

Draft

ENVIRONMENTAL ASSESSMENT &
INITIAL STUDY

NEGATIVE DECLARATION

FOR THE

City of Vacaville Economic Vitality Code Amendments

File No. 15-252

City of Vacaville
Community Development Department

January 14, 2016

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**CITY OF VACAVILLE
COMMUNITY DEVELOPMENT DEPARTMENT
ENVIRONMENTAL ASSESSMENT/INITIAL STUDY
FILE NO. 15-242**

PROJECT LOCATION, DESCRIPTION, AND EXISTING CONDITIONS

PROJECT TITLE:

City of Vacaville Land Use and Development Code Amendments to promote Economic Development (File No. 15-252)

LEAD AGENCY NAME AND ADDRESS:

City of Vacaville
Community Development Department
650 Merchant St.
Vacaville, CA 95688

CONTACT PERSON AND PHONE NUMBER:

Barton Brierley, Community Development Director
(707) 449-5361

PROJECT LOCATION:

City of Vacaville, Solano County

APPLICANT'S NAME AND ADDRESS:

City of Vacaville
Community Development Department
Attn: Barton Brierley, Community Development Director
650 Merchant Street
Vacaville, CA 95688

GENERAL PLAN DESIGNATION:

The project proposes text amendments to the City's Land Use and Development Code. The project does not include any proposals for development or amendments to the General Plan.

ZONING:

The project proposes text amendments to the City's Land Use and Development Code. The project does not include any proposals for development or amendments to the Zoning Map.

DESCRIPTION OF PROJECT:

The project proposes text amendments to the City's Land Use and Development Code to enhance the Economic Vitality of Vacaville. The amendments would do the following:

- 1) **Project expiration dates.** The proposal would make all land use approvals valid for two years instead of one, and allow the Director of Community Development to approve a one year extension.
- 2) **Reestablishment of conditional uses.** The proposal would allow a conditional use that has been discontinued to be reestablished within one year, instead of six months, without a new conditional use permit. It also would clarify language related to conditional uses.

- 3) **Temporary commercial uses and events.** The proposal would clarify language and remove inconsistencies regarding temporary commercial uses and events.
- 4) **Mobile food services.** The proposal would allow mobile food services, such as food carts and food trucks, to set up on improved commercial properties for a short term event (5 days or fewer) without acquiring a temporary commercial use permit from the City. There would be a limit of 6 such events per year on a property with a minimum of 14 days between events. The proposal also would allow a property owner to establish a location for mobile food services through the design review process. After that, future mobile food services at that location operating within the parameters established through design review would not require a temporary commercial use permit.
- 5) **Administrative clearances for parking.** The proposal would allow the Community Development Director to approve a reduction in the number of parking spaces by two spaces or 10 percent of the number of required spaces, whichever is greater, through an administrative clearance process rather than a variance.
- 6) **Fences.** The proposal would allow fences in interior residential yards to be up to eight feet high if both property owners agree and if the top two feet is 25 percent open. It would allow the Community Development Director to approve an administrative clearance to increase other fence heights by two feet.
- 7) **Pet day cares.** The proposal would allow pet day cares as a permitted use (or conditional use if adjacent to residential zones) in the Downtown Commercial (CD), General Commercial (CG), Neighborhood Commercial (CN), and Office Commercial (CO) zones, and allow as a permitted use in the Service Commercial (CS) zones. In policy plan areas, the proposal would allow them generally where other service establishments are allowed.
- 8) **Permitted and conditional uses in commercial zones.** The proposed amendment would make a number of conditional uses in commercial zones permitted uses if they are not adjacent to residential zones. This includes:
 - a. Amusement arcades (CD, CG, CO, CN, CR).
 - b. Automobile renting and leasing (CG, CS).
 - c. Convenience markets (still conditional if it requires a City Determination of Public Convenience or Necessity for Alcohol Sales, CD outside historic district, CG).
 - d. Drive-in businesses (CG, CS).
 - e. Hotels and motels (CG).
 - f. Accessory outdoor storage or sales (CG, CS).
 - g. Commercial rental centers (CG).
 - h. Vehicle repair and maintenance (CG).
 - i. Service stations (still conditional is it requires a City Determination of Public Convenience or Necessity for Alcohol Sales, CG, CS)
 - j. Storage, household and business (CG).
- 9) **Administrative design reviews.** The proposal would allow administrative level design reviews instead of planning commission level for commercial projects 25,000 square feet or less and industrial projects 100,000 square feet or less where the project does not abut a residential zone.

EXISTING CONDITIONS:

Vacaville's current Land Use and Development Code establishes standards for development and procedures to review development proposals. It establishes that development approvals expire one year after the date of approval or as otherwise determined. It requires a new conditional use permit if a conditional use is discontinued for six months. It requires a temporary commercial use permit for most temporary commercial uses and events. It establishes minimum parking requirements and allows applicants to request a variance to reduce those requirements. It allows property owners to apply for an administrative clearance to allow an eight-foot high fence on interior property lines. It allows kennels in industrial zones. It allows a number of uses as conditional uses in various commercial zones. It requires Planning Commission review of design reviews involving 5,000 square feet or larger buildings in commercial and industrial zones not covered by policy plans.

