



CITY OF HUGHSON  
**PLANNING COMMISSION MEETING**  
 City Hall Council Chambers  
 7018 Pine Street, Hughson, CA

**AGENDA**  
**TUESDAY, AUGUST 20, 2013 – 6:00 P.M.**

**CALL TO ORDER:** Chair Julie Ann Strain

**ROLL CALL:** Chair Julie Ann Strain  
 Vice Chair Karen Minyard  
 Commissioner Sanjay Patel  
 Commissioner Mark Fontana

**FLAG SALUTE:** Chair Julie Ann Strain

**1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):**

Members of the Audience may address the Planning Commission on any item of interest to the public pertaining to the City and may step to the podium, State their name and City of Residence for the record (requirement of Name and City of Residence is optional) and make their presentation. Please limit presentations to five minutes. Since the Planning Commission cannot take action on matters not on the Agenda, unless the action is authorized by Section 54954.2 of the Government Code, items of concern which are not urgent in nature can be resolved more expeditiously by completing and submitting to the City Clerk a “Citizen Request Form” which may be obtained from the City Clerk.

**2. PRESENTATIONS:** None.

**3. NEW BUSINESS:**

3.1: Approval of the Minutes of the Regular scheduled meeting of July 18, 2013.

3.2: Review and Discuss Mixed Use Development -- Study Session.

**4. PUBLIC HEARING TO CONSIDER THE FOLLOWING:** None.

**5. INFORMATIONAL ITEMS:**

5.1: In the Planning Profession Blog - March 18, 2013, by Robert Voigt.

**6. CORRESPONDENCE:    None.**

**7. COMMENTS:**

**7.1:**    Staff Reports and Comments: (Information Only – No Action)

**Community Development Director:**

**City Clerk:**

**City Attorney:**

**7.2:**    Commissioner Comments: (Information Only – No Action)

**ADJOURNMENT:**

**WAIVER WARNING**

If you challenge a decision/direction of the Planning Commission in court, you may be limited to raising only those issues you or someone else raised at a public hearing(s) described in this Agenda, or in written correspondence delivered to the City of Hughson at or prior to, the public hearing(s).

**UPCOMING EVENTS:**

<b>August 23</b>	▪ Historical Society's 13 <sup>th</sup> Annual Appreciation Dinner, Hughes Hall, 6:00p.m.
<b>August 26</b>	▪ City Council Meeting, City Hall Chamber Room, 7:00p.m.
<b>September 5</b>	▪ Congressman Denham's Mobile Office, City Hall Chamber Room, 11-12 P.M.
<b>September 9</b>	▪ 2+2 City/School District Meeting, City Hall Chamber Room, 5:30p.m.
<b>September 9</b>	▪ City Council Meeting, City Hall Chamber Room, 7:00p.m.
<b>September 17</b>	▪ Planning Commission Meeting, City Hall Chamber Room, 6:00p.m.
<b>September 21-22</b>	▪ Hughson Harvest Festival – <a href="http://www.hughsonharvestfestival.com">www.hughsonharvestfestival.com</a>
<b>September 23</b>	▪ City Council Meeting, City Hall Chamber Room, 7:00p.m.

**RULES FOR ADDRESSING PLANNING COMMISSION**

Members of the audience who wish to address the Planning Commission are requested to complete one of the forms located on the table at the entrance of the Council Chambers and submit it to the City Clerk. **Filling out the card is voluntary.**

**AMERICANS WITH DISABILITIES ACT/CALIFORNIA BROWN ACT  
NOTIFICATION FOR THE CITY OF HUGHSON**

This Agenda shall be made available upon request in alternative formats to persons with a disability; as required by the Americans with Disabilities Act of 1990 (42 U.S.C. Section 12132) and the Ralph M. Brown Act (California Government Code Section 54954.2).

**Disabled or Special needs Accommodation:** In compliance with the Americans with Disabilities Act, persons requesting a disability related modification or accommodation in order to participate in the meeting and/or if you need assistance to attend or participate in a Planning Commission meeting, please contact the City Clerk's office at (209) 883-4054. Notification at least 48-hours prior to the meeting will assist the City Clerk in assuring that reasonable accommodations are made to provide accessibility to the meeting.

**AFFIDAVIT OF POSTING**

**DATE:** August 14, 2013                      **TIME:** 3:00pm  
**NAME:** Dominique Spinale                      **TITLE:** Deputy City Clerk

**Notice Regarding Non-English Speakers:**

Pursuant to California Constitution Article III, Section IV, establishing English as the official language for the State of California, and in accordance with California Code of Civil Procedures Section 185, which requires proceedings before any State Court to be in English, notice is hereby given that all proceedings before the City of Hughson Planning Commission shall be in English and anyone wishing to address the Council is required to have a translator present who will take an oath to make an accurate translation from any language not English into the English language.

**General Information:** The Hughson Planning Commission meets in the Council Chambers on the third Tuesday of each month at 6:00 p.m., unless otherwise noticed.

**PC Agendas:** The Planning Commission Agenda is now available for public review at the City's website at [www.hughson.org](http://www.hughson.org) and City Clerk's Office, 7018 Pine Street, Hughson, California on the Friday, prior to the scheduled meeting. Copies and/or subscriptions can be purchased for a nominal fee through the City Clerk's Office.

**Questions:** Contact the Deputy City Clerk at (209) 883-4054





CITY OF HUGHSON  
**PLANNING COMMISSION MEETING**  
 City Hall Council Chambers  
 7018 Pine Street, Hughson, CA

**MINUTES**  
**TUESDAY, JULY 18, 2013 – 6:00 P.M.**

**CALL TO ORDER:** Vice Chair Julie Ann Strain

**ROLL CALL:**

**Present:** Vice Chair Julie Ann Strain  
 Commissioner Karen Minyard  
 Commissioner Zachary Davis  
 Commissioner Mark Fontana

**Absent:** Commissioner Sanjay Patel

**Staff Present:** Thom Clark, Community Development Director  
 Dominique Spinale, Management Analyst/Deputy City Clerk

**FLAG SALUTE:** Vice Chair Julie Ann Strain

**1. PUBLIC BUSINESS FROM THE FLOOR (No Action Can Be Taken):**

No Public Comment.

**2. PRESENTATIONS:** None.

**3. NEW BUSINESS:**

**3.1:** Approval of the Minutes of the Special scheduled meeting of June 11, 2013.

**Minyard/Fontana 4-0-0-1 (Patel - Absent) motion passes to approve the Minutes.**

**3.2:** Conduct Nominations and Election of Officers for the positions of Chair and Vice Chair.

**Vice Chair Strain expressed her interest to the Commission in becoming the Chair.**

**Vice Chair Strain opened Nominations. Commissioner Minyard nominated Vice Chair Strain for Chair.**

**No other nominations were made by the Commission.**

**Minyard/Strain 4-0-0-1 (Patel – Absent) motion passes to elect Vice Chair Strain to the position of Chair.**

**Chair Strain opened nominations for the position of Vice Chair, and nominated Commissioner Minyard.**

**No other nominations were made by the Commission.**

**Davis/Strain 4-0-0-1 (Patel – Absent) motion passes to elect Commissioner Minyard as Vice Chair.**

**4. PUBLIC HEARING TO CONSIDER THE FOLLOWING:      None.**

**5. INFORMATIONAL ITEMS:**

**5.1:**    *US Supreme Court Limits Governmental Power to Impose Conditions on New Development* (Article published June 26, 2013).

**Director Clark reviewed this item with the Commission. No action was taken.**

**5.2:**    *How Planning Got Its Groove Back* (article published July 10, 2013).

**Director Clark reviewed this item with the Commission. No action was taken.**

**5.3:**    *Kiowa treading water after going into debt for water and sewer projects* (article published by DenverPost.com).

**Director Clark reviewed this item with the Commission. No action was taken.**

**5.4:**    The President’s Climate Action Plan, June 2013.

**Director Clark reviewed this item with the Commission. No action was taken.**

**6. CORRESPONDENCE:      None.**

**7. COMMENTS:**

**7.1:**    Staff Reports and Comments: (Information Only – No Action)

**Community Development Director:**

**Director Clark updated the Commission on the status of the Title 16 changes that were recommended to the City Council for adoption by the Planning Commission last month.**

**City Clerk:**

**City Attorney:**

**7.2: Commissioner Comments: (Information Only – No Action)**

**ADJOURNMENT: This meeting adjourned at 6:45 P.M.**

---

**JULIE STRAIN, Chair**

---

**DOMINIQUE SPINALE, Deputy City Clerk**



# PLANNING COMMISSION AGENDA

## ITEM NO. 3.2

### SECTION 3: NEW BUSINESS

**Presented By:** Thom Clark, Community Development Director  
**Meeting Date:** August 20, 2013  
**Subject:** Mixed Use Development – Study Session  
**Enclosures:**

1. Placemaking Principles for Strong Towns
2. Commercial and Mixed Use Development Code Handbook from the Oregon Transportation and Growth Management Program (Chapters 1 through 4 only)
3. Blueprint Integration Tool – Whitepaper on City of Hughson Mixed Use Compatibility Standards
4. Floor Area Ratio Definition

**Desired Action:** None. Review and Discussion Only

---

#### **BACKGROUND AND OVERVIEW:**

Mixed Use Development has many advantages over typical Euclidean Zoning (see discussion of Euclidean Zoning on Page 5, Background, of the Blueprint Integration Tool whitepaper). Euclidean Zoning segregates land into different zones according to their use. For example, an R-1 Single Family Zone does not allow a corner store to be built in the neighborhood, nor does it allow work-live buildings where a downstairs could be an office for the family living upstairs. This is counterintuitive to placemaking and modern urban design principles, yet it is what the majority of jurisdictions in California use as their land use development code.

Mixed Use however, as the name implies, allows different uses to be combined into single buildings or over large development footprints. One of the biggest advantages this creates is the reduced reliance on automobiles and all the benefits that reduced reliance provides.

California has enacted two bills which directly address this issue: Senate Bill (SB) 375 and Assembly Bill (AB) 32. SB 375 is also known as the Sustainable Communities Strategy (SCS). It was enacted to reduce greenhouse gas emissions from automobiles by integrating transportation plans, land use, and environmental planning. In Stanislaus County the SCS process is called the Valley Visioning Stanislaus. StanCOG is responsible for incorporating the SCS into the Regional Transportation Plan (RTP).

AB 32 is called the Global Warming Solutions Act. It requires a reduction in greenhouse gases (GHG) to 1990 levels by 2020. The California Air Resources Board (ARB) is charged with the development of a scoping plan to identify how best to reach the 2020 limit. The ARB scoping plan identifies reduction measures and reporting requirements for compliance at the local level.

The actual impact of these two bills at the local level is still unknown. However, SB 375 may end up allocating much of the transportation funding we currently receive to larger jurisdictions, like Modesto, that have or can have transit systems available to cluster high rise housing around.

AB 32 can affect new developments in Hughson by requiring them to prove the development will reduce GHG emissions. To protect our economic development potential, staff is currently putting the finishing touches on a Climate Action Plan (CAP), developed using Proposition 84 grant funding. The CAP has used our 2005 baseline GHG emissions and determined that with specific reduction measures, (which still will need to be adopted), as well as reduction measures we have already completed, new development can merely go down a checklist to ensure compliance and not have to develop their own emission reduction plan. The CAP, as we see it, is therefore an economic development tool.

Mixed Use Development reduces vehicle trips, thereby lowering GHG emissions from more traditional development patterns. As such, this type of development is tailor made for compliance with both of these bills. As you will see, most Mixed Use Development is built in urban environments. In a suburban environment like ours, a smaller form of Mixed Use Development called two-story live-work units are much more feasible and have a better chance of being built. Since the densities in live-work units are not high, they could lend themselves to either commercial or residential zoning using the proper zoning code sections of the Municipal Code.

#### HUGHSON ZONING CODE

Interestingly, our zoning code allows mixed uses without actually using the name. The R-3 High Density Residential Zoning District allows many different uses as follows:

##### *R-3 High Density Residential.*

*1. Purpose. The purpose of the R-3 high density residential zone is to provide residential areas which can accommodate a suitable mixture of more intensive land uses, including multiple-family dwellings, community facilities, retail establishments, medical facilities, and offices, compatible with the surrounding area and consistent with the general plan.*

Please note that the residential densities required in the R-3 Zone must be maintained, even if other uses are included in the zone. Residential densities in the R-3 Zone are a minimum of 10.1 and maximum of 27 units per net acre.

Conversely, the Downtown Commercial Zoning District allows high density residential. This is consistent with another tenet of urban design, to put people in your downtown. The following is a partial table from our code that shows this allowance:

Table 17.02.012

Commercial and Industrial Development Standards

Development Standards	Requirements by Zoning District				Related Regulations
	C-1	C-2 <sup>a</sup>	C-3	I	
Density (dwelling units per net acre)	0	Downtown 30.0 Non-Downtown 0	0	0	Except where higher densities are permitted subject to the requirements of HMC <a href="#">17.03.016</a> or <a href="#">17.02.028</a>
Intensity for nonresidential uses (floor area ratio)	0.6	Downtown 1.8 Non-Downtown 0.5	0.5	0.6	–
Setbacks (feet)	Minimum setbacks required. See HMC <a href="#">17.03.020</a> (C) and (D) for exceptions.				
Front	Same as adjacent residential zone; most restrictive applies if adjacent to more than one residential zone.	g <sup>b, c</sup>	8	8	
Side(s)		None, except same as adjacent residential zone if applicable	None, except same as adjacent residential zone if applicable	None, except same as adjacent residential zone if applicable	
Street side of corner lot		Same as front	Same as front	Same as front	Subject to cross-visibility area in HMC <a href="#">17.03.048</a>
Rear		None, except 10 when adjacent to residential use	None, except 10 when adjacent to residential use	None, except 10 when adjacent to residential use	
Maximum height (feet)		30	75	65	75; additional height may be allowed with a conditional use permit

One of the issues talked about in the enclosed Blueprint Integration Tool whitepaper and not addressed in our zoning code is that of compatibility of different uses. No all uses should be mixed, just as not all uses should be segregated pursuant to Euclidean Zoning methods. See Attachment 1, starting on page 20 of the whitepaper. Our zoning code really does not address this issue at all.

Our zoning code does however provide other avenues to allow Mixed Use Zoning without a comprehensive amendment to our land use map. The first is through a Specific Plan. The code specifies that development in the Urban Reserve Zone must be done with a Specific Plan. With a Specific Plan, we can create any zone or combination of uses we desire. The language in the zoning code pertaining to preparation of Specific Plan is as follows:

*D. Preparation of Specific Plan. The city shall be the lead in preparation of the specific plan, which shall include the information deemed necessary by the planning officer and shall follow the requirements of Government Code Section 65451, and shall include the following at a minimum:*

**1. Proposed Land Uses. The distribution, location, extent, and timing and phasing of land uses proposed within the area covered by the specific plan, including open space areas;**

**2. Infrastructure. The proposed distribution, location, extent, and intensity of major components of public and private drainage, energy, sewage, solid waste disposal,**

*circulation/transportation, water, and other essential facilities proposed to be located within the specific plan area and needed to support the proposed land uses;*

*3. Land Use and Development Standards. Standards, criteria, and guidelines by which development would proceed, and standards for the conservation, development, and utilization of natural resources, where applicable;*

*4. Implementation Measures. A program of implementation measures, including regulations, programs, public works projects, and financing measures necessary to carry out the proposed land uses, infrastructure, and development and conservation standards and criteria;*

*5. Relationship to General Plan. A discussion of the relationship of the specific plan to the objectives, policies, general land uses, and programs of the general plan; and*

*6. Additional Information. The specific plan shall contain any additional information determined to be necessary by the planning officer based on the characteristics of the area to be covered by the specific plan, applicable policies of the general plan, a statement of the relationship of the specific plan to the general plan, or any other issue(s) determined by the planning officer to be significant.*

Section 17.02.028 of the zoning code also has provisions for a Planned Development Overlay Zone. This zone provides for flexibility within other existing zones to allow uses which may not have been allowed under that specific zone

**17.02.028 Planned development overlay zone.**

- A. Purpose. The purpose of the P-D planned development overlay zone is to encourage a creative and more efficient approach to the use of land and to provide for greater flexibility in the design of integrated developments than otherwise possible through strict application of zoning regulations.*
- B. Location. The P-D overlay zone may be applied to parcels of land of any size in any zone that are found by the planning commission to be suitable for the proposed development.*
- C. Permitted Uses. The permitted uses of land in a P-D zone shall be any use or combination of uses and densities shown on the approved development plan which are so arranged and designed to provide a development which is in conformity with the general plan and which is consistent with the requirements of this title. Additional residential density may be approved through the planned development process, but total additional density allowed by this section and the required density bonuses provided in HMC [17.03.016](#) shall not total more than 35 percent of the base density allowed by the underlying residential or commercial zoning designation.*
- D. Development Standards. All uses shall conform to the area, heights, lot width and yard regulations required in the underlying zone except where the planning commission finds that the total development will be improved by a deviation from such regulations. Maximum increased density shall not exceed 25 percent of the standard density permitted in the zone, except as otherwise permitted by state law.*

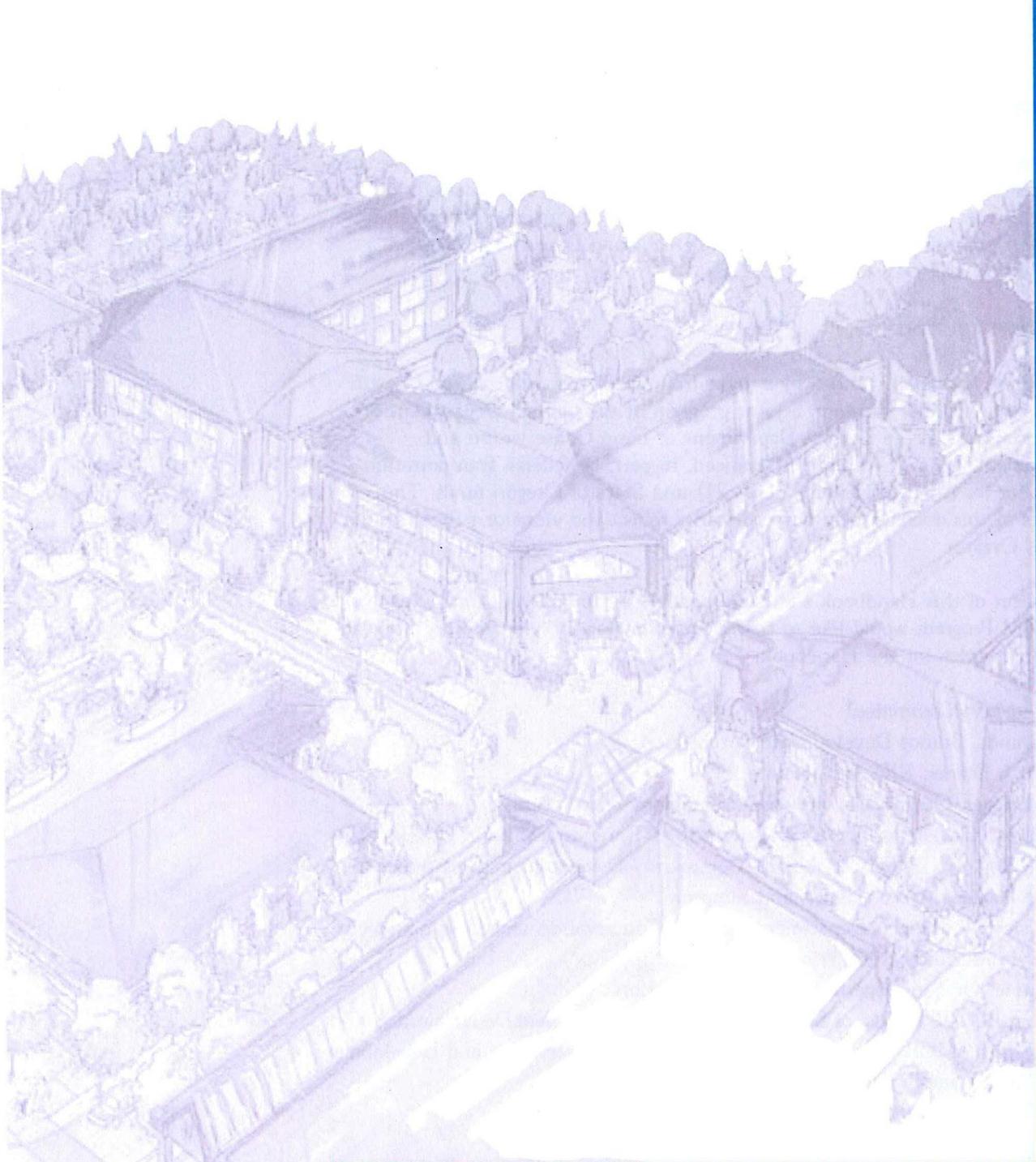
**RECOMMENDATION:**

None. This is a discussion item only.

# Placemaking Principles for Strong Towns

To get a higher return on our public investments requires an understanding of what it takes to build great towns and neighborhoods. The following are principles of placemaking for Strong Towns.

1. A Strong Town is financially stable and must not be dependent on government subsidy for the common maintenance of basic infrastructure systems.
2. A Strong Town is economically vibrant and diverse. The town must have a local economic composition that encourages financially-sound business creation and expansion, as well as allow for creative destruction.
3. A Strong Town is designed with a physical layout that enhances the public realm and thus adds value to each property that fronts it. New growth and development must improve the public realm.
4. To build an affordable transportation system, a Strong Town utilizes roads to move traffic safely at high speeds outside of neighborhoods and urban areas. Within neighborhoods and urban areas, a Strong Town uses complex streets to equally accommodate the full range of transportation options available to residents.
5. To make transportation systems more efficient and affordable, to create economic opportunity and to enhance the community, neighborhoods in a Strong Town must be mixed use, with properly-scaled residential and commercial development.
6. A Strong Town utilizes a system of interconnected parks and civic structures to provide value to property owners within the community. Parks, greens, squares and civic buildings provide value when they enhance the public realm, create memorable landscapes and provide for spontaneous gatherings.
7. A Strong Town requires age diversity in order to sustain itself. Designing neighborhoods for safe, independent living at all stages of life is critical for a Strong Town.
8. A Strong Town is connected to the region and, no less importantly, to the world, while knowing their unique place within these systems.
9. A Strong Town has a leadership ethic that emphasizes open, transparent, inclusive and efficient governance, as well as active and forward-thinking engagement with citizens and private-sector partners.
10. Strong Towns reduce costs associated with land use, transportation and development, and are able to reinvest these savings to strengthen their long-term position in the region and the world.

An aerial architectural rendering of a city block. The scene shows several multi-story buildings with varied rooflines and window patterns. A central courtyard or plaza area is visible, surrounded by the buildings. The rendering is in a light, sketchy style, possibly using a digital tool like SketchUp. The overall color palette is muted, with greys, browns, and light blues. The background shows a hillside with trees.

# Commercial and Mixed-Use Development

## Code Handbook

## **Development of the Handbook**

The Oregon Transportation and Growth Management (TGM) Program prepared this document with assistance from an advisory committee and a consultant. The committee was comprised of architects, developers, city planners, and staff from Oregon's Department of Transportation (ODOT) and Department of Land Conservation and Development (DLCD).

## **Acknowledgments**

This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by federal Transportation Equity Act for the 21st Century (TEA-21) and State of Oregon funds. The contents of this document do not necessarily reflect the views or policies of the State of Oregon.

Publication of this Handbook was made possible by the efforts of many people. The TGM Program would like to thank the following individuals who provided input and advice for the Handbook:

### *Project Advisory Committee<sup>1</sup>*

Terry Brandt, Brandt Development Corporation

Kenneth J. Diener, KJD Architecture, PC

Vickie Dugger, Oregon Downtown Development Association

Greg Fritts, Clackamas County Department of Transportation and Development

Anne Giffen, AICP, City of Albany Community Development Department

Wallace Harding, Norris, Beggs and Simpson

Larry Ksionzyk, Oregon Department of Land Conservation and Development

Mary Kyle McCurdy, 1000 Friends of Oregon

Kate Poole, Oregon Department of Transportation

John Russell, AICP, City of Salem Community Development Department

Lainie Smith, AICP, Oregon Department of Land Conservation and Development

Larry Ward, Lane Council of Governments

Mark Whitlow, Perkins Coie LLP

### *Developers Focus Group and Other Participants*

Barry Cain, Gramor Development

Dick Clark, Fred Meyer

Deb Holmes, Endex Engineering

Bob LeFeber, Commercial Realty Associates

Dave Leland, Leland Consulting Group

Carter McNichol, Shiels Oblatz & Johnson

---

<sup>1</sup>Participation on the Project Advisory Committee does not imply endorsement of the Handbook recommendations.

*TGM Program Staff*

Gloria Gardiner, BFA, JD, TGM Code Assistance Program Manager  
Lainie Smith, AICP, Urban Growth Program Manager

*Consultant Team*

*Otak, Inc.*

- Scot Siegel, AICP, Project Manager and Author
- Joe Dills, AICP, Committee Facilitation
- Martha Beebe, Planning
- Steve Dixon, Urban Design
- Stacey Goldstein, Planning
- Katie Kersten, Graphic Design
- Tom Litster, Urban Design

*Pacific Rim Resources*

Jason Franklin, AICP, Stakeholder Interviews

**To Receive a Copy**

Oregon planners, public officials, developers, and communities can obtain free printed copies of the Handbook by calling the TGM Program at (503) 373-0050, extension 230. The Handbook is also available electronically on the TGM web site ([www.lcd.state.or.us/tgm](http://www.lcd.state.or.us/tgm)).

