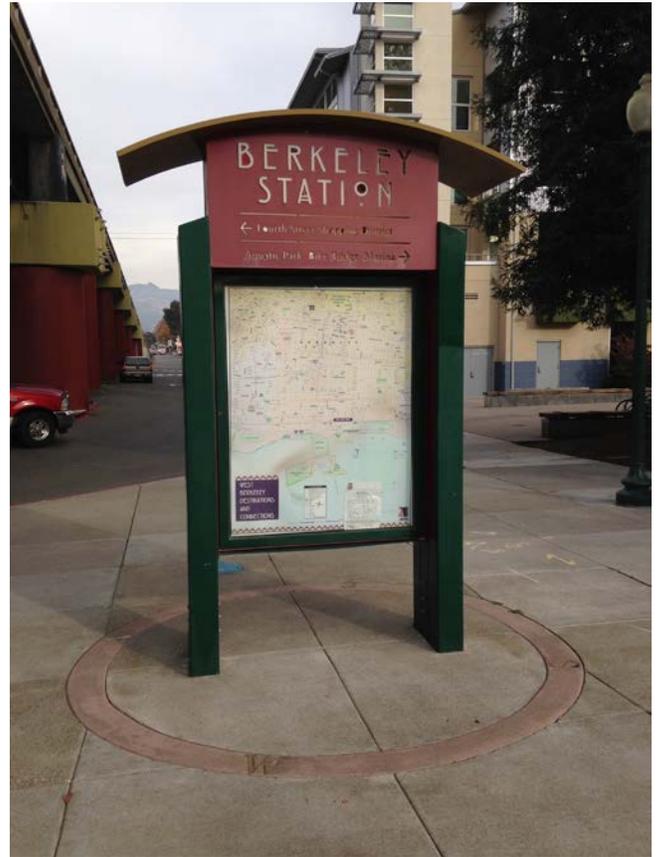
Signs per Building	1 per building
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D. Miscellaneous

Minor Automobile/Vehicle Service and Repair Stations must comply with Municipal Code 19.26.050 Signs—Commercial, mixed-use, and other non-residential zones.



FBC Figure 110. Monument Sign



FBC Figure 111. Monument Sign with Wayfinding

2.05.10.10.06 Sidewalk Sign



FBC Figure 112. Sidewalk Sign Diagram

A. Description

Sidewalk signs provide secondary signage and may be used to post announcements or specials, or point to shops. They may be painted wood panels or cut wood shapes. Traditional slate boards and blackboards or blackboard sections are recommended. Chaser lights or illuminated signs are not permitted.

B. Size

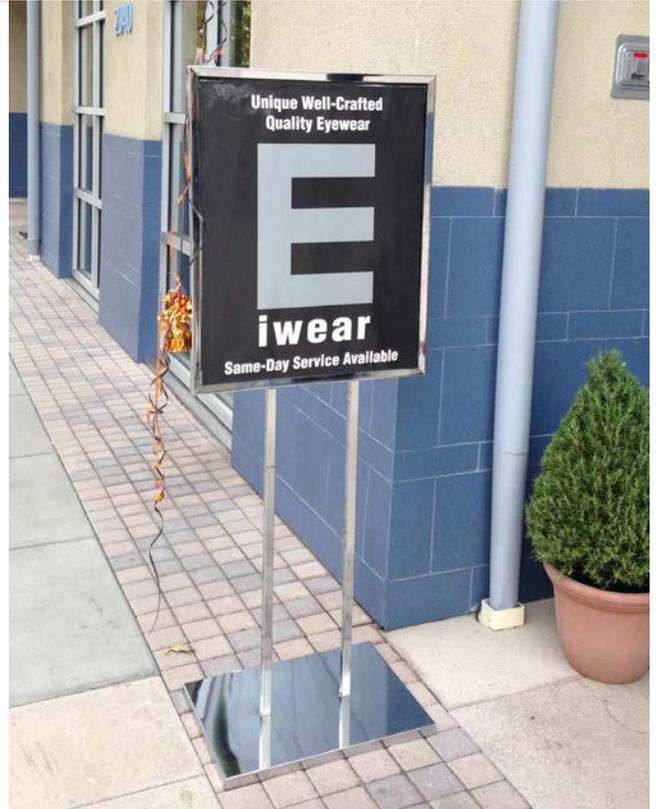
Area	6 sq. ft. maximum per side	A
Width	30" max.	B
Height	42" max.	C

C. Location

Signs per building 1 sign per tenant max.

Sidewalk signs must not encroach on the pedestrian right of way or the accessible path.

Sidewalk signs may only be displayed when the business is open, and must be removed when the business is closed.



FBC Figure 113. Sidewalk signs may have a variety of forms and styles

2.05.10.10.07 Wall Sign



FBC Figure 114. Wall Sign Diagram

A. Description

Wall signs are installed flat against the building façade, and consist of a single panel with raised or painted letters/graphics, individual cut graphics applied directly to the building, or graphics painted directly on the surface of the building. Cabinet signs are prohibited. Wall signs are typically placed directly above the main entrance and often run horizontally along the “expression line” or entablature of traditional buildings. Wall signs do not protrude beyond the roof line or cornice of a building. These are intended to be seen from a distance and are often complemented by pedestrian-scaled signage.

B. Size

Signable Area

Sign Area	1 sf per linear foot of storefront, or 15% of building face area, whichever is larger, max.	A
Width	Storefront width, max.	B
Height	12" min.; 5' max.	C

B. Size (continued)

Lettering

Width	75% of signable width, max.	D
Height	75% of signable height, or 36", whichever is larger, max.	E

C. Location

Projection from façade	12" max.
Signs per building	1 per storefront max. Notwithstanding more restrictive municipal code requirements.

D. Miscellaneous

Changeable copy signs are only allowed for gasoline price signs, directory signs listing more than one tenant, and signs advertising films and live entertainment which change on a regular basis.



FBC Figure 115. Wall sign



FBC Figure 117. Wall sign



FBC Figure 116. Wall sign with mural



FBC Figure 118. Wall sign

2.05.10.10.08 Wall Mural Sign



FBC Figure 119. Wall Mural Sign Diagram

A. Description

Wall mural signs are painted flat against a secondary facade, typically along a side street, alley, or paseo. These signs typically contain a combination of text and graphic elements. These signs are often visible from a distance, and must be accompanied by additional signage on the primary facade at the business entrance.

B. Size

Sign Area	1000 sf max.	A
Width	100' max.	B
Height	40' max.	C

C. Location

Height above ground:	3' min.	D
Signs per building	1 max.	

D. Miscellaneous

Wall Mural signs that provide off-site signage for a business or do not have a commercial message (artistic wall mural) are subject to approval by the Director.

Billboards are not considered wall mural signs and are prohibited.



FBC Figure 120. Wall Mural Signs



FBC Figure 121. Window signs

2.05.10.10.09 Yard Sign



FBC Figure 122. Yard Sign Diagram

A. Description

Yard signs are mounted on a porch or in a yard between the public ROW and the building facade. Yard signs mounted on a porch are placed parallel to the building's facade. Yard signs mounted in a yard may be placed parallel or perpendicular to the ROW.

B. Size

Width	36" max. not inclusive of supporting structures.	A
Height	36" max. not inclusive of supporting structures.	B

C. Location

Clear Height:

Mounted on Porch	6'8" min.	C
Mounted in Yard	12" min.	

Overall Height in Yard	5' max.	D
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Signs per Building	1 on porch and 1 in yard max. per occupant.
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D. Miscellaneous

Yard signs may not be located within a public ROW.

Yard-mounted signs shall be parallel or perpendicular to the ROW.



FBC Figure 123. Yard signs