Of Vacaville's 21,350 acres of land, 42% of that is residential, 8% is commercial, and 12% is business/industrial use.

SURROUNDING LAND USES AND SETTING:

Vacaville is a freestanding city lying on Interstate 80 in the San Francisco-Sacramento urban corridor. The rolling hills of the English Hills and rural residential development about the City on the north; farming operations of the Central valley are located on the east; rolling hills that separate Vacaville from the City of Fairfield border the City on the south; and the Vaca Mountains are located on the west.

OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED:

The Vacaville Land Use and Development Code may be amended by the Vacaville City Council at its sole discretion. As such, amendments to the City's Land Use and Development Code do not required approval of any other agency.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

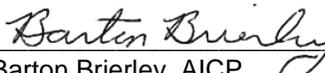
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Land Use/Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION

Based on this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Barton Brierley, AICP
Community Development Director

January 14, 2016
Date

EVALUATION OF ENVIRONMENTAL IMPACTS

SCOPE OF THE ENVIRONMENTAL ASSESSMENT

This environmental assessment analyzes the potential project-specific impacts of the proposed text amendments to the City of Vacaville Land Use and Development Code. The text amendments do not directly approve or propose any land development.

The method of environmental analysis includes a review to determine whether the impact related to the City's evaluation criteria would be potentially significant; less than significant unless mitigation is incorporated; less than significant; or none. The analysis includes a summary of the affected environment and a review of the threshold for determining significance. The evaluation of potential impacts applies the threshold, determines significance and, if necessary, includes recommended mitigation measures.

ENVIRONMENTAL IMPACT ANALYSIS

I AESTHETICS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

The Vacaville Land Use and Development Code applies to proposals for land use within the Vacaville City limits. The City's zoning map designates properties within the city as commercial, industrial, residential, or other designations. The proposed code amendments would apply primarily to development proposals on properties designated commercial. The proposed changes to fence height regulations would apply to properties zoned residential. The project does not include any proposals for development, nor does it directly approve any development proposals.

Discussion of Impacts

- a) **Have a substantial adverse effect on a scenic vista?** The project consists of text amendments to the City's Land Use and Development Code and no new development. No impact to scenic vistas.
- b) **Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?** The project consists of text amendments to the City's Land Use and Development Code and no new development. No impact to scenic resources.
- c) **Substantially degrade the existing visual character or quality of the site and its surroundings?** The project consists of text amendments to the City's Land Use and Development Code and no new development. The proposal would allow consideration for increases in fence heights, but the criteria for adjustments address visual character and quality. The proposal would allow residential fences on interior yards to be higher where both property owners agree, which allows visual character and quality to be considered before a fence is erected. Thus the amendments would not degrade visual character or quality.

- d) **Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?** The project consists of text amendments to the City's Land Use and Development Code and no new development. No new source light of glare.

II AGRICULTURE RESOURCES

- In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

The Vacaville Land Use and Development Code applies to proposals for land use within the Vacaville City limits. The City's zoning map designates properties within the city as commercial, industrial, residential, or other designations. The proposed code amendments would apply primarily to development proposals on properties designated commercial. The proposed changes to fence height regulations would apply to properties zoned residential. The project does not include any proposals for development, nor does it directly approve any development proposals.

Discussion of Impacts

- a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?** The project consists of text amendments to the City's Land Use and Development Code and no new development. No impact on any farmlands.
- b) **Conflict with existing zoning for agricultural use, or a Williamson Act contract?** The project consists of text amendments to the City's Land Use and Development Code and no new development. No impact to any agricultural use or Williamson Act contract.
- c) **Involve other changes in the existing environment, which due to their location or nature, could result in conversion of Farmland, to non-agricultural use?** The project consists of text amendments to the City's Land Use and Development Code and no new development. No impact to farmlands.

III AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

The Vacaville Land Use and Development Code applies to proposals for land use within the Vacaville City limits. The City's zoning map designates properties within the city as commercial, industrial, residential, or other designations. The proposed code amendments would apply primarily to development proposals on properties designated commercial. The proposed changes to fence height regulations would apply to properties zoned residential. The project does not include any proposals for development, nor does it directly approve any development proposals.

Discussion of Impacts

- a) **Conflict with or obstruct implementation of the applicable air quality plan?** The project consists of text amendments to the City's Land Use and Development Code and no new development. No impact to existing or proposed air quality plans.
- b) **Violate any air quality standard or contribute substantially to an existing or projected air quality violation?** The project consists of text amendments to the City's Land Use and Development Code and no new development. No impact to air quality standards.
- c) **Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?** The project consists of text amendments to the City's Land Use and Development Code and no new development. No impact to any criteria pollutants.
- d) **Expose sensitive receptors to substantial pollutant concentrations?** The project consists of text amendments to the City's Land Use and Development Code and no new development. No impact to sensitive receptors.
- e) **Create objectionable odors affecting a substantial number of people?** The project consists of text amendments to the City's Land Use and Development Code and no new development. The project would allow pet day cares in commercial areas where not adjacent to residential areas. It would require a conditional use permit where the pet day care is adjacent to residential areas. This distinction allows consideration of potential odor impacts to adjoining residences at the project specific design review. The project does not propose development of any pet day cares, so the project itself would not create any objectionable odors.