# Table of Contents

## Chapter 1

Introduction.....	1
Benefits of Smart Development.....	2
The Challenge.....	3
How This Handbook Can Help.....	4
A Voluntary Tool.....	4

## Chapter 2

Objectives for Smart Commercial and Mixed-Use Development.....	5
Compact Development.....	5
Mixed Land Use.....	5
Pedestrian Access, Safety, and Comfort.....	7
Street Connections.....	8
Crime Prevention and Security.....	9
Creating and Protecting Public Spaces.....	10
Parking and Efficient Land Use.....	11
Human Scaled Building Design.....	12

## Chapter 3

Plans and Policies Supporting Smart Development.....	13
Land Use and Transportation Plans.....	13
Development Incentives.....	15
Regulatory Changes.....	16

## Chapter 4

Best Practices for Commercial and Mixed-Use Development.....	17
Compact Development.....	17
Mixed Land Use.....	18
Pedestrian Access, Safety, and Comfort.....	19
Street Connections.....	22
Crime Prevention and Security.....	23
Parking and Efficient Land Use.....	24
Creating and Protecting Public Spaces.....	26
Human Scaled Building Design.....	26

## Chapter 5

Commercial and Mixed-Use Zone Districts: A Common Language.....	29
Generic Zones.....	29
Comparison of Handbook Zones to State and Regional Plans.....	31

## Chapter 6

Commercial and Mixed-Use Zone Districts: Key Characteristics and Issues.....	33
Main Streets and Downtowns.....	33
Neighborhood Centers.....	35
Community Commercial Centers.....	39
Corridors.....	42

## Chapter 7

Model Ordinance for Commercial and Mixed-Use Zones.....	45
How to Use the Model Zoning Ordinance.....	45
Section 1 – Purpose.....	46
Section 2 – Applicability and Location.....	47
Section 3 – Permitted Land Uses.....	48
Section 4 – Development Standards.....	50
Section 5 – Design Criteria and Guidelines.....	53

## Appendix

A. Glossary.....	63
B. Applicable State Planning Policies, Statutes, and Administrative Rules.....	68
C. Zoning Ordinances and Other Planning Resources.....	69



Commercial development is constantly reinventing itself. After relocating in strip-malls, commercial development is now returning to America's downtowns and main streets. These areas are experiencing a renaissance, as people seek more intimate and pedestrian-friendly shopping experiences. Suburban commercial centers and corridors, too, are being transformed. Some big box stores are evolving into mixed-use centers with entertainment uses, and malls are turning themselves "inside-out," using storefronts that mimic traditional downtowns. Cities are converting brownfields into urban villages with housing, retail, entertainment, and civic uses, and e-commerce is spawning small businesses in old warehouses and along main streets. All of these innovations pose opportunities and challenges for managing growth in our communities.

This Handbook is a guide to encouraging "smart" commercial and mixed-use development through public policy and land use ordinances. The guidance is based on the following Smart Development principles.

1. **Efficient Use of Land Resources.** Efficiency means urban development is compact and uses only as much land as is necessary.
2. **Full Utilization of Urban Services.** Use existing service capacity where available. Size new facilities to meet planned needs. This principle recognizes that we must make the most of our infrastructure investments.
3. **Mixed Use.** Mixed-use development brings compatible land uses closer together.
4. **Transportation Options.** Options should include walking, bicycling, and public transit, where it is available or may be provided in the future.
5. **Detailed, Human-Scaled Design.** Smart design is attractive design that is pedestrian-friendly and appropriate to community character and history.



Smart commercial and mixed-use developments are attractive and enjoyable places to work, shop and live.

## Introduction

Objectives

Plans and Policies

Best Practices

Zone Districts

Zone Districts Key Issues

Model Ordinance

These principles are “smart” ways of building a community, providing numerous benefits to all citizens. They represent the wise use of resources (both financial and natural resources), sound management of public facilities, and the building of community. The principles are both financially successful and publicly responsible. They are the ways that, historically, many Oregon communities were first developed. These principles are described in detail in the *Smart Development Code Handbook* (TGM Program, 1997).



Smart Development supports face-to-face, informal meetings between people – a fundamental aspect of community building.

*“With the suburbs rapidly filling up, retailers are looking to the nation’s urban markets for new expansion... Now, such retailers as Gap Inc. and Kmart are adapting their suburban store designs to meet the challenges posed by urban locations.”*

—Washington Post  
October 17, 2000

## **Benefits of Smart Development**

Smart development supports the State’s land use and transportation policies, and many local objectives, including:

- Economic development and improved tax base;
- Revitalization of downtowns, main streets, and neighborhood centers
- Development of needed housing close to jobs and services; and the creation of jobs close to where people live
- Transportation choices and connectivity;
- Walkable communities and, where applicable, transit-supportive development;
- Decreased commuter road congestion;
- Efficient use of existing urban services and facilities, as an alternative to extending new facilities;
- Energy conservation through reduced reliance on the automobile; and
- Public cost savings (over sprawl development patterns).

## The Challenge

At their best, commercial “places” such as traditional downtowns and well-planned centers, give us *choices* – choices in how we get there, what we buy, where we work and dine, and the types of recreation and entertainment we enjoy. At their worst, they are isolated, homogeneous, automobile-dependent places with few choices, and no relationship to their surrounding environment.

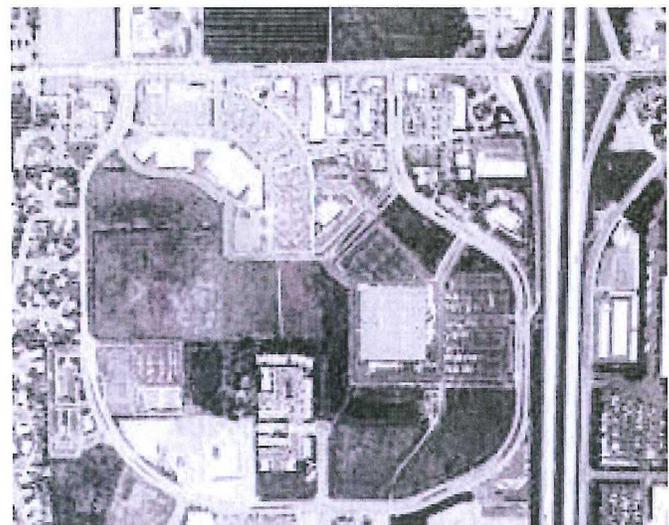
Much post-World War II commercial development is located in strip malls away from housing and places of employment. This type of development is generally automobile-dependent in its location, site layout, and building design. Access to these commercial establishments without a car is often further frustrated by a lack of a local street system that serves the area where they are located. All of this contributes to traffic congestion on state highways and other major arterials and limits the ability of some people, such as the young, elderly, disabled, and economically disadvantaged, to get around without a car.

State highways built primarily to carry traffic between cities and through regions cannot continually absorb new development. As urban areas spread out and fill up, the effect is usually to put more local traffic on highways. More traffic congestion occurs as autos and trucks move among the commercial establishments and adjacent uses. This creates “friction” between local traffic and other vehicles as each turns off and on the highway. Complicating matters is that many older developments do not conform to current land use regulations, including standards for pedestrian facilities, parking and driveway design, landscaping, signs, etc. Over time, congestion and safety problems increase, travel speeds decrease, and new transportation facilities are needed. As demand for highway construction grows, state and local governments are asked to pay for improvements they cannot afford.

Increasingly, people in Oregon and around the country are reacting negatively to some consequences of this trend, such as traffic congestion, degraded air and water quality, and loss of community character. Citizens and elected officials are reexamining land use plans and regulations, and are seeking ways to improve commercial development design, reduce automobile reliance, and harness the creativity of the market to create more livable places. Many agree that local planning policies and regulations must work harder to promote Smart Development.



Stuck in traffic.



A typical Oregon, post-World War II development pattern. All the components of a town are here—a city hall, library, church, college, post office, shopping center, apartments, and houses. Though buildings are within walking distance of each other, they are separated by vast, inhospitable parking lots, wide non-traversable streets, or fragmented sidewalks. Not surprisingly, few people walk in this area.

<b>Introduction</b>
<b>Objectives</b>
<b>Plans and Policies</b>
<b>Best Practices</b>
<b>Zone Districts</b>
<b>Zone Districts Key Issues</b>
<b>Model Ordinance</b>

## ***How This Handbook Can Help***

The market has shown that it is able to deliver more transportation-efficient and pedestrian-friendly development, but change requires thoughtful and proactive planning. This Handbook provides strategies, best practices, and model ordinances for implementing Smart Development in commercial and mixed use areas. Several state policies and technical documents informed the development of the Handbook. Specifically, the *Oregon Highway Plan (OHP)* and the OHP's Land Use and Transportation Policy are referenced, and the Handbook recommendations are consistent with the State Transportation Planning Rule (TPR). For a list of other relevant documents and examples of local zoning ordinances, please refer to the Appendix.

## ***A Voluntary Tool***

Similar to other documents produced by the Oregon Transportation and Growth Management (TGM) Code Assistance Program, the Commercial and Mixed Use Development Code Handbook is a tool for voluntary use by local communities. It is also a resource for communities that are updating their comprehensive plans, development ordinances, and transportation system plans under the TGM and Department of Land Conservation and Development Grant, Periodic Review, and Technical Assistance Programs.

The following objectives apply the Smart Development principles to commercial and mixed-use development:

## 2.1 Compact Development

*Objective: Take advantage of opportunities for infill and redevelopment, and development in centers.*

Compact development means that buildings, parking areas, streets, driveways, and public spaces are developed in a way that shortens trips, and lessens dependence on the automobile, thereby reducing levels of land consumption, energy use, and air pollution. Compact development promotes full utilization of



One center uses land more efficiently than the other. Lloyd Center in Portland contains approximately 1.5 million square feet of retail, office, and entertainment uses on approximately 50 acres. Clackamas Town Center contains approximately 1.2 million square feet and similar uses over twice as much land. The Clackamas Regional Center Plan anticipates 600,000 square feet of additional offices, 600 housing units and mixed-use on this site.

urban services, such as water lines, sewers, streets, and emergency services, by taking advantage of existing public facilities and minimizing the need for new facilities.

## 2.2 Mixed Land Use

*Objective: Develop different types of compatible land uses close together in appropriate locations, to shorten trips and facilitate alternative modes of transportation, such as walking, bicycling and public transportation.*

Mixed-use development is appropriate in downtowns, neighborhood-oriented centers, transit nodes, main streets, and some community commercial centers.

Introduction
Objectives
Plans and Policies
Best Practices
Zone Districts
Zone Districts Key Issues
Model Ordinance

Locating stores, offices, residences, public services, and recreation spaces within walking distance of each other in these locations promotes:

- Independence of movement, especially for the young and the elderly who can conveniently walk, cycle, or ride transit;
- Safety through around-the-clock presence of people;
- Reduction in auto use, especially for shorter trips;
- Support for those who work at home, through nearby services and amenities; and
- A variety of housing choices, so that the young and old, singles and families, and those of varying economic ability may find places to live.



A mixed-use development in Lake Oswego that blends into the neighborhood.

Examples of appropriate mixed-use include a corner store in a residential area, an apartment near or over a shop, and a lunch counter in an industrial zone. Auto- or truck-dependent uses, such as heavy industrial, distribution, automobile sales lots, and some drive-up or drive-through facilities, should not be located in centers, nodes, or other compact, mixed-use areas because of their negative impact on nearby residences and the pedestrian environment.

Most codes prohibit the co-location of residential and commercial buildings. This prohibition is based on the functional and architectural incompatibility of the buildings. Using design standards, in tandem with mixed-use zoning, overcomes incompatibility. Additionally, limitations on commercial functions, such as hours of operation and delivery truck access, may be necessary. More fundamentally, to gain the full benefits of a mix of uses, buildings must have convenient access to a connected system of streets and paths. Otherwise, people will still be encouraged or required to use cars, even for the shortest trips.

## 2.3 Pedestrian Access, Safety and Comfort

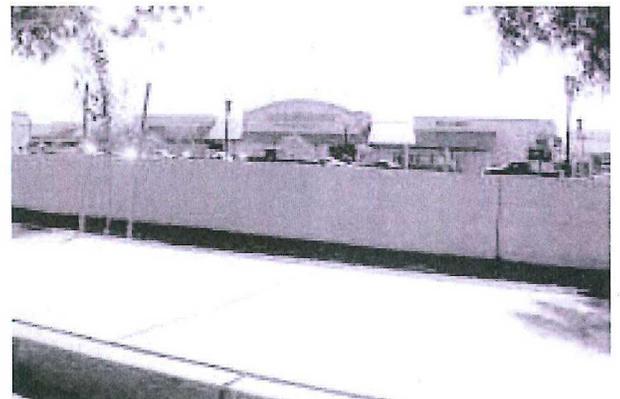
*Objective: Build on-site vehicle and pedestrian circulation systems that are safe, convenient, attractive and comfortable for pedestrians.*

Every trip begins and ends as a pedestrian trip. Pedestrian accessibility provides the ease and convenience to reach a destination by walking, bicycles, or transit. Safety means that exposure to vehicle accidents, crime, and other hazards is minimized, giving people a sense of comfort and freedom to choose to walk. Design for physical comfort requires attention to human sensory experience. If a street or pathway is physically uncomfortable and unattractive, people will avoid it or choose to travel by car. Desirable activities that create pedestrian places, such as recreation, window shopping, etc., will not take place if the pedestrian environment is uncomfortable. Providing physical comfort requires considering temperature, wind, rain, snow at higher elevations, sun, and shade for human comfort. It also requires control over vehicular traffic, topographic conditions, noise, pollution, and other nuisances.

Compact pedestrian-oriented development requires an approach to site planning and that is different than the approach used to design automobile-dependent communities. For instance, standards that require large setbacks, vast areas of landscaping, and walls between parking lots and streets result in barriers to pedestrians because they typically create unsafe, inconvenient, and unpleasant conditions for walking. Smart development codes orient building entrances to street sidewalks, break up large areas of surface parking with pathways and landscaping, encourage development of parking structures, and provide direct, safe, and comfortable access to buildings for walking and wheelchairs.



Pedestrian-oriented development has buildings oriented to streets with sidewalk, storefront windows for visual interest and sense of security, awnings for weather protection, on-street parking to buffer pedestrians from traffic, and shade trees.



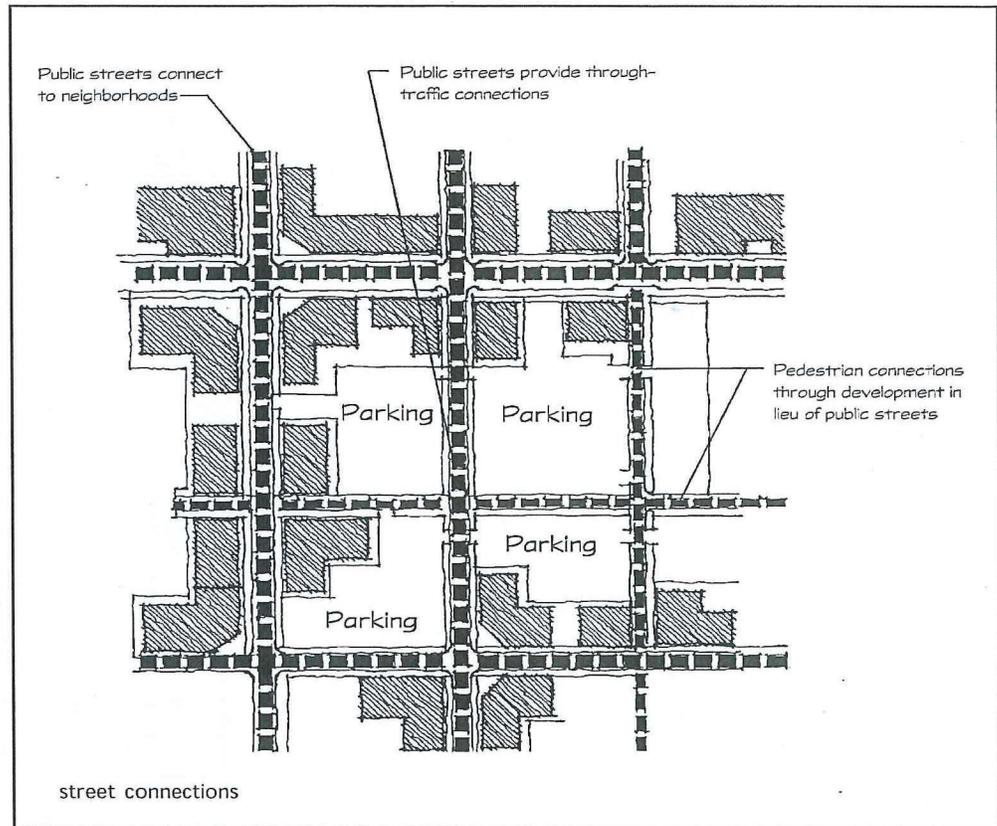
Buildings setback behind parking lots discourage walking, particularly where there is no direct pedestrian access.

Introduction
<b>Objectives</b>
Plans and Policies
Best Practices
Zone Districts
Zone Districts Key Issues
Model Ordinance

## 2.4 Street Connections

*Objective: Connect developments, neighborhoods and districts with public streets in order to efficiently serve all modes of transportation.*

An interconnected street system provides linkages to local shopping, services, housing, and amenities, as well as linkages between adjacent developments. Streets that are disconnected isolate land uses and force all trips, whether by car, foot or bicycle, onto the arterial street system without regard for their ultimate destination.



Pedestrian friendly shopping streets have buildings that are oriented to the street.



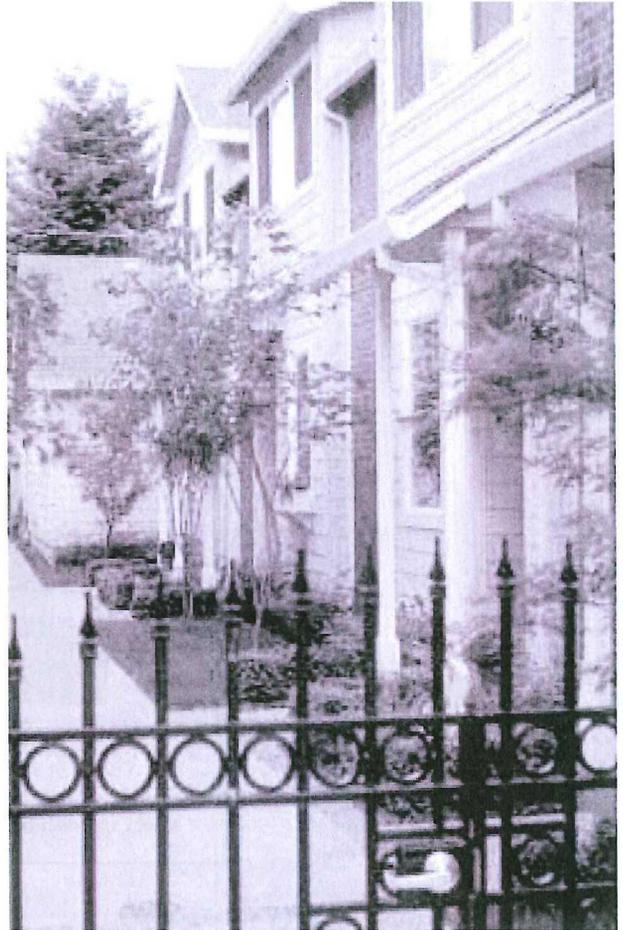
Even where large parking lots are unavoidable, a protected pathway can improve pedestrian access, safety and comfort.

## 2.5 Crime Prevention and Security

*Objective: Apply planning and design solutions that minimize opportunities for crime and increase public safety.*

Public safety professionals and most planners recognize that land use planning and design are important tools for crime prevention. However, citizens can be skeptical of some infill and redevelopment projects if they perceive that increased density or “crowding” will increase crime and nuisances (e.g., vandalism, theft, noise, light or glare, parking problems, etc.). Crime prevention is supported by the following five overlapping principles:

- **Territoriality** is the delineation of private space from semipublic spaces, creating a sense of ownership and stewardship.
- **Natural Surveillance** occurs where there is plenty of opportunity for people engaged in legitimate behavior to observe the space around them for their own safety and the protection of others.
- **Access Control** means that appropriate public access is emphasized and encouraged, and access control is clearly delineated with design features where necessary for public safety or to prevent crime. For example, sidewalks, pavement, gates, lighting and landscaping can be used to clearly guide the public to and from entrances and exits. Similarly, gates, walls, fences, landscaping, and lighting can be used to prevent or discourage access to or from dark or unmonitored areas.
- **Activity Support** is the presence of activity planned for the space. Development designs should locate plazas, for example, in places where they are most likely to be used for gatherings (both organized events and informal meetings).
- **Maintenance.** Materials selection and installation should consider the need for proper maintenance. For example, landscaping, lighting, and other features can support crime prevention if they are maintained, but may actually facilitate crime if they are not maintained properly.



These residences placed behind the mixed-use storefronts shown on page 6, display good territoriality, access control, and natural surveillance.

Introduction
<b>Objectives</b>
Plans and Policies
Best Practices
Zone Districts
Zone Districts Key Issues
Model Ordinance

## 2.6 Creating and Protecting Public Spaces

*Objective:* Create, maintain and enhance public spaces, such as sidewalks, plazas, parks, public buildings and places of assembly, to allow for informal meetings and social interaction with other people.

Public social contact shapes our personal identity, fosters learning and influences our social behavior. Creating public spaces where people have the opportunity to formerly organize, such as for a public outdoor market or festival, or informally gather, such as to pursue leisure or social activity, are both necessary and desirable. For example, social greetings, conversations and passive contacts, where people simply see and hear other people, are those social activities that shape our personal identity. This type of activity is dependent on the presence of people in the same physical environment, whether it is a sidewalk or a public plaza. For this to be a positive experience, public spaces need to be safe, attractive, and comfortable. With growth and new development, public spaces must be protected and new spaces created to support the social and cultural fabric of our communities.



Plazas and other public spaces add aesthetic and economic value to successful developments. (Center Point development, Tempe, AZ.)

## 2.7 Parking and Efficient Land Use

*Objective: Design and manage parking areas efficiently to minimize unnecessary surface parking.*

Surface parking lots often cover more ground than the buildings they are intended to serve, particularly in suburban centers and commercial corridors. This unfortunate reality is often a barrier to building compact, pedestrian-friendly places. The large parking fields – that are often a component of “sprawl” – can be reduced through code alternatives, and creative site planning and management of commercial centers. In some mixed-use centers it may be appropriate to limit surface parking, particularly in areas with frequent transit service.

*“A requirement for “excessive” amounts of parking yields only lower land-use densities and larger impervious surface areas. Off-street parking can grow quickly and eat up a tremendous amount of land if it is not looked at critically.”*

*— American Planning Association PAS Report No. 432, Off-street Parking Requirements, edited by David Bergman*



Parking structures use land more efficiently than surface parking because they allow for higher density development. (Gaithersburg, MD; photo courtesy of Charles Bohl.)

## 2.8 Human Scaled Building Design

*Objective: Design buildings to a human scale for aesthetic appeal, pedestrian comfort, and compatibility with other land uses.*



Building articulation, entrances, windows, canopies and pedestrian lighting and signs all contribute to a human scale.



This building with its minimal detailing and windows does not respond to the sidewalk-level or human scale.



Variations or "articulation" of a building façade help in creating human scale, even on the outside of a parking garage as shown above.

Although the world is large, we perceive it piece by piece. In street design, details count. Things look different close up walking at 2 mph than they do from behind a windshield at 30 mph. Everything seen and experienced from the sidewalk—building fronts, signs lighting, open space—should be designed for human interaction at a pedestrian's perspective.

Likewise, the view of main street from the windshield should be designed for 20 mph or less. Features typically found on higher speed highways—buildings and trees set back from the road, tall signs to attract motorists, generic surroundings stripped of detail—aren't compatible with main street.

Parking lots surrounding buildings and highly car-oriented uses like gas stations or drive-ins distort the human scale of the street by making things too far apart. The pedestrian wants interesting things to look at close at hand, such as windows, display cases, sidewalk cafes, and most of all, other people. Without human scale, the pedestrian will feel unwelcome and go elsewhere.

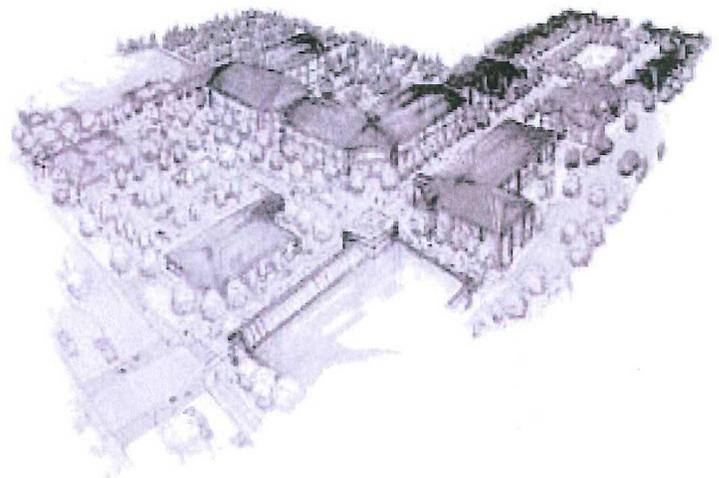
Community acceptance of compact mixed-use development requires that the design reflect the context of its surroundings or create its own distinct look and identity. This does not mean that it needs to copy or mirror the architectural style of the surrounding buildings (unless that is critical to the historic character of an area). The key elements to consider are the continuity of the building sizes, how the street-level and upper-level architectural detailing is treated, roof forms, rhythm of windows and doors, and general relationship of buildings to public spaces such as streets, plazas, other open space, and public parking. Human scaled design is critical to the success of built places for pedestrians, cyclists and motorists alike.

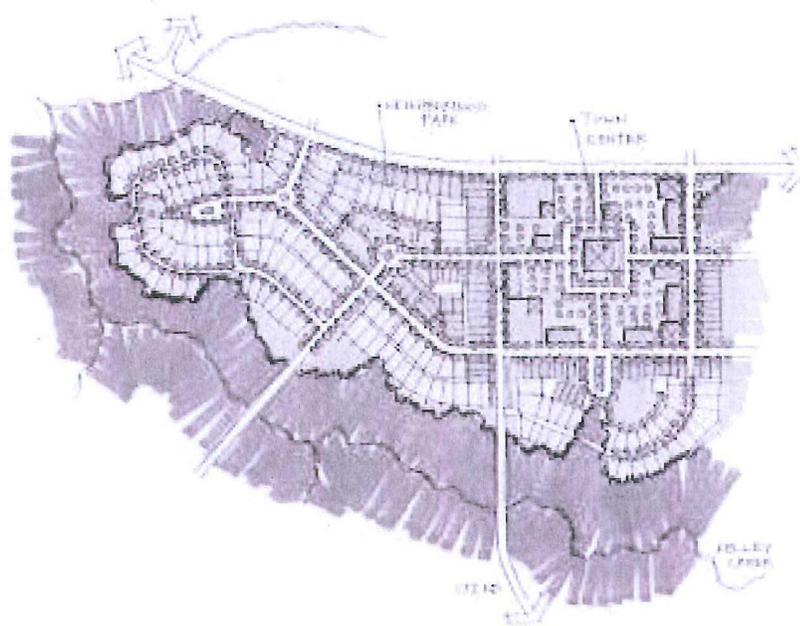
Existing local plans and policies often do not support the objectives presented in Chapter 2. Communities can review their plans, policies, and regulations, and amend them, when necessary, to achieve these objectives. For example, the City of Corvallis Comprehensive Plan contains policies for the following types of commercial and mixed-use centers: Minor Neighborhood Centers, Major Neighborhood Centers, Mixed-Use Residential Centers, Mixed-Use Employment Centers, Downtown, etc. The hierarchy of districts recognizes the different roles each type of center fulfills in the city, and provides useful policy direction for writing new zoning ordinances.

The following are examples of the types of plans and policies that communities can adopt:

### 3.1 Land Use and Transportation Plans

- **Comprehensive Plan Policies** – Comprehensive plans should implement smart development through supportive policy language and plan maps. For example policies should direct commercial development to nodes/centers instead of as continuous strips along corridors. Plans should allow a complimentary mix of land uses in close proximity to one another and direct future development to provide needed street connections. In the past, communities prohibited mixed-used development, and zoned commercial strips along highways without providing transportation connections to neighborhoods. This practice had the unintended effect of separating businesses from their customers and forcing almost everyone to use a car. Local governments and the private sector are reexamining those plans and looking for ways to encourage more transportation-efficient development.
- **Specific Area Plans** – Mixing land uses often means developing commercial uses next to or within residential areas. It can also mean developing housing at relatively high densities. This can be difficult when neighbors' concerns about traffic, parking, noise, building design, and other compatibility issues, outweigh the merits of the proposal. A *specific area plan* can help in addressing neighborhood issues, particularly those related to redevelopment or increased development densities. Specific area plans





Specific area plans typically provide written and illustrated standards for land use, transportation, and building design.

provide a policy framework for land use, transportation, and public improvements, and may include design guidelines, overlay zones, and public amenity requirements. They are developed through a public planning process that involves property owners, neighbors, and the local government.

- **Local Street and Sidewalk Plans** – Adopted transportation plan maps (e.g. future street and/or sidewalk locations and connections, local street plans, and sidewalk plans) can help to ensure that vital transportation connections are made as land develops. For an example of a local sidewalk plan, see the City of Salem’s Sidewalk Construction and Management Plan. (Contact: City of Salem Public Works Department, (503)588-6221.)
- **Capital Facilities Plans and Capital Improvement Programs (CFPs and CIPs)** – CFPs and CIPs prioritize, and direct or guide, the timing and location of needed infrastructure. They can encourage infill and redevelopment, for example, by placing a higher priority on projects that retrofit existing commercial areas with utilities, street connections, streetscape improvements, transit stops, and other public improvements.
- **Transportation System Plans (TSPs)** – An adopted TSP for an urban area that complies with the state Transportation Planning Rule (OAR 660-012) generally includes the following, depending on the local population: a road plan and standards for the layout of streets and their connections, transit stops, a bicycle and pedestrian plan for a network of routes within the right-of-way and through private sites, a parking plan, identification of needed transportation facilities and improvements, measures to encourage reduced

reliance on the automobile, and measures to minimize conflicts and facilitate connections between walking, bicycling, driving, and transit modes.

TSPs for larger cities also:

- (1) increase residential densities near regional shopping areas,
- (2) increase densities in new commercial office and retail developments that are in designated centers, and
- (3) zone neighborhood shopping centers within convenient walking and cycling distance of residential areas.

## 3.2 Development Incentives

*Financial Incentives* – Commercial and mixed-use projects, like most developments, are fundamentally driven by the profit potential of the deal. If the potential exists for an adequate return on investment within the developer's timeframe, then the project can move forward through the permit process, including obtaining land use approvals.

Many Oregon cities use urban renewal districts to finance mixed-use developments in town cores and other commercial areas. Incentives used by Portland, Oregon and Seattle, Washington include:

- Tax increment financing that provides funds for land acquisition and project development in targeted areas
- Tax abatements for the housing portion of a mixed-use project
- Permit fee reduction in targeted areas
- System development fee reduction or waiver in targeted areas.

A more recent incentives program adopted by the City of Austin, Texas uses a combination of financial and regulatory incentives. The *Smart Growth Matrix* system used by Austin allows the city to reduce or waive development fees for projects that are located in a designated center and meet specified land use and design criteria. For information on how to access the matrix, please see the Appendix.

The above programs clearly require a strong political endorsement of the City's role in developing or revitalizing certain areas of the city. The contribution of one or more of these programs may help to entice a developer to build mixed-use projects.

*Regulatory Incentives* – Sometimes the greatest barrier to mixed-use is the existing zoning designation. Portland uses a regulatory system for rezoning that is quite effective for those properties that have a Comprehensive Plan designation that is mixed-use in nature, but an interim zoning of, say, residential. If an applicant wishes to propose a mixed-use project, the rezone portion of the process is a review that is limited to demonstrating adequate services and infrastructure. This system removes the question of whether the use is

Introduction
Objectives
<b>Plans and Policies</b>
Best Practices
Zone Districts
Zone Districts Key Issues
Model Ordinance

*“Any major development happens only through the combined efforts of many parties; developers, the community and public agencies. For example, the City of Seattle has developed tools, incentives and has allowed creative trade-offs for development. Implemented properly, such policies can benefit both owners and the public, and help create successful mixed-use development.”*

— *Daily Journal of Commerce*  
August 10, 2000

appropriate, and focuses solely on impacts. Such a system could potentially be applied in other cities that have designated mixed-use areas.

Other regulatory incentives include:

- Administrative review (as an option) for projects that meet the code’s list of clear and objective standards for mixed-use and pedestrian orientation.
- Providing density and building height or floor area bonuses when a specified mix of uses is proposed and a high level of pedestrian orientation is provided.
- Allowing mixed-use master plans to set the development framework, followed by administrative review of specified phases of the master plan.
- Allowing “adjustments” to code standards (instead of variances) in the context of a discretionary review.
- Allowing automatic adjustment of up to a specified percentage of certain (limited) standards for mixed-use projects (e.g., building height, lot coverage, etc.).

There is not one package of incentives that will be always be appropriate. In participating in a public dialog about incentives, local planners can suggest options based upon the local market, and how developers are likely to respond.

### 3.3 Regulatory Changes

- *Changes to Zoning and Other Development Regulations* – This Handbook provides recommendations for updating local zoning regulations. Revisions to other design and development standards are in the Model Development Code and User’s Guide for Small Cities, published by the Oregon Transportation and Growth Management Program. The TGM Model Code is available at <http://www.lcd.state.or.us/issues/tgm>.
- *Rehabilitation Building Codes* – Rehabilitation building codes are a relatively new tool that some states and local governments are using to make it easier to reuse older buildings. Maryland and New Jersey have adopted statewide rehabilitation codes. After New Jersey adopted its code in 1997, investment in rehabilitation work rose statewide by nearly 8 percent. Rehabilitation investment increased most significantly in three older communities:
  - Newark: 60 percent increase (from \$68 to nearly \$109 million);
  - Jersey City: 83 percent increase (from \$49 to almost \$90 million); and
  - Trenton: 40 percent increase (from \$21 to \$30 million).

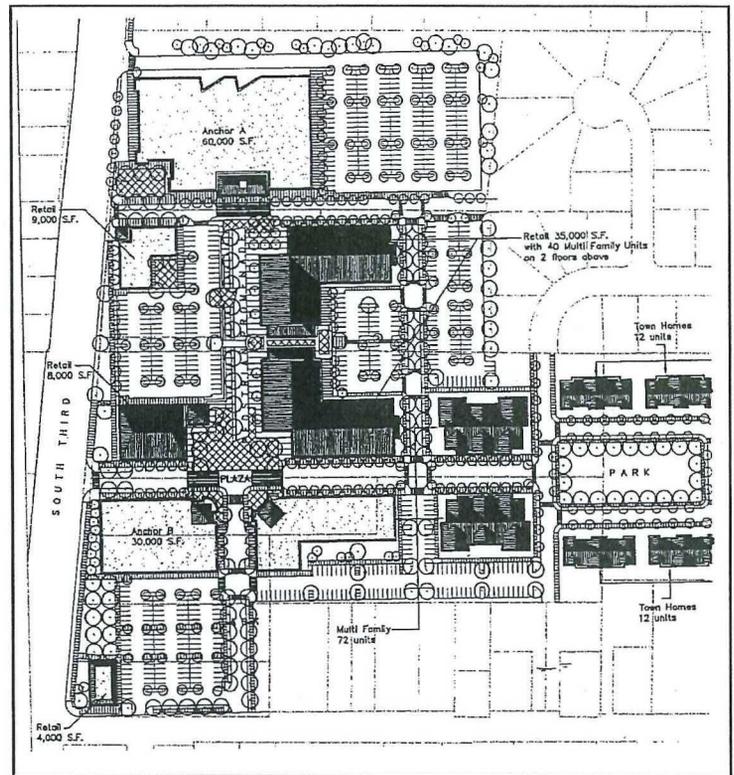
Oregon presently does not have such a program. To find out more about the Maryland and New Jersey programs, please see the state web sites: <http://www.state.nj.us/dca/codes/rehab> and <http://www.dhcd.state.md.us/smartcodes/>.

Before writing new zoning regulations, communities should review or “audit” their regulations and define the specific problems that need to be solved. The following outlines some of the universal problems with local ordinances and appropriate responses to them. The following “best practices” have universal applicability:

### 4.1 Compact Development

*Problem: Plans and regulations developed for greenfield development can discourage infill and redevelopment.*

- *Best Practice: Reexamine land use plans and policies for commercial development and provide incentives for infill and redevelopment within designated areas. Urban renewal districts, infill ordinances, and overlay zones can encourage development in designated areas by providing incentives, such as fee waivers or reductions, development streamlining, and density bonuses, for development in designated areas. This can be translated into reduced road system development charges for mixed-use developments in core areas, when the development is likely to result in fewer vehicle miles traveled as compared to single-use developments. Locations with high employment densities, high-density housing, and frequent transit service are most likely to result in a reduction.*



Infill mixed-use development planned as part of the South Corvallis Town Center in Corvallis, Oregon.

For example, the City of Austin, Texas, has designated “desired development areas”, within which the City evaluates projects using a “Smart Growth Matrix”. The Matrix is a point system that the City Council uses to measure how well a development project meets the City’s Smart Growth goals. The evaluation criteria include: 1) the location of development; 2) proximity to mass transit; 3) urban design characteristics; 4) compliance with nearby neighborhood plans; 5) increases in tax base, and other policy priorities. If a development project, as measured by the matrix, significantly advances the City’s goals, financial incentives may be available to help offset the cost of developing in existing urban areas. These

Introduction
Objectives
Plans and Policies
<b>Best Practices</b>
Zone Districts
Zone Districts Key Issues
Model Ordinance

*“The best opportunity for suburban investments appears to lie in urbanizing suburban commercial nodes—which we characterize as subcities. Evolving 24-hour markets in their own right, subcities typically lie in the midst of the country’s major suburban agglomerations or nestle close to the big 24-hour cities. They feature smaller-scale, multifaceted core environments— attractive neighborhoods, office centers, excellent shopping, parks and entertainment amenities, and in some cases, alternative transportation to the car.”*

*— Emerging Trends in Real Estate 2001, Price Water House Cooper’s and Lend Lease*

incentives may include waiver of development fees, and public investment in new or improved infrastructure such as water and sewer lines, streets or streetscape improvements, or similar facilities. Incentives available under the Smart Growth Matrix require City Council review and approval.

**Problem:** *The transition to compact development takes time. How do we facilitate the transition to higher development densities, which may take many years?*

- **Best Practice:** *Require shadow plans to plan “future” development. Shadow plans illustrate future development potential on a site when a proposed development leaves room for additional building space. For example, if the zoning ordinance allows a floor area ratio (FAR) of up to 2:1, but the applicant proposes a FAR of 0.25:1 (e.g., a 2,500 square foot building on a 10,000 square foot lot), the shadow plan would show how building space can be added in the future. The shadow plan provides a nonbinding, conceptual plan for buildings, parking, circulation, landscaping, and other features.*

## 4.2 Mixed Land Use

**Problem:** *Inflexible, one-size-fits-all standards discourage mixed-use development.*

- **Best Practice:** *Provide flexible, performance-based zoning standards and allow mixed-use development when possible. Make sure the zoning ordinance allows residential uses integrated with commercial, employment, and civic uses in appropriate locations (e.g. downtown, main street, neighborhood center and other core areas). Look for opportunities to provide flexibility in building*

*height, housing density, floor area, lot coverage, yard setback, landscaping, and other zoning provisions for mixed-use developments. For example, where mixed-use development is permitted, codes should allow residential uses above or behind permitted commercial or civic uses, and the combination of compatible commercial uses (retail, office, services, entertainment, etc.). Consideration should also be given to allowing small-scale commercial uses in residential neighborhoods to allow people to walk down the street for a gallon of milk rather than get in their*



Mixed-use development with ground floor retail and second story offices and housing. Residences are accessed from side courtyards and their parking is in the rear. car.

Lowering barriers to mixed-use is only part of the solution. Another part is putting the necessary controls in place. Areas may need to be designated for mixed-use in the jurisdiction's comprehensive plan to facilitate rezoning the land, and the zoning ordinance may need to provide different restrictions for mixed-use. Typically, ordinances limit the types of uses that can be mixed, provide design standards, and, depending on location, limit or boost allowable density.

### 4.3 Pedestrian Access, Safety, and Comfort

*Problem: Access to retail services and office complexes is often difficult or impossible without a car. How do we accommodate vehicles and ensure pedestrian-friendly development?*

- **Best Practice:** Adopt appropriate standards for pedestrian access, safety, and comfort. Communities can use land use regulations to provide for a peaceful coexistence of automobiles and pedestrians. First, identify any areas where automobile-dependent uses – i.e., drive-up facilities; automobile sales lots; warehousing and distribution; storage, servicing or repair of heavy equipment; gas service stations, etc. – should not be permitted. These uses may be inappropriate in the “core” areas of a downtown or main street, where there is the greatest concentration of pedestrians. Storefront character convenient for pedestrians is more important there than automobile convenience.

Next, consider designating areas outside the core where automobile-dependent uses can be permitted. For example, a “transition” zone between the downtown and an adjacent industrial area can help protect both districts, while providing needed services nearby. In some cases, it may be appropriate to combine highway commercial and light industrial zones and provide appropriate design and development standards to control strip-commercial development.

*Problem: Automobile-dependent land uses, such as car sales lots, gas stations, and drive-up restaurants need to go someplace. How can they be designed to reduce conflicts with pedestrians?*

- **Best Practice:** Require design compatibility between automobile-dependent uses and pedestrians in all commercial areas. The level of pedestrian accessibility



Main streets typically have attractive storefronts and good pedestrian access.

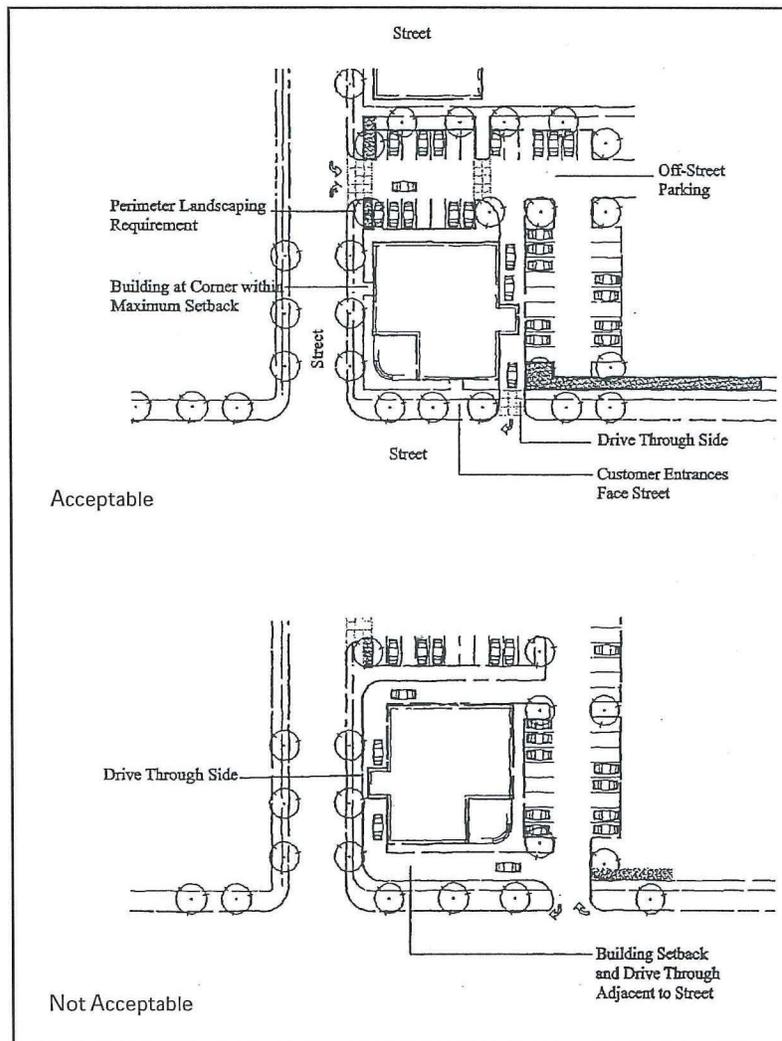


Drive-up or drive-through uses pose extra challenges for pedestrian access, safety, and comfort.

Introduction
Objectives
Plans and Policies
<b>Best Practices</b>
Zone Districts
Zone Districts Key Issues
Model Ordinance

will vary depending on the zone or land use pattern, so site and building design standards for different zones may vary. Downtowns, main streets, and neighborhood centers should be designed to be highly pedestrian-friendly; walkers and wheelchair users often have precedence over cars in these core areas. Automobile-oriented areas (corridors, large community commercial centers) may not have the same high percentage of pedestrian trips to the site, but need to accommodate walking on the site and to adjacent uses. In either situation, it is necessary to have a safe network of sidewalks and walkways.

Where automobile-dependent uses are permitted, zoning, subdivision and engineering standards can help to reduce conflicts between pedestrians and vehicles. For example, drive-up windows should not be allowed between the street and a building entrance. Vehicle access should be taken from an alley or interior driveway where possible, and conflicts between vehicles and pedestrians should be minimized. Local codes should address the number,

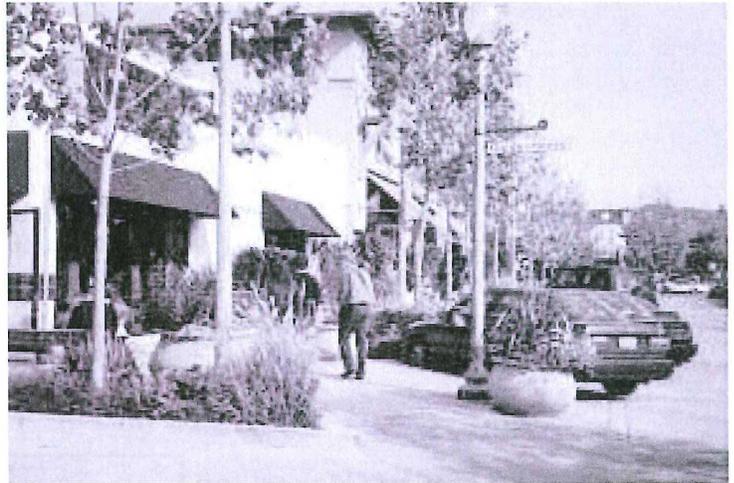


Site layout for drive through uses should place parking and driveways away from pedestrian areas.

location, and width of new curb cuts and driveways, and ensure adequate buffering between vehicles and pedestrians.

For example, site plans and building designs should include:

- 1) sidewalks with a street furnishing zone (e.g., street tree well cutouts, and space for outdoor seating, bus waiting areas, trash cans, newspaper vending machines, mail boxes, sidewalk displays, etc.) on both sides of every street whether public or private;
- 2) building entrances oriented to streets; corner buildings should have corner entrances where appropriate;
- 3) parking and vehicle drives located away from building entrances, and not between building entrances and streets with pedestrian activity;
- 4) surface parking oriented behind or to the side of a building, with access from shared driveways or alleys when possible, and not on street corners;
- 5) landscape buffering between parking lots and adjacent sidewalks; and
- 6) pedestrian walkways through sites, connecting entrances, buildings, and the public sidewalk, with safe crossings of streets, drives, and parking areas.



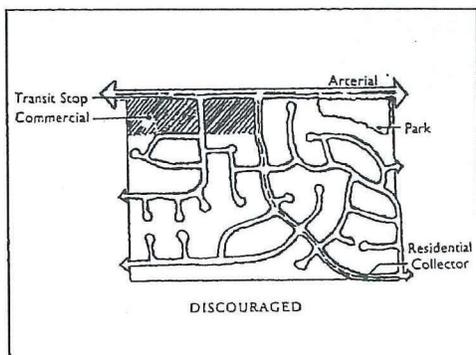
Pedestrian-friendly design integrates both the public right-of-way and private side of the streetscape.



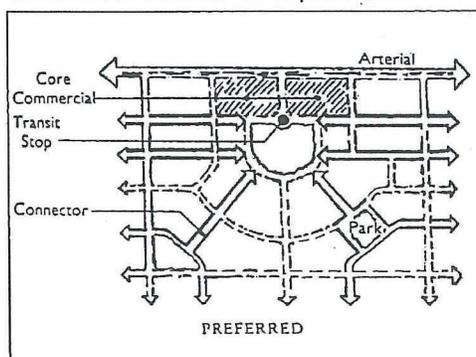
Large parking areas between the building and the street create a hostile environment for pedestrians.

For a complete set of pedestrian design guidelines, please refer to the Model Ordinance for Commercial and Mixed-Use Zones in Chapter 7.

## 4.4 Street Connections



Conventional suburban street pattern.



Preferred interconnected street pattern.  
 (Source: "Creating Livable Streets," Metro.)

*Problem: It is difficult to walk or drive directly from residences to the new neighborhood shopping center, even though the shopping center is less than one-half mile away.*

- *Best Practice: Require the formation of blocks, with a minimum street spacing standard. Local governments can plan ahead by stipulating maximum block lengths and perimeters in their codes, and designating vital public street connections that must be made as the land develops. The development of secondary or parallel streets along highways can also help in meeting community-wide transportation needs. Where public street connections are not practicable, local codes should require the development of bicycle and pedestrian connections and internal private shopping streets that mimic public streets and meet the block standard.*

*Problem: Drivers and pedestrians must use a major street to go from one business to the one next door.*

- *Best Practice: Require cross access for adjacent sites. A service drive and walkway connecting two or more adjacent sites reduces out-of-direction travel, relieves traffic congestion on the public street, reduces traffic conflicts caused by turning movements, and allows people to walk from use to use once they arrive at the commercial center.*

*Problem: We have a lot of traffic accidents on our commercial streets, most of which are at intersections with private driveways.*

- *Best Practice: Audit your land use and transportation plans and development regulations to see how each can better support the other. For example, access management and traffic calming (e.g., driveway consolidation, relocation, closure; medians, intersection bulb-outs, shared driveways, etc.) may help to improve the function and safety of commercial streets. Land uses along State highways should be reviewed consistent with the Oregon Highway Plan and implementing rules.*



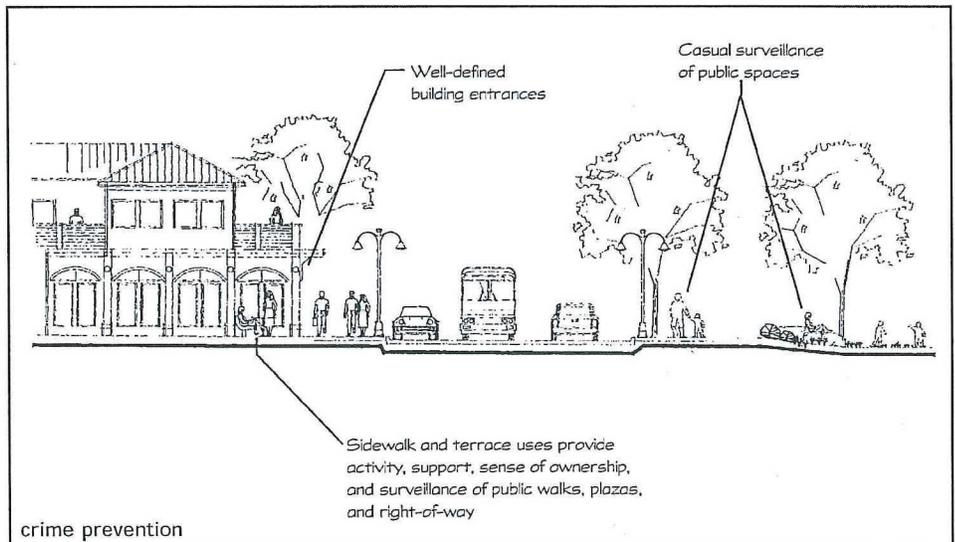
Boulevard vs. commercial strip: Both handle through traffic; only one is comfortable and inviting to pedestrians.

## 4.5 Crime Prevention and Security

*Problem: Building managers have reported increased theft in parking lots and neighbors are concerned that development will bring more crime problems.*

- *Best Practice: Adopt site and building design guidelines or standards that promote safety and security.* Chapter 2.5 describes the following crime prevention design elements:
  - Territoriality
  - Natural Surveillance
  - Access Control
  - Activity Support
  - Maintenance

For an ordinance example, please refer to City of Tempe, Arizona’s “Crime Prevention Through Environmental Design (CPTED) Ordinance.” Tempe’s CPTED program is regarded as a national model. To view the ordinance, go to the Tempe’s web site at <http://www.tempe.gov/tdsi/Planning/CPTED/>. A basic set of model design guidelines is also provided in Chapter 7.



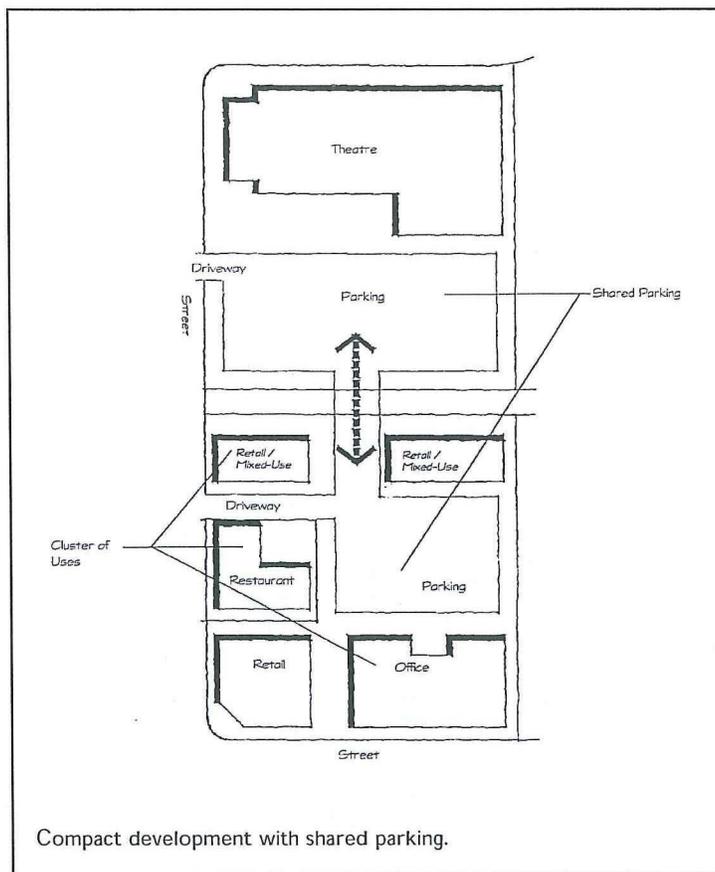
Introduction
Objectives
Plans and Policies
<b>Best Practices</b>
Zone Districts
Zone Districts Key Issues
Model Ordinance

## 4.6 Parking and Efficient Land Use

*Problem: Surface parking lots take up too much space, separate uses, and discourage walking in our commercial districts. Our ordinances do nothing to encourage a more efficient use of land.*

*Best Practice: Consider using the following regulatory and parking management tools to minimize the amount of land used for surface parking:*

- *Inventory parking.* First, take stock of existing parking spaces. As cities grow, they find that parking spaces need to be managed to ensure that available spaces are used efficiently and overflow parking does not impact neighbors. For example, upon conducting an inventory of downtown parking use, one community found that most of the on-street parking in front of businesses was being used by employees of those businesses. By encouraging employees to park behind the buildings in a shared parking lot or a few blocks away the businesses were able to open up prime (visible) parking in front of their stores for customers.



- *Parking management plans.* A parking management plan can address supply and demand, as well as pricing, wayfinding (signage), intermodal connections, maintenance, and capital improvements for public parking.

- *Share parking.* “Shared parking” means that multiple uses share one or more parking facilities. For shared parking to work, parking demands for different uses have to “peak” during different times of the day. For example, if a theater typically has peak parking demand during evening hours, the owner may be able to lease parking spaces to other uses during daytime hours. Shared parking can be allowed regardless of whether the zoning ordinance requires any off-street parking, or whether public parking is available.<sup>2</sup>

- *Add on-street parking when possible.* On-street parking slows traffic, creates better pedestrian environments by buffering sidewalks from moving vehicles, increases the viability of retail shops and services, and reduces the amount of

<sup>2</sup> For more information on shared parking, please see “Shared Parking in the Portland Metropolitan Area: Model Shared Parking Ordinance; Model Shared Use Agreement for Parking Facilities,” Metro (1997).

land used for off-street parking lots, thus decreasing impervious surfaces. Typical barriers to on-street parking are street standards that prohibit backing movements onto major streets. These standards should be reviewed and revised, as appropriate, in the context of encouraging economic vitality, traffic calming, pedestrian accessibility (e.g., buildings oriented to streets), and human-scale design.

- *Reduce or waive minimum off-street parking standards.* Many cities find it necessary to reduce parking ratios and waive parking standards altogether for downtown development. In all commercial districts, parking minimums should ensure adequate parking without requiring excessive parking. Depending on location, population density, and availability of transit service, some retailers can live with less than three parking spaces per thousand square feet of leasable space. More commonly, a minimum of four spaces per thousand square feet of retail space is used.
- *Allow applicant to request a reduction in parking standards based on a parking impact study.* The impact study allows the applicant to propose a reduced parking standard based on estimated peak demand, reductions for likely transit and car pool riders, and adjacent on-street parking. The parking study is subject to review and approval or modification by the reviewing body.
- *Establish a maximum parking ratio.* Where public parking and frequent transit service are provided, local governments should consider putting a lid on how much parking can be developed on a property. Similar to minimum parking ratios, the maximum ratios are based on land use type. Exemptions to the standard can be provided for parking structures, shared parking, valet parking spaces, market-rate parking, or similarly managed parking facilities. Please refer to Metro's minimum and maximum parking standards contained in Appendix C.
- *Use parking districts (in-lieu fee for off-street parking).* Local ordinances can authorize payment of in-lieu fees to help support downtown parking programs and construction of new public parking facilities. The City of Corvallis uses a parking district for their downtown core.
- *Encourage structured parking.* The best place to provide parking in high-density core areas, from an urban design and functional standpoint, is in underground or multistory parking garages. However, these facilities are



Parking structures should provide ground floor commercial store fronts. (Gaithersburg, MD)

Introduction
Objectives
Plans and Policies
<b>Best Practices</b>
Zone Districts
Zone Districts Key Issues
Model Ordinance

expensive and may not be financially feasible in some communities. When structured parking is not economically feasible, communities can look at other alternatives such as shared parking.

- *Allow valet parking.* Valet parking may be feasible for some hotels, restaurants and meeting/event facilities. Valet parking allows stacking of smaller parking spaces with less space devoted to drive aisles.
- *Free parking zones for shoppers,* with a maximum time limit and merchant validation.
- *Public parking lots/structures,* with good signage to make it easy to find. Providing ground-floor commercial as part of a public-private partnership can help ensure a positive return on the public's investment in parking.

## 4.7 Creating and Protecting Public Spaces

*Problem: Some new commercial developments have missed opportunities to create usable outdoor space for their employees and customers, or have physically turned their backs to the public streetscape with big blank walls.*

*Best Practice: Require developments to integrate usable public space whenever possible, and require that they recognize and respond appropriately to existing or planned public spaces on or near the site (e.g., parks, civic buildings and spaces, transit stops, sidewalks, plazas, and similar spaces). Public spaces should be clearly recognizable as "public" (e.g., a plaza within view of a street or other public space), publicly accessible (i.e., a pedestrian can get there), and can be occupied by a person (i.e., a person can stand there). These spaces can be as simple as an expanded sidewalk for outdoor dining, to a large plaza with public art and entertainment. They can be created voluntarily by the developer, or can be a condition of approval when findings of proportionality to the project's impact can be made per *Dolan v. City of Tigard* (US S Ct 1994).*

## 4.8 Human Scaled Building Design

*Problem: Our commercial corridors have large buildings set back from the street behind parking lots, and entrances with towering pole signs that are not comfortable for pedestrians. How do we create a "human scale" in these commercial areas?*

*Best Practice: The same design principles that apply to main streets and downtowns, with some adaptation, can apply to other commercial areas. For example the "height-to-width" ratio referred to by architects and urban designers is a useful*

concept. The most human scale is achieved when the building height-to-street width ratio is between 1:2 and 1:3. Typically, width is measured horizontally between opposing building fronts. Height is measured from the sidewalk to the building eaves.

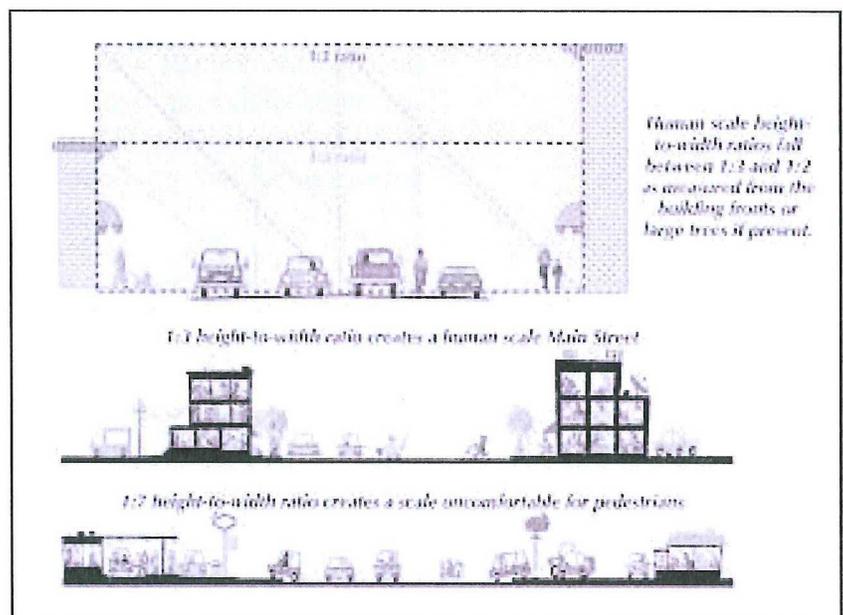
For example, a typical main street (60-80 feet wide) would have buildings about 35 feet tall (2 to 3 stories) which are next to the sidewalks. It is no coincidence that the width-to-height ratio of the space inside many malls has the same proportions: the pedestrian streets are about 35 feet wide and the shop fronts (floor to ceiling) are about 15 feet high. It should be noted, however, that this principle does not apply to signs. Downtowns and main streets should have signs that are within the field of vision for pedestrians – i.e., typically window or awning height.

For shopping centers with private, internal driveways, the width/height ratio can be measured between opposite building fronts (pads) along an internal street, or between one building front and street trees on the opposite side of the street. The internal drive or “shopping street” should have sidewalks and amenities similar to a public street (e.g., seating, trees, lighting, etc.).

Ordinances can help support human-scale design by requiring building entrances placed close to the street, ground floor windows, articulated façades, appropriately scaled signs and lighting, and awnings and other weather protection. For example, in downtowns, main streets, neighborhood centers, and other strategic locations (e.g., at transit stops), it is often appropriate to require a maximum front building setback, or a “build-to” line, for a minimum percentage of the building front.



Human-scale can be created with low-rise buildings along minor streets, or multi-story buildings along major streets.



(Source: Main Street Handbook).



buildings



trees



utilities

The photos above illustrate how buildings, trees, and utilities can contribute to or detract from the streetscape.

*Problem: How do we avoid big boxes with blank walls or rows of loading bays? How do we get building designs that respond to the design character of our community?*

- *Best Practice: Use design guidelines and standards that provide options and incentives for quality design. While it may not be possible to legislate good design, communities can adopt design guidelines or standards to help steer developments in the right direction. Design criteria should clearly specify “intent” and provide examples of acceptable solutions, while leaving flexibility for design. The transition to compact, pedestrian-friendly design will occur over time, and this will require a flexible approach to design control. This is particularly important in core areas whose appeal is often tied to a particular aesthetic or historical context. It is possible to apply site design and architecture standards without creating something that appears contrived, or that stifles development altogether. Even large regional and national retail businesses have shown they can adapt when communities demand locally sensitive architecture. The model ordinance in Chapter 7 provides an example of discretionary design review standards.*



# A Blueprint Integration Tool

## Mixed Use Zoning Compatibility Standards City of Hughson



This document is a “white paper” addressing the implementation of Mixed Use Zoning Compatibility Standards for the City of Hughson, California, as part of the San Joaquin Valley Blueprint Integration Project (BPI). The BPI is a Valley-wide program funded through a State Proposition 84 grant from the Strategic Growth Council administered by the CA Department of Conservation to support 46 smaller Valley cities (populations under 50,000) in integrating Blueprint Smart Growth Principles into General Plans and planning policies. The Fresno Council of Governments (FCOG), managing the San Joaquin Valley Blueprint on behalf of the eight Valley Regional Planning Agencies, has contracted with local circuit planners to work with individual cities to identify strategies to integrate Blueprint Principles into local planning practices and assist with strategies for implementation. Working specifically with City of Hughson, a report on the implementation of Mixed Use Zoning Compatibility Standards has been selected as the BPI task to be developed for the City.

**San Joaquin Valley  
Program**



**Blueprint Integration**

## Mixed Use Zoning Compatibility Standards for the City of Hughson



Prepared under the Auspices of the  
San Joaquin Valley Blueprint Integration Project

*Prepared by*

URS Corporation  
Robert L. Borchard  
Municipal Planning Services

February 2013

# City of Hughson Mixed Use Zoning Compatibility Standard

## TABLE OF CONTENTS

	<b>Page No.</b>
Executive Summary.....	4
Recommendation / Analysis.....	4
Purpose/Goal .....	4
Action Process (Next Steps) .....	5
Background.....	5
Overview.....	5
Applicability.....	7
Relevance to Blueprint Principles.....	8
Issues/Challenges.....	8
Fiscal Impact.....	9
Cost of Process or Program.....	9
Cost of Implementation.....	9
Resources.....	10
General “Advanced Planning” resources Available to Small.....	11
Grants and Other Funding Sources.....	12
Community Organization & Support.....	18
Environmental (CEQA/NEPA) .....	18
Future Process requirements.....	18
Suggested/Possible CEQA/NEPA Findings.....	19
<b>Attachment</b>	
<b>Attachment 1.</b> Suggested Hughson Zoning Code Addition- General Mixed Use Compatibility Standards.....	20
<b>Attachment 2.</b> Suggested Hughson Zoning Code Addition/Modification- Administrative Permits.....	32
<b>Attachment 3.</b> Suggested Hughson Zoning Code Addition- Standards of Review.....	35
<b>Attachment 4.</b> Suggested Hughson Zoning Code Addition- Zoning Use Classifications..	38
<b>Attachment 5.</b> Suggested Hughson Zoning Code Addition-Performance Standards.....	49
<b>Attachment 6.</b> Chapter 17.02 of City of Hughson Municipal Code; Zoning Districts.....	54

---

## City of Hughson Mixed Use Zoning Compatibility Standard

---

# Valley Blueprint Integration Program City of Hughson Mixed Use Zoning Compatibility Standards Assistance

---

### **EXECUTIVE SUMMARY:**

---

The City of Hughson has requested that the Valley Blueprint Integration Team provide the City with some documentation on Mixed Use Compatibility Standards. The City has recently updated its General Plan and, within the new Plan, certain areas of the City have been designated as appropriate for Mixed Use type of development.

The City of Hughson is a unique small community located in the eastern side of Stanislaus County surrounded by rich agricultural soils and highly productive farms. The following document provides background information on the implementation of a Mixed Use Development program in the City of Hughson. Included, as attachments, is a draft Code Amendment to the Hughson Municipal Code (Title 17, Chapter 3, new section 17.03.42) that establishes the Hughson Mixed Use Development permit authority. Additional attachments include draft administrative/permit procedures and zoning code provisions related to implementation Mixed Use Zoning.

---

### **RECOMMENDATION / ANALYSIS:**

---

#### **Purpose/Goal**

##### ***Mixed Use Zoning***

One of the key policies, in implementation of the twelve Blueprint Principles, within the Central San Joaquin Valley is the reduction of motorized vehicle “trip” demand. One of the most effective means of reducing vehicle trips is the implementation of Mixed Use Zoning policies and development of standards to allow Mixed Use development to occur at appropriate locations.

Mixed Use Zoning has been found to be an effective way to revitalize historic “down-town” areas by increasing residential populations within the “service area” of a down-town commercial district. In some small rural communities in the Central Valley, mixed-use is the result of unregulated development that has occurred over time and has resulted in the creation of areas that “appears” undesirable as either a residential, commercial or industrial investment. These areas, of “haphazard” development are often considered “blighted”, as defined by old California Redevelopment laws.

Technological advances in some traditional “manufacturing” industries, the transition from manufacturing to information “processing” and other modern innovations have made traditional separations between industrial, commercial and residential uses obsolete. There is a growing need to apply “standards of compatibility” to existing or new/proposed mixed use developments. Developments that incorporate “live-work” designs, second-story downtown residential and similar mixed-use areas benefit from established compatibility standards that give occupants of

## City of Hughson Mixed Use Zoning Compatibility Standard

these mixed uses spaces some reasonable expectation as to how they will “fit-in” with their neighbor.

### Action Process (Next Steps)

Should a City of Hughson decide that it wishes to implement provisions that establish “Mixed Use Compatibility Zoning Standards” in their Zoning Code, it is suggested that a workshop (public) be held with the Planning Commission, or other appropriate “lead” body within a local government agency. The workshop should provide background and overview of the “Mixed Use” development concept and identify community priorities and special needs with respect to the types of uses that can be “mixed”. Based on the results of this workshop, staff would prepare a “draft” final code provision, from the suggested Code Language in *Attachment 1*, and begin the public review/adoption process. This document is proposed to provide guidance in the documents preparation and content. It is also suggested that the “Use Classification” system, contained in *Attachment 4 “Zoning Use Classifications”* be used as part of this public process and ultimately be integrated into the City’s Zoning Code.

### BACKGROUND:

#### Overview

A key goal of zoning codes is to limit conflicting and incompatible uses. Traditional *Euclidean zoning* does this by regulating land use and bulk. Mixed Use Zoning in combination with zoning *Performance Standards*, however, regulates the *effects* or impact of land uses through performance standards but allows different land use activities to be conducted in close proximity with each other.

Historically, the legal authority of Zoning is rooted in the Supreme Court ruling, in 1926, on a zoning code case, *Village of Euclid v. Ambler Realty*. The issue revolved around the concept of a local government using its “police power” to regulate land use (Use, Height and Bulk Standards).

Early in the Industrial Revolution, the encroachment of obnoxious/hazardous manufacturing/fabrication facilities into workforce residential areas was the source of major public health and safety concerns. While the strict separation of some use classifications is still a concern in some instances, traditional “Euclidean” Zoning approaches are not necessarily appropriate within modern communities with more advanced technological manufacturing/ fabrication techniques. In the case of commercial/service use classifications, separation of customers from the business enterprise is seen as creating unnecessary vehicle trips and contributing to the overall pollution of our urban centers.

Modern zoning codes are “drifting” towards allowing different classes of uses to occur in traditional *Euclidean* zoning district descriptions. The Mixed Use designation has become more common in urban zoning codes. As a result, a need has evolved for a better system of defining “uses” and establishing clear standards (*Performance Standards*) to assure that “*use conflicts*” are avoided or minimized.

## City of Hughson Mixed Use Zoning Compatibility Standard

---

The implementation of Mixed Use zoning provisions, in local municipal zoning codes, is often driven by need for local governments to directly address the seemingly endless need for new and expanded vehicular roadway systems. At the same time, there has been an increased citizen demands for government accountability in the maintenance of the “quality of life” within an urban area.

Mixed Use Zoning is becoming increasingly important to small cities as an effective planning practice to reduce vehicle trips and reduce adverse air quality impacts of growth and development. The proper implementation of Mixed Use zoning, however, is critical to the maintenance of the City’s “quality of life” and to assure that the administrative (code enforcement) costs of the Mixed Use development does not exceed normal separated use (*Euclidean zoning*) standards.

The implementation of Zoning Mixed Use Compatibility Standards provides consistency of permit review and simplifies code enforcement in various settings and limits a cities exposure to litigation that results from the inconsistent review practices that might be employed by small cities with limited Planning Staff resources.

Traditional separations between industrial, commercial and residential uses have become obsolete, in many modern use applications and environmental settings. Due to the nature of some land use activities that have “evolved” in recent years, as a result of changing technology and processes, many uses/activities can be “accommodated” in close proximity. This, in turn, creates potential for non-vehicular commuting and a reduction of motorized vehicular travel.

With an increased emphasis on Mixed-Use development, there is a renewed interest, among urban planners, to use “performance” standards with respect to specific “nuisance” types of operation/appearance factors (i.e. noise, odor, traffic, smoke, light & glare, etc.). “Performance” becomes particularly critical as measures of “compatibility” between various uses rather than the use classification in and of itself. Mixed use and “performance” approaches to land use regulation strengthens the “Jobs-housing” balance of a city; particularly smaller cities that have experienced high levels of growth in recent years.

The development and implementation of zoning Mixed Use Compatibility standards can be codified and provide a legally consistent set of review items that must be addressed in any administrative or discretionary permit review situation or code enforcement action. These provisions can be focused to reflect a city's primary focus or concern area and to limit some types non-applicable staff report and public discussions of a project’s merits.

The development and implementation of mixed use standards can be codified and provide a legally consistent set of review items that must be addressed in any discretionary or administrative permit review situation or code enforcement action. These provisions can be narrowed to reflect the City of Hughson's primary focus or areas of concern with respect the implementation of Mixed Use Zoning.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

### **Type of Product/Document**

Mixed Use Compatibility Standards would typically apply to Municipal Code Sections dealing with Zoning use and use permit application review process. These provisions also have utility with respect to various code enforcement processes. These Mixed Use Standards to general municipal code enforcement, nuisance and appeals procedures.

Several types of documents could be prepared under this topic, including the following:

- A general description of this tool will would describe the overall issue and application of Mixed Use Compatibility Standards with particular application to Small Central Valley Communities and their unique mix of uses.
- Zoning code provisions that include Mixed Use Compatibility Standards for various types of uses that list the municipal criteria by which a project is deemed in compliance with local policies and guidance. This would extend to the “permitted” Home-Occupation uses identified in traditional “R” or Residential neighborhoods.
- General municipal code provisions that define local issues, standards and thresholds of concern (density/intensity of use, use/building separation, landscaping, public/private space, set-backs, parking, building height/design, signage, etc) as well as nuisance/use performance standards.

The recommendation for the City of Hughson’s Mixed Use Compatibility Standards establishes the framework for Mixed Use project review. These Standards, however, require precise zoning code language with respect to “Use” descriptions (as opposed to definitions) and the need to establish clear “Performance Standards” that establishes limits to such “nuisance” concerns as air, noise, light, vibration, etc.

### **Applicability**

The Mixed Use Compatibility Standards is a technique of land use regulation that permits a variety of use activities to co-exist within close proximity of each other; often on the same lot or within the same building. This approach to use regulation is promoted in larger urban areas to promote jobs-housing balance and to stimulate economic growth in a neighborhood while reducing travel demands on local roadways or transportation systems. This Zoning approach can be linked to an extensive list of types of developments/uses and groupings that are often available in modern zoning codes. Another aspect of this process is the natural linkage of established Performance Standards to the development/zoning permit review and code enforcement processes.

At the same time, objective compatibility standards of Mixed Use developments limits legal challenges to the traditional Zoning “use” standards and simplifies enforcement of “nuisance” generating activities in a municipalities Code Enforcement Division.

Additionally, Mixed Use Compatibility Standards can be used to move some an “discretionary” permit process to an “administrative” permit process. This process approach has broad implications for the permit processing/plan implementation function of a city. Of course, moving a project from the discretionary to administrative class has huge implications in CEQA. With respect to the Blueprint Principles, providing certainty in the permit process has a huge benefit to

## City of Hughson Mixed Use Zoning Compatibility Standar

a community’s economic development agenda and promotes the provision of cost-effective planning services.

The less time necessary to review an application, the less planning budget is expended in the current planning function and the more time that can be dedicated to the advance planning function. This class of tool is great potential with respect to having long term benefits to small city planning departments.

### Relevance to Blueprint Principles

Environmental quality is basic to our perceptions of “livability” within our communities. This concept of “livability” takes on a little different public perception when Mixed Use development is involved; particularly where those uses include the mixture Residential use in close proximity with retail sales and service business locations. Quality of life is closely associated with “environmental” concerns such as noise, vibration, light, and general public access into “private” residential open space.

As the Central Valley Blueprint has become an adopted policy guide for cities and counties in the Central Valley, the following provides a description of the linkages of the Mixed Use Standards to the 12 adopted Blueprint Principles.

**Table 1: Project Linkage to Blueprint Principles**

### Relevance to Blueprint Principles

Blueprint Principle	Supports	Indirectly Related	Limited or No Support
Create a range of housing opportunities and choices	X		
Create walkable neighborhoods	X		
Encourage community and stakeholder collaboration			X
Foster distinctive, attractive communities with a strong sense of place	X		
Make development decisions predictable, fair, and cost-effective	X		
Mix land uses	X		
Preserve open space, farmland, natural beauty, critical environmental areas		X	
Provide a variety of transportation choices		X	
Strengthen and direct development towards existing communities		X	
Take advantage of compact building design		X	
Enhance the economic vitality of the region		X	
Support actions that encourage environmental resource management		X	

### Issues/Challenges

Development of Mixed Use Compatibility Standards are subject to a variety of very “local” settings, environmental limits and community “values”. At the same time, the “retrofit” of some existing civic/community centers, downtown districts or historic “mixed-use” areas defined as dilapidated or “run-down” create unique challenges for some cities to craft Mixed Use Compatibility Standards that preserve and protect property values and/or slow the “decline” of some neighborhoods.

## City of Hughson Mixed Use Zoning Compatibility Standard

---

At the same time, many cities in the Central Valley have zoning codes that have not been updated to reflect modern use standards and, as a result, development of Mixed Use Compatibility Standards may require an extensive overhaul of the existing Zoning Code with respect to use/density/intensity of use standards to reflect modern development standards. Some communities face unique challenges with respect to “cultural” standards that contribute to the unique character of the City. Community and/or neighborhood sensibilities will differ significantly among different communities resulting in the need to look at customizing compatibility standards to fit an individual community setting. This “customization” process may be expensive and time consuming for some local jurisdictions.

### **FISCAL IMPACT:**

---

#### **Cost of Process or Program**

The costs of development, adoption and implementation of the Hughson Mixed Use Compatibility Standards Municipal Code amendment depends of the overall public response to the initiation of the process suggested above. In general, the suggested Code might be seen as a first step in a more “refined” code review process that addresses the broader implications of “Mixed Uses” and “Performance Standards” in the application of these standards to “mixed use” development or the administration of Home Occupation permit review provisions of the City’s Zoning Codes.

This White Paper is intended to minimize the costs of preparing an amendment to the City’s Zoning Code by giving a broad overview of the issues that Mixed Use Compatibility Standards, for Hughson, attempts to address.

Long term implementation/maintenance of the Mixed Use Compatibility Standard municipal code provisions will vary, again, depending how the final code language is developed and applied, the type of development/uses that are proposed in the City.

#### **Cost of Implementation**

The long term fiscal commitments, by the City of Hughson, on the adoption/implementation and adoption of Mixed Use Compatibility Standards is not expected to exceed present day or “normal” commitments to maintaining the City’s zoning codes. The establishment of specific Mixed Use Compatibility Standards should reduce “use” conflicts (Mixed Use “authorized” residential/ commercial/ industrial) and improve the efficiency of the City’s Code Enforcement efforts. Overall, the implementation of Mixed Use Compatibility Standards in the City of Hughson can be expected to have a beneficial impact on the City by allowing more diverse development opportunities not to mention the obvious traffic reduction potential of such development.

## City of Hughson Mixed Use Zoning Compatibility Standar

### **RESOURCES:**

The funding the development of, what is termed “current” planning programs, in a small City such as Hughson, is an important consideration. The day-to-day administration of the City’s zoning codes can be particularly burdensome in today’s municipal fiscal environment. As a general rule, often times development of current planning zoning management programs are funded as part of the on-going Planning and Community Budget funded by the City’s General Fund. Code enforcement is often given a lower level of budgetary consideration than other projects or budget priorities that are seen as having more “direct” public benefit.

At the same time, development review for new projects, uses or activities are typically funded through the use of project review fees. The operational/implementation (enforcement) costs of a Mixed Use Compatibility zoning code provision is typically funded through the City’s Planning Department General Fund Budget.

A review of various other community Mixed Use Zoning programs yielded a number of jurisdictions with permit review systems that might be applied to the City of Hughson.

City of Waterford Mixed Use Compatibility Standards

[http://qcode.us/codes/waterford/view.php?topic=17-17\\_42-17\\_42\\_030&frames=on](http://qcode.us/codes/waterford/view.php?topic=17-17_42-17_42_030&frames=on)

City of Austin Texas Mixed use Design Standards

[ftp://ftp.ci.austin.tx.us/npzd/website/planning/downloads/subchapter\\_e\\_design\\_standards.pdf](ftp://ftp.ci.austin.tx.us/npzd/website/planning/downloads/subchapter_e_design_standards.pdf)

Wormleysburg Borough Zoning Ordinance

<http://www.ccpa.net/DocumentCenter/View/14944>

Lemoyne Borough Zoning Ordinance

<http://www.ccpa.net/DocumentCenter/Home/View/14812>

City of Riverside California

<http://www.riversideca.gov/municode/pdf/19/article-5/19-120.pdf>

Mixed Use Design Guidelines, City of Antioch

<http://www.ci.antioch.ca.us/citygov/commdev/planningdivision/docs/Chapter%205%20-%20Mixed%20Use%20Design%20Guidelines.pdf>

Mixed Use Design Guidelines, City of Chula Vista

[http://www.chulavistaca.gov/City\\_Services/Development\\_Services/Planning\\_Building/specificPlanning/SWMergedMixedUseDESIGNGUIDELINES-1.pdf](http://www.chulavistaca.gov/City_Services/Development_Services/Planning_Building/specificPlanning/SWMergedMixedUseDESIGNGUIDELINES-1.pdf)

Discussions regarding the application and development of “Performance Zoning Standards” can be found in the following Internet Links:

<http://zoningmatters.org/facts/trends>

<http://www.metroplanning.org/zoningGuide/index.html>

## City of Hughson Mixed Use Zoning Compatibility Standar

---

Another good “resource” is the Municipal research and Services Center of Washington Web site

<http://www.mrsc.org/subjects/management/performance measurement.aspx>

This webpage is intended as a resource for Washington local government elected officials, managers and staff who are developing and implementing performance measurement systems.

There are several printed resources that address the costs/benefits of Performance Zoning:

“A Better Way To Zone” by Donald L. Elliott

<http://abetterwaytozone.com/home/contents/>

### General “Advanced Planning” Resources Available to Small Cities:

In general, “planning” resources/budgets for California cities has become very limited in recent years. With the decline of “growth and development” driven funds, local municipal planning budgets have suffered; particularly in small cities like Hughson. As part of the Valley Blueprint Implementation efforts, the VBP Integration team has developed some supplemental “resource” information that can be used as part of a broader “advanced” planning effort. For other types of “advance planning” efforts that may be undertaken within the City of Hughson, the following documentation has been.

With increased pressure on local government revenue sources, it is helpful to examine potential resource approaches that may be available for an advanced planning project. Given the dynamic nature of various funding resources, the following discussion contains links to organizations and funding sources that might be, from time to time, available for the development and implementation of an advanced planning project.

Within the San Joaquin Valley we have several academic support institutions that are actively involved in providing direct community support for the development of policies and programs that advance our local and regional community planning efforts. Some resource contacts include:

University of California-Merced

<http://communityresearch.ucmerced.edu/about-recces>

California State University-Stanislaus

<http://www.csustan.edu/cbassc/internships/employerguide.html>

California State University-Fresno

<http://www.fresnostate.edu/studentaffairs/studentinvolvement/join-team.html>

[http://www.fresnostate.edu/academics/oced/documents/OCED\\_FactSheet\\_July\\_2012.pdf](http://www.fresnostate.edu/academics/oced/documents/OCED_FactSheet_July_2012.pdf)

California State University-Bakersfield

<http://www.csub.edu/cece/>

## City of Hughson Mixed Use Zoning Compatibility Standar

University of the Pacific

<http://www.pacific.edu/Academics/Schools-and-Colleges/School-of-International-Studies/Career-Pathways/Experiential-Learning.html>

### Grants and Other Funding Sources

From time to time grants, loans and other types of “support” for planning and community development programs or projects become available. These “support resources” typically come in the form of either Public Grants in Aid, sponsored by a public agency like the Housing and Community Development(HCD) Department of the State of California, Housing and Urban Development (HUD) Department of the Federal Government, etc. In recent years other State and Federal Departments/Agencies have participated in program to support local planning efforts. The Air Resources Board, Department of Transportation are two examples of agencies that have supported Planning grant in aid programs.

Additionally, there are some Private Sector organizations that provide funding opportunities to Planning efforts; particularly in the development and implementation of “sustainable community projects”. In many instances, Private Sector funding agencies do not fund, directly, public agency activities. It is not uncommon for Private/Public Partnerships to be organized that link a community “public” project with a “private” community (501 C3) non-profit group that does have access to “private” foundation “planning” grant resources. Note that these grants tend to be “demonstration” types of funding programs that are intended to foster and develop “innovative” programs and techniques for delivering a product or project.

It is important that public planning efforts are cognizant of the breadth of resources that can be accessed in the development of implementation of “cutting edge” planning and community development techniques and strategies. In “selling” your community project or program, it is important that the “innovative” elements of the project be emphasized and that the plans/techniques developed in the project have “broad” utility in solving problems encountered by similar agencies and organizations.

**Examples of Grant Funding Programs:** The following are two examples of grant programs that has funded several Small Community projects in California.

#### *Sustainable Communities Planning Grant and Incentive Program*

The *Sustainable Communities Planning Grant and Incentive Program* supports metropolitan and multijurisdictional planning efforts that integrate housing, land use, economic and workforce development, transportation, and infrastructure investments in a manner that empowers jurisdictions to consider the interdependent challenges of: (1) economic competitiveness and revitalization; (2) social equity, inclusion, and access to opportunity; (3) energy use and climate change; and (4) public health and environmental impact. The Program places a priority on investing in partnerships, including nontraditional partnerships (e.g., arts and culture, recreation, public health, food systems, regional planning agencies and public education entities) that translate the Federal Livability Principles into strategies that direct long-term development and reinvestment, demonstrate a commitment to addressing issues of regional significance, use data

## City of Hughson Mixed Use Zoning Compatibility Standar

---

to set and monitor progress toward performance goals, and engage stakeholders and residents in meaningful decision-making roles.

The Sustainable Communities Planning Grant Program is being initiated in close coordination with the U.S. Department of Transportation (DOT) and the U.S. Environmental Protection Agency (EPA), co-leaders with HUD in the Partnership for Sustainable Communities. The program is run by California's Strategic Growth Council, funded through Prop 84 (Safe drinking water, water quality and supply, flood control, river and coastal protection bond act of 2006) grants.

For questions regarding grant solicitation, contact the DOC Planning Grant and Incentive Program staff by phone at (916) 322-3439, Monday through Friday, between 8 a.m. – 5 p.m., or by email: [SGCSustainableCommunities@conservation.ca.gov](mailto:SGCSustainableCommunities@conservation.ca.gov).

Round II **Planning Grants** awarded in 2012, focused on three areas:

- Focus Area #1: Local Sustainable Planning
- Focus Area #2: Regional SB 375 Plus
- Focus Area #3: Regional Planning Activities with Multiple Partners

Round III **Planning Grants** are to be awarded in 2013 after evaluating options for most effectively distributing remaining funds, based on Round I and II.

**Urban Greening Planning Grants** will provide funds to assist entities in developing a master urban greening plan that will ultimately result in projects to help the State meet its environmental goals and the creation of healthy communities. Communities must have an urban area, existing or planned, that has an approximate density of 10 dwelling units per acre.

### **Caltrans Transportation Planning Grant Program**

Caltrans Division of Transportation Planning awards funding yearly through six grant programs. They will award approximately \$9 million in funding through those six Grant Programs for Fiscal Year 2013-14. Applications for fiscal year 2013-14 are due via email by 5:00pm, Tuesday, April 2, 2013. These programs provide monetary assistance for transportation planning projects to improve mobility and lead to the programming or implementation phase for a community or region. Your local District office is available to assist communities with their applications, and encourage you to contact them.

Caltrans Grant Application Guide can be found here:

[http://www.dot.ca.gov/hq/tpp/grant\\_files/FY\\_13-14/Grant\\_Guide\\_FY\\_13-14\\_Final.pdf#zoom=70](http://www.dot.ca.gov/hq/tpp/grant_files/FY_13-14/Grant_Guide_FY_13-14_Final.pdf#zoom=70) . Grant applications must be sent via email.

Caltrans' six transportation planning grants programs:

- Community-Based Transportation Planning
- Environmental Justice
- Partnership Planning
- Transit Planning

## City of Hughson Mixed Use Zoning Compatibility Standar

---

- Statewide or Urban Transit Planning Studies
- Rural or Small Urban Transit Planning Studies
- Transit Planning Student Internships

The ***Environmental Justice*** (EJ) and ***Community-Based Transportation Planning*** (CBTP) grant programs promote a balanced, comprehensive, and multi-modal transportation system. These are discretionary programs that provide key methods by which many California communities plan for closer connection between transportation and land use. Caltrans provides these planning grant funds to metropolitan planning organizations and regional transportation planning agencies, cities and counties, transit agencies, and Native American tribal governments. EJ and CBTP final products are expected to help leverage funds from other program sources that will forward future project activities. These programs are State funded.

EJ grants must include public participation components that address the interests of low-income, minority, Native American, and other under-represented communities. In many cases, these communities do not have the resources to influence transportation decisions and project outcomes. Therefore, the EJ grant program helps disadvantaged communities get involved to produce an outcome from their community input.

The ***Partnership Planning*** and ***Transit Planning*** grants are federally funded and adhere to slightly different administrative requirements than the EJ and CBTP grant programs. The ***Partnership Planning*** grant program is funded by the Federal Highway Administration (State Planning and Research, Part I). Approximately \$1.2 million is to be available for the 2013-14 grant cycle. The maximum amount per grant cannot exceed \$300,000.

The ***Transit Planning*** Grant Program is funded by the Federal Transit Administration (Section 5304). The Federal Transit Administration has authorized Caltrans to distribute these grant funds and distribution will depend on the quality and amount of applications for each Transit Planning program. An estimated \$1.5 million is available for the 2013-14 grant cycle, with a maximum of \$330,000 per grant.

The objective of the ***Partnership Planning*** Program is to encourage or strengthen multi-agency and/or government-to-government partnerships. The projects must be jointly performed with Caltrans. The proposed Partnership Planning projects must have a statewide and/or regional benefit. The anticipated benefits of the project must ultimately result in improvements to the statewide or regional transportation system.

Tailored to BPI cities, the ***Rural or Small Urban Transit Planning Studies*** grant program helps transit providers with technical planning for the operation and maintenance of their transit system. The intent is to support transit and/or intermodal planning studies that show benefit to rural or small urban service areas with a population of 100,000 and less. For 2013-14, \$900,000 available, \$100,000 max per grant.

The objective of the ***Transit Planning Student Internships Program*** is to provide student internships in transit planning at public transportation agencies. The intent is to foster the

## City of Hughson Mixed Use Zoning Compatibility Standar

---

education of university and community college students with an interest in the field of transit planning. For 2013-14, \$300,000 available, \$50,000 max per grant.

**Community Development Block Grants (CDBG)** CDBG funds are flexible funding tools that address a wide range of community and economic development needs, including decent housing, healthy living environments, and expanded economic opportunity. For cities less than 50,000 in population, these funds may be available through their County. These funds are distributed to rural counties with populations of less than 200,000 (not including entitlement cities) on a competitive basis. More information can be found at:

[www.hud.gov/offices/cpd/communitydevelopment/programs](http://www.hud.gov/offices/cpd/communitydevelopment/programs)

**Our Town Initiative, National Endowment for the Arts** Our Town grants support creative place-making that strategically shape the physical and social character of a neighborhood, town, tribe, city, or region around arts and cultural activities. Forty-one of the 80 grants in 2012 went to communities with populations of less than 50,000 and five grants were made to communities with less than 1,000 residents (Teller, AK; Last Chance, CO; Star, NC; Uniontown, WA; Dufur, OR). Our Town will invest in creative and innovative projects in which communities, together with their arts and design organizations and artists, seek to:

- Improve quality of life.
- Encourage greater creative activity.
- Foster stronger community identity and a sense of place.
- Revitalize economic development.

For program inquiries, contact Jamie Hand, [hand@arts.gov](mailto:hand@arts.gov), 202-682-5566. Link to the NEA website for grant information: <http://arts.gov/grants/index.html>

The National Endowment for the Arts was established by Congress in 1965 as an independent agency of the federal government. To date, the NEA has awarded more than \$4 billion to support artistic excellence, creativity, and innovation for the benefit of individuals and communities. The NEA extends its work through partnerships with state arts agencies, local leaders, other federal agencies, and the philanthropic sector. To join the discussion on how art works, visit the NEA at [arts.gov](http://arts.gov).

### **Community Facility Grants – USDA Rural Development**

Community Programs provides grants to assist in the development of essential community facilities in rural areas and towns of up to 20,000 in population. Grants are authorized on a graduated scale. Applicants located in small communities with low populations and low incomes will receive a higher percentage of grants. Grants are available to public entities such as municipalities, counties, and special-purpose districts, as well as non-profit corporations and tribal governments. In addition, applicants must have the legal authority necessary for construction, operation, and maintenance of the proposed facility and also be unable to obtain needed funds from commercial sources at reasonable rates and terms.

**Fund Uses:** Grant funds may be used to assist in the development of essential community facilities. Grant funds can be used to construct, enlarge, or improve community facilities for

## City of Hughson Mixed Use Zoning Compatibility Standar

---

health care, public safety, and community and public services. This can include the purchase of equipment required for a facility's operation. A grant may be made in combination with other CF financial assistance such as a direct or guaranteed loan, applicant contributions, or loans and grants from other sources.

The Community Facilities Grant Program is typically used to fund projects under special initiatives, such as Native American community development efforts; child care centers linked with the Federal government's Welfare-to-Work initiative; Federally-designated Enterprise and Champion Communities, and the Northwest Economic Adjustment Initiative area. For more information about this program, or to file an application, contact the local Rural Development office. The Valley offices serving the City is listed below.

Valley Rural Development Office:  
MODESTO SERVICE CENTER  
3800 CORNUCOPIA WAY STE E  
MODESTO, CA 95358-9494  
(209) 491-9320  
(209) 491-9331 Fax

Link to the USDA Rural Development website: [http://www.rurdev.usda.gov/HAD-CF\\_Grants.html](http://www.rurdev.usda.gov/HAD-CF_Grants.html)

The Partnership for Sustainable Communities (US HUD, DOT, EPA, and USDA) published a guide titled, *Federal Resources for Sustainable Rural Communities*, that provides information on federal resources and funding. It can be found at:

[http://www.sustainablecommunities.gov/pdf/federal\\_resources\\_rural.pdf](http://www.sustainablecommunities.gov/pdf/federal_resources_rural.pdf)

### ***HUD Planning Grants***

Choice Neighborhoods Planning Grants support the development of comprehensive neighborhood revitalization plans which focuses on directing resources to address three core goals: Housing, People and Neighborhoods. To achieve these core goals, communities must develop and implement a comprehensive neighborhood revitalization strategy, or Transformation Plan. The Transformation Plan will become the guiding document for the revitalization of the public and/or assisted housing units while simultaneously directing the transformation of the surrounding neighborhood and positive outcomes for families.

More information can be found at:

[http://portal.hud.gov/hudportal/HUD?src=/program\\_offices/public\\_indian\\_housing/programs/ph/cn/planninggrants](http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/programs/ph/cn/planninggrants)

### ***The Smart Growth Implementation Assistance Program***

This EPA program provides technical assistance to state, local, regional, and tribal governments that want to develop in ways that protect the environment, use resources efficiently, create economic opportunities, and provide good quality of life. National experts work with selected

## City of Hughson Mixed Use Zoning Compatibility Standar

---

communities to explore barriers to smart growth implementation and pilot innovative approaches to development. [www.epa.gov/smartgrowth/sgia.htm](http://www.epa.gov/smartgrowth/sgia.htm)

### ***The Building Blocks for Sustainable Communities Program***

This EPA program provides quick, targeted technical assistance to communities using a variety of tools that have demonstrated results and widespread application. Tools, delivered by experts at one day workshops include: walking audits; rural and small town zoning evaluations; and complete streets assessments. This assistance helps selected local and tribal governments overcome common land use challenges and implement development approaches that expand economic opportunity, protect the environment, improve public health, and enhance quality of life. The Building Blocks program is geared toward communities that are relatively new to smart growth but have a basic understanding of the concepts and how they apply locally.

[www.epa.gov/smartgrowth/buildingblocks.htm](http://www.epa.gov/smartgrowth/buildingblocks.htm)

### **Sources of Funding Information:**

The following is a list of agencies and organizations that provide up to date information of various funding opportunities that might be applicable to a community or City in the Central San Joaquin Valley:

***Small Communities network-Facebook page:*** <https://www.facebook.com/pages/Small-Communities-Network/132371146868086#!/pages/Small-Communities-Network/132371146868086>

***California Partnership for the San Joaquin Valley-Facebook page:*** <https://www.facebook.com/pages/Small-Communities-Network/132371146868086#!/sjvpartnership>

***California Partnership for the San Joaquin Valley Web page:*** <http://www.sjvpartnership.org/>

***Smart Valley Places-Facebook page:*** <https://www.facebook.com/pages/Small-Communities-Network/132371146868086#!/smartvalleyplaces>

***Smart Valley Places Web page:*** <http://www.smartvalleyplaces.org/>

---

## City of Hughson Mixed Use Zoning Compatibility Standar

### Community Organization & Support

The development and implementation of advanced planning project plans, regulatory systems, guidance, etc. at the community level typically involves the development and maintenance of a community support system. Sometimes this system is as simple as the “airing” or review of proposed actions before a City Council or Planning Commission. Some programs require on-going “advisory” committee structures. As the planning and development of an advanced planning program is often different from the implementation and on-going operation of the program, the advanced planning project is discussed under a “Development” and “Operations” heading. Note that where it is found that a strong community support network is important to the long term maintenance and operation of the program, it is suggested that early community involvement in the planning and design of the program be implemented as soon as practical.

#### *Program Development Organizational Support:*

During the development phase of an advanced planning project or program, such as the establishment of Mixed Use Compatibility Standards, it is common that public involvement focuses around the Planning Commission or City Council at regular public meeting and formal noticed Public Hearings. When a program or project involves potential controversy or establishes some new regulatory standard or program, it is not uncommon to form some sort of “advisory” committee or work with a potential support organization during the formative phases of a project.

This “public” process requires formal Brown Act compliance, with publicly posted agendas and open public access. It also adds a considerable amount of time to the development of the program. The principal advantage to this early “public” involvement in a program’s development is that potential community concerns or problems can be identified early in the process and language, policies and/or program elements can be devised to make the project a “better fit” in a community.

Another advantage to this formal public involvement in the development of advanced planning policy and programs is that the participants in the process may commit to participating in the implementation/operation of the project.

In the specific implementation/application of Mixed Use developments is the possible organization of a “Property Owners” association with CC&Rs, adopted rules and regulations and the ability to “regulate” use activities within specific “mixed use” developments. Part of an overall project permit review could involve the City’s requirement that such a Property Owners Association be established prior to the City of Hughson’s approval of the project or Mixed Use complex.

### **ENVIRONMENTAL (CEQA/NEPA):**

#### Code Amendment CEQA Requirements

The adoption and implementation of an amendment to the City of Hughson’s Zoning Code to implement “Mixed Use Standards” will be subject to CEQA. An Initial Study will be required

## City of Hughson Mixed Use Zoning Compatibility Standar

---

that addresses the potential impacts of the “Project”. Many of the provisions contained within this suggested Hughson Municipal Code amendment reflect existing regulatory standards that exist within the State, the County of Stanislaus or within the rules, regulations and standards of the City of Hughson’s Public Health and Safety regulatory system.

It should be noted that the nature of “Mixed Use” regulatory systems requires that a City pay close attention to its Improvement Standards for such uses and review its regulatory standards for “Uses” and “Use Performance Standards”. Suggested Hughson Municipal Code provisions are included as Attachments to this document and require CEQA review as part of the overall Code Amendment process.

The central CEQA concern, that will be part of these Code Amendments, is the review process that will be required and the economic effects of these regulatory standards on the growth and development within the City of Hughson. Conversely, the “codification” of “reasonable” standards of compliance could be expected to resolve “use conflicts” between various uses and assure that new development and/or uses established within the City of Hughson. This potential “conflict” becomes more critical as different use classification are developed and operated in close proximity with each other.

“Proximity” and the lack of separation between different uses and Use Classifications (residential, commercial, industrial or institutional) can often result in the creation of “nuisance” or dangerous conditions that would adversely affect the health, safety of quality of life of existing residents and business within the City. For this reason, it is suggested that the Hughson Municipal Code examine its Use classification system, permit review processes and other administrative standards of review to assure that there is adequate public review opportunities in the implementation of these new Mixed Use provisions.

### Future Process Requirements

The amendment of Hughson’s Municipal Code is not subject to NEPA. Future “project” review will be subject to CEQA and, under some situations might be subject to NEPA review. Enforcement of these regulations and standards are not subject to CEQA or NEPA.

### ATTACHMENTS:

---

**Attachment 1.** Suggested Hughson Zoning Code Addition- General Mixed Use Compatibility Standards

**Attachment 2.** Suggested Hughson Zoning Code Addition/Modification- Administrative Permits

**Attachment 3.** Suggested Hughson Zoning Code Addition- Standards of Review

**Attachment 4.** Suggested Hughson Zoning Code Addition- Zoning Use Classifications

**Attachment 5.** Suggested Hughson Zoning Code Addition-Performance Standards

**Attachment 6.** Chapter 17.02 of City of Hughson Municipal Code; Zoning Districts

# City of Hughson Mixed Use Zoning Compatibility Standar

---

## Attachment 1

### Suggested Hughson Zoning Code Section 17.03.42 GENERAL MIXED USE COMPATIBILITY STANDARDS

#### A. Purpose.

1. A mixed-use development is encouraged within some zoning districts within the city of Hughson as a means of reducing traffic and congestion and to promote over all community wellbeing and economic vitality. These standards are intended to accommodate and foster pedestrian usage by combining commercial/retail uses and residential uses in the same buildings or in close vicinity of each other. The interaction of these different uses during day and evening hours provides a dynamic that cannot usually be created with typical single use zones. This concept harkens back to a village where people lived and worked in close proximity. This concept also tries to reduce dependency upon the automobile, makes pedestrians a focal point, and encourages human interaction, smaller scale buildings, and a vibrant sidewalk environment.
2. For projects in those zoning districts where mixed-use developments are allowed, the following design review standards shall apply.
3. These standards shall be applied to both new development proposed on vacant land and the retrofitting of existing improvements and building to mixed uses.

#### B. Types of mixed use development. Mixed use developments may be proposed in two ways:

1. Establishment of a new permitted or conditionally permitted use within a zoning district where mixed use development is allowed.
2. Establishment of a mixed-use development that proposes a new development or complex that will accommodate mixed uses. Typically these would be proposed in any commercial or industrial zone and be approved as a specific plan district (SP) in accordance with Chapter in accordance with Chapter 17.04.040.

#### C. Mixed use land use standards.

1. Schedule 42-1 below prescribes the land use regulations for districts within which mixed uses are allowed unless otherwise not allowed in the specific zoning district within which the mixed use development or use is proposed. The regulations for each use are established by letter designations as follows:
  - “P” designates use classifications permitted in residential districts.
  - “L” designates use classifications that are permitted, subject to certain limitations.
  - “T” designates use classifications that are permitted to be conducted for a limited period of time and that require a temporary use permit pursuant to (?)
  - “AU” designates a use classification permitted in the district but requiring an administrative use permit as provided in Chapter 17.04.008 due to the nature of the use or the area within which the use is proposed requiring special review/approval procedures.
  - “U” designates use classifications that may be permitted upon approval of a conditional use permit, as provided in Chapter 17.04.012.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

“S” designates a use classification that is subject special regulations.

2. Use classifications are defined in (see suggested section). In cases where a proposed use is not included in a use classification, the planning director shall determine whether the proposed use is substantially similar in character to a permitted use classification and in that event shall assign the proposed use to a permitted use classification. Use classifications not listed in Schedule 42-1 below are prohibited.

## City of Hughson Mixed Use Zoning Compatibility Standard

### Schedule 42-1 Mixed Use Compatibility Table (see Use Classifications)

<b>Mixed Use Classifications</b>	<b>Regulation</b>
Single-family residential unit and one accessory residential unit	P
Multifamily apartments residential	AU
Day care	AU
Private garage	P
Garage, patio or yard sales	T
The keeping of domestic animals and pets	P
Home occupations	P
Day care	P
<b>Public and Semipublic Use Classifications</b>	
Clubs and lodges	AU
Cultural institutions	P
Government offices	P
Public safety facilities	AU
Religious assembly	P
<b>Mixed Use Classifications</b>	
Residential care (general)	AU
Schools, public and private	AU
Utilities (minor)	P
<b>Commercial Use Classifications</b>	
Live/work quarters	AU
Animal grooming	AU
Animals—Retail sales and pet stores	U
Artists' studios	P
Banks and savings and loans	P
Catering services	AU
Commercial recreation and entertainment	AU
Game center, billiard parlor	AU
Indoor movie theaters and performing arts theaters (limited)	P
Communications facilities	P
Eating and drinking establishments	P
With wine and beer service	AU
With full alcoholic beverage service	U
With live entertainment	U
With take-out service	P
Food and beverage sales	AU
Offices, business and professional	P
Personal improvement services	P
Personal services	P
Research and development services	U
Retail sales	P
Visitor accommodations	AU
Bed and breakfast inns	P
Hotels and motels	AU
Boarding or rooming house	AU
<b>Agricultural Use Classifications</b>	
Tasting room and fruit stand	AU
Horticulture (limited)	AU
<b>Accessory Use Classifications</b>	
Accessory uses and structures	AU

## City of Hughson Mixed Use Zoning Compatibility Standard

Nonresidential accessory structures	AU
Accessory dwelling unit	AU
<b>Temporary Use Classifications</b>	
Animal shows	T
Seasonal sales	T
Circuses and carnivals	AU
Personal property, yard, garage or patio sales	T
Religious assembly	AU
<b>Mixed Use Classifications</b>	
<b>Regulation</b>	
Retail sales, special outdoor	AU
Street fairs, and farmers, markets	T
Trade fairs	T
Other similar compatible uses	AU

### D. Design review

1. Site plan design review will be used by the city to approve development (site plans and architectural designs) in mixed-use proposals. The architectural site plan review committee will make urban design decisions based on the following guidelines to promote visual quality in these areas of the city.
2. Site plan review will examine the location, intensity and type of uses proposed within a mixed use proposal and address the relationship of proposed uses to surrounding uses in the neighborhood and immediately adjacent to the project site or building.

### E. Overall proposal design.

1. Mixed-use proposal should create a new diverse and pedestrian-friendly neighborhood environment, with a mix of housing, shopping, workplace and entertainment uses and nodes for transportation access, all within a short walk of each other. A range of types, sizes, amenities, and uses will enhance a series of inviting functional public spaces, including shopping streets and pedestrian friendly streetscapes, open spaces, courtyards, trails, residential, office, and retail in mixed-use buildings. The design principles for buildings and streets are taken from traditional small towns that provided a close-in community life.
2. To foster pedestrian usage in the mixed-use proposal, the construction of new sidewalks must be a minimum of ten feet in width, whenever feasible.
3. Properties or development projects abutting major streets in the district should have zero to ten-foot setbacks from the right-of-way, pedestrian-friendly store fronts with display windows along fifty percent of their facade and the facades should not be plain or sterile but incorporate architectural features such as windows, entrances, variations in setback, so that no wall plane is wider or longer than two and one-half times the height of the wall plane.
4. Street frontage should accommodate and foster pedestrian usage. Properties or development projects abutting a frontage street shall:
5. Off-street parking in commercial areas should either be behind or to the side of development.
  - a. A minimum of curb cuts should be allowed along streets for parking access.

## City of Hughson Mixed Use Zoning Compatibility Standar

- b. Vehicular access to parking lots and garages should only be permitted along frontage streets when there is no other side street or alley access.

**F. Pedestrian supportive design.** Mixed use developments are encouraged in the city of (city), within specific zoning districts, for the express purpose of encouraging pedestrian and non-vehicular travel between home, the workplace and shopping/services. For this reason, plans for reuse of existing development for mix-use purposes or development of new mixed-use developments shall adhere to the following Principles:

1. Separation of potentially incompatible uses should be accomplished through walls and screening as shown in Figures 42-1 and 42-2.

Figure 42-1

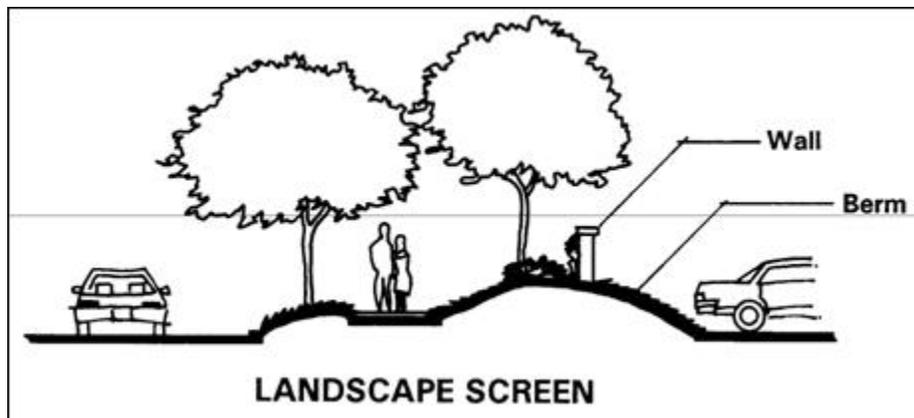
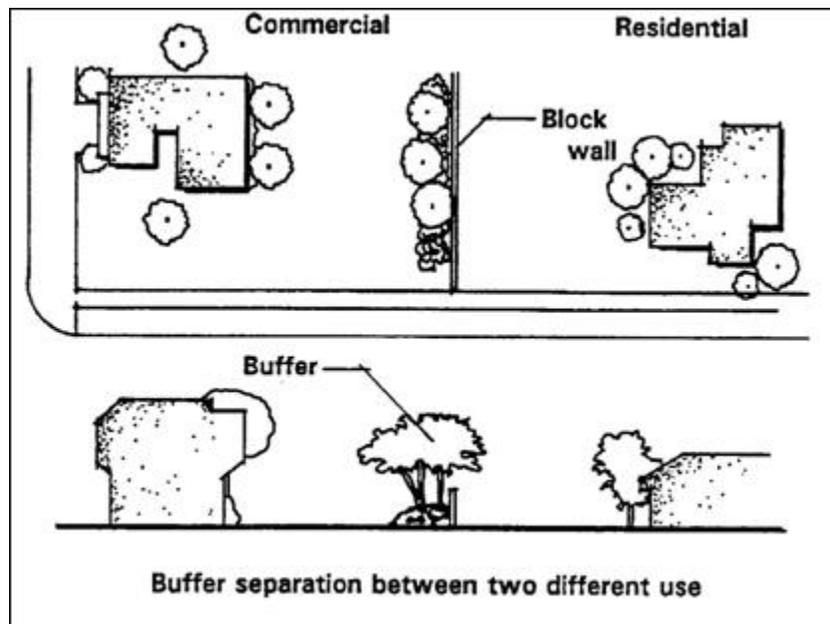


Figure 42-2



## City of Hughson Mixed Use Zoning Compatibility Standar

---

2. Pedestrian access ways shall be part of any wall or hedge separating residential, commercial and employment centers to encourage pedestrian access.
3. Under no circumstances shall walls or security fencing result in the need for a resident of a mixed-use development to travel, by motor vehicle, to a service or work within the mixed-use development.

**G. Transit supportive design.** Where a mixed use proposal includes street improvements, designs should accommodate bus stops and similar amenities as approved by the city engineer and local transit system operator.

**H. Overall architectural design.** Where new construction is proposed, the following design standards are encouraged. Where existing development is to be used for mixed-use concepts, redevelopment should examine opportunities to conform to these standards:

1. Building design concepts should respond to the site plan by forming street edges and by encouraging active, safe street life offering a variety of activities. Buildings should recognize site patterns and help define entries to interior courtyards, building entrances, and public spaces to encourage family and community activities.
2. Use architectural styles that are associated with traditional neighborhood design and newer multifamily designs that delineate separation of the units. Commercial architectural styles should mimic the old Main Street concept.
3. The architectural designs should utilize a variety of roof forms to create diverse elevations. Residential units, office and commercial/retail spaces should overlook the streets and courtyards as part of a unified and defined sense of space.
4. Parapets, cornices, shed roofs, dormers and other secondary roof forms create variety in the units and break up the massing of the overall buildings. Varied roof heights and roof elements also serve to reinforce the diverse experience of the streetscape. Vertical elements such as bays and decks which sometimes carry to the ground and to upper levels help to create variation in the facade that modulate the building facade.
5. The materials used in design of the buildings should also reinforce the diverse experience of the elevations. Roof colors should be coordinated to complement the color schemes.
6. Plaza or courtyard materials can be used to create a community space, through the use of color and scoring as patterns in the hardscape. Landscape creates diversity, provides color and softens the building and hardscape environment, while benches or seating areas, play areas and public art help residents and visitors enjoy the space and environment, making it a place where people want to visit, shop, live and recreate.

**I. Residential dwelling units.** Mixed-use residential dwelling units are allowed as follows. Multifamily residences in the mixed-use development proposals should follow the density standards of this title in a manner that is consistent with the following:

1. Residential units in mixed-use buildings along the street frontage are allowed at a rate of one and one-half units per one thousand gross square feet of commercial/retail space and shall be located above, behind, or below (where terrain permits) the commercial space. The top floor of the building must be designed for residential units.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

2. Residential units detached from the mixed-use building(s) may be located behind the commercial space at a density of nine units per acre.
- C. Units behind the commercial development may be designed as any of the following or combination thereof: townhouses, cottages, or attached or detached single-family residential units in a manner consistent with the city’s residential development and site standards for **R-2 and R-3** residential zones.
4. Corner lots may have residential units abutting on the secondary street.
5. Either residential or commercial space, or any combination thereof, may be located behind the mixed-use building(s) facing the street.
6. At least twenty percent of the gross land area with the project limits shall be set aside as open space and recreation. Ten percent of the required open space and recreation area must include an active recreational element such as play structures, ball courts (basketball, tennis, etc.), gazebos, or plazas with gathering areas and barbecue facilities.
7. Live-work type units are encouraged within mixed-use type developments.

**J. Overall building form.** Buildings should provide and enhance the pedestrian scale and orientation of the district. The following concepts help to achieve that goal:

1. Buildings should be built to the property line or right-of-way easement to enclose a pedestrian-oriented landscape. Pedestrian-oriented amenities are important. When development accommodates specific pedestrian activities, the setback may vary up to twenty feet with city approval, if the space is planned for outdoor dining associated with an eating establishment, recessed plaza or specific district design standards or landscape needs. The setback cannot be used for parking.
2. Buildings should utilize elements such as massing, materials, windows, canopies and articulated roof forms to create a visually distinct “base” as well as a “cap.”
3. Within larger projects, variations in facades, floor levels, architectural features and exterior finishes are encouraged to create this appearance of several smaller buildings. Upper stories should be articulated with features such as bays and balconies.
4. Special attention should be given to designing a primary building entrance, one that is clearly visible from the street and incorporates changes in mass, surface, or finish to give emphasis.
5. Corner and public buildings because of location, purpose or size should be given special attention in the form of building features, such as towers, cupolas, and pediments.
6. The development of ground level view points and corridors as well as public balconies, and roof spaces which take advantage of solar access and views are encouraged.
7. Minor pedestrian passages shall be provided between buildings where access is needed to allow pedestrians to move through the district to another area. Under no circumstances shall building mass exceed three hundred feet without some form of “through” pedestrian access.

**K. Hughson downtown, mixed-use, and transportation related building and structure design.** Development in the downtown area, as defined by the land use element of the (city) general plan shall be designed in the following context:

## City of Hughson Mixed Use Zoning Compatibility Standar

---

1. Building design should reflect historic downtown materials and building designs which were of a smaller scale, two-story designs with cornice lines or similar to downtown commercial uses. Corporate, private development and agency architecture will need to accommodate these historic values and assist in maintaining a small community feeling of the early 1900s.
2. Sites or buildings abutting the new Hughson City Hall building and Government Center near (Santa Fe/Whitmore Ave?) should maintain a continuity in design elements of the building complex such as roof lines and materials, and connect existing or proposed pedestrian spaces and amenities and landscape treatments.
3. Building facades along the “downtown” portions of (List Key Cross) Streets should be pedestrian-oriented with the majority of the street wall being made up of windows and other interesting design features and businesses that are interactive retail should be promoted (i.e., artist studio and gallery, hands-on displays or merchandise, etc.).
4. Public transportation and related facility designs should be compatible with local plans and regulations, and must be approved by the city. Bus stop design should address all transportation modes (bus, bicycle and vehicles), transfer needs and pedestrians.

### **L. Building design.**

1. Architectural Details. The following architectural elements are required to provide visual interest and create a sense of human scale:
  - a. Awnings, Sunshades and Canopies. Weather protection is encouraged for pedestrian street frontages with ground floor commercial. The minimum width of such elements shall be four feet. Minimum height is eight feet, maximum height is twelve feet. Awnings with painted signs are permitted, however, must be externally lit. Internally illuminated awnings are not permitted.
  - b. Front Porches. Front porches, stoops, bay window and dormers are encouraged on buildings which contain residential dwellings.
  - c. Trees, Plants and Flowers. The use of potted plants and flowers as well as street trees are encouraged, but should not impede pedestrian traffic.
  - d. Street Furniture. Public seating, trash receptacles and informational directional kiosks should be of uniform design and be provided throughout district where needed. Sidewalk widths, street trees, landscaping, weather protection, public art, street furniture and other amenities for pedestrians in public rights-of-way and public plazas are required abutted by private development must provide an additional three feet to six feet for a total sidewalk width of no less than eight feet.
  - e. Exterior Lighting. Pedestrian areas need to be well marked and well-lit. Exterior lighting should be an integral part of the architecture and landscape design. Street lighting should relate in scale to the pedestrian character of the area. Pedestrian lighting should be provided at a pedestrian scale of three to twelve feet, with the source light being shielded to reduce glare, thereby encouraging safe access to these areas twenty-four hours per day. Overall, lighting and pedestrian zone lighting is needed but should not create glare or light spillage off-site or beyond parking lots and streets.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

### 2. Building Fenestration.

- a. **Façades.** Any façade visible from a public right-of-way, pedestrian corridor or public open space should incorporate fenestration. Fenestration patterns for street level uses should have generous amounts of clear glass and be designed to incorporate displays. Glass curtain walls, reflective glass, and painted or dark tinted glass are not permitted.
- b. **Blank Walls.** Where windowless walls are necessitated by the uses housed within the building, they should have an interesting exterior treatment such as artwork, decorative tile, or masonry, or trellises with plant material. Blank walls visible from a public way, larger than ten feet in any dimension, which exceed two hundred square feet, must be screened by one of the above methods.
- c. **Street Visibility.** Upper and lower story windows are encouraged to overlook streets and open spaces, thereby helping to provide “community eyes” to make these spaces more comfortable and safe.

3. **Proportions.** The scale of all structures in relationship to other structures and spaces is important. Buildings and the spaces between should relate easily and openly to the external public areas. To balance horizontal features on longer façades, vertical building elements, such as building entries should be emphasized.

4. **Modulation.** Building façades visible from public rights-of-way, pedestrian corridors or public open space, except for ground floor commercial, shall be modulated approximately every forty feet. The modulation shall have a minimum depth of four feet.

5. **Articulation.** Façades should be varied and articulated to provide visual interest to pedestrians. The roof line of buildings should be modulated and should include interesting architectural features, such as decorative eave, trim, or cornice. Window articulation through use of a decorative trim, such as window hoods and the use of smaller regularly spaced windows in upper stories with smaller divided lights. Store front designs and materials should be allowed to be unique while maintaining the character of the building façade of which they are a part. The base of buildings should be articulated through use of plinths, pilasters or other elements.

6. **Materials and Colors.** Exterior building materials and finishes should convey an impression of permanence and durability. Materials such as masonry, stone, stucco, wood, terra cotta, and tile are encouraged. Where masonry is used for exterior finish, decorative patterns should be considered. These patterns could include a change in color or material. Exterior colors should be given careful consideration in the context of the surrounding buildings and environment.

### 7. Screening.

- a. All wall-mounted mechanical, electrical, communication, and service equipment, including satellite dishes and vent pipes should be screened from public view by parapets, walls, fences, landscaping or other approved means.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

- b. All rooftop and sidewall mechanical equipment and other extensions allowed above the building height shall be concealed by or integrated within the roof form or screened from view. The following appurtenances or necessary extensions above the roofline that require screening include: stair wells, elevator shafts, air conditioning units, large vents, heat pumps and mechanical equipment.
  - c. Service and loading areas must be screened from street and pedestrian ways.
  - d. Under no circumstances shall screening create an obstruction to pedestrian traffic flow in and around sidewalks, store and shop entrances or the entrance to residential clusters.
8. Parks and Open Space. Mixed-use developments will provide twenty percent in parks and open space. Plazas, play areas, landscape buffers and open spaces (sensitive areas) can be included. Ten percent of the area will be in useable parks, plazas and play areas. Pedestrian and bicycle paths and connections are required within the development and shall be provided to the closest activity areas (i.e., schools, business area, park, major arterial, etc.).

### **M. Signage**

Signage in the mixed-use developments should be done to clearly relay information and should be appropriate scale to the buildings and should focus on the close-in nature of the slow vehicle and pedestrian traffic. Signage shall be consistent throughout mixed use planned area.

- 1. Signage throughout the waterfront area should be consistent, while public transportation should have its own charter but which is complementary to signage for private development, other public transportation or facility design and to building character.
- 2. Windows along a frontage street can have painted or etched lettering above seven feet as signage for the business.
- 3. Where possible, signs should be an integral part of the building rather than an afterthought. Wall-mounted signs shall not project more than six inches from the building.
- 4. Sign creativity is encouraged. Signs may be fabricated of mixed media, including metal reverse-illuminated letters, suspended neon letters, illuminated individual letters, signs etched or cutout of solid material such as wood or brass and illuminated from behind.
- 5. Building mounted or wall signs for retail shops and commercial area will be located in the storefront area above the door height and below canopy (typically eight feet above floor).
- 6. Signs shall be centered between architectural elements and between columns to allow building architecture to be expressed. Signs shall not necessarily be centered on lease premises.
- 7. Signs shall be compatible in scale and proportion with building design and other signs.
- 8. Signage shall be placed facing primary pedestrian streets.
- 9. Overhanging, building mounted or blade signs which hang from the canopy, arcade or building front may be utilized to increase visibility. Overhanging signs shall not have an area of more than three square feet or exceed two inches in thickness. Overhanging signs area is not included in signage area allowed under the sign code. The bottom of the sign should not be lower than eight feet aboveground.

## City of Hughson Mixed Use Zoning Compatibility Standard

---

10. Letter height shall not exceed eighteen inches. Larger first letters up to twenty-four inches will be permitted.
11. Length of the signs shall not be more than two-thirds of the overall “leased” façade area or less than three feet from demising wall of lease premises. Each sign is calculated separately and shall conform to all applicable maximum area limitations. Calculated maximum areas are not transferable to other façades. Each tenant is allowed to place signage on no more than two façades.
12. Awnings with signs painted on them are allowed, but the awnings cannot be internally illuminated.
13. Monument signs and wall signs cannot be internally illuminated.

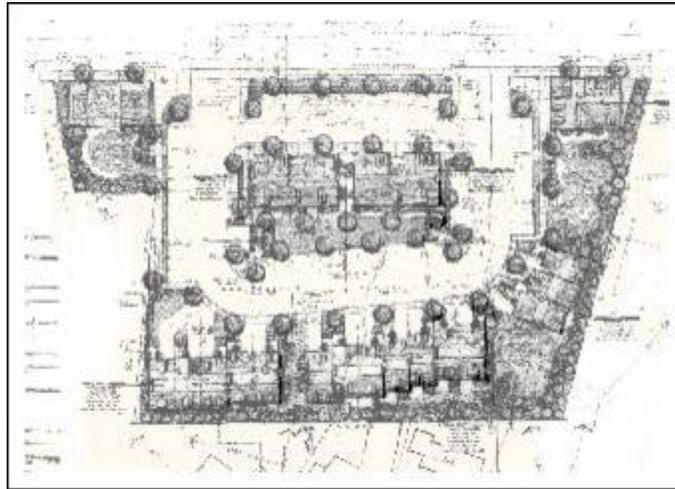
### **N. Off-street parking, parking facilities, lots and structures**

Parking shall conform with the provisions of Chapter 17.03.060 unless otherwise prescribed below:

1. Off-street parking in commercial areas shall either be behind or to the side of development with ground-floor retail along the street frontage. As an alternative, off-street parking may be allowed in front of the building where the development incorporates a mini-street design that includes angled parking, street trees, pedestrian sidewalks with connecting walkways to the public street, and decorative lighting. (See Figure 42-3)

## City of Hughson Mixed Use Zoning Compatibility Standar

**Figure 42-3**



### **Example of a Mixed-Use Development Incorporating a Mini-Street Design**

2. Shared or joint parking is encouraged so that parking needs generated by development can be accommodated efficiently.
- C. A minimum of curb cuts should be allowed along frontage streets for parking access in accordance with the requirements of the city engineer.
4. Adjacent street frontage to a mixed use project can be counted on a one to one basis towards the parking requirement on streets that are improved and have designated parking.
5. Residential units in the downtown business and mixed-use developments shall provide one parking space per unit. All other mixed-use developments shall provide one and one-half parking spaces per unit and one guest space per every four units. Parking for the commercial/retail/office space shall be determined using the parking standards of the city. Shared parking proposals are encouraged.
6. Employee parking shall be provided on-site, or as part of a shared parking agreement.
7. Joint or shared access, and off-street parking, internal circulation or parking is encouraged with adjacent uses and developments.
- H. A development can reduce the required off-street parking spaces up to fifty percent when it can be demonstrated, in a parking-traffic study, prepared by a traffic engineer, that use of public transit or demand management programs, special characteristics or customer, client, employee or resident population will reduce expected vehicle use and parking space demand for their development, as compared to standard Institute of Transportation Engineers vehicle trip generation rates and city parking requirements.
9. Parking lots shall have internal landscaping as well as be screened from streets and pedestrian ways.
10. Parking garages shall be screened to improve the pedestrian environment in mixed-use zones.
11. **Parking Facilities—Lots—Structures.**
  - a. Provide close-in (near bus stops) preferential parking for carpools and vanpools.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

- b. Joint and shared parking are encouraged among retail, office, entertainment, housing, and parking uses.
- c. Bike racks and weatherproof lockers for bicycles should be provided near bus stop locations where practical.
- d. Well defined pedestrian walkways should be provided in parking lots from parking to building, or bus stop facilities.

### **O. Landscape design**

Development in a mixed-use district should have extensive landscaping of large parking areas, along streetscapes and for pedestrian-oriented open spaces which can be seen from the street and pedestrian-oriented areas. Landscaping can also help to define areas and separate areas thereby bringing a human scale to these intense uses.

1. Due to extreme summer heat, landscaping and shade of parking and community or public areas should be heavily landscaped with trees that will provide summer shade and cooling. Parking areas should have one tree per every four parking stalls or trees between every two to four ferry loading lanes.
2. Parking areas must be screened from all pedestrian-oriented areas through the use of trees, scrubs, walls and/or trellis structures with plants.
3. Parking lots should provide landscaping next to buildings and along walkways. Parking lots should provide enough trees so that fifty percent of the lot is shaded within a five-year period and landscape beds have a ninety percent ground coverage in five years.
4. Arbors or trellises supporting living landscape materials should be considered for ornamentation on exterior walls. Any such feature should cover an area of at least one hundred square feet and include sufficient plantings to achieve at least thirty percent coverage by plant materials within three years.
5. Where pedestrian activity is encouraged onto the site, the screening doesn't have to be site obscuring.
6. Utilities are required to be underground and aboveground equipment should be located away from major pedestrian streets and corners. Equipment boxes and vaults must be placed in back of the sidewalk and where landscaping can minimize or screen their impact.

### **P. Pedestrian walkways.**

1. Where practical and the project is located in close proximity to the **\_\_\_ Parkway** or any of the city's strip parks located on old canal alignments, interior mixed use walkways shall make a direct connection in accordance with city standards.
2. Sidewalks along frontage streets should be a minimum of ten feet. Interior sidewalks in the mixed use development area should be no less than five feet.

## City of Hughson Mixed Use Zoning Compatibility Standard

---

### Attachment 2

## Suggested Amendment to Hughson Zoning Code

### Chapter ADMINISTRATIVE USE PERMITS

#### A. Purpose

An administrative use permit is required for certain uses within specific zoning districts where the use is otherwise permitted, but due to the nature of the use or the area within which the use is proposed requiring special review/approval procedures. For the purposes of CEQA compliance, administrative use permits are not normally “discretionary” permits but rather are permits subject to established City of Hughson standards for unique site and use applications and therefore considered “ministerial” and not subject to CEQA review.

#### B. Administrative permit review

1. The following regulations shall be applied to the planning director’s review and approval of administrative use permits. Uses subject to administrative approval by the planning director shall be permitted only in those zone districts where administrative uses are specifically enumerated as a use subject to review and approval.
2. Unless required under Government Code Section 65905, no public hearing need be held on the issuance of an administrative permit; provided, however, that the planning director may require that the planning commission conduct a public hearing because general public and/or neighborhood interest or concern over the use or activity that is proposed.
3. Administrative uses may be established subject to review and approval by the planning director, as permitted in this title, provided the planning director finds that the public necessity, convenience and welfare justify the approval and that the establishment, maintenance and operation of the proposed use will not be detrimental to or endanger the public health, safety or general welfare.

#### C. Permit required.

An administrative use permit will be required for any of the uses enumerated in the zoning district where such use is identified as “A” or subject to an administrative use permit (AUP). The planning director may, from time to time, specify the form of the administrative permit application and permit.

#### D. Required standards for an administrative use permit.

1. Each administrative use shall comply with the regulations of the applicable zoning district within which it is physically located.
2. Prior Determinations for an Administrative Use Permit Approval. The planning director shall only approve an application for a temporary use permit, if all of the following findings can be made:
  - a. The proposed administrative use will be compatible with adjacent uses and will not adversely affect the surrounding neighborhood by means of odor, noise, dust, or other nuisance.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

- b. The proposed administrative use has been referred to the planning commissioners for review and comment in accordance with normal city permit review processes.
- c. The proposed administrative use is consistent with all general plan, city, and municipal code regulations, including securing the required city of (city) business license per Title 3 of this code.
- d. The proposed administrative use permit application has been subjected to the standards of review contained in Chapter ?.

**E. Conditions of Approval.** The planning director may impose such conditions on an administrative use permit as is necessary to meet the purposes of this chapter and protect the public health, safety and welfare and adjacent uses. Conditions which may be imposed include, but are not limited to:

1. Setbacks and open space requirements;
2. Parking and circulation;
3. Fences, walls or other screening;
4. Signs;
5. Vehicular and pedestrian ingress and egress;
6. Property maintenance during the course of the activity;
7. Control of illumination, noise, odor, vibration or other nuisances;
8. Hours of operations.

**F. Notice and Posting.** A notice of proposed use shall be posted on the site where an administrative use permit is to be considered by the planning director at least ten days prior to the planning director's decision and a notice shall be similarly published in a newspaper of general circulation ten days prior to the decision to approve.

**G. Referral to the Planning Commission.** The planning director may refer any administrative review application to the planning commission for review and approval.

**H. Appeal of Administrative Review Decision.** Any person who is dissatisfied with the decision of the planning director may appeal that decision to the planning commission in accordance with the procedures in this title

## City of Hughson Mixed Use Zoning Compatibility Standard

---

### Attachment 3

#### Suggested City of Hughson Standards of Review Zoning Addition

#### Chapter STANDARDS OF REVIEW

- A. Purpose.** The purpose of this chapter is to establish uniform minimum standards in order to improve the compatibility of land uses and development with adjacent land uses and development.
- B. Review required.** Each project application submitted to the (city) city planning department for review and action by the planning director or planning commission shall be subject to the following standards of review
- C. Standards of review.** Unless otherwise addressed by other approval processes (i.e. major subdivisions, conditional use permits), all development shall comply with the following sections
- D. Conformity**
1. Any permit approved by the city of (city) shall conform to the (city) general plan and any applicable specific plan, area plan or similar planning program as adopted by the (city) city council.
  2. Any permit approved by the city of (city) shall conform to (city) development standards, policies and applicable guidelines, including but not limited to:
    1. Standards and provisions of this title;
    2. City of Hughson improvement standards;
    3. City of Hughson architectural design guidelines
- E. Availability of essential services**
1. All projects that require the additional use of or new facilities for essential services (including, but not limited to, sanitary sewers, water lines, storm drains, fire hydrants, public streets, street lighting and similar services such as police and fire facilities, schools and/or other capital facilities), shall obtain preliminary approval as required by the agency providing such service prior to issuance of a building permit, or final land use permit if no building permit is required.
  - B. The non-availability of essential services may be grounds for denying permits for additional development until such services are available.
  3. The city is not obligated to extend or supply essential services if capacity is not available obligated or reserved. If capacity is available, the extension of services shall be made by, and at the cost of, the developer.
  4. All service extensions shall be designed and installed in full conformance with city standards or the standards of the providing agency, as appropriate.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

5. All service extensions shall be subject to review, permit and inspection as required by other policies or ordinances of the city or the service provider.
6. All development proposals shall be reviewed to assure consistency with the circulation policies and standards contained in the general plan.

### **F. Environmental objectives**

1. Whenever a “project” is proposed in the city of (city), as defined by the California Environmental Quality Act (CEQA) a review of potential environmental impacts shall be evaluated. All environmental impacts identified as potentially significant shall be mitigated to the maximum extent feasible.
2. All development shall be designed to achieve the environmental goals and objectives of the city of (city) as set forth in the (city) general plan and the (city) general plan EIR to the maximum extent feasible.
3. Where a proposal does not comply with the standards of subsections 1 and 2 of this section, the applicant shall have the responsibility to provide documentation as to why such compliance with the city’s general plan and general plan EIR goals and standards is not feasible and a “waiver” to such compliance may be granted by the planning commission when the commission determines that the project benefits exceed the adverse impacts on the city’s environment resulting from the project.
4. Such finding may be required for a project to be part of a statement of overriding considerations adopted as part of the certification process of a project environmental impact report (EIR).

**G. Official plan lines.** Whenever an official plan line or right-of-way has been established for any street, the required yards shall be measured from the official plan line or right-of-way line.

**H. Utility installation.** All newly constructed public utilities which are used to service a commercial, industrial, residential and/or multiple-family lot shall be placed underground in accordance with existing city standards.

**I. Exceptions.** Under certain specific circumstances, exceptions to the requirements of this chapter may be approved by the planning director.

1. **Height Limits.** In general, the height limitations established by this title shall not apply to church spires, belfries, cupolas and domes, monuments, water towers, silos, observation towers, distribution and transmission towers, lines and poles, chimneys, smokestacks, and flag poles.
2. **Design.** The planning commission may require appropriate design changes or that an architectural review application be submitted and approved for any of the height exceptions listed above. Approval of any type of transmitting radio, TV, or other antenna, except satellite dish antenna, shall require approval of the Federal Communications Commission (FCC) prior to installation.
3. **Projections into Required Setback Areas.** The following shall be permitted to project into a required setback area:

## City of Hughson Mixed Use Zoning Compatibility Standard

---

- a. Bay windows, cornices, canopies, eaves, greenhouse windows, chimneys, gutters, and other architectural features may project into required yards a maximum of three feet. However, no such feature shall project closer than three feet from a property line.
- b. A fire escape, or an unenclosed stairway, porch, patio, deck or balcony which is fully open to the sky, may extend or project into the required setback areas as follows:
  1. Not closer than three feet from a side yard property line;
  2. Six feet into any required front yard;
  3. Ten feet into the required rear yard.
4. Ground-Level Decks. An unenclosed ground-level deck may extend or project not closer than three feet from a side yard or rear yard property line, and not more than six feet into the required front yard setback area.
  1. When located five feet or more from any residence at its closest point, a ground-level deck shall be no higher than thirty inches above the ground at its highest point.
  2. When located less than five feet from any residence at its closest point, or if attached to a residence, a ground-level deck shall be no higher than eighteen inches above the ground at its highest point.
5. Gazebos and similar structures (such as solid patio shades) shall be considered accessory buildings and subject to the specific requirements contained elsewhere in this title.

**J. Limitation of exception provisions** The exception provisions of this section shall not be interpreted so as to alter any minimum front, rear or side yard setbacks as otherwise required by this title.

## City of Hughson Mixed Use Zoning Compatibility Standard

---

### Attachment 4

#### Suggested Hughson Zoning Code Addition Zoning Use Classifications

##### A. Purpose and applicability

1. This chapter is intended to supplement specific zoning district descriptions and use definitions in an effort to characterize the nature of the basic four “use” classifications of residential, public-quasi-public, commercial and industrial. It should be noted that there is limited ability to mix different uses within a specific district (i.e., public/quasi public uses within a residential district, residential uses within a commercial district and commercial uses within an industrial district) but the use that is permitted or conditionally permitted must be operated and maintained in such a manner as to protect the viability and character of the primary district purpose.
2. Use classifications describe one or more uses having similar characteristics, but do not list every use or activity that may appropriately be within the classification. The planning director shall determine whether a specific use shall be deemed to be within one or more use classifications or not within any classification in this title. The planning director may determine that a specific use shall not be deemed to be within a classification, whether or not named within the classification, if its characteristics are substantially incompatible with those typical of uses named within the classification.

**B. Uses not classified** Any new use, or any use that cannot be clearly determined to be in an existing use classification, may be incorporated into the zoning regulations by a zoning ordinance text amendment, as provided in Chapter \_\_\_\_\_.

##### C. Residential use classifications

1. Single-Family Residential Unit and One Accessory Residential Unit. A building containing one dwelling unit located on a single lot. This classification includes mobile home and factory-built housing.
2. Multifamily Apartments Residential. Two or more dwelling units on a site. This classification includes mobile home and factory-built housing.
3. Day Care, Limited. Non-medical care and supervision of eight or fewer persons on a less than twenty-four-hour basis. This classification includes nursery schools, preschools, and day care centers for children and adults.
4. Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit. This classification includes boardinghouses, dormitories, fraternities, sororities, and private residential clubs.
5. Private Garage. A building used in conjunction with a residential activity for the exclusive purpose of storing a residential vehicle and some additional household materials, furniture, or household items. Limited maintenance of the “family vehicle” is

## City of Hughson Mixed Use Zoning Compatibility Standar

---

typically permitted but use of electric or powered tools that can generate noise or other disturbances to adversely impact a residential neighborhood are prohibited.

6. Garage, Patio or Yard Sales. Limited to the infrequent sale of used household items sold by the owner of a residence and limited with respect to frequency, area and time of operation.
7. The Keeping of Domestic Animals and Pets. This includes a limited number of household pets and domestic animals that are maintained within a “home” and/or a fenced yard and do not create a public nuisance by virtue of odor or noise (see definition).
8. Home Occupations. The city of (city) recognizes that home-based businesses, primarily of an information processing nature, is a central part of the economy of the future as a result of advances in telecommunication/Internet technology. (city) encourages a business occupation that is conducted entirely within the home of the business person and does not distract from the residential neighborhood within which it is located (see definition).
9. Residential Care, Limited. Twenty-four-hour non-medical care for six or fewer persons in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the state of California.

### **D Public and semipublic use classifications**

1. Cemetery. A place for burying the dead.
2. Clubs and Lodges. Meeting, recreational or social facilities of a private or nonprofit organization primarily for use by members or guests. This classification includes union halls, social clubs, and youth centers.
3. Convalescent Facilities. Establishments providing care on a twenty-four-hour basis for persons requiring regular medical attention, but excluding facilities providing surgical or emergency medical services.
4. Cultural Institutions. Nonprofit institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes libraries, museums, and art galleries.
5. Day Care, General. Provision of non-medical care for nine or more persons on a less than twenty-four-hour basis. This classification includes nursery schools, preschools, and day care centers for children or adults.
6. Detention Facilities. Publicly owned and operated facilities providing housing, care, and supervision for persons confined by law.
7. Government Offices. Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles.
8. Heliports. Pads and facilities enabling takeoffs and landings by helicopters.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

9. Hospitals. Facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons, primarily on an inpatient basis. This classification includes incidental facilities for outpatient treatment, as well as training, research, and administrative services for patients and employees.
10. Maintenance and Service Facilities. Facilities providing maintenance and repair services for vehicles and equipment, and materials storage areas. This classification includes corporation yards, equipment service centers, and similar facilities.
11. Parks and Recreation Facilities. Noncommercial parks, playgrounds, recreation facilities, and open spaces.
12. Public Safety Facilities. Facilities for public safety and emergency services, including police and fire protection.
13. Religious Assembly. Facilities for religious worship and incidental religious education, but not including private schools as defined in this section.
14. Residential Care, General. Twenty-four-hour non-medical care for seven or more persons, including wards of the juvenile court, in need of personal services, supervision, protection, or assistance essential for sustaining the activities of daily living. This classification includes only those services and facilities licensed by the state of California.
15. Schools, Public and Private. Educational institutions having a curriculum comparable to that required in the public schools of the state of California.
16. Utilities, Major. Generating plants greater than five megawatts in size, electrical substations, aboveground electrical transmission lines, refuse collection or disposal facilities, water reservoirs, water or wastewater treatment plants, and similar facilities of public agencies, public utilities or private utilities. A structure that may have a significant effect on surrounding uses shall be regulated under this classification.
17. Waste Facility. A facility that provides for on-site waste stabilization or neutralization. This classification excludes hazardous waste disposal facilities.
18. Utilities, Minor. Utility facilities that are necessary to support legally established uses and involve only minor structures such as electrical distribution lines and underground water and sewer lines.

### **E. Commercial use classifications**

1. Live/Work Quarters. An area comprised of one or more rooms or floors in a building originally designed for industrial or commercial occupancy that includes cooking space and sanitary facilities and working space for artists, artisans and similarly situated individuals.
2. Ambulance Services. Provision of emergency medical care or transportation, including incidental storage and maintenance of vehicles.
3. Animal Sales and Services.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

- a. **Animal Boarding and Kennels.** Provision of shelter and care for small animals on a commercial basis. This classification includes activities such as feeding, exercising, grooming, and incidental medical care.
- b. **Animal Grooming.** Provision of bathing and trimming services for small animals on a commercial basis. This classification includes boarding of domestic animals for a maximum period of forty-eight hours.
- c. **Animal Hospitals.** Establishments where small animals receive medical and surgical treatment. This classification includes only facilities that are entirely enclosed, soundproofed, and air-conditioned. Grooming and temporary (thirty days) boarding of animals is included if incidental to the hospital use.
- d. **Animals—Retail Sales and Pet Stores.** Retail sales and boarding of small animals, provided such activities take place within an entirely enclosed building. This classification includes grooming, if incidental to the retail use, and boarding of animals not offered for sale for a maximum period of forty-eight hours.
4. **Artists’ Studios.** Work space for artists and artisans, including individuals practicing one of the fine arts or performing arts, or skilled in an applied art or craft.
5. **Banks and Savings and Loans.** Financial institutions that provide retail banking services to individuals and businesses. This classification includes only those institutions engaged in the on-site circulation of cash money.
  - a. **With Drive-up Service.** Institutions providing services accessible to persons who remain in automobiles.
6. **Building Materials and Services.** Retailing, wholesaling, or rental of building supplies or equipment. This classification includes lumber yards, tool and equipment sales or rental establishments, and building contractors’ yards, but excludes retail sales of paint and hardware, except as an accessory use to a lumber yard, and activities classified under “vehicle/equipment sales and services.”
7. **Catering Services.** Preparation and delivery of food and beverages for off-site consumption without provision for on-site pickup or consumption. (See also “eating and drinking establishments.”)
8. **Commercial Filming.** Commercial motion picture or video photography at the same location more than six days per quarter of a calendar year.
9. **Commercial Recreation and Entertainment.** Provision of participant or spectator recreation or entertainment. This classification includes theaters, sports stadiums and arenas, amusement parks, bowling alleys, billiard parlors, ice/roller skating rinks, golf courses, miniature golf courses, scale-model courses, shooting galleries, tennis/racquetball courts, health/fitness clubs, pinball arcades or electronic games centers having three or more coin-operated game machines, card rooms, subject to the regulation of **Chapter** ?, and facilities used exclusively for bingo games, as regulated by **Chapter** ?.
  - a. Game center, billiard parlor.
  - b. Limited. Indoor movie theaters and performing arts theaters.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

10. Communications Facilities. Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms, but excluding “Utilities (major).” This classification includes radio, television, or recording studios; telephone switching centers; and telegraph offices.
11. Conference and Meeting Facilities. Facilities providing indoor and/or outdoor event space for conferences, meetings, weddings, banquets, luncheons or similar events on a commercial basis.
12. Eating and Drinking Establishments. Businesses serving prepared food or beverages for consumption on or off the premises.
  - a. With Wine and Beer Service. Alcoholic beverages served are limited to wine and beer.
  - b. With full alcoholic beverage service.
  - c. With Live Entertainment. Establishments offering live entertainment, as defined in **Chapters ? and ?**.
  - d. With Take-out Service. Establishments at which twenty percent or more of the transactions are sales for off-site consumption, and which serve or deliver prepared food to persons in vehicles or have more than two work stations at which employees package or service prepared food and receive payment.
    1. Drive-Up. Service from a building to persons in vehicles through an outdoor service window.
    2. Limited. Establishments that do not serve persons in vehicles.
  - e. Truck Stop. A facility geared primarily to providing services for truckers, including on-site fueling, repair and servicing of freight trucks; restaurant facilities; restrooms; towing services; overnight accommodations and related services.
13. Food and Beverage Sales. Retail sales of food and beverages for off-site preparation and consumption. Typical uses include groceries, liquor stores, or delicatessens. Establishments at which twenty percent or more of the transactions are sales of prepared food for on-site or take-out consumption shall be classified as “catering services” or “eating and drinking establishments.”
14. Funeral and Interment Services. Establishments primarily engaged in the provision of services involving the care, preparation or disposition of human dead other than in cemeteries. Typical uses include crematories, columbariums, mausoleums or mortuaries.
15. Laboratories. Establishments providing medical or dental laboratory services or establishments with less than two thousand square feet providing photographic, analytical, or testing services. Other laboratories are classified as “limited industry.”
16. Maintenance and Repair Services. Establishments providing appliance repair, office machine repair, bicycle repair or building maintenance services. This classification excludes maintenance and repair of vehicles (see “vehicle/equipment repair”) or boats or ships (see “marine sales and services”).

## City of Hughson Mixed Use Zoning Compatibility Standar

---

18. Boat and Associated Water Sports Sales and Services. Establishments providing supplies and equipment for shipping or related services, or pleasure boating. Typical uses include chandleries, yacht brokerage and sales, boat yards, boat docks, and sail-making lofts.
19. Nurseries. Establishments in which all merchandise other than plants is kept within an encased building or fully screened enclosure, and fertilizer of any type is stored and sold in package form only.
20. Offices, Business and Professional. Offices of firms or organizations providing professional, executive, management, or administrative services, such as architectural, engineering, real estate, insurance, investment, legal, and medical/dental offices. This classification includes medical/dental laboratories incidental to an office use, and pharmacies, eyeglass shops, and similar prescription-dispensing services as an accessory to a medical office complex, but excludes banks and savings and loan associations.
21. Pawn Shops. Establishments engaged in retail sales of new or secondhand merchandise and offering loans secured by personal property.
22. Personal Improvement Services. Provision of instructional services or facilities, including photography, fine arts, crafts, dance or music studios, driving schools, business and trade schools, and diet centers.
23. Personal Services. Provision of recurrently needed services of a personal nature. This classification includes barber and beauty shops, seamstresses, tailors, shoe repair shops, dry cleaning agencies (excluding plants), and self-service laundries.
24. Research and Development Services. Establishments primarily engaged in industrial or scientific research, including limited product testing. This classification includes electron research firms or pharmaceutical research laboratories, but excludes manufacturing or medical testing and analysis.
25. Produce Stand. Are temporary produce sales locations that do not have continuous sales of more than thirty days during any three-month period of time and all produce sold at the site are agricultural products grown on the site where the sale is occurring. The sales area, access and parking, does not create a public nuisance or create a potential traffic hazard.
26. Produce Market. Are commercial produce sales enterprises which are principally carried out within a building but may include outdoor sales/display areas and are conducted principally within C districts and the AG zone and may involve the sales of some agricultural products that are not grown and produced on the site.
27. Retail Sales. The retail sale of merchandise not specifically listed under another use classification. This classification includes department stores, clothing stores, and furniture stores and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies, electronic equipment, records, sporting goods, kitchen utensils, hardware, appliances, antiques, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding service and installation).

## City of Hughson Mixed Use Zoning Compatibility Standar

---

28. **Secondhand Appliance and Clothing Sales.** The retail sale of used appliances and clothing carried on entirely within a building and not displayed or merchandised outside of building or enclosure and not visible from any public right-of-way. This classification excludes antique shops primarily engaged in the sale of used furniture and accessories other than appliances.
29. **Swap Meets, Recurring.** Retail sale or exchange of new, handcrafted, or secondhand merchandise for a maximum period of forty-eight hours, conducted by a sponsor on a more than twice yearly basis.
30. **Vehicle/Equipment Sales and Services.**
  - a. **Automobile Rentals.** Rental of automobiles, taxicab services, and limousine services, including storage and incidental maintenance, but excluding maintenance requiring pneumatic lifts.
  - b. **Automobile Washing.** Washing, waxing, or cleaning of automobiles or similar light vehicles.
  - c. **Service Stations.** Establishments engaged in the retail sale of gas, diesel fuel, lubricants, parts and accessories. This classification includes incidental maintenance and repair of automobiles and light trucks, but excludes body and fender work or repair of heavy trucks or vehicles.
  - d. **Vehicle/Equipment Repair.** Repair of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, or boats, including the sale, installation, and servicing of related equipment and parts. This classification includes auto repair shops, auto detailing shops, body and fender shops, wheel and brake shops, and tire sales and installation, but excludes vehicle dismantling or salvage and tire re-treading or recapping.
  - e. **Vehicle/Equipment Sales and Rentals.** Sale or rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment, mobile homes, and similar equipment, including storage and incidental maintenance.
  - f. **Vehicle Storage.** Storage of operative or inoperative vehicles. This classification includes storage of parking tow-a-ways, impound yards, and storage lots for automobiles, trucks, buses and recreational vehicles, but does not include vehicle dismantling.
31. **Visitor Accommodations.**
  - a. **Bed and Breakfast Inns.** Establishments offering lodging on a less than weekly basis typically in a converted single-family or multifamily dwelling, with incidental eating and drinking service, for lodgers only, provided from a single kitchen.
  - b. **Hotels and Motels.** Establishments offering lodging on a less than weekly basis, and having kitchens in no more than sixty percent of guest units. This classification includes eating, drinking, and banquet service.
  - c. **Boarding or Rooming House.** Establishments where people live a more or less transient state but meals are served or limited kitchen facilities are present in the facility.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

- d. Campground. Public recreation facilities operated in conjunction with Tuolumne River and lake recreation facilities.
- 32. Wholesales Distribution. Selling of wholesale to retail establishments exclusively. No general public sales.
- 33. Wholesale Retail Stores. Selling of wholesale and retail goods to the general public.

### **Industrial use classifications.**

1. Industry, Custom. Establishments primarily engaged in off-site production of goods by hand manufacturing involving the use of hand tools and small-scale equipment.
  - a. Limited. Includes mechanical equipment not exceeding two horsepower or a single kiln not exceeding eight kilowatts and the incidental direct sale to consumers of those goods produced on-site. Typical uses include ceramic studios, candle-making shops, and custom jewelry manufacture.
  - b. Boat or watercraft building, custom automobile or motorcycle fabrication.
2. Industry, General. Manufacturing of products primarily from extracted or raw materials, or bulk storage and handling of such products and materials. Uses in this classification typically involve a high incidence of truck or rail traffic, and/or outdoor storage of products, materials, equipment, or bulk fuel. This classification includes chemical manufacture or processing, food processing and packaging, laundry and dry cleaning plants, auto dismantling within an enclosed building, oil and gas refining, stonework and concrete products manufacture (excluding concrete ready-mix plants) within an enclosed building, and accessory power generation facilities of five megawatts or less in conjunction with a permitted use.
3. Junkyards, salvage and wrecking yards where scrap metal, automobiles and equipment can be dismantled and resold as parts or for scrap and all activities are conducted entirely within a building or enclosed area and cannot be viewed from a public street or roadway.
4. Industry, Limited. Manufacturing of finished parts or products, primarily from previously prepared materials; and provision of industrial services; both within an enclosed building. This classification includes processing, fabrication, assembly, treatment, and packaging, but excludes basic industrial processing from raw materials, food processing, and vehicle/equipment sales and services. Small-Scale. Limited to a maximum gross floor area of five thousand square feet.
5. Industry, Research and Development. Establishments primarily engaged in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale, but prohibit uses that may be objectionable, in the opinion of the planning director, by reason of production of offensive odor, dust, noise, vibration, or storage of hazardous materials. Uses include biotechnology, films, and nontoxic computer component manufacturers.
6. Wholesaling, Distribution and Storage.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

- a. **Wholesaling and Distribution.** Facilities primarily engaged in the selling of goods, merchandise, products or materials to retailers, contractors, professional business users, other wholesalers or to agents or brokers. May include related storage, break-bulk activity, redistribution and delivery.
  - b. **Warehousing and Transportation.** Storage of products or goods, including household goods, with related local or long-distance trucking and transfer of stored items.
  - c. **Trucking Terminal/Freight Transfer Station.** A facility where goods and products are transferred, often directly, from one vehicle to another without the storage of such goods and products on a long-term basis within a warehouse building or storage yard. Includes break-bulk facilities. May include related maintenance facilities and incidental storage of trucks on-site when not in use.
  - d. **Package Distribution.** A warehousing and distribution facility used primarily to gather and distribute for delivery, packages and mail.
7. **Temporary Residential Shelter (Small).** A small temporary residential shelter consisting of not more than twenty-four beds that provides temporary housing for homeless people and is operated by a “not-for-profit” organization to the sole purpose of meeting the temporary housing needs of the city of (city)’s indigent population.
  8. **Temporary Residential Shelter (Large).** A large temporary residential shelter consisting of more than twenty-four beds, that provides temporary housing for homeless people and is operated by a “not-for-profit” organization to the sole purpose of meeting the temporary housing needs of the city of (city)’s indigent population.

### **Agricultural use classifications**

1. **General Agriculture.** Includes activities such as the tilling of the soil, the raising of crops, horticulture, viticulture, limited livestock and small livestock farming, aquaculture, or limited animal husbandry such as FFA or 4H projects, including all uses customarily incidental thereto but not including poultry ranching, dairying, slaughterhouses, fertilizer yards, bone yards or plants for the reduction of animal matter or any other industrial or agricultural use or activity which is similarly objectionable because of noise, odor, smoke, dust or fumes.
2. **Small Animal Husbandry.** Raising of small animals or production of animal products, such as eggs or dairy products, on an agriculturally designated property for domestic or personal consumption or as part of an FFA or 4H youth project and subject to the city’s animal standards.
3. **Crop Production.** Raising and harvesting of tree crops, row crops, or field crops on an agricultural or commercial basis, including packing and processing.
4. **Limited Agricultural Processing.** Includes the changing an agricultural product (fruits, nuts and vegetables but not including animals) from its natural state to a different form, such as grapes to wine, apples to juice or sauce, etc. Limited agricultural processing shall be limited to crops grown on the subject property, fifty percent of which may be grown within a one-mile radius of the subject property.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

5. **General Agricultural Processing.** Includes activities such as packing, sizing, polishing, hulling and the like. The manufacture of tomato paste or similar types of canneries or processes involving heat or chemical industrial techniques shall not be considered to be general agricultural processing.
6. **Agricultural Service Establishments.** Includes businesses engaging in activities designed to aid production agriculture. Service does not include the provision of tangible goods except those sold directly to farmers and used specifically to aid in production of farm animals or crops. Nor does service include any business which has the primary function of manufacturing products.
7. **Production Agriculture.** Includes producing of plant and animal commodities for commercial purposes.
8. **Small Livestock Farming.** Includes the raising or keeping of more than twelve chicken hens, turkeys or twelve pigeons or twelve similar fowl or twelve rabbits or twelve similar animals, or four permanent standard beehives, or any roosters, quacking ducks, geese, guinea fowl, peafowl, goats, sheep, worms or similar livestock provided that the term “small livestock farming” as used in this title shall not include hog farming, dairying or the raising or keeping for commercial purposes of horses, mules or similar livestock as determined by the city council.
9. **Private and Public Stables.** Includes accessory buildings or space where horses are kept for the private use of the owner and guests or for the commercial rental, training, or boarding of horses.
10. **Tasting Room and Fruit Stand.** Includes a facility in which agricultural products, grown or processed on the premises, may be tasted and sold. A restaurant, where complete meals are served and consumed, shall not be considered to be a tasting room.
11. **Private or Public Kennel.** Includes a place where five or more dogs or cats over four months of age are kept for commercial or noncommercial purposes.
12. **Horticulture, Limited.** Includes the raising of vegetables, flowers, ornamental trees and shrubs as a commercial enterprise; provided, that no nursery equipment or materials shall be stored and no structures erected. Commercial horticulture accessory to a dwelling unit shall be regulated as a home occupation.

**Accessory use classifications** Accessory Uses and Structures. Uses and structures that are incidental to the principal permitted or conditionally permitted use or structure on a site and are customarily found on the same site. This classification includes accessory dwelling units (“second units”), home occupations, and construction trailers.

1. **Nonresidential Accessory Structures.** Structures with no bedrooms, kitchens, or cooking facilities.
2. **Accessory Dwelling Unit.** An attached or detached residential dwelling unit that provides permanent complete independent living facilities, including facilities for living, sleeping, food preparation and cooking, eating and sanitation, for one or more persons, on the same parcel as a single-family dwelling.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

### Temporary use classifications

1. Animal Shows. Exhibitions of domestic or large animals for a maximum of seven days.
2. Seasonal Sales. Includes, but is not limited to, retail sale of Christmas trees, pumpkins and related Halloween decorations and 4th of July fireworks sales.
3. Circuses and Carnivals. Provision of games, eating and drinking facilities, live entertainment, animal exhibitions, or similar activities in a tent or other temporary structure for a maximum of seven days as set forth in **Chapter (Temporary Permits)**. This classification excludes events conducted in a permanent entertainment facility.
4. Commercial Filming, Limited. Commercial motion picture or video photography at the same location six or fewer days per quarter of a calendar year.
5. Personal Property, Yard, Garage or Patio Sales. Sales of personal property.
6. Religious Assembly. Religious services conducted on a site that is not permanently occupied by a religious assembly use, for a period of not more than three days during any three-month period.
7. Retail Sales, Special Outdoor. Retail sales of new merchandise on the site of a legally established retail business.
8. Street Fairs and Farmers Markets. Provision of games, eating and drinking facilities, live entertainment, or similar activities not requiring the use of roofed structures.
9. Swap Meets, Nonrecurring. Retail sale or exchange of new, handcrafted, or secondhand merchandise for a maximum period of forty-eight hours, conducted by a sponsor no more than twice in any year.
10. Trade Fairs. Display and sale of goods or equipment related to a specific trade or industry for a maximum period of five days.
11. Temporary Bake Sales, Car Washes or Similar Charity or Organizational Fundraising Activities. Activity to be provided within a parking lot or sidewalk area in such a manner that it does not block public vehicular or pedestrian traffic or create a traffic pedestrian hazard and subject to city encroachment permits where applicable.
12. Temporary Schools, Outdoor Classroom Events. Conducted on public or private open space in a non-residential area and subject to city permits where applicable.
13. Other Uses. Other uses of a clearly temporary nature as determined to be appropriate by the planning director.

## City of Hughson Mixed Use Zoning Compatibility Standard

### Attachment 5

#### Suggested Chapter City of Hughson Municipal Code PERFORMANCE STANDARDS

**A. Purpose** The purpose of these performance standards is to ensure compatibility between land uses by setting limits, whether generic or quantitative, for dust, heat, electrical disturbances, fumes, vapors, odor, noise, lighting and so forth.

**B. Evidence of compliance** The planning director shall require such evidence of ability to comply with performance standards as he or she deems necessary prior to issuance of a zoning permit. Where periodic testing is required, such test data shall be gathered by the owner of the subject property or holder of applicable permit and provided to the city as required at the sole cost and expense of the owner of the subject property or holder of applicable permit.

**C. Dust.** No urban land use shall create dust, dirt or mud, which leaves the boundaries of the project site. Implementation of the following measures shall help to reduce generation of dust, dirt or mud:

1. Schedule all grading activities to ensure that repeated grading will not be necessary.
  - a. If a construction site has been disturbed (cleared, graded or excavated) and is to remain inactive for a period of three or more months, it shall be seeded with an annual grass and watered until growth is evident. If after disturbing, the site is inactive for three or more months during the dry period (June to October), as an alternative to seeding, a soil binding dust palliative, such as Hemicellulose extract (wood molasses) solution, may be applied.
  - b. If seeded, grass shall be mowed (not disked under) to a maximum height of four inches for fire control. Grasses do not need to be maintained in a green/growing condition. Mowing should occur before the grass dries out to avoid fires that may result from blades striking rocks.
2. During clearing, grading, earth moving and other site preparation activities and all construction:
  1. Exposed earth surfaces shall be watered as needed, whenever needed, in order to prevent dust from leaving the project site on that phase of the project presently under development.
  2. Mud and dirt carried from the development onto adjacent roadways shall be cleaned up daily.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

3. Litter and debris shall be cleaned up daily to prevent it from leaving the project site and littering adjacent properties.

**D. Air contaminants** All uses shall comply with rules, regulations, and standards of the San Joaquin Valley Unified Air Pollution Control District (SJVUAPCD). An applicant for a zoning permit or a use, activity, or process requiring SJVUAPCD approval of a permit to construct shall file a copy of the SJVUAPCD permit with the planning director. Any use, activity or process that requires SJVUAPCD approval of a permit to operate shall file a copy of such permit with the planning director within thirty days of its approval.

**E. Hazardous materials** Hazardous materials generated by any use within the City of Hughson shall comply with the Hazardous Materials standards contained within Chapter 6.40 of Hughson Municipal Code.

**F. Combustibles and explosives** The use, handling, storage, and transportation of combustibles and explosives shall comply with the provisions of the applicable fire codes.

**G. Radioactive materials** The use, handling, storage, and transportation of radioactive materials shall comply with the provisions of the California Radiation Control Regulations (California Administrative Code, Title 17) and applicable Hughson public safety and fire prevention codes.

**H. Lighting** Exterior lighting shall be designed and maintained in a manner so that glare and reflections are contained within the boundaries of the parcel, and shall be hooded and directed downward and away from adjoining properties and public rights-of-way. The use of blinking, flashing or unusually high intensity or bright lights shall not be allowed. All lighting fixtures shall be appropriate to the use they are serving, in scale, intensity and height.

### **I. Glare**

1. From Glass. Mirrored or highly reflective glass shall not cover more than twenty percent of a building surface visible from a street unless an applicant submits surface information demonstrating to the satisfaction of the planning director that use of such glass would not significantly increase glare visible from adjacent streets and property or pose a hazard for moving vehicles.
2. From Outdoor Lighting. Parking lot lighting shall comply with Chapter 18.72. Site lighting shall be designed and installed to confine direct light rays to the site. Minimum illumination at ground level shall be 0.5 foot-candles, and shall not exceed 0.5 foot-candles in an R district. Security lighting in any district may be indirect or diffused, or shall be shielded or directed away from adjoining properties and public rights-of-way. Lighting for outdoor court or field games within three hundred feet of an R district shall require approval of a use permit.

**J. Noise** Noise generated by mechanical equipment, buzzers, bells, loud speakers or other noise generating devices shall comply with the noise standards below at any boundary line of the

## City of Hughson Mixed Use Zoning Compatibility Standar

---

parcel, except fire protection devices, burglar alarms and church bells shall conform to the standards contained within (Code Section) of Hughson Municipal Code.

**K. Odor** No use shall emit any offensive odor off site based on typical human reaction except normal odor associated with certain uses that are allowed in agricultural areas such as animal confinement facilities. The Stanislaus County Environmental Health Division shall be responsible for determining whether or not the off-site odor is offensive or causes a nuisance.

**L. Vibration** No use shall create any disturbing ground vibration, based on typical human reaction beyond the boundaries of the site.

**M. Water pollution** No person or use shall discharge liquids of any kind into a public or private sewage system, watercourse, body of water, or the ground, except in compliance with applicable regulations of the California Regional Water Quality Control Board (California Administrative Code, Title 23, Chapter 3 and California Water Code, Division 7).

**N. Heat and humidity** Uses, activities, and processes shall not produce any unreasonable, disturbing, or unnecessary emissions of heat or humidity, at the property line of the site on which they are situated, that cause material distress, discomfort, or injury to the average person.

**O. Electromagnetic interference** Uses, activities and processes shall not cause electromagnetic interference with normal radio or television reception in R districts or mixed use district where “R” uses are permitted, or with the function of other electronic equipment beyond the property line of the site on which they are situated.

**P. Public safety** Implement “Crime Prevention through Environmental Design” (CEPTED) principal in project design.

1. Purpose. CEPTED design Principles recognize that the physical environment can be manipulated to produce behavioral effects that will reduce the fear and incidence of crime while improving quality of life. Secondly, CEPTED Principles provide a conceptual framework, derived from this insight, which serves to develop and ensure a better designed property. It is through the development of this design that crime and loss is kept to a minimum. That is because CPTED believes that crime and loss are byproducts of human functions that are not working properly.
2. Strategy. There are three overlapping CPTED design strategies:
  - a. “Natural surveillance” is a design strategy that is directed at keeping intruders under observation.
  - a. “Natural access control” is a design strategy that is directed at decreasing crime opportunity. The primary thrust of an access control strategy is to deny access to a crime target and to create a perception of risk in offenders.

## City of Hughson Mixed Use Zoning Compatibility Standar

---

- b. “Territorial reinforcement” is an “umbrella” design strategy that realizes that physical design can create or extend a sphere of influence so that users of a property develop a sense of proprietorship over it. Territorial strategies will often embody natural surveillance and natural access control strategies.
3. Implementation. CEPTED Principles shall be implemented in the city of Waterford through the application of CEPTED design principles during the project architectural-design review process, as set forth in (Code Section) of Hughson Municipal Code and the implementation of the Hughson general plan policies and standards.

### Other Suggested Code Provisions:

The City might want to consider expanding its Hazardous Materials Code provisions (Chapter 6.40) to include some additional language. For example, the following approach is provided:

1. Purpose. The following supplemental regulations are intended to ensure that the use, handling, storage and transport of hazardous substances comply with all applicable requirements of the California Health and Safety Code and that the city is notified of emergency response plans, unauthorized releases of hazardous substances, and any substantial changes in facilities or operations that could affect the public health, safety or welfare. It is not the intent of these regulations to impose additional restrictions on the management of hazardous wastes, which would be contrary to state law, but only to require reporting of information to the city that must be provided to other public agencies.
2. Definitions. For purposes of this section, “hazardous substances” shall include all substances on the comprehensive master list of hazardous substances compiled and maintained by the California Department of Health Services pursuant to Section 25282 of the California Health and Safety Code.
3. Permit Required. A use permit, in accordance with Chapter 18.76, shall be required for any new commercial, industrial, or institutional use, accessory use, or major addition or alteration to an existing use that involves the manufacture, storage, handling, transport, or processing of hazardous substances in sufficient quantities that would require permits as hazardous chemicals under the Uniform Fire Code adopted by the city, with the following exceptions:
  - a. Underground storage of bulk flammable and combustible liquids is permitted, subject to the provisions of subsection 5 of this section; and
  - b. Hazardous substances in container sizes of ten gallons or less stored or maintained for the purposes of retail or wholesale sales are exempt from these regulations. The planning director or the planning commission may request information on the

## City of Hughson Mixed Use Zoning Compatibility Standar

---

procedures to be used to process, transport, and store hazardous substances in a safe manner prior to approval of a use permit.

4. **Hazardous Materials Release Response Plans.** All businesses located in the city and required by Chapter 6.95 of the California Health and Safety Code to prepare hazardous materials release response plans shall submit copies of all such plans, including any corrected plans or revised plans, to the fire department at the same time these plans are submitted to the public agency administering these provisions of the California Health and Safety Code. These submittal requirements shall be a condition of approval of a zoning permit, issued in accordance with the provisions of this title, for:
  - a. new development where space may be occupied by such a business, and
  - b. any alteration or addition to an existing building or structure occupied by a business subject to these provisions of the California Health and Safety Code.
  
5. **Underground Storage Tanks.** Underground storage of hazardous substances shall comply with all applicable requirements of Chapter 6.7 of the California Health and Safety Code and Section 79.1113(a) of the Uniform Fire Code. Any business located in the city that uses underground storage tanks shall:
  - a. Notify the city police department and fire department of any unauthorized release of hazardous substances immediately after the release has been detected. Such notification shall include the steps being taken to control the release; and
  - b. Notify the fire chief of any proposed abandoning, closing or ceasing operation of an underground storage tank and the actions to be taken to dispose of any hazardous substances.
  - c. These notification requirements shall be a condition of approval of a zoning permit for (1) new development that involves installation of underground tanks, and (2) any alteration or addition to an existing building or structure on a site where underground storage tanks exist.
  
6. **Aboveground Storage Tanks.** Aboveground storage tanks for any flammable liquid shall be allowed only at refinery or bulk storage plant locations with the approval of the fire marshal.

## City of Hughson Mixed Use Zoning Compatibility Standard

### Attachment 6

#### Chapter 17.02

#### City of Hughson ZONING DISTRICTS

Sections:

- 17.02.004 Establishment and designation of zones.
- 17.02.008 Residential zones.
- 17.02.012 Commercial zones.
- 17.02.016 I – Industrial zone.
- 17.02.032 Public use zones.
- 17.02.032 Specific plan zone.
- 17.02.032 Planned development overlay zone.
- 17.02.032 Uses allowed in each district.

#### **17.02.004 Establishment and designation of zones.**

A. Designation of Zones. The zones hereby established and into which the city is divided are designated as follows:

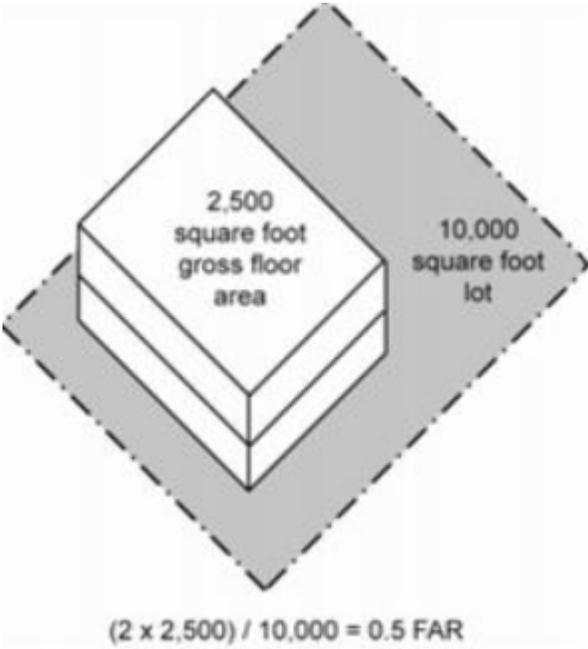
- R-1 Low Density Residential
- R-2 Medium Density Residential
- R-3 High Density Residential
- R-A Rural Residential
- C-1 Neighborhood Commercial
- C-2 General Commercial
- C-3 Service Commercial
- I Industrial
- P Public Facility
- O-S Park/Open Space
- S-P Specific Plan
- P-D Planned Development Overlay

(Ord. 08-06 § 1, 2008)

# Floor Area Ration (FAR)

“Floor area ratio” is the ratio of the total gross floor area of all buildings on a lot, excluding structured parking areas, divided by the total lot area. For example, as shown in Figure 17.01.090.1, if a 10,000 square foot lot has one two-story building, and the gross floor area of each story is 2,500 square feet, the lot has a total gross floor area of 5,000 square feet and an FAR of 0.5.

Figure 17.01.090.1. Floor Area Ratio



In the planning profession .... our attention (is often) being cast to the new/undeveloped lands and "providing services" for them. This is considered "forward looking". Conversely, those areas of our communities that are aging are somehow not seen as needing appropriate care and maintenance. These areas often have utilities/services that have been paid for over time, and are just in need of care to maintain their function at a fraction of the capital cost of new projects. However, they are left to be seen only in the rearview mirror as we drive toward the shiny new development. Continued investment in community wealth that has been built over time is passed over for vastly larger "investment" on unproven ground (figuratively AND literally).

There is a sense by many in the planning profession that older/existing areas of a community are undergoing an entropy that is unavoidable and a necessary sacrifice. There seems to be a lack of understanding of these areas as aging. They are seen as being in decay, and somehow this IS the natural movement of progress toward a better future. The problem of course is that eventually these sacrificed investments of the past then become completely run down, having lost (used up) almost all their value. At that time they are then seen as being in need of a complete rebuilding at substantial cost to the community. These neglected areas then become the new "undeveloped" or "underdeveloped" areas that NEED large scale investment to "turn them around"... and then off we go to repeat the cycle.

Why do we as planners (an inherently forward focused profession) help create and maintain processes that consistently codify neighborhood stagnation (with overly restrictive zoning); develop unwieldy expectations for necessary capital investments (with absurd comprehensive plan visions and policies); and, link community well-being only with new developments (with capital improvement plans that ignore existing opportunities and incremental betterment of what already exists, the "improvement" in CIPs)?

I'll end with one final question: If this approach would be an unacceptable strategy for our personal homes, so why is it ok for our neighborhoods, towns and cities?

Cheers,

rjv

March 18, 2013 | [Robert Voigt](#)