

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HOLLISTER APPROVING ZONING ORDINANCE AMENDMENT 2025-3 AMENDING VARIOUS SECTIONS OF TITLE 17 ZONING TO CLARIFY DEFINITIONS AND USE TABLES ACROSS ALL CITY ZONING DISTRICTS, AS WELL AS TO PROVIDE MINOR CLARIFICATION AND LEGISLATIVE CLEAN-UP RELATED TO DENSITY BONUS AND TO REFLECT CHANGES IN STATE LAW

WHEREAS, the City occasionally initiates an amendment to the Zoning Ordinance in order to clarify provisions in the Zoning Ordinance or to reflect current conditions in the City and to comply with state law; and

WHEREAS, staff is requesting an amendment to several Sections in the Zoning Ordinance for clarity, to provide new definitions, and to comply with recent changes in state law; and

WHEREAS, the Planning Commission held a duly noticed public hearing on August 28, 2025, and adopted Resolution Number, recommending the adoption of Zoning Ordinance Amendment 2025-3 to the City Council; and

WHEREAS, on Date , the City Council held a duly noticed public hearing to consider the adoption of Zoning Ordinance Amendment 2025-3; and

WHEREAS, the proposed Zoning Ordinance amendments are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines because the proposed amendments will not result in any direct physical change to the City, and any future development projects will be subject to the requirements of CEQA and therefore the proposed amendments are not a project under CEQA and are exempt from further review (CEQA Guidelines, Section 15378).

NOW THEREFORE THE CITY COUNCIL OF THE CITY OF HOLLISTER DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 17.02.020, Definitions, is hereby repealed in its entirety.

SECTION 2. Chapter 17.68, Definitions, is hereby adopted to read as follows:

Chapter 17.68 Definitions

17.68.001 Purpose and Intent. This section provides definitions of terms and phrases used in this Zoning Ordinance that are technical or specialized, or that may not reflect common usage. If any of the definitions in this chapter conflict with definitions in other chapters of the City Code, these definitions shall prevail for the purposes of this Zoning Ordinance. If a word is not defined in this chapter, or other chapters of the City Code, the most common dictionary definition is presumed to be correct. Words used in the

present tense shall include the future; words used in the singular shall include the plural; the word "shall" or "must" is mandatory, and the word "may" is directory.

17.68.010 24-Hour Operations. 24-hour operations means any land use which is open to employees, business operations, and/or the public for twenty-four (24) hours in any single day, with no period of closure.

17.68.020 Accessory Dwelling Unit. Accessory Dwelling Unit means a second permanent dwelling that is accessory to a legally constructed primary dwelling on the same site in a residential zoning district. A secondary unit provides complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. See Chapter 17.32.

17.68.030 Accessory Structure. Accessory structure is a detached structure which is incidental to a lawfully established principal structure on the same lot and used to support a lawfully established use.

17.68.040 Accessory Use. An accessory use is a use that is subordinate to the principal use on the same lot as authorized by the specific zoning district and serving a purpose customarily incidental to the principal use, without altering the character of a lawfully allowed use, as determined by the Community Development Director.

17.68.050 Adult. An adult is a person aged 18 or over.

17.68.060 Adult Entertainment Establishment. Please refer to Section 17.22.050, Adult Entertainment Establishments, for definitions and requirements for this use type.

17.68.070 Affordable Housing. Affordable housing means housing units affordable to families earning at or below 120 percent of the county median income, including very low, low, median and moderate-income units. The specific affordability levels shall be established by the Department of Housing and Community Development in the State Income Limits for San Benito County.

17.68.080 Agent. An agent is a person authorized in writing by the property owner to represent and act for a property owner in contacts with city employees, committees, Commissions, and the Council, regarding matters regulated by this Zoning Ordinance.

17.68.090 Agriculture. Agriculture means farming, dairying, pasturage, apiaries, horticulture, viticulture and animal or poultry husbandry, but not including the commercial feeding of garbage or offal to swine or other animals.

17.68.100 Agriculture Employee Housing. Agricultural employee housing is living quarters for farm or agricultural laborers located on or adjacent to the agricultural operations.

17.68.110 Airport. An airport is an area used for aircraft landing, flight services, administration offices, terminals (executive and general), take-off, storage, and maintenance, airport related buildings, aircraft operations and related facilities, aprons and taxiways, tie-down areas, hangars, control towers, safety lights, communications equipment, and related structures.

17.68.120 Aircraft Chartering and Leasing. Aircraft chartering and leasing is a company which provides a service where a company, individual or organization can hire the company to fly to a specific destination or where a licensed pilot can lease or rent a plane for personal uses.

17.68.130 Aircraft Fuel Facility. An aircraft fuel facility is a facility which sells fuel or lubrication for use in aircrafts.

17.68.140 Aircraft Manufacturing. Aircraft manufacturing means the manufacture of aircraft or aircraft components, electrical systems, parts or other items used on airplanes.

17.68.150 Aircraft Repair or Services. Aircraft repair or services means the repair of all components of an airplane or servicing of the airplane including washing, maintenance services or painting.

17.68.160 Aircraft Research and Design. Aircraft research and design means a business involved in the design and testing of aircrafts and aircraft related components.

17.68.170 Aircraft Sales. Aircraft sales is the sale or leasing of an airplane or airplane components or accessories.

17.68.180 Air Cargo Facilities. Aircraft cargo facilities means a place where a company or organization loads and moves goods by aircraft for profit.

17.68.190 Air Freight Terminal. An aircraft terminal means a facility which loads goods onto planes for transport, but does not include the ownership of the planes.

17.68.200 Aircraft Parking, Tie-Down and Aircraft Hangers or Shelters. Aircraft parking, tie-down and aircraft hangers or shelters means the parking, temporary locating, or storage of an aircraft within a structure or on a paved area.

17.68.210 Alcohol Sales, Retail. Retail alcohol sales means the sale of beer, wine, and or liquor for consumption off site.

17.68.220 Alley. An alley is a public or private roadway that provides vehicle access to the rear or side of lots having other public street frontage and that is not intended for general traffic circulation.

17.68.230 Ambulance Services. Ambulance services is an establishment which provides ambulance services for the public and includes office, storage and maintenance of ambulances, and temporary sleeping facilities for an ambulance crew.

17.68.240 Ancillary Deli or Café. An ancillary deli or cafe means the preparation and sale of food items such as snacks, sandwiches, coffee or specialty drinks, salads, etc. as an accessory use to a lawfully established primary use on the same site.

17.68.250 Animal Kennels or Boarding. Animal kennels or animal boarding means facilities for the keeping, boarding or maintaining of four or more dogs four months of age or older, or four or more cats for commercial purposes, except for dogs or cats in pet shops or animal hospitals.

17.68.260 Animal Sales and Services. Animal sales and services means facilities which sells pets or provides grooming, pet washing, or similar services. The retail sales of pet goods and food is included within the general retail use.

17.68.270 Animal Veterinary Clinics and Hospitals. Animal veterinary clinics and hospitals means an indoor medical treatment facilities used by veterinarians, including large and small animal veterinary clinics, and animal hospitals.

17.68.280 Artist Studio. An artist studio is a facility where an individual(s) produces creative items for sale and/or display and includes pottery, photography, painting, sculpting or other similar mediums. Artist studios include creative spaces for production as well as an area for accessory retail sales.

17.68.290 Assembly Building or Site. Assembly building or site means a building or site that is primarily used for Assembly Use, including but not limited to religious assembly, gymnasiums, libraries, theaters, schools, and community centers.

17.68.300 Assembly Use. Assembly is a use involving the gathering of persons to participate in group or common activity to observe a presentation, performance, or exhibition.

17.68.310 Auditorium. An auditorium is a large room to accommodate an audience for the purpose of speeches, theater and music productions or similar uses, fully enclosed within a building.

17.68.320 Auto Rentals. Auto rentals means a facility where a consumer can rent a vehicle for a fixed amount of time.

17.68.330 Automatic Teller Machine (ATM). An ATM is a machine used by bank and financial service patrons for conducting automated transactions including deposits, withdrawals and fund transfers, without contact with financial institution personnel. The machines may be located at or within banks or in other locations.

17.68.340 Automobile Dismantling Yard. See "Recycling, Scrap, and Dismantling Yards."

17.68.350 Banks and Financial Services. Banks and financial services means financial institutions including: banks and trust companies; lending and thrift institutions, credit agencies; brokers and dealers in securities and commodity contracts; security and commodity exchanges; mortgage brokers; holding (but not predominantly operating) companies; and other investment companies; vehicle finance (equity) leasing agencies. See also "Automatic Teller Machine."

17.68.360 Bail Bonds. Bail bonds means an establishment where an individual or agency acts as a surety and pledge money or property as bail for the appearance of a defendant in court.

17.68.370 Bars. A bar means a structure or space within a structure where alcoholic beverages are sold for on-site consumption and includes bars, taverns, pubs, billiard/pool halls, restaurants where more than 30 percent of the gross floor area is

dedicated to a bar (including the bar and bar seating) and similar establishments ~~where any food service is subordinate to the sale of alcoholic beverages~~. May include entertainment (e.g., live music or dancing, etc.) with approval of a Conditional Use Permit. May also include beer brewing as part of a "brew pub."

17.68.380 Bed and Breakfast Inn. A bed and breakfast inn is a commercial facility designed to appear as a single-family dwelling where bedrooms without individual cooking facilities are rented for overnight lodging (up to 30 days total). This definition does not include "Hotels and Motels," which are defined separately; rooming and boarding houses, which are included under "Multifamily Housing;" or the rental of an entire residence for 30 days or more. Please refer to Section 17.22.080, Bed and Breakfast Inns, for requirements for these types of facilities.

17.68.390 Beauty Salon and Barber Shop. A beauty salon or barber shop means an establishment that provides hair cutting, styling, and similar services. In the Home Office Zoning District, these establishments are limited to two chairs and two employees operating at one time.

17.68.400 Building. See "Structure."

17.68.410 Building Material Store. A building materials store means a primarily indoor (in a commercial building) retail establishment selling lumber and other large building materials, and also including paint, wallpaper, glass, fixtures, nursery stock, lawn and garden supplies (which may also be sold in hardware stores, included under the definition of "Retail Stores, General Merchandise"). Includes all stores selling to the general public, even if contractor sales account for a larger proportion of total sales. Includes incidental retail ready-mix concrete operations, when the area is not visible from the public right of way. Exterior storage as an ancillary use may be allowed with a Conditional Use Permit and requires screening from the public right of way. These stores may not be located within a mixed-use building.

17.68.420 Building Site. A building site means the land area, consisting of one or more lots or parcels of land under common ownership or control, considered as the unit of land occupied or to be occupied by a main building or buildings and accessory buildings, or by a principal use and use accessory thereto, together with such parking and loading spaces, yards and open spaces as are required by this chapter, and having its principal frontage on a street, road, or highway not to include an alley.

17.68.430 Business Support Services. A business support service is an establishments primarily within structures, providing other businesses with services including maintenance, repair and service, testing, rental, etc. including blueprinting, business equipment repair (excluding vehicle repair), computer services, copy and printing services, film processing, on-site repairs, janitorial services, and window cleaning.

17.68.440 Caretaker and Employee Housing. Caretaker and/or employee housing means a temporary or permanent residence that is accessory to a nonresidential primary use of the site, where needed for security or 24-hour care or supervision.

17.68.450 Cargo Container. See "Shipping Container."

17.68.460 Carport. A carport is a detached structure enclosed on two or fewer sides without a door used for storage of vehicles used by occupants of the premises.

17.68.470 Catering. Catering means an establishment where food is prepared and assembled for the delivery and off-site consumption of food at another location.

17.68.480 Cemeteries, Columbariums and Mortuaries. Cemeteries, columbariums and mortuaries means an internment establishments engaged in subdividing property into cemetery lots and offering burial plots or air space for sale. Includes animal cemeteries; cemetery, mausoleum, crematorium and columbarium operations, and full-service funeral parlors, whether accessory to or separate from a cemetery or columbarium.

17.68.490 Chemical Plants. Chemical plants are manufacturing establishments that produce or use basic chemicals and establishments creating products predominantly by chemical processes. This use type also includes sales and transportation establishments handling the chemicals described above. Establishments classified in this major group manufacture three general classes of products:

1. Basic chemicals including acids, alkalizes, salts, and organic chemicals;
2. Chemical products to be used in further manufacture, including synthetic fibers, plastic materials, dry colors, and pigments; and
3. Finished chemical products to be used for ultimate consumption including drugs, cosmetics, and soaps; or to be used as materials or supplies in other industries, including paints, fertilizers, and explosives.

17.68.500 Child. A child means a person under the age of 18.

17.68.510 City. City means the city of Hollister, state of California, referred to in this Zoning Ordinance as "city."

17.68.520 City Council. City Council means the City Council of the city of Hollister, state of California, referred to in this Zoning Ordinance as "council."

17.68.530 Clothing Factory. A clothing factory is a manufacturing establishments producing clothing, and fabricating products by cutting and sewing purchased textile fabrics, and related materials including leather, rubberized fabrics, plastics and furs. Custom tailors and dressmakers not operating as a factory and not located on the site of a clothing store ("General Merchandise Stores") are instead included under "Personal Services."

17.68.540 Clubs and Lodges. Clubs and lodges means permanent meeting, recreational, or social facilities of a private or nonprofit organization primarily for use by members or guests, excluding commercial recreation and entertainment. This classification includes union halls, social clubs, community pools, and youth centers.

17.68.550 Chemical Plants. A chemical plant is a facility which manufactures raw or refined chemicals for use in other industries. Does not include facilities which include the storage, manufacture, or use of hazardous materials.

17.68.560 Combined Zone or Zoning District. A combined zone or zoning district shall have the same meaning as Mixed-Use Zone or Zoning District.

17.68.570 Commercial Filming. Commercial filming means the filming of an event, activity, music video, performances, movie, television show, or commercial on public or private property.

17.68.580 Commercial Recreation. Commercial recreation includes, the following use types. Ancillary sales of food and beverages or goods (related to the use) is allowed for all use types:

1. **Commercial Recreation, Minor** means establishments (under 25,000 square feet) which provide physical fitness services or amusement and entertainment and includes but is not limited to, bowling alleys, ice/roller skating rinks, billiard parlors, martial arts studios, indoor tennis or racquetball courts, dance studios, arcades, health and fitness clubs, exercise studios, boxing gyms, indoor games, indoor soccer, indoor hockey, indoor play or party centers, art classes or other indoor uses deemed similar by the Community Development Director.
2. **Commercial Recreation, Major** means establishments for uses also included in Minor Commercial Recreation which are greater than 25,000 square feet and establishments such as indoor sports arenas (where professional or semi-professional teams meet and where there is a charge for viewing), live theaters, live music establishments, roller derby facilities, bingo halls, indoor mini-golf, indoor go-kart racing other uses deemed similar by the Community Development Director.
3. **Commercial Recreation, Outdoor** means establishments which include indoor and/or outdoor facilities which provide physical fitness services or amusement and entertainment and includes but is not limited to outdoor sport courts, baseball and football stadiums, golf courses, outdoor miniature golf, amusement parks, outdoor go-cart or similar racing, swimming pools, driving ranges, hunting and shooting clubs and other outdoor uses deemed similar by the Community Development Director.

17.68.590 Commission. See "Planning Commission."

17.68.600 Common Area. A common area is an area, or portion thereof, owned in common by all property owners of a subdivision. There may or may not be an open space easement over a common area.

17.68.610 Common Interest Development. Common interest developments includes a condominium, community apartment project, planned development or stock cooperative, as provided by Section 1351 of the Civil Code.

17.68.620 Community Care Facility. A community care facility means a 24 hour residential facility providing non-medical residential care and support for the elderly, sober living, handicapped, group living, dependent children, or those who need non-medical supportive services. Facilities which serve six (6) or fewer persons is considered to be a residential use and is permitted in the residential zoning districts. Facilities which serve 7 or more persons requires approval of a Conditional Use Permit.

17.68.630 Community Center. A community center means multipurpose meeting and recreational facilities typically consisting of one or more meeting or multipurpose rooms, small indoor fitness centers, kitchen or outdoor barbecue facilities, that are available for use by various groups for activities including meetings, parties, receptions, dances, etc.

17.68.640 Concrete, Gypsum and Plaster Production. Concrete, gypsum and/or plaster production means manufacturing establishments producing bulk concrete, concrete building block, brick and all types of precast and prefab concrete products. Also includes ready-mix concrete batch plants, lime manufacturing, and the manufacture of gypsum products (e.g., plasterboard, etc.). A retail ready-mix concrete operation as an incidental use in conjunction with a building materials outlet is defined under "Building Material Stores."

17.68.650 Conditional Use. A conditional use means a land use or activity that is not allowed as a matter of right within a zoning district.

17.68.660 Conditional Use Permit. A Conditional Use Permit or CUP means an approval issued to a landowner allowing a conditional use.

17.68.670 Condominium Project. A condominium project, as defined in Section 1351 of the California Civil Code, means a development consisting of two or more condominiums.

17.68.680 Construction Contractors Yard. A construction contractors yard means a storage area operated by, or on behalf of a contractor licensed by the State of California for storage of large equipment, vehicles, or other materials commonly used in the individual contractor's type of business; storage of scrap materials used for repair and maintenance of contractor's own equipment; and buildings or structures for uses including offices and repair facilities.

17.68.690 Community Care Facility. A community care facility means a 24 hour residential facility providing non-medical residential care and support for the elderly, sober living, handicapped, group living, depended children, or those who need non-medical supportive services. Facilities which serve six (6) or fewer persons is considered to be a residential use and is permitted in the residential zoning districts. Facilities which serve 7 or more persons requires approval of a Conditional Use Permit.

17.68.700 Convenience Store. A convenience store is a small shop, corner store or mini-mart that sells a variety of household goods included food, groceries, beverages, toiletries, and other household goods.

17.68.710 Cottage Food. A cottage food establishment means a home-based business, that is incidental to the residential use of the dwelling, where individuals

produce and sell approved non-hazardous foods. A Cottage Food operation must operate in compliance with the Health and Safety Code and Chapter 11.5, Cottage Food Operations, of the California Retail Food Code.

17.68.720 Courier and Small Package Delivery. A courier and/or small package delivery means an establishment where a person or company delivers letters, small packages, or documents. Couriers include establishments which deliver by hand, vehicle, or bicycle.

17.68.730 Crop Production. Crop production involves production of grains, field crops, vegetables, melons, fruits, tree nuts, flower fields and seed production, ornamental crops, tree and sod farms; associated crop preparation services and harvesting activities including but not limited to mechanical soil preparation, irrigation system construction, spraying, crop processing and sales in the field of products grown on the premises.

17.68.740 Cultural Institutions. A cultural institutions is an organizations or businesses that preserve, promote, or advance culture, heritage, or the arts and includes the displaying or preserving objects of interest in one or more of the arts or sciences. This classification generally includes libraries, museums, archives, and art galleries where displayed objects are not intended for sale.

17.68.750 Day Care. A day care is a facility that provide non-medical care and supervision of children or adults for periods of less than 24 hours. These facilities include the following, all of which are required to be licensed by the California State Department of Social Services:

1. **Child Day Care Center** means a commercial or nonprofit facility that provides nonmedical care to children under 18 years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. Includes day care centers, employer-sponsored child care centers, and family day care homes, as defined by Health and Safety Code Section 1596.750. These may be operated in conjunction with a school or church facility, or as an independent land use.
2. **Family Day Care Home** means a home that regularly provides care, protection and supervision for 14 or fewer children, in the provider's own home, for periods of less than 24 hours per day, while the parents or guardians are away.
3. **Adult Day Care/Health Facility** means an organized day program of therapeutic, social and health activities and services provided to elderly persons with functional impairments, either physical or mental, for the purpose of restoring or maintaining optimal capacity for self-care, as defined in Health and Safety Code Section 1570.7.

17.68.760 Density, Gross. Gross density means the number of primary residential dwellings per acre of land within a project site.

17.68.770 Department. Department means the city of Hollister Community Development Department referred to in this Zoning Ordinance as "Department."

17.68.780 Detached. Detached means any structure that does not have a wall or roof in common with another structure.

17.68.790 Developer. A developer is an owner, project proponent, or subdivider with a proprietary interest in a proposed or constructed project.

17.68.800 Development. A development is any construction activity or alteration of the landscape, its terrain contour or vegetation, including grading, paving and the erection or alteration of structures, alteration of an existing structure or land use, or establishment of a land use.

17.68.810 Development Agreement. A Development Agreement is a contract between the city and an applicant for a development project, in compliance with Chapter 17.24.280 of this Zoning Ordinance and Sections 65864 et seq., of the Government Code.

17.68.820 Development Standards. Development standards are the provisions of this chapter that regulate the site planning and design of a proposed development or new land use, including but not limited to provisions for floor area ratio, height limits, landscaping, minimum lot area and minimum building site area, off-street parking, setbacks, site coverage, signs, and standards for specific land uses.

17.68.830 Director. Director means the Community Development Director of the city of Hollister or his/her designee.

17.68.840 District or Zoning District. A district or zoning district means a portion of the city within which certain uses of land and buildings are prohibited or permitted according to development standards.

17.68.850 Drive-Thru Service and Sales. Drive-thru services and sales means facilities where services may be obtained by motorists without leaving their vehicles. These facilities include drive-up teller windows in banks, drive-thru pharmacies, and facilities where food or other products may be purchased without leaving a vehicle. This service does not include: automatic teller machines (ATMs) or service stations, which are separately defined, or car washes.

17.68.860 Donation Kiosk. A donation kiosk an accessory structure, truck, bin, or other receptacle designed for the donation of goods to a non-profit or for-profit organization. Donation Kiosks can be manned by an individual or designed so that donations can be made without assistance.

17.68.870 Elderly. Elderly means a person 55 years of age or older but also includes other adults who are chronically ill or impaired and who would benefit from adult day health care, as defined in Health and Safety Code Section 1570.7.

17.68.880 Emergency Shelter. An emergency shelter is a facility that provides temporary (30 days or less) housing for homeless individuals or families.

17.68.890 Equestrian Facilities. Equestrian facilities means commercial horse, donkey, and mule facilities including horse ranches, boarding stables, riding schools and academies, horse exhibition facilities (for shows or other competitive events), pack stations, and barns, stables, corrals and paddocks accessory and incidental to these uses.

17.68.900 Equipment Sales, Services and Rentals, Indoor. Indoor equipment sales, services and rentals means a facility that sells or rents equipment, or the related repair or services thereof, to individuals or a business. Equipment can include but is not limited to tools, restaurant equipment, forklifts, machinery, medical equipment and is contained entirely within a building. This use may also include the repair of equipment sold by the establishment. This type of facility is not permitted within a mixed-use building.

17.68.910 Equipment Sales, Services and Rentals, Outdoor. Outdoor equipment sales, services, and rentals means a facility that sells or rents equipment, or the related repair or services thereof, to individuals or a business, including the storage of equipment outside of a building. Equipment can include but is not limited to tools, construction equipment, forklifts, and machinery. This use may also include the repair of equipment sold or rented by the establishment. Outdoor facilities shall be screened from view by a wall or solid fence. This type of facility is not permitted within a mixed-use building.

17.68.920 Façade. A façade is that portion of any exterior elevation on the building extending from grade to top of parapet, or eaves, and the entire width of the building elevation.

17.68.930 Family. A family means one or more persons occupying premises and living as a single housekeeping unit, as distinguished from a group occupying a hotel, club, fraternity or sorority house. A family shall be deemed to include necessary servants.

17.68.940 Farm Equipment and Supplies Sales, Indoor. Indoor farm equipment and supplies sales means establishments selling or renting agricultural machinery, equipment, and supplies for use in soil preparation and maintenance, the planting and harvesting of crops, and other operations and processes pertaining to farming and ranching within an enclosed building. This type of facility is not permitted in a mixed-use building.

17.68.950 Farm Equipment and Supplies Sales, Outdoor. Outdoor farm equipment and supplies sales means establishments selling or renting agricultural machinery, equipment, and supplies for use in soil preparation and maintenance, the planting and harvesting of crops, and other operations and processes pertaining to farming and ranching which includes sales or storage of products, supplies, or equipment outside or in an unenclosed building.

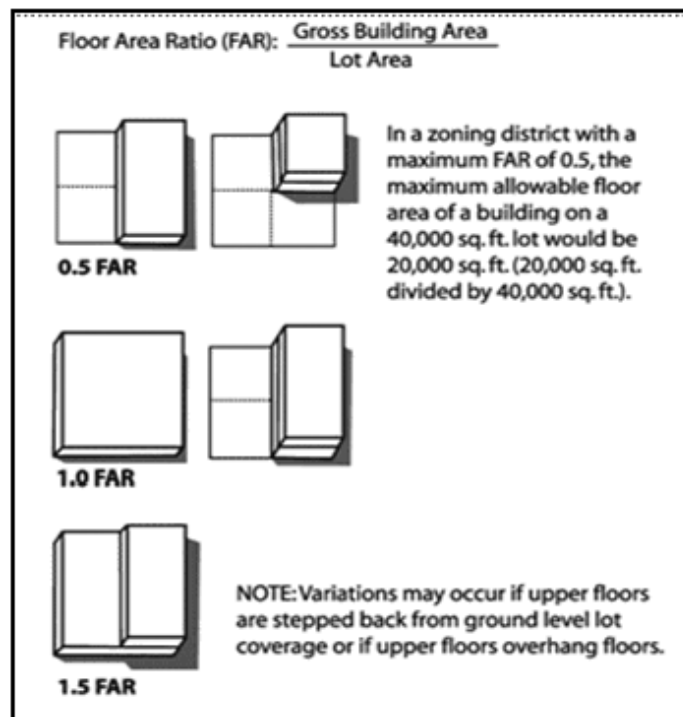
17.68.960 Fence. A fence means continuous physical barrier comprised of wood, wrought iron, chain link, masonry, concrete, or other similar materials as well as vegetation which provides for separation between adjoining sites or areas within a site.

17.68.970 Financial Services. Financial services are establishments that provide banking, credit unions, loan services, security and commodities exchanges, and investment companies.

17.68.980 Floor Area, Gross. Gross floor area means the total area enclosed within a building, including closets, stairways, and utility and mechanical rooms, measured from the interior face of the walls.

17.68.990 Floor Area Ratio (FAR). Floor area ratio means the total floor area of all buildings on a lot, divided by the area of that lot. For example, a building 3,000 square feet of floor area on a 10,000 square foot lot has a FAR of 0.30. See Figure 17.02-1 (Floor Area Ratio).

Figure 17.68-1 Floor Area Ratio



17.68.1000 Food Processing. Food processing means a commercial facility in which food is prepared, processed, packaged, or bottled for off-site sale or consumption.

17.68.1010 Fuel and Ice Dealers. A fuel and ice dealer means retail trade establishments primarily engaged in the sale to consumers of ice, bottled water, fuel oil, butane, propane and liquefied petroleum gas (LPG), bottled or in bulk.

17.68.1020 Funeral Services. Funeral services means an establishment that provides a place for individuals to make funeral arrangements and includes space for memorials, visitations, or gatherings but does not include on-site cremation or burial services (see Cemeteries, columbariums and mortuaries for full service facilities).

17.68.1030 Fortunetelling. Fortunetelling means an establishment where a person is engaged in the forecasting or prediction of the future by means of the occult, psychic power, divination, clairvoyance, prophesy, mindreading, palmistry, tarot reading, astrology, crystal gazing, reading of tea leaves or similar readings or predictions for pay.

17.68.1040 Furniture, Furnishings, and Equipment Stores. Furniture, furnishing, and equipment stores means stores primarily selling home furnishings including furniture, floor coverings, draperies, glass and chinaware, stoves, refrigerators, other household electrical and gas appliances including televisions and home sound systems and outdoor furniture including lawn furniture, movable spas and hot tubs. Also includes the retail sale of office furniture and large musical instruments.

17.68.1050 Garage. A garage is an attached or detached accessory building used for the storage of vehicles or trailers by the occupants of the premises.

17.68.1060 Garage or Yard Sale. A garage or yard sale means the temporary sale of used household goods or items sold by the occupant of the residential dwelling where the sale occurs. Garage or Yard sales are permitted in residential zoning districts and are limited to three sales per year.

17.68.1070 General Plan. A General Plan means the city of Hollister General Plan, including all elements thereof and all amendments thereto, as adopted by the Council under the provisions of Sections 65300 et seq., of the Government Code.

17.68.1080 Glass Products Factory. A glass products factory means manufacturing establishments producing flat glass and other glass products which are pressed, blown, or shaped from glass produced in the same establishment. Does not include artisan and craftsman type operations which are included under handicraft industries and small scale manufacturing.

17.68.1090 Handicraft Industries, Small Scale Manufacturing. Handicraft Industries, small scale and manufacturing means small scale manufacturing establishments not classified in another major manufacturing group, including arts and crafts, jewelry, embroidery, engraving, glass, musical instruments, toys, sporting and athletic goods, pens, pencils, and other office and artists materials; button, costume novelties, miscellaneous notions; brooms and brushes and other miscellaneous manufacturing industries.

17.68.1100 Hazardous Materials. Hazardous materials are any substance that can cause harm to humans, animals, or the environment, either on their own or through interactions with other factors. This includes a wide range of items, including chemicals, radioactive materials, biological agents, or some physical substances.

17.68.1110 Hazardous Materials or Waste Facilities. A hazardous material or waste facility means any facility or land use that includes the production, storage, transport, or other use of hazardous materials.

17.68.1120 Health/Fitness Club. A health or fitness club means fitness centers, gymnasiums, health and athletic clubs including indoor sauna, spa or hot tub facilities; indoor tennis, handball, racquetball, archery and shooting ranges, other indoor sports

activities and limited massage therapy that is incidental to the operation.

17.68.1130 Height, Building. Building height means the vertical distance from the average contact grade level of the building, "grade" as defined herein, to the highest point of the coping of a flat roof or to the deck line of a mansard roof or to the mean height level between eaves and ridge for gable, hip, or gambrel roofs.

17.68.1140 Home Occupation. A home occupation is a business activity conducted entirely within or from an enclosed dwelling unless otherwise permitted in an accessory structure with a conditional use permit. See Section 17.22.130 (Home Occupations).

17.68.1150 Hotel or Motel. A hotel or motel means guest rooms or suites, provided with or without meals or kitchen facilities, rented to the general public for overnight or other temporary lodging (of less than 30 days). Hotels provide access from an interior walkway to most guest rooms that do not have kitchen facilities. Motels provide access to most guest rooms from an exterior walkway. Also includes accessory guest facilities including swimming pools, tennis courts, indoor athletic facilities, accessory retail uses, meeting rooms, restaurants, breakfast rooms, etc.

17.68.1160 Improvement. An improvement means the construction, alteration and repair of all buildings, structures and facilities permanently affixed to real property and appurtenances thereto.

17.68.1170 Junkyard. A junkyard means the use of any outdoor space where waste, discarded or salvaged materials are stored or handled; including automobile wrecking yards, house wrecking yards, used lumber yards and places or yards for storage of salvaged housing wrecking and structural steel materials and equipment, except when any such use is accessory and incidental to the permitted agricultural use.

17.68.1180 Laundromat. A laundromat is a self-service washing machines and dryers for public use. Laundromats are considered to be a "Personal Service."

17.68.1190 Laundries and Dry Cleaning Plants. Laundries and dry cleaning plants means service establishments primarily engaged in high volume laundry and garment services, including: power laundries (family and commercial); garment pressing and on-site dry cleaning; linen supply; diaper service; industrial laundries; carpet and upholstery cleaners. Does not include laundromats or dry cleaning pick-up stores without dry cleaning equipment, which are classified in "Personal Services."

17.68.1200 Live Entertainment. Live entertainment means in person entertainment or performances associated with an established business. Live entertainment includes karaoke, comedy clubs, musical acts (with or without amplified music), theatrical acts, cabaret, DJs, dance performances, or live performances deemed similar by the Community Development Director.

17.68.1210 Live-Work Unit. A live-work unit is a property or properties where residential and commercial uses are allowed where the owner or renter of the unit both lives and operates a business with services or products available to the public on the property. Business operations include all permitted office and commercial uses within the zoning district as well as handicraft manufacturing and artist studios. Telecommuting

or remote office work is not considered a live-work use.

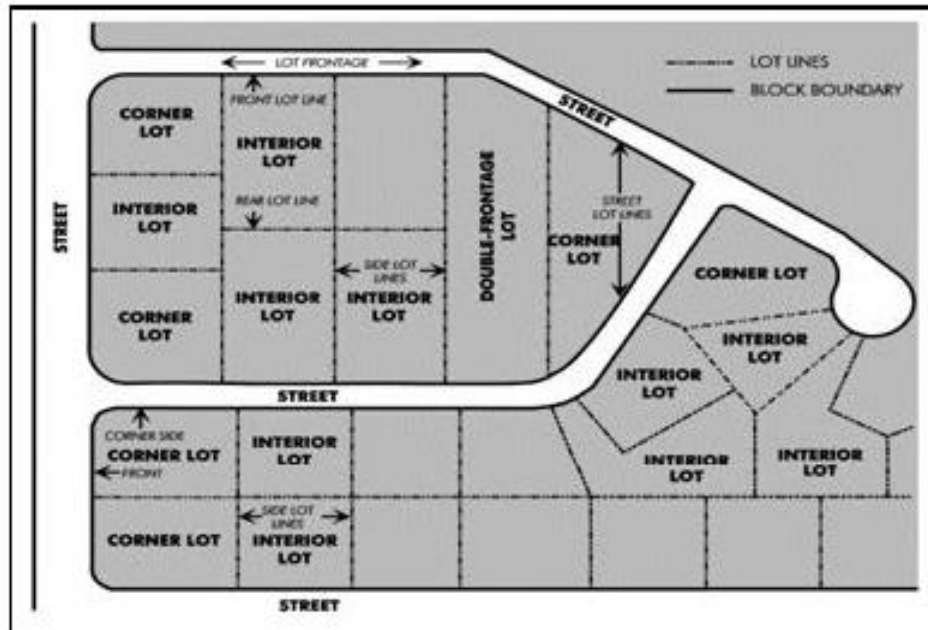
17.68.1220 Lot Coverage. Lot coverage means that portion of a lot or parcel which is occupied by any building or structure. Building and structures include all land covered by the principal dwelling unit, Accessory Dwelling Unit, SB-9 Unit, garages, and accessory structures where more than two sides are covered (such as detached garages, carports, sheds, patio covers, covered front porches). All lot coverage calculations are measured at ground level, second stories are not included within the lot coverage calculation.

17.68.1230 Lot Depth. Lot depth means the distance measured from the front property line to the rear property line, typically along the side property line. Where the lot has angled or irregular side or rear lot lines, the depth shall be measured from the midpoint of the front property line to the midpoint of the rear property line.

17.68.1240 Lot or Parcel. A lot or parcel is an area of real property under single ownership, its principal frontage on a street or right-of-way, and lawfully created and recorded as required by the Subdivision Map Act and city of Hollister ordinances, including this Zoning Ordinance. Types of lots include the following:

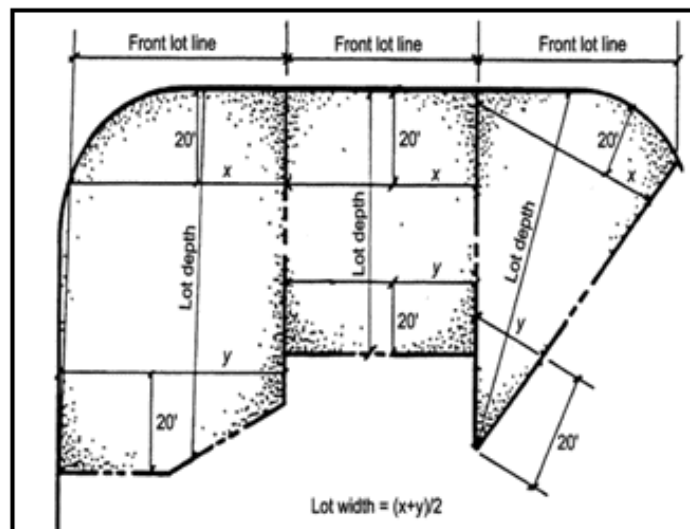
1. **Corner Lot** means a lot located at the intersection of two or more streets, bounded on two or more sides by street lines. The front of a corner lot shall be defined by the location of the main entrance door of the primary structure on the parcel. For a commercial, mixed-use, or multifamily properties where the main entrance to a primary structure cannot be clearly determined, the front of the corner lot shall be established by the Engineering Division at the time at which the parcel is created, or through the address assignment, and shall be the street on which the parcel is addressed.
2. **Double Frontage or Through Lot** means a lot having a frontage on, and rights of vehicular access to, two parallel or approximately parallel streets. For the purposes of determining vehicular access to parallel streets pursuant to this definition, alleys are not streets.
3. **Flag Lot** means an interior lot having access by a corridor having a street frontage of less than 20 feet in width.
4. **Interior Lot** means a lot abutting only one street. Key lot. The first lot to the rear of a corner lot, the front line of which is a continuation of the side line of the corner lot, exclusive of the width of any alley, and fronting on the street which intersects or intercepts the street on which the corner lot fronts.

Figure 17.68-2 - Lot Types



17.68.1250 Lot Width. Lot width means the width of the lot measured at right angles to its depth at a point midway between the front and rear lot lines. "Average lot width" means the average width of the lot throughout its full depth measured at right angles to the depth.

Figure 17.68-3 - Lot Width



17.68.1260 Lumber and Wood Products Manufacturing. Lumber and wood products manufacturing means processing and sales involving the milling of forest products to produce rough and finished lumber and other wood materials for use in other manufacturing, craft, or construction processes. Includes: all types of milling operations and the turning and shaping of wood products on a manufacturing basis; the assembly of products including trusses and structural beams, wood containers, pallets and skids;

and the wholesaling of basic wood products. This use type includes indoor storage only. Outdoor storage of any products falls under the Outdoor, Storage use category. Craft-type shops are included in "Handicraft Industries and Small-Scale Manufacturing." Other wood and cabinet shops are included under "Furniture and Fixture Manufacturing." The indoor retail sale of building materials, and the sale of construction tools and equipment is included under "Building Material Stores."

17.68.1270 Manufacturing. Manufacturing means the process of turning raw materials or parts into finished products or parts, including processing, assembly, fabrication, treatment, and/or packaging of such products or parts. Examples include furniture assembly or production, cabinet making, textile manufacturing or large scale clothing assembly, wood product manufacturing, metal manufacturing and uses deemed similar by the Community Development Director. Does not include uses that contain or produce hazardous materials or waste, see Hazardous Materials or Waste Facilities.

17.68.1280 Medical Services—Clinics and Laboratories. Medical clinics and laboratories means facilities primarily engaged in furnishing outpatient medical, mental health, surgical and other personal health services. These facilities include: medical, dental, and psychiatric offices (with more than one therapist or counselor and/or group therapy sessions); medical and dental laboratories; out-patient care facilities; and allied health services. Associations or groups primarily engaged in providing medical or other health services to members are included.

17.68.1290 Medical Services—Extended Care. Extended care means residential facilities providing nursing and health-related care as a principal use with in-patient beds, including: skilled nursing facilities with in-patient beds; extended care facilities; convalescent and rest homes; board and care homes. Long-term personal care facilities that do not emphasize medical treatment are classified in "Residential Care Homes."

17.68.1300 Medical Services—Hospitals. Hospitals are establishments primarily engaged in providing diagnostic services, extensive medical treatment including surgical and other hospital services having an organized medical staff, inpatient beds, and equipment and facilities to provide complete health care. May include accessory retail uses (see the separate definition of "Accessory Retail Uses,") and emergency heliports.

17.68.1310 Metal Fabrication, Machine and Welding Shops. Metal fabrication, machine, and welding shops means the assembly of metal parts, including blacksmith and welding shops, sheet metal shops, machine shops and boiler shops, that produce metal duct work, tanks, towers, cabinets and enclosures, metal doors and gates, and similar products.

17.68.1320 Mixed-Use Development or Building. A mixed-use development or building means a site or structure with a combination of residential and commercial uses, in a single or physically integrated group of structures.

17.68.1330 Mixed-Use Zone or Zoning District. A mixed-use zone or zoning district means any zoning designation where Mixed-Use Development is permitted by the General Plan land use designation, and shall mean all of the zoning districts labeled as "Combined Zones" in Section 17.02.030.

17.68.1340 Mobile Food Vending Facility. Mobile food vending facility shall have the same meaning as facilities permitted by Chapter 10.50 of the Municipal Code.

17.68.1350 Mobile Home. A mobile home is a trailer, transportable in one or more sections, that is certified under the National Manufactured Housing Construction and Safety Standards Act of 1974, which is over eight feet in width and 40 feet in length, with or without a permanent foundation and not including recreational vehicle, commercial coach or factory-built housing which is equipped for human habitation. For purposes of this chapter, a mobile home on a permanent foundation is considered a structure.

17.68.1360 Mobile Home Park. A mobile home park is any site that is planned and improved to accommodate two or more mobile homes used for residential purposes for stays longer than 30 days.

17.68.1370 Motel. See "Hotel or Motel."

17.68.1380 Natural Grade. Natural grade means the contour of the ground surface before any grading (cut or fill).

17.68.1390 Neighborhood Market. A neighborhood market means a small pedestrian-oriented store selling food and beverages (excluding alcohol sales) to the surrounding neighborhood.

17.68.1400 Nonconforming Lot. A nonconforming lot means a lot of record that was legally created prior to the effective date of this Ordinance, but does not meet the current requirements of this chapter because the lot is of a size, shape, or configuration no longer allowed in the zoning district in which the site is located, as a result of the adoption of, or amendments to, this chapter.

17.68.1410 Nonconforming Structure. A nonconforming structure means a structure that was legally constructed prior to the effective date of this Ordinance, but does not meet the current requirements of this Zoning Ordinance because the adoption of or amendments to the Zoning Ordinance made the structure nonconforming in its size, type of construction, location on its site, separation from other structures, number of parking spaces provided, or other features.

17.68.1420 Nonconforming Use. Nonconforming use means a use of land or structure that was legally established prior to the effective date of this Ordinance, but does not meet the current requirements of this Zoning Ordinance because the use is no longer allowed in the zoning district that applies to the site, as a result of the adoption of, or amendments to, this Zoning Ordinance.

17.68.1430 Nursery. Nursery means the retail or wholesale handling of any article, substance, or commodity related to the planting, maintenance, or harvesting of garden plants, shrubs, trees, packaged fertilizers, soils, chemicals, or other gardening item.

17.68.1440 Offices. Offices means establishments including the following:

1. **Business Offices** means establishments providing direct services to consumers, including insurance agencies, real estate offices, post offices (not including bulk mailing distribution centers, which are included under "Vehicle and Freight Terminals"); and
2. **Professional Offices** means an office for the conduct of an administrative or professional services. These types of activities do not include the manufacture, storage, or retail sale of merchandise. Professional offices include but are not limited to accountants, advertising agencies, attorneys, brokerages, consultant services, counseling or therapy office where there is one patient and one licensed provider at one time, data processing, employment agencies, government offices, law offices, management services, architectural or engineering offices, support services, photography studios, and other offices deemed similar by the Community Development Director.
3. **Office Parks** are an area of land in which office buildings are grouped or built together and may be under separate or one ownership. Office parks typically include a consistent circulation pattern, common landscaping, and may include shared parking.

This use type does not include: medical offices, which are allowed under "Medical Services—Clinics and Laboratories."

17.68.1450 Offices, Temporary. Temporary offices means a mobile home, recreational vehicle or modular unit used as: a temporary business or construction office during construction of permanent facilities on the same site. Temporary offices include a temporary on-site real estate sales office for a development project, temporary construction trailer, or a temporary business office in advance of permanent facility construction as authorized by Section 17.24.190 (Temporary Use Permits).

17.68.1460 Organizational Documents. Organizational documents means the declaration of covenants, conditions and restrictions, articles of incorporation, bylaws and any contracts for the maintenance, management or operation of all or any part of a project.

17.68.1470 Outdoor retail sales and activities means permanent outdoor sales and rental establishments including autos, other vehicles and equipment, displays, exterior nurseries associated with a building, and other uses where the business is not conducted entirely within a structure. Sidewalk cafés within the public right-of-way and sidewalk cafés are subject to the requirements in Section 17.22.210 (Sidewalk Café).

17.68.1480 Outdoor Retail Sales, Temporary. Temporary outdoor retail sales means temporary outdoor retail operations including: farmer's markets; seasonal sales of Christmas trees, pumpkins or other seasonal items; semi-annual sales of art or handcrafted items in conjunction with community festivals or art shows; sidewalk or parking lot sales; and retail sales of various products from individual vehicles in temporary locations outside the public right-of-way. Vendors operating within the public

right-of-way and are subject to the provisions of Section 17.22.160 (Outdoor Merchandise Display and Activity), the city of Hollister Municipal Code and applicable state and federal regulations.

17.68.1490 Overlay District. An overlay district means a certain portion of the city wherein regulations relating to specific environmental, physical, or other characteristics (e.g., locational, economic, historical) are imposed in addition to those of the base district covering the land in question.

17.68.1500 Paper Products Production. Paper products production means the manufacture of paper and paperboard (both from raw and recycled materials), and their conversion into products including paper bags, boxes, and envelopes. Also includes building paper and building board mills.

17.68.1510 Parcel. See "Lot."

17.68.1520 Paving and Roofing Materials Production. Paving and roofing materials production means the manufacture of various common paving and roofing materials, including bulk asphalt, paving blocks made of asphalt, creosote wood and various compositions of asphalt and tar.

17.68.1530 Pawn Shop. A pawn shop means a retail establishment whose business is lending money for property deposited at the shop, which remains at the shop until the property is redeemed or sold to another individual. The sale or lending of money for firearms is not permitted within this use type.

17.68.1540 Person. A person means any individual, firm, co-partnership, corporation, company, association, joint stock association; city, county, state, or district; and includes any trustee, receiver, assignee, or other similar representative thereof.

17.68.1550 Personal Improvement Services. A personal improvement service means services or facilities including, but not limited to, music or photography lessons, cooking schools, driving schools (excludes truck driving schools), and diet centers.

17.68.1560 Personal Services. A personal service means establishments providing nonmedically related services, including beauty and barber shops; esthetician (no medical services), shoe repair shops; tanning salons; laundromats; manicurists; and dry cleaning pick-up stores. These uses may also include accessory retail sales of products related to the services provided.

17.68.1570 Pipelines and Utility Lines. Pipelines and utility lines means transportation facilities for the conveyance of: storm water, wastewater, water and crude petroleum; refined petroleum products including gasoline and fuel oils; natural gas; mixed, manufactured or liquefied petroleum gas; or the pipeline transmission of other commodities. Also includes pipeline surface and terminal facilities, including pump stations, bulk stations, and surge and storage tanks. Does not include offices or service centers (classified under "Offices"), distribution substations (classified under "Public Utility Facilities"), or power plants.

17.68.1580 Planned Development. A planned development is a development defined by Section 1351(k) of the Civil Code, a development (other than a community apartment project, condominium or stock cooperative) having either or both of the following features: (1) The common area is owned either by an association, or in common by the owners of the separate interests; (2) A power exists in the association to enforce an obligation of an owner of a separate interest with respect to the beneficial use and enjoyment of the common area by means of an assessment which may become a lien upon the separately owned lot, parcel, or area in compliance with Section 1367 of the Civil Code.

17.68.1590 Planning Commission. Planning Commission means the Planning Commission of the city of Hollister.

17.68.1600 Plastics and Rubber Products Production. Plastic and rubber products production means the manufacture of rubber products including: tires; rubber footwear; mechanical rubber goods; heels and soles; flooring; and rubber sundries from natural, synthetic or reclaimed rubber. Also includes establishments primarily manufacturing tires (establishments primarily recapping and retreading automobile tires are classified in "Auto, Mobile Home, Vehicle and Supplies Sales"). Also includes: establishments engaged in molding primary plastics for the trade, and manufacturing miscellaneous finished plastics products; fiberglass manufacturing, and fiberglass application services.

17.68.1610 Primary Zoning District. A primary zoning district means the residential, commercial, industrial or special use zoning district to which an overlay zone may be applied.

17.68.1620 Printing and Publishing, Limited. Limited printing and publishing means establishments engaged in "quick printing" services including copy services, newsletters, posters, photographs, architectural or engineering plans, brochures, and forms.

17.68.1630 Printing and Publishing, Unlimited. Unlimited printing and publishing shall mean large-scale commercial printers who engage in the publishing, printing, or binding of newspapers, books, magazines, large print banner signs, direct mailers, and other uses deemed similar by the Community Development Director.

17.68.1640 Private Parking Facilities. A private parking facility means a facility where users are charged a fee for parking vehicles for a set period of time.

17.68.1650 Public Road. A public road means a street or highway owned and maintained by the city or the state.

17.68.1660 Public Safety and Utility Facilities. Public safety and utility facilities includes the following:

1. **Public Safety Facilities** means facilities operated by public agencies including fire stations, other fire prevention and firefighting facilities, police and sheriff substations and headquarters, including interim incarceration facilities.

2. **Public Utility Facilities** means fixed-base structures and facilities serving as junction points for transferring utility services from one transmission voltage to another or to local distribution and service voltages. These uses include any of the following facilities that are not exempted from land use permit requirements by Government Code Section 53091: electrical substations and switching, telephone switching facilities; natural gas regulating and distribution facilities; public water system wells, treatment plants and storage; community wastewater treatment plants, settling ponds and disposal fields; corporation and maintenance yards. These uses do not include office or customer service centers (classified in "Offices"), or equipment and material storage yards.
3. **Public Utility Service Yards** means a facility owned and operated by a public utility company for the purpose of storage of vehicles and materials related to the maintenance, repair or construction of utilities. These uses may also include ancillary offices or a dispatch center.

17.68.1670 Recreational Vehicle (RV). A recreational vehicle means motor home, travel trailer, truck camper, or camping trailer, with or without motor power, originally designed for temporary human habitation for recreational, emergency, or other occupancy, which meets all of the following criteria:

1. It contains less than 320 square feet of internal living room area, excluding built-in equipment, including wardrobe, closets, cabinets, kitchen units or fixtures, and bath or toilet rooms.
2. It contains 400 square feet or less of gross area measured at maximum horizontal projections.
3. It is built on a single chassis.
4. It is either self-propelled, truck-mounted, or permanently towable on the highways without a permit.

17.68.1680 Recreational Vehicle Park. A recreational vehicle park means a facility where people with a recreational vehicle (RV) can stay overnight in allotted spaces. Recreational vehicle parks allow for temporary stays of less than 30 days. Longer stays are allowed in Mobile Home Parks.

17.68.1690 Recreation Facility. Recreation facility means an area or space within a project (exclusive of any required setback areas) to be used exclusively for leisure and recreation purposes by occupants of units in a project and their guests. Accessory structures such as swimming pools and recreation buildings shall constitute recreation facilities.

17.68.1700 Recycling Facility. Recycling facility means a facility that accepts reusable material including metals glass, plastic, concrete, paper and organic material. Recycling facilities do not include the donations of other goods intended for resale or charitable purposes and includes the following:

1. **Recycling Facilities, Major** includes the following:
 - a. **Greenwaste Facilities** which means a center that accepts yard and other organic materials and reprocess into compost and other products.
 - b. **Processing Facility** which means a structure or enclosed space used for the collection and processing of recyclable materials and certified as a recycling facility by the State of California.
2. **Recycling Facilities, Minor** includes the following, but does not include donation stations or facilities for the donation of goods for resale or charity:
 - a. **Reverse Vending Machine(s)** which means a machine or device that accepts beverage or other containers and provide a refund in return.
 - b. **Small Collection Facilities which** means a recycling facility which occupy an area of 350 square feet or less and may include:
 - i. **Mobile Unit which** means a self contained system designed to accept recycled materials for processing at another location,
 - ii. **Bulk Reverse Vending Machines** which means a a grouping of reverse vending machines occupying more than 50 square feet, and
 - iii. **Kiosk Unit** means a kiosk, which may include permanent structures, which accepts goods and/or materials for recycling or donation.

17.68.1710 Religious Assembly. Religious assembly means any religious organization facility operated for worship or promotion of religious activities, including churches and religious Sunday-type schools; and accessory uses on the same site, including living quarters for ministers and staff, and child day care facilities where authorized by the same type of land use permit required for the church itself, excluding other establishments maintained by religious organizations such as full-time educational institutions, hospitals and other potentially related operations (i.e., a recreational camp).

17.68.1720 Repair and Maintenance—Consumer Products. Consumer products repair and maintenance means service establishments where repair of consumer products is the principal business activity, including: electrical repair shops; television and radio and other appliance repair; watch, clock and jewelry repair; re-upholstery and furniture repair. Does not include shoe repair (included under "Personal Services"). Does not include businesses serving the repair needs of heavy equipment, which are included under "Business Support Services."

17.68.1730 Research and Development (R&D). Research and development means facilities for research, and the design, development and testing of computer software, and electrical, electronic, magnetic, optical and mechanical components in advance of product manufacturing, that are not associated with a manufacturing facility on the same

site. Also includes chemical and biotechnology research and development. Does not include soils and other materials testing laboratories which are defined under "Business Support Services," or medical laboratories, which are included under "Medical Services—Clinics and Labs."

17.68.1740 Residential Accessory Uses and Structures. Residential accessory uses and structures means includes any use that is customarily part of, and clearly incidental and secondary to a residence and does not change the character of the residential use. These uses include accessory structures (swimming pools, spas and hot tubs, workshops, studios, greenhouses, garages and similar structures).

17.68.1750 Residential Dwelling or Residential Dwelling Unit. A residential dwelling or dwelling unit means a self-contained living space consisting of a room or group of internally connected rooms that have sleeping, cooking, eating, and sanitation facilities, but not more than one kitchen, which constitute an independent housekeeping unit, occupied by or intended for one household on a long-term basis, not including a motel, hotel, bed and breakfast or boarding house. Also includes factory-built housing (modular housing) units, constructed in compliance with the Uniform Building Code (UBC).

17.68.1760 Residential Development. A residential development means a site that contains one or more residential dwelling units and includes any of the following types:

1. **Apartments** means a group of two or more individual dwelling units set on one lot that is owned by a single individual or corporation and rented to individuals and/or families. The units may be attached through any combination of common walls, or detached from each other, provided all requirements of zoning are met. The units may also be contained within one or more individual structures on the same lot. An individual unit that is part of a development may be referred to in the singular as an Apartment or Apartment Unit.
2. **Condominiums** as defined in Section 783 of the California Civil Code, means an estate in real property consisting of an undivided interest in common in a portion of real property together with a separate interest in space called a unit, the boundaries of which are described on a recorded final map, parcel map, or condominium plan in sufficient detail to locate all boundaries. The area within these boundaries may be filled with air, earth, or water, or any combination thereof, and need not be physically attached to land except by easements for access, and if necessary, support. An individual unit that is part of a development may be referred to in the singular as a Condominium or Condominium Unit.
3. **Duets** means a pair of individual dwelling units within one residential structure, each with its own entrance, which share a common wall from ground to ceiling set along a property line with each unit located on a separate lot.
4. **Duplex** means a singular residential structure containing two (2) individual dwelling units, each with its own entrance.

5. **Fourplex** means a singular residential structure containing four (4) individual dwelling units, each with its own entrance.
6. **Multi-Family** includes duplexes, triplexes, fourplexes, apartments, residential condominiums, and boarding houses. Excludes 'single-family attached' dwelling units and 'Duets'. A residence with an accessory dwelling unit authorized by Chapter 17.32 (Accessory Dwelling Units) of this title shall not be considered multifamily housing.
7. **Single-Family Attached** means a group of three or more individual dwelling units contained within a single residential structure which share common walls from ground to ceiling along the side property lines; sometimes called a townhouse or row house. Typically, those units in the middle of a row shall have a zero lot line common wall with a unit on either side; and those units on either end of the row of townhomes shall have one common wall at zero lot line and the required setback of the zoning district on the other. Excludes 'Duets'.
8. **Single-Family Detached** means a dwelling, set on a separate lot, which shares no common walls with another house or dwelling.
9. **Triplex** means a singular residential structure containing three (3) individual dwelling units, each with its own entrance.

17.68.1770 Restaurant. Restaurant means a retail business selling food and beverages prepared on the site, where customers are able to consume the products on-premise even if products are purchased to be consumed off site.

17.68.1780 Restaurant with Drive-In or Drive-Thru. A restaurant with a drive-in or drive-thru means a restaurant where one can be served without leaving their car.

17.68.1790 Retail. Retail sales means retail trade establishments selling many lines of merchandise. These stores and lines of merchandise include but are not limited to artist supplies, auto parts, books, sports equipment, clothing and accessories, grocery stores, pet supply stores, toys and games, florists, specialty shops, convenience stores, handicraft items, and other goods deemed to be similar by the Community Development Director.

17.68.1800 Roadside Stands. Roadside stands means stands for agricultural products means accessory open structures not more than 400 square feet, 20 feet deep and 15 feet high for the retail sale of agricultural products (except hay, grain and feed sales included under "Farm Equipment and Supplies") located on the site or in the area of the property where the products being sold were grown. Does not include field sales or agricultural products, which is included under "Crop Production."

17.68.1810 Rooming House and Boarding House. A rooming or boarding house means the renting of individual bedrooms within a dwelling to one or more persons whether or not meals are provided generally a rooming house provides meals.

17.68.1820 Schools—College and University. College and University schools means community colleges, public or private colleges, universities and professional schools granting associate arts degrees, certificates, undergraduate and graduate degrees and requiring for admission at least a high school diploma or equivalent general academic training.

17.68.1830 Schools – Primary. Primary schools means all public and private schools serving children from Transitional Kindergarten through sixth grade Primary schools can include before and after school care for the students served by the school.”

17.68.1840 Schools – Secondary. Secondary schools means public and private middle, junior high and high school serving children from , 6th-12th grades. Secondary schools also includes boarding schools and academies.

17.68.1850 Schools – Specialized Aviation Education and Training. Specialized aviation education and training schools means schools dedicated to flight, navigation, and repair and/or maintenance of aircraft.

17.68.1860 Schools – Specialized Education and Training. Specialized education and training schools means schools or establishments, where students primarily learn in a classroom, and provide single day classes, seminars, or long term educational services for topics including business, beauty, secretarial, educational services (such as restaurant or service training, drafting, computers, programming, language, finance, health careers, public speaking, management, drivers education classes), personal growth (including cooking, time management, health, self-improvement) and the arts (drama, art, ceramics, painting, sculpture). Minor Specialized education and training schools are those that have no more than 15 participants and two instructors at one time and where adequate parking is provided as required by Chapter 17.18, Pedestrian, Bicycle, Parking and Loading Standards, and as determined by the Director. Major specialized education and training schools are those that have more than 16 students or 2 instructors or are unable to provide adequate parking.”

17.68.1870 Schools-Vocational and Trade. Vocational and trade schools means schools with provide specialized training related to a job or career and includes programs that provide training essential to job functions, licensing, certificates or required continuing education services to instruct students in specific fields related to construction (such as engineering, installation, carpenter, plumbing, electrical, welding or installation methods), repairs (such as automotive, airplane, HVAC), woodworking, furniture or cabinet making, or manufacturing.

17.68.1880 Scrap and Dismantling Yards. Scrap and dismantling yards means outdoor establishments primarily engaged in assembling, breaking up, sorting, and the temporary storage and distribution of recyclable or reusable scrap and waste materials, including auto wreckers engaged in dismantling automobiles for scrap and the incidental wholesale or retail sales of parts from vehicles. Does not include: places where these activities are conducted entirely within structures; pawn shops and other secondhand stores; the sale of operative used cars; or terminal waste disposal sites.

17.68.1890 Secondhand Stores. Secondhand stores means indoor retail establishments that buy and sell used products, including but not limited to books,

clothing, furniture and household goods. The sale of cars and other used vehicles is included under "Auto, Mobile Home, Vehicle and Parts Sales."

17.68.1900 Senior Housing. Senior housing means housing that is available only to seniors, in accordance with state and federal housing laws and guidelines.

17.68.1910 Setback Line. A setback line means a line established by this title to govern the placement of buildings or structures with respect to lot lines, street or alleys.

17.68.1920 Shipping Container. A shipping container means a receptacle designed to transport materials over long distances using multi-modal transport such as ships, railroad cars, and trucks. The receptacles are typically constructed of corrugated steel and are eight feet in width and 20 feet in length or larger.

17.68.1930 Shopping Center. A shopping center means a group of commercial establishments designed, built and managed as a unit with ownership under one entity with reciprocal parking and access agreements across all property lines.

17.68.1940 Sidewalk Vending. Sidewalk vending means a person selling of food or merchandise from non-motorized conveyances such as pushcarts, stands, tables, pedal-driven carts or directly from a person public sidewalks and public pedestrian paths in accordance with Senate Bill 945 (effective January 1, 2019) or as may be amended.

17.68.1950 Site. Site means a lot or adjoining lots under single ownership or single control, considered a unit for the purposes of development or other use.

17.68.1960 Stock Cooperative. A stock cooperative means a development defined by Section 11003.2 of the Business and Professions Code and Section 1351(m) of the Civil Code, where a corporation is formed to hold title to improved real property and the shareholders of the corporation receive a right of exclusive occupancy in a portion of the real property.

17.68.1970 Stone and Cut Stone Products Manufacturing. Stone and cut stone products manufacturing means establishments primarily engaged in cutting, shaping, and finishing marble, granite, slate, and other stone for building and miscellaneous uses. Also includes establishments primarily engaged in buying or selling partly finished monuments and tombstones.

17.68.1980 Storage. Storage is a place where goods, materials, and/or personal property is placed for more than 24 hours and includes the following.

1. **Storage, Accessory** means the indoor storage of various materials on a site where the principal use is not storage, where the storage supports the activities or conduct of the principal use. Includes the storage of automobiles (including their incidental restoration and repair), personal recreational vehicles and other personal property, accessory to a residential use.
2. **Storage, Outdoor** means the storage of various materials outside of a structure other than fencing, either as an accessory or principal use.

3. **Storage, Personal** means a structure or group of structures containing generally small, individual, compartmentalized stalls or lockers rented or owned as individual storage spaces. This use type does not include the outdoor storage of vehicles or recreational vehicles, see Vehicle related Sales and Services.

17.68.1990 Story. Story means that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.

17.68.2000 Street. Street means a public thoroughfare which affords principal means of access to abutting property, including avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare except an alley as defined herein.

17.68.2010 Structure. Structure means anything constructed or erected, the use of which requires location on or in the ground or attachment to something located on the ground. For the purposes of this title, the term "structure" includes "buildings."

17.68.2020 Structural Alteration. Structural alteration means any construction, reconstruction, alteration, demolition, removal of, or additions to, the supporting members of a building or structure, including, but not limited to, bearing walls, columns, beams, girders, rafters, or joists.

17.68.2030 Structural Clay and Pottery Products Manufacturing. Structural clay and pottery products manufacturing means establishments primarily producing brick and structural clay products, including pipe, china plumbing fixtures, and vitreous china articles, fine earthenware and porcelain electrical supplies and parts. Artist/craftsman uses are included in "Handicraft Industries and Small Scale Manufacturing" or "Home Occupations."

17.68.2040 Supportive Housing. Supportive housing means housing with no limit on length of stay that is occupied by the target population and is linked to on or off-site services to support the residents in retaining housing, improving their health and maximizing their ability (when possible) to live and work in the community.

17.68.2050 Tasting Rooms. Tasting rooms means an establishment that sells wine on behalf of one or more wineries and allows customers to taste the wine for sale as a regular part of the business.

17.68.2060 Tattoo or Body Piercing Parlors. Tattoo or body piercing parlors means an establishment where tattooing or body piercing is carried out by a professional.

17.68.2070 Telecommunication Facility. Telecommunication facility means those facilities described in the Telecommunications Facilities section of the Zoning Ordinance.

17.68.2080 Textile and Leather Products Manufacturing. Textile and leather products manufacturing means establishments engaged in performing any of the following operations: Preparation of fiber and subsequent manufacturing of yarn, threads, braids, twine cordage; manufacturing woven fabric and carpets and rugs from

yarn; dyeing and finishing fiber, yarn, fabric, and knit apparel; coating, waterproofing, or otherwise treating fabric; the integrated manufacture of knit apparel and other finished products from yarn; the manufacture of felt goods, lace goods, non-woven fabrics and miscellaneous textiles; and upholstery manufacturing.

17.68.2090 Theaters, Assembly, and Meeting Halls. Theaters, assembly and meeting halls means indoor facilities for public assembly and group entertainment, other than sporting events, including: public and semi-public auditoriums; exhibition and convention halls; civic theaters, meeting halls and facilities for "live" theater and concerts; motion picture theaters; meeting halls for rent and similar public assembly uses. Outdoor theaters, concert and similar entertainment facilities, and indoor and outdoor facilities for sporting events are included under the definition of "Sport Facilities and Outdoor Public Assembly."

17.68.2100 Transit Stations and Terminals. Transit stations and terminals means passenger stations for vehicular and rail mass transit systems; also terminal facilities providing maintenance and service for the vehicles operated in the transit system. Includes buses, taxis, railway, etc.

17.68.2110 Transitional Housing. Transitional housing means temporary housing (typically for 24 months), with supportive services, to facilitate movement to permanent housing for persons with low income who may have one or more disabilities, and may include adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting institutional settings, veterans, and homeless people.

17.68.2120 Trailer and Camp Trailer. Trailer and camp trailer means any vehicle constructed in such a manner as to permit temporary occupancy thereof as sleeping quarters (i.e., camp trailer) or the conduct of any business, trade or occupation or use as a selling or advertising device, or use for storage or conveyance for tools, equipment or machinery, and so designed that it is mounted on wheels and may be used as conveyance on highways and streets, propelled or drawn by other motor power. Camp trailers are considered structures for the purpose of this title when they are parked in a trailer camp or park.

17.68.2130 Trailer Camp and Trailer Park. Trailer camp and trailer park means any lot or part thereof, or any parcel of land, which is used or offered as a location for two or more camp trailers.

17.68.2150 Use, Accessory. Accessory use means a use subordinate and incidental to the principal use of the same building site which does not alter the essential characteristics of the use considered as a whole or as related to other uses permitted in the same district.

17.68.2160 Use, Principal. Principal use means any use which is not specifically defined and listed as an accessory use and which is the primary intended purpose for the building site.

17.68.2170 Yard. Yard means an open space which is unobstructed on a lot and includes the following:

1. **Yard, Front** means a yard extending across the front of the lot between the side yard lines and measured from the front line of the lot to the nearest line of the building; provided, however, that if any official plan line has been established for the street upon which the lot fronts, the front yard measurement shall be taken from such official plan line to the nearest line of the building.
2. **Yard, Rear** means a yard extending across the full width of the lot and measured between the rear line of the lot and the nearest line of the main building.
3. **Yard, Side** means a yard between the side line of the lot and the nearest line of the building and extending from the front line of the lot to the rear yard.

17.68.2180 Variance. Variance means a permit issued to a landowner to construct a structure or engage in some action not otherwise permitted under the regulations of this title.

17.68.2190 Vehicle and Freight Terminals. Vehicle and freight terminals means transportation establishments furnishing services incidental to transportation including: freight forwarding services; transportation arrangement services; packing, crating, inspection and weighing services; freight terminal facilities; joint terminal and service facilities; trucking facilities, including transfer and storage; and postal service bulk mailing distribution centers. Includes rail, air and motor freight transportation.

17.68.2200 Vehicle Sales and Services. Vehicle sales and services includes the following:

1. **Brokerage** means an office where a broker arranges for the sale of a vehicle to a customer. Vehicles may not displayed or stored on site except for customer pick-up. The business shall have one dedicated parking space (in addition to the required parking for the office space) for temporary parking of a sold vehicle for pick-up by the customer.
2. **Car Wash, Detailing** means the washing, waxing, detailing, or cleaning of automobiles or vehicles equal to or less than one-half ton including the use of mechanical automobile washers.
3. **Service Station** means a retail business selling gasoline or other motor vehicle fuels, which may also provide vehicle engine maintenance and repair services incidental to fuel sales. May also include accessory towing and trailer rental services, but not the sale, storage or repair of wrecked or abandoned vehicles, vehicle painting, body or fender work, or the rental of vehicle storage or parking spaces.
4. **Vehicle Repair Facility, Major** means a place providing a full range of repair and maintenance services for motor vehicles, including any of the following:
 - a. Cylinder head replacement;

- b. Valve grinding or replacement;
 - c. Clutch replacement;
 - d. Repair, replace transmission, rear end, rear axles, king pins;
 - e. Body work;
 - f. Engine, motor or transmission removal;
 - g. Fuel tank repair;
 - h. Radiator or heater core repair or replacement;
 - i. Painting;
 - j. Repair activities requiring the use of open flame or welding;
 - k. Exhaust system repair;
 - l. Repair activities requiring entry into the engine block;
 - m. Upholstery; or
 - n. Any repair activity not listed as minor vehicle repair.
5. **Vehicle Repair Facility, Minor** means a place performing the following repair and maintenance services for motor vehicles not exceeding a gross vehicle weight of five tons carrying capacity, including any of the following:
- a. **Tune-ups** means major and minor tune-up involving spark plugs, points, condensers, valve adjustments, carburetor overhauls, adjustment of fuel injection systems, fuel pumps, and all necessary filters;
 - b. **Lubrication** which means oil changes and filter replacement, transmission and rear end oil changes;
 - c. **Cooling System** which includes the replacement of water pumps, heaters, and other hoses; replace thermostats; recharge air conditioners;
 - d. **Drive Train** which means the replacement of driveshaft universal bearings, center support bushing, accelerator and brake cables; minor repair of hydraulic systems; replacement of shock absorbers;
 - e. **Brakes** which includes removal and replacement shoes and brake pads; rebuild master and wheel cylinders and disc caliper; adjustment of brakes; machine work related to turning of drums or discs;

- f. **Wheels** which means the adjustment of steering box; replacement of rubber bushings in suspension; wheel balancing; wheel alignment; replacement of wheel bearings; tire changes and repairs;
 - g. **Electrical** which includes battery charging; remove, repair, and replace starters, alternators, generators, and regulators; rewiring of automobile and lights; repair or replacement of gauges; installation of radios;
 - h. **Smog Checks**; and
6. **Fuel System** which means the change and repair of fuel lines; replace fuel gauge sending unit.
7. Any activity combining minor and major motor vehicle repairs shall be defined as "Major Vehicle Repair." Excludes any activity that involves welding or an open flame, a paint booth, or repairs that typically require keeping a car for more than one day.
8. **Vehicle Sales.** Vehicle sales means the sale or rental of automobiles, motorcycles, trucks, and recreational vehicles and includes display areas, incidental storage, and minor repair services (incidental to the sales operations).
9. **Vehicle Storage.** Vehicle storage means lots for the storage and parking of tow-away and towed vehicles, impound yards, and storage lots for vehicles, trucks, buses, and recreational vehicles. Excludes salvage and wrecking operations. Includes sites where vehicles are stored for rental or leasing. Does not include dismantling yards (classified in "Recycling, Scrap and Dismantling Yards").

17.68.2210 Warehouse. Warehouse means facilities for the storage of farm products, furniture, household goods, or other commercial goods of any nature. Includes cold storage. Does not include: warehouse, storage or mini-storage facilities offered for rent or lease to the general public, which are included under "Storage, Personal Storage Facilities;" or warehouse facilities where the primary purpose of storage is for wholesaling and distribution (which is separately defined). Does not include terminal facilities for handling freight (classified in "Vehicle and Freight Terminals").

17.68.2220 Wholesale Bakery. Wholesale bakery means a facility that produces baked goods in large quantities and distributes them to another business such as a farmers' market, restaurant, hospital, school, grocery store, retails store or similar establishment. Wholesale bakeries do not include direct retail sales to consumers.

17.68.2230 Wholesaling and Distribution. Wholesaling and distribution means establishments engaged in selling merchandise to retailers; to industrial, commercial, institutional, farm, or professional business users; or to other wholesalers; or acting as agents or brokers in buying merchandise for or selling merchandise to persons or companies. Includes: merchant wholesalers; agents, merchandise or commodity brokers, and commission merchants; assemblers, buyers and associations engaged in the cooperative marketing of farm products; stores primarily selling electrical, plumbing,

heating and air conditioning supplies a marketing of farm products; stores primarily selling electrical, plumbing, heating and air conditioning supplies and equipment.

Section 3. Section 17.02.050(C) is hereby repealed and replaced with the following:

C. Allowable Uses of Land.

1. Non-Permitted Land Uses. A land use not listed in a land use and permit requirements table is not permitted if the use is not listed in the land use table for that zoning district. The use is also not permitted even if listed as a permitted use in one or more other zoning districts. In such a case, the absence of the use in the land use regulation table means that the use is prohibited in the zoning district.
2. Uses Not Listed in Zoning Ordinance. If a use is proposed that is not specifically listed in any of the land use and permit requirement tables or definitions, the Community Development Director may determine that the proposed use is equivalent to a permitted or conditionally permitted use if all of the following findings can be made:
 - a. The use is similar to other uses allowed in the zoning district.
 - b. The density or intensity of the use is similar to other uses in the zoning district.
 - c. The use is compatible with permitted or conditionally permitted uses in the zoning district.
 - d. The use will meet the purpose/intent of the zoning district.
 - e. The use is consistent with the goals and policies of the general plan.
 - f. The use will not be detrimental to the public health, safety, or welfare.
 - g. The use will comply with all local, state and federal laws.
3. When the Community Development Director determines that a proposed use is equivalent to a listed use, the proposed use shall be treated in the same manner as the listed use with respect to development standards, permits required, and all applicable requirements of the Zoning Ordinance.

SECTION 4. Section 17.04.020, Residential zone land uses and permit requirements., is hereby repealed in its entirety and replaced with the following:

17.04.020 Residential Zone Land Uses and Permit Requirements

The following Table 17.04-1 identifies the uses of land allowed by this Zoning Ordinance in each residential zone, and the land use permit required to establish each use, in compliance with this chapter. For properties with an overlay, please refer to the zoning designation (not the overlay) for allowable uses.

Land Use	RE	R1	R2	R3	R4	R4-20	OT-M	OT-H	RWF
Schools									
College and University	NP	NP	NP	NP	NP	NP	NP	NP	NP
Primary	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Secondary	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP	CUP
Specialized Education and Training	NP	NP	NP	NP	NP	NP	NP	NP	NP
Vocational and Trade	NP	NP	NP	NP	NP	NP	NP	NP	NP
Telecommunication Facility	NP	NP	NP	NP	NP	NP	NP	NP	NP

Key/Permit Requirements	
P	Permitted use in zoning district. It is the responsibility of the building owner, or lessee to secure any permits or complete tenant improvements to ensure that the use complies with applicable federal, state and local requirements. All new uses require a Zoning Approval prior to occupancy.
ADU	Accessory Dwelling Unit permit.
APR	Administrative Permit Review and approval by the Community Development Director with review by the Development Review Committee (DRC).
CUP	Conditional Use Permit required with review by the Planning Commission.
NP	Not Permitted.

Notes:

- (1) See Chapter 16.17 "Conversion of multifamily rental units" for information on condominium conversion requirements.
- (2) Manufactured and Mobile homes are required to be on a permanent foundation where the development and must comply with the development standards of the zoning district in which the property is located and the minimum development density identified in the General Plan
- (3) On corner lots, an entrance shall be oriented to each street frontage. On interior lots, the unit shall be designed to maintain a single-family residential appearance from the street frontage with access to the second unit, parking and utilities concealed from the street.
- (4) An existing single-family home that is the only dwelling on a parcel that was lawfully constructed and involuntarily damaged or destroyed by fire or other calamity may be rebuilt.

SECTION 5. Section 17.06.020, Home Office Zone land uses and permit requirements., is hereby repealed in its entirety and replaced with the following:

17.06.020 Home Office Zone Land Uses and Permit Requirements

The following Table 17.06-1 identifies the uses of land allowed by this Zoning Ordinance in the Home Office Zoning District, and the land use permit required to establish each use in compliance with this chapter.

Table 17.06-1 Home Office District Land Uses and Permit Requirements

Residential Uses	
Accessory Dwelling Units	ADU
Accessory Structures – Less than 15 feet in height	P
Accessory Structures – Greater than 15 feet in height	CUP
Apartments	P
Condominiums	P
Duet	P
Duplex	P
Live Work Unit	CUP
Single Family - Attached	P
Single Family - Detached	P
Triplex, Fourplex	P
Retail Uses	
Artist Studio	CUP
Bed and Breakfast	CUP
Beauty Salon and Barber Shops (maximum 2 chairs)	APR
Services, Public and Semipublic Uses	
Community Care Facility 6 or fewer 7 or more	P CUP
Child Day Care Center	CUP
Family Day Care	P
Medical Services – Clinics and Laboratories	CUP
Religious Assembly	CUP
Transitional Housing 6 or fewer 7 or more	P CUP
Schools Primary Secondary	CUP CUP
Office Uses	
Professional Office	APR
Medial Services – Clinics and Laboratories	CUP
Handicraft Industries, small scale manufacturing	CUP

Key/Permit Requirements	
P	Permitted use in zoning district. It is the responsibility of the building owner, or lessee to secure any permits or complete tenant improvements to ensure that the use complies with applicable federal, state and local requirements. All new uses require a Zoning Approval prior to occupancy.
ADU	Accessory Dwelling Unit permit.
APR	Administrative Permit Review and approval by the Community Development Director with review by the Development Review Committee (DRC).
CUP	Conditional Use Permit required with review by the Planning Commission.
NP	Not Permitted.

SECTION 6. Section 17.08.020, Commercial and Mixed-Use Zone land uses and permit requirements., is hereby repealed in its entirety and replaced with the following:

17.08.020 Commercial and Mixed-Use Zone Land Uses and Permit Requirements

The following table identifies the uses of land allowed by this Zoning Ordinance in each commercial and mixed-use zone, and the land use permit required to establish each use, in compliance with this chapter.

Table 17.08-1 Commercial and Mixed-Use Zone Land Uses and Permit Requirements

Land Use	CO	GC	NG	DMU	NMU	WG
Commercial Uses						
24 Hour Operations	CUP	CUP	CUP	CUP	CUP	CUP
Adult Entertainment Establishment	NP	NP	NP	NP	NP	NP
Alcohol Sales (Retail)	NP	CUP	CUP	CUP	CUP	CUP
Ambulance Services	CUP	CUP	CUP	CUP	CUP	CUP
Ancillary Deli or Café	CUP	P	P	P	P	P
Animal Kennels or Boarding	NP	APR	CUP	NP	CUP	CUP
Animal Sales and Services	NP	APR	APR	NP	P	P
Animal Veterinary Clinics and Hospitals	CUP	CUP	CUP	CUP	CUP	CUP
Artists' Studios	APR	P	P	P	P	P
Automated Teller Machine	APR	APR	APR	APR	APR	APR
Bail Bonds	NP	CUP	CUP	CUP	NP	NP
Bars and Night Clubs	NP	CUP	CUP	CUP	CUP	CUP
Bed and Breakfast Inns	CUP	CUP	CUP	CUP	CUP	CUP

Land Use	CO	GC	NG	DMU	NMU	WG
Building Material Store Indoor	NP	P	P	P	P	P
Ancillary Outdoor Storage/Display	NP	CUP	CUP	P	CUP	CUP
Business Support Services	CUP	P	P	P	P	P
Catering Services	NP	P	P	P	P	P
Commercial Filming	P	P	P	P	P	P
Commercial Recreation Minor	APR	APR	APR	APR	APR	APR
Major	CUP	CUP	CUP	CUP	CUP	CUP
Outdoor	CUP	CUP	CUP	CUP	CUP	CUP
Donation Kiosk	NP	APR	APR	NP	APR	APR
Drive-Thru Service and Sales	NP	CUP	CUP	CUP	CUP	CUP
Equipment Sales, Services, and Rentals – Indoor	NP	P	P	NP	P	P
Farm Equipment Sales and Supplies – Indoor	NP	P	P	NP	P	P
Financial Services	P	P	P	P	P	P
Fortunetelling	P	P	NP	NP	NP	NP
Fuel and Ice Dealers	NP	CUP	CUP	NP	CUP	CUP
Funeral Services	CUP	CUP	CUP	CUP	CUP	CUP
Hotels and Motels	NP	P	P	CUP	CUP	CUP
Laundries and Dry-Cleaning Plants	CUP	CUP	CUP	CUP	CUP	CUP
Laundromat	NP	P	P	NP	P	P
Live Entertainment (Excluding Adult Entertainment)	NP	APR	APR	APR	APR	APR
Live-Work Units One to Two Units	NP	NP	NP	P	P	P
Three or More Units	NP	NP	NP	CUP	CUP	CUP
Nursery	NP	P	P	P	P	P
Offices Business and Professional Office Parks	P NP	P NP	P P	P NP	P NP	P NP
Pawn Shop	NP	CUP	NP	NP	CUP	NP
Personal Services	P	P	P	P	P	P
Personal Improvement Services	P	P	P	P	P	P
Printing and Publishing Limited	APR	P	P	P	P	P
Unlimited	NP	CUP	CUP	NP	NP	CUP
Recreational Vehicle Parks ⁽¹⁾	NP	NP	CUP	NP	NP	NP
Recycling Facilities Minor	APR	APR	APR	APR	APR	APR
Major	CUP	CUP	CUP	CUP	CUP	CUP

Land Use	CO	GC	NG	DMU	NMU	WG
Repair and Maintenance – Consumer Products	APR	APR	APR	CUP	CUP	CUP
Research and Development	NP	NP	CUP	NP	NP	CUP
Restaurant						
Restaurant	CUP	P	P	P	APR	APR
With Drive-Thru or Drive-In	NP	CUP	CUP	NP	CUP	CUP
With Outdoor Dining	NP	APR	APR	APR	APR	APR
Retail Sales						
Indoor	NP	P	P	P	P	P
With Outdoor Display and/or Storage	NP	CUP	CUP	NP	CUP	CUP
Secondhand or Consignment Stores	NP	P	NP	P	P	P
Shopping Centers	NP	P	P	NP	P	P
Tattoo or Body Piercing Parlors	P	P	NP	P	P	P
Wholesale Bakery	BP	CUP	CUP	NP	NP	NP
Vehicle Related Sales and Service						
Brokerage	P	P	P	P	P	P
Car Wash, Detailing	NP	CUP	CUP	NP	CUP	CUP
Service Stations	NP	CUP	CUP	NP	CUP	CUP
Vehicle Repair Facility ^(2,3)						
Minor	NP	NP	APR	NP	NP	CUP
Major	NP	NP	CUP	NP	NP	CUP
Vehicle Sales						
Indoors	NP	P	P	APR	P	P
Outdoors	NP	NP	APR	NP	NP	NP
Vehicle Storage	NP	NP	NP	NP	NP	NP
Public and Semipublic Uses						
Assembly Uses	NP	CUP	CUP	CUP	CUP	CUP
Clubs and Lodges	CUP	CUP	CUP	CUP	CUP	CUP
Cultural Institutions	CUP	CUP	CUP	APR	APR	APR
Day Care	APR	APR	APR	APR	APR	APR
Government Offices	P	P	P	P	P	P
Medical Services						
Clinics and Laboratories	APR	APR	APR	APR	APR	APR
Extended Care	CUP	CUP	CUP	CUP	CUP	CUP
Hospital	NP	CUP	CUP	NP	CUP	CUP
Park and Recreation Facilities	CUP	CUP	CUP	CUP	CUP	CUP
Public Safety Facilities	P	P	P	APR	APR	APR
Tasting Room	NP	P	P	P	P	P
Residential Uses						
Single-Family	NP	NP	NP	NP	NP	NP
Caretaker and Employee Housing	CUP	CUP	CUP	CUP	CUP	CUP

Land Use	CO	GC	NG	DMU	NMU	WG
Community Care Facility 6 or Fewer 7 or More	NP NP	NP NP	NP NP	P CUP	P CUP	P CUP
Emergency Shelter	NP	CUP	P	NP	CUP	CUP
Mixed-Use Development	NP	NP	NP	P	P	P
Multifamily	NP	NP	NP	P	P	P
Family Day Care	NP	NP	NP	P	P	P
Telecommunications						
Telecommunication Facilities	See Chapter 17.22					
Cannabis Facilities						
Cannabis Cultivation	NP	NP	CUP	NP	NP	CUP
Cannabis Delivery	NP	NP	CUP	NP	NP	CUP
Cannabis Dispensary	NP	NP	CUP	NP	NP	CUP
Cannabis Distribution	NP	NP	CUP	NP	NP	CUP
Cannabis Manufacturing	NP	NP	CUP	NP	NP	CUP
Cannabis Nursery	NP	NP	CUP	NP	NP	CUP

Key/Permit Requirements	
P	Permitted use in zoning district. It is the responsibility of the building owner, or lessee to secure any permits or complete tenant improvements to assure that the use complies with applicable federal, state and local requirements. All new uses require a Zoning Approval prior to occupancy.
APR	Administrative Permit Review and approval by the Community Development Director with review by the Development Review Committee (DRC).
CUP	Conditional Use Permit required with review by the Planning Commission
NP	Not Permitted

Notes:

- (1) Recreational Vehicle parks shall be sited at least 500 feet from State Highway 25 or San Felipe Road.
- (2) Allowed subject to-the following requirements:
 - (a) The automobile repair or alteration of the body or exterior of an automobile use(s) shall be located on an interior lot that does not have frontage on Highway 25 or San Felipe Road or behind buildings that front San Felipe Road.
 - (b) The operation shall be contained within an enclosed building. Roll-up doors shall be oriented away from public streets and screened from public use area on adjoining properties.
 - (c) Storage of automobiles for repair or service shall be within an enclosed building or concealed by an attractive masonry garden wall or similar vegetative screen. The use of a cyclone fence with wood slats or barbed wire shall be prohibited.

- (d) Visible off-street parking shall be limited to a 20-minute loading zone for customer pick-up/drop off and employee parking.
 - (e) The facility shall not share a boundary with property located in a Residential Zoning District or a hotel/motel.
 - (f) The cumulative area of the auto-related uses shall not constitute more than 20 percent of the uses on an interior street or lot ten percent of the uses in the North Gateway Zoning District.
- (3) One auto service facility is allowed within that would serve the West Gateway District and surrounding residential land uses will be allowed within the WG district with a conditional use permit with the following standards. The combined auto repair/maintenance use(s) shall be confined to an area not larger than two acres.
- (a) In order to establish an attractive entrance to Hollister and avoid an industrial appearance, all vehicles shall be contained within an enclosed building or concealed by an attractive garden wall or similar vegetative screen with the exception of a 20-minute loading zone for customer pick-up/drop and employee parking.
 - (b) The facility shall not share a boundary with property located in the R1, R-2, R-3 or R4 District.
- (4) A single-family residence lawfully established prior to the effective date of the ordinance codified in this chapter may be reconstructed if the building is involuntarily damaged or partially damaged by a fire or other calamity. The building shall be constructed consistent with the standards in the Old Town Zoning District.
- (5) Outdoor vehicles sales shall not be permitted within the Downtown Hollister Historic District or the Monterey Street Historic District.

SECTION 7. Section 17.08.010(D) is hereby repealed and replaced with the following:

- D. **Mixed Use Districts.** Mixed-Use Districts are intended to provide both commercial and residential uses on one property or development to support the needs of the City and ensure that housing is constructed to meet the City's Regional Housing Needs Assessment and provide a mix of house types for the community. All mixed-use projects are required to provide residential.

SECTION 8. Section 17.10.020, Industrial/Manufacturing Zone Land Uses and Permit Requirements, is hereby repealed and replaced with the following:

17.10.020 Industrial/Manufacturing Zone Land Uses and Permit Requirements

The following table identifies the uses of land allowed by this Zoning Ordinance in each industrial zone, and the land use permit required to establish each use, in compliance with this chapter.

Land Use	M1	IBP
Manufacturing, Processing and Service Uses		
Clothing Factory	P	P
Concrete, Gypsum and Plaster Products	CUP	NP
Construction Contractor Storage Yards	APR	NP
Chemical Plants	CUP	NP
Food Processing	CUP	CUP
Glass Products Factory	P	P
Handicraft Industries, Small-Scale Manufacturing	P	P
Hazardous Materials or Waste Facilities	CUP	CUP
Laundries and Dry-Cleaning Plants	CUP	CUP
Lumber and Wood Products Manufacturing	APR ¹	NP
Metal Fabrication, Machine and Welding Shops	P	P
Manufacturing	P	P
Paper Products Production	P	NP
Paving and Roofing Materials Production	CUP	NP
Pharmaceuticals	P	P
Plastics and Rubber Products Production	P	NP
Printing and Publishing, Limited and Unlimited	P	P
Recycling – Composting ¹	CUP	CUP
Recycling Facilities		
Minor	APR	APR
Major	CUP	CUP
Repair and Maintenance – Consumer Products	P	P
Research and Development	P	P
Stone and Cut Stone Products	CUP	NP
Structural Clay and Pottery Products	P	P
Storage ¹		
Accessory, Indoor	P	P
Outdoor	APR	APR
Personal Storage Facilities	APR	APR
Warehouse	P	CUP
Vehicle Related Sales and Services		
Car Wash, Detailing	APR	CUP
Service Stations	CUP	CUP
Vehicle Repair Facilities		
Minor	APR	APR
Major	APR	APR
Vehicle Sales	CUP	CUP
Vehicle Storage or Parking	CUP	CUP
Agricultural, Resource and Open Space Uses		
Crop Production	P	P
Commercial Uses and Services		
Ancillary office supplies or copying occupying ten percent of the first floor area of the industrial building or complex or a maximum of 3,000 sq. ft.	APR	APR
Animal Kennels and Boarding	P	APR

Land Use	M1	IBP
Animal Veterinary Clinics and Hospitals	P	P
Automatic Teller Machines (ATMs)	APR	APR
Adult Entertainment Establishments	CUP	CUP
Convenience Store (max. 2,500 sq. ft.)	APR	APR
Courier and Small Package Delivery Service	P	P
Commercial uses allowed in the General Commercial and North Gateway Zoning Districts (see Chapter 17.08)	CUP	CUP
Professional Offices	CUP	CUP
Ancillary café or deli (10% of the first floor area of the industrial building or complex or a maximum of 3,000 sq. ft.)	APR	APR
Public and Semipublic Uses		
Auditorium	NP	CUP
Assembly Uses	CUP	CUP
Child Day Care Center		
1-14 Children	APR	APR
15 or More Children ²	CUP	CUP
Emergency Shelter	CUP	NP
Commercial Recreation		
Minor	APR	APR
Major	CUP	CUP
Outdoor	CUP	CUP
Cultural Institutions	CUP	CUP
Parks, Playgrounds, Golf Courses	CUP	CUP
Public Utility or Safety Facilities	CUP	CUP
Religious Assembly	NP	CUP
Schools – Vocational and Trade	CUP	CUP
Trails and Bike Paths	CUP	CUP
Theatres, Assembly and Meeting Halls	NP	CUP
Residential		
Caretaker and Employee Housing	APR	APR
Transportation and Communication		
Telecommunication Facilities ³	CUP	CUP
Transit Stations and Terminals	CUP	CUP
Cannabis Facilities		
Cannabis Cultivation	CUP	CUP
Cannabis Delivery	CUP	CUP
Cannabis Dispensary	CUP	CUP
Cannabis Distribution	CUP	CUP
Cannabis Manufacturing	CUP	CUP
Cannabis Nursery	CUP	CUP
Cannabis Testing	CUP	CUP

Key/Permit Requirements	
P	Permitted use in zoning district. It is the responsibility of the building owner, or lessee to secure any permits or complete tenant improvements to assure that the use complies with applicable federal, state and local requirements. All new uses require a Zoning Approval prior to occupancy.
APR	Administrative Permit Review and approval by the Community Development Director with review by the Development Review Committee (DRC).
CUP	Conditional Use Permit required with review by the Planning Commission
NP	Not Permitted

Notes:

- (1) Outdoor storage of materials and personal storage facilities must be located at least 500 feet from State Highway 25 or San Felipe Road.
- (2) Childcare centers with 15 or more children are not permitted in the Airport Safety Overlay zones - Runway Protection, Inner Safety, Outer Safety and Traffic Pattern Zone.
- (3) In order to avoid interference with aircraft, antennas for telecommunications facilities shall be prohibited within the Hollister Municipal Airport Influence Area on the most currently adopted Hollister Municipal Airport Comprehensive Land Use Plan. See Chapter 17.22 Article II Telecommunication Facilities for standards and application submittal requirements.

SECTION 9. Section 17.12.020, Land Uses and Permit Requirements for the Airport District., is hereby repealed in its entirety and replaced with the following:

17.12.020 Land Uses and Permit Requirements for the Airport District

The following table identifies the uses of land allowed by this Zoning Ordinance in the Airport Zoning District, and the land use permit required to establish each use, in compliance with this chapter.

Table 17.12-1 Airport Zone Districts Land Use and Permit Requirements

Land Use	Airport District
Agricultural, Resource and Open Space Uses	
Crop Production	P
Aviation Related Uses	
Aircraft Chartering and Leasing	P
Air Cargo Facilities	P
Air Freight Terminal	CUP
Aircraft Parking, Tie-Down and Aircraft Hangars or Shelters	P
Aircraft Sales	P

Aircraft Manufacturing	P
Aircraft Repair or Services	P
Aircraft Research and Design	P
Airport	P
Auto Rentals	CUP
Commercial and industrial uses incidental to and in support of Hollister Municipal Airport subject to the requirements of the applicable General Commercial or Light Industrial Zoning District	CUP
Aircraft Fuel Facility	P
Hang Gliding	NP
Cultural Institutions (related to Aviation)	APR
Public Safety Facilities	P
Private Parking Facilities	CUP
Public gatherings in conjunction with an airport-related activity sponsored or approved by the Hollister Municipal Airport	MTUP
Schools – Specialized Aviation Education and Training	APR
Commercial Uses and Services	
Ancillary office supplies or copying occupying ten percent of the first floor area of the industrial building or complex or a maximum of 3,000 square feet	APR
Automatic Teller Machines (ATMs)	APR
Convenience Store (maximum 2,500 sq. ft.)	CUP
Courier and Small Package Delivery Service	P
Ancillary Café or Deli (less than 5,000 sq. ft.)	APR
Residential Uses	
Caretaker and Employee Housing	CUP

Key/Permit Requirements	
P	Permitted use in zoning district. It is the responsibility of the building owner, or lessee to secure any permits or complete tenant improvements to assure that the use complies with applicable federal, state and local requirements. All new uses require a Zoning Approval prior to occupancy.
APR	Administrative Permit Review and approval by the Community Development Director with review by the Development Review Committee (DRC).
CUP	Conditional Use Permit required with review by the Planning Commission
MTUP	Major Temporary Use Permit
NP	Not Permitted

SECTION 10. Section 17.12.030, Land Use and Permit Requirements for the Airport (AS) Zoning District, is hereby repealed in its entirety and replaced with the following:

17.12.030 Land Use and Permit Requirements for the Airport Support Zoning District

The following table identifies the uses of land allowed by this Zoning Ordinance in the Airport Support Zoning District. For projects that include direct access to the airport, a separate Access Approval is required (see Chapter 8.28 of the Municipal Code).

Table 17.12-2 Airport Support District Land Use and Permit Requirements

Land Uses	Airport Support
Agricultural, Resource and Open Space Uses	
Crop Production	P
Manufacturing and Processing Uses	
Industrial uses permitted in the IBP Zoning District and subject to the requirements of the Industrial Business Park Zoning District	P
Aircraft Manufacturing	P
Air Freight Terminal	CUP
Aircraft Fuel Facilities	NP
Aircraft Parking, Incidental to Business Use	P
Aircraft Parking, Hangers Soley for Storage	NP
Aircraft Sales	CUP
Aircraft Repair or Services	CUP
Aircraft Research and Design or Testing	P
Aircraft Manufacturing	CUP
Wholesale Aircraft and Parts Distribution	P
Public and Semipublic Uses	
Cemeteries, Columbarium and Mortuaries	NP
City Government Offices and Facilities	P
Cultural Institutions Related to Aviation	CUP
Day Cares	NP
Health/Fitness Clubs	CUP
Medical Services-Hospital	NP
Parks, Playgrounds, Golf Courses	CUP
Public Safety Facilities	CUP
Public Utility Facilities	CUP
Schools – Specialized Aviation Education and Training	CUP
Schools – Other	NP
Telecommunication Facilities	NP
Trails, Bike Paths	CUP
Commercial Uses	
Animal Kennels or Boarding	CUP
Automatic Teller Machines (ATMs)	APR
Auto Rentals	P
Bars and Drinking Places	CUP
Convenience Store (maximum 2,500 sq. ft.)	APR
Hotels or Motels	CUP
Professional Offices	P

Restaurants	P
Storage, Outdoor	NP
Cannabis Facilities	
Cannabis Cultivation	CUP
Cannabis Delivery	CUP
Cannabis Dispensary	CUP
Cannabis Distribution	CUP
Cannabis Manufacturing	CUP
Cannabis Nursery	CUP
Cannabis Testing	CUP

Key/Permit Requirements	
P	Permitted use in zoning district. It is the responsibility of the building owner, or lessee to secure any permits or complete tenant improvements to assure that the use complies with applicable federal, state and local requirements. All new uses require a Zoning Approval prior to occupancy.
APR	Administrative Permit Review and approval by the Community Development Director with review by the Development Review Committee (DRC).
CUP	Conditional Use Permit required with review by the Planning Commission
NP	Not Permitted

SECTION 11. Section 17.12.050, Special purpose land use and permit requirements for open space, park and public facility., is hereby repealed in its entirety and replaced with the following:

17.12.050 Special Purpose Land Use and Permit Requirements for Open Space, Park, and Public Facilities/Institutional

The following table identifies the uses of land allowed by this Zoning Ordinance in the Open Space (OS), Park (P), and Public Facilities/Institutional (PF) Zoning Districts.

Table 17.12-3 Open Space, Park, and Public Facilities/Institutional Zone Districts Land Use and Permit Requirements

Land Use	OS	P	PF
Agricultural, Resource and Open Space Uses			
Crop Production	P	P	P
Manufacturing and Processing Uses			
Recycling – Minor	NP	P	P
Public and Semipublic Uses			
Assembly	NP	CUP	CUP
City Government Offices and Facilities	NP	P	P
Clubs and Lodges	CUP	CUP	CUP

Cemeteries, Columbarium and Mortuaries	NP	CUP	CUP
Community Centers	CUP	CUP	P
Commercial Recreation –			
Minor	NP	NP	CUP
Major	NP	NP	CUP
Outdoor	NP	NP	CUP
Cultural Institutions	NP	CUP	CUP
Day Care	NP	CUP	CUP
Medical Services – Hospital	NP	NP	P
Parks, Playgrounds, and Golf Courses (Public)	CUP	P	P
Public Safety Facilities	CUP	CUP	CUP
Public Utility Facilities	CUP	CUP	CUP
Schools			
College and University	CUP	CUP	CUP
Primary	CUP	CUP	CUP
Secondary	CUP	CUP	CUP
Specialized Education and Training	CUP	CUP	CUP
Vocational and Trade	CUP	CUP	CUP
Trails and Bike Paths	NP	CUP	CUP
Residential			
Agricultural Employee Housing	CUP	CUP	CUP
Caretaker and Employee Housing	CUP	CUP	CUP
Commercial			
Animal Kennels and Boarding	CUP	NP	NP
Automatic Teller Machines (ATMs)	NP	APR	APR
Storage, Outdoor	CUP	NP	NP
Warehousing	NP	NP	P
Transportation and Communications			
Airport	NP	NP	CUP
Telecommunication Facilities ¹	NP	CUP	CUP
Pipelines and Utility Lines	P	P	P
Transit Stations and Terminals	NP	CUP	CUP

Notes:

- (1) A communication facility may be permitted with a conditional use permit in a Public Facility Zoning District where it is located not less than 500 feet from a public school or a residential zoning district or residential general plan land use designation.

SECTION 12. Section 17.24.070(D) is hereby repealed and replaced with:

D. *Notice of Proposed Project Notification Sign.* For all projects that require review of a Conditional Use Permit, Site and Architectural Review, Minor Subdivision, Tentative Map, Planned Unit Development, Pre-zone, Annexation, Variance, General Plan Amendment, or Re-zoning, the applicant shall install a sign or signs on each site of the proposed project in accordance with the City’s requirements. Upon notification by staff, a project notification form shall be installed in accordance with the City’s regulations within 30 days. No application shall be

deemed complete until the project notification sign is installed.

SECTION 13. Section 17.26.030, Definitions, [the definition of Accessory dwelling unit (ADU)] is amended as follows:

Accessory dwelling unit (ADU) shall have the same meaning as defined under Section 66313 of the Government Code and shall mean an attached or detached residential dwelling that provide complete independent living facilities for one or more persons and is located on a lot with a proposed or existing primary residence. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel as the single-family dwelling.

SECTION 14. Amend Section 17.34.020, Definitions, (the definition of Mixed-use development) of Chapter 17.34, Density Bonus, to state:

Mixed-use development shall mean a development that includes residential as well as commercial, office or industrial uses. Base density in a mixed-use development shall be calculated by using the dwelling units per acre identified in the General Plan.

SECTION 15. Amend Section 17.34.020, Definitions, (the definition of Senior housing development) of Chapter 17.34, Density Bonus, to state:

Senior housing development means a residential development, mobile home park, shared housing or residential care facility for the elderly (Health and Safety Code Section 1569.2) that is constructed or substantially renovated for senior citizens aged fifty-five (55) years or older.

SECTION 16. Repeal Section 17.34.030(A) of Chapter 17.34, Density Bonus, and replace with:

- A. *Resident Requirements.* A housing development proposed to qualify for a Density Bonus shall be designed and constructed so that it includes at least one of the following:
1. Ten percent (10%) of the total number of units in a housing development, including shared housing, for rental or sale for lower-income households, as defined in Health and Safety Code Section 50079.5;
 2. Five percent (5%) of the total number of units in a housing development, including shared housing, for rental or sale for very low-income households, as defined in Health and Safety Code Section 50105;
 3. The project is a senior citizen housing development as defined in Civil Code Sections 51.3 and 51.12, or is a mobile home park that limits residency based on age requirements for housing older persons in compliance with Civil Code Sections 798.76 and 799.5;
 4. Ten percent (10%) of the total number of units in a housing development, in a common interest development as defined in Civil Code Section 4100,

are sold to persons and families of moderate income, as defined in Health and Safety Code Section 50093; provided, that all units in the development are offered to the public for purchase;

5. Ten percent (10%) of the total number of units in a housing development of housing for transitional foster youth, as defined in Section 66025.9 of the Education Code, disabled veterans, as defined in Section 18541 of the Government Code, or homeless persons, as defined in the federal McKinney-Vento Homeless Assistance Act (42 U.S.C. Section 11301 et seq.), where such units are subject to a recorded affordability restriction of fifty-five (55) years and provided at the same affordability level as very low income units;
6. Twenty percent (20%) of the total number of units in a housing development, for lower income students and made available at an affordable rent in an exclusively student housing development, as specified in Government Code Section 65915(b)(1)(F), where such units are subject to a recorded affordability restriction of fifty-five (55) years and priority is given to students experiencing homelessness; or
7. One hundred percent (100%) of all units in the development, including total units and Density Bonus Units, but exclusive of a manager's unit or units, are for lower income households, as defined by Health and Safety Code Section 50079.5, except that up to twenty percent (20%) of the units in the development, including total units and Density Bonus Units, may be for moderate-income households, as defined in Health and Safety Code Section 50053.

Section 17. Repeal Section 17.34.060(C), inclusive of Table 17.34-5, of Chapter 17.34, Density Bonus, and replace with:

- C. *Number of Incentives.* The applicant shall receive the following number of incentives or concessions:
 1. One Incentive or Concession. One incentive or concession for a project that includes at least ten percent (10%) of the total units for lower-income households, at least five percent (5%) for very low-income households, at least ten percent (10%) for persons and families of moderate income in a common interest development, or developments that include at least twenty percent (20%) of the total units for lower income students in a student housing development.
 2. Two (2) Incentives or Concessions. Two (2) incentives or concessions for a project that includes at least seventeen percent (17%) of the total units for lower-income households, at least ten percent (10%) for very low-income households, or at least twenty percent (20%) for persons and families of moderate income in a common interest development.

3. Three (3) Incentives or Concessions. Three (3) incentives or concessions for a project that includes at least twenty-four percent (24%) of the total units for lower-income households, at least fifteen percent (15%) for very low-income households, or at least thirty percent (30%) for persons and families of moderate income in a common interest development.
4. Four (4) Incentives or Concessions. Four (4) incentives or concessions for a project that includes at least sixteen percent (16%) of the total units for very low-income households or at least forty-five percent (45%) of the total units for moderate income households in a for-sale development.
5. Five (5) Incentives or Concessions. Five (5) incentives or concessions for projects where one hundred percent (100%) of all units in the development, including total units and Density Bonus Units, but exclusive of a manager's unit or units, are for lower income households, as defined by Health and Safety Code Section 50079.5, except that up to twenty percent (20%) of all units in the development, including total units and Density Bonus Units, but exclusive of a manager's unit or units, may be for moderate-income households, as defined in Health and Safety Code Section 50053.
 - a. If the housing development described in this subsection (C)(4) is located within one-half mile of a major transit stop, the applicant shall also receive a height increase of up to three (3) additional stories, or 33 feet. "Major transit stop" means a site containing an existing rail or bus rapid transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods, and also includes major transit stops that are included in the applicable regional transportation plan.

Table 17.34-5 Incentives or Concessions Summary

Target Group	Target Units				
	5%	10%	15%	17%	100% ⁽¹⁾⁽²⁾
Very Low-Income	5%	10%	15%	17%	100% ⁽¹⁾⁽²⁾
Low-Income	10%	17%	24%	--	100% ⁽¹⁾⁽²⁾
Student Housing Low Income	20%	--	--	--	--
Moderate Income	10%	20%	30%	45%	--
<i>Maximum Incentive/Concession</i>	1	2	3	4	5

⁽¹⁾ Projects in this category may include moderate-income units that comprise up to 20% of the development.

⁽²⁾ Projects in this category, within one-half (1/2) mile of a major transit stop, shall also receive a height increase of up to three (3) additional stories, or 33 feet.

SECTION 18. SEVERABILITY. If any part of this Ordinance is held invalid for any reason by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portion of this Ordinance, and the City Council hereby declares that it would have passed the remainder of the Ordinance if such invalid portion thereof had been deleted.

SECTION 19. EFFECTIVE DATE. This ordinance shall take effect and be in force thirty (30) days from and after its final passage.

SECTION 20. PUBLICATION. Within fifteen (15) days after passage, the City Clerk shall cause this ordinance to be published in a newspaper of general circulation.

INTRODUCED at a regular City Council meeting on Introduction Date and **ADOPTED** as an ordinance of the City of Hollister at a regular City Council meeting on Adoption Date by the following vote:

AYES:
NOES:
ABSTAINED:
ABSENT:

Mia Casey, Mayor

ATTEST:

APPROVED AS TO FORM:
Lozano Smith Attorneys at Law

Jennifer Woodworth, MMC, City Clerk

Mary Lerner, City Attorney

I, JENNIFER WOODWORTH, MMC, City Clerk of the City of Hollister, do hereby certify that the attached Ordinance No. Ordinance Number is an original ordinance, or true and correct copy of a City ordinance, duly adopted by the Council of the City of Hollister at a regular meeting of said Council held on Adoption Date, at which meeting a quorum was present.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Hollister on Adoption Date.

Jennifer Woodworth, MMC
City Clerk of the City of Hollister