IV BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U S Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

The Vacaville Land Use and Development Code applies to proposals for land use within the Vacaville City limits. The City's zoning map designates properties within the city as commercial, industrial, residential, or other designations. The proposed code amendments would apply primarily to development proposals on properties designated commercial. The proposed changes to fence height regulations would apply to properties zoned residential. The project does not include any proposals for development, nor does it directly approve any development proposals.

Discussion of Impacts

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U S Fish and Wildlife Service?** The text amendments to the City's Land Use and Development Code with no new development will not affect biological species.

- b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?** The text amendments to the City's Land Use and Development Code with no new development will not impact biological resources.
- c) **Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?** The text amendments to the City's Land Use and Development Code with no new development will not impact biological resources.
- d) **Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?** The text amendments to the City's Land Use and Development Code with no new development will not impact biological resources or species.
- e) **Conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance?** The project does not propose any land development and thus will not conflict with any local policies or ordinances protecting biological resources such as a tree preservation policy or ordinance.
- f) **Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?** The project does not propose any development or approve or allow any development that would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

V CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

The Vacaville Land Use and Development Code applies to proposals for land use within the Vacaville City limits. The City's zoning map designates properties within the city as commercial, industrial, residential, or other designations. The proposed code amendments would apply primarily to development proposals on properties designated commercial. The project does not include any proposals for development, nor does it directly approve any development proposals.

Discussion of Impacts

- a) **Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?**
The proposed text amendments will not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5

- b) **Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?** The proposed text amendments will not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.
- c) **Directly, or indirectly, destroy a unique paleontological resource or site or unique geologic feature?** Proposed text amendments will not directly, or indirectly, destroy a unique paleontological resource or site or unique geologic feature.
- d) **Disturb any human remains, including those interred outside of formal cemeteries?** Proposed text amendments will not result in the disturbance of any human remains, including those interred outside of formal cemeteries.

VI GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

The Vacaville Land Use and Development Code applies to proposals for land use within the Vacaville City limits. The City's zoning map designates properties within the city as commercial, industrial, residential, or other designations. The proposed code amendments would apply primarily to development proposals on properties designated commercial. The proposed changes to fence height regulations would apply to properties zoned residential. The project does not include any proposals for development, nor does it directly approve any development proposals.

Discussion of Impacts

- a) **The proposed project will not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**
 - i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault.** The proposed text amendments will not rupture an earthquake fault line.
 - ii) **Strong seismic ground shaking?** The proposed text amendments will not cause ground shaking.
 - iii) **Seismic-related ground failure, including liquefaction?** The proposed text amendments will not cause or expose structures or people to liquification.
 - iv) **Landslides?** The proposed text amendments will not cause or place structures or people in harm of landslides.
- b) **Result in substantial soil erosion or the loss of topsoil?** The proposed text amendments do not include development and therefore will not cause soil erosion or loss of top soil.
- c) **Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?** The proposed text amendments do not include development and therefore will not impact unstable geological units or soils.
- d) **Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?** The proposed text amendments do not include development and therefore will not be located on expansive soils.
- e) **Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?** The proposed text amendments do not include development and therefore will not include septic tanks..

VII GREENHOUSE GASES

- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable plan, policy or regulation of an agency adopted for reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

The Vacaville Land Use and Development Code applies to proposals for land use within the Vacaville City limits. The City's zoning map designates properties within the city as commercial, industrial, residential, or other designations. The proposed code amendments would apply primarily to development proposals on properties designated commercial. The proposed changes to fence height regulations would apply to properties zoned residential. The project does not include any proposals for development, nor does it directly approve any development proposals.

Discussion of Impacts

- a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?** The proposed text amendments are not part of a development project and do not include development. Therefore there is no impact to GHG emissions.
- b) **Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?** The proposed text amendments are not part of a development project and do not include development. Therefore there is no impact to GHG emissions.

VIII HAZARDS AND HAZARDOUS MATERIALS

- Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

The Vacaville Land Use and Development Code applies to proposals for land use within the Vacaville City limits. The City’s zoning map designates properties within the city as commercial, industrial, residential, or other designations. The proposed code amendments would apply primarily to development proposals on properties designated commercial. The proposed changes to fence height regulations would apply to properties zoned residential. The project does not include any proposals for development, nor does it directly approve any development proposals.

Discussion of Impacts

- a) **Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?** The proposed text amendments are not part of a development project and do not include development. Therefore no hazardous wastes materials are proposed.
- b) **Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?** The proposed text amendments are not part of a development project and do not include development. Therefore no upset and accident conditions are created.
- c) **Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?** The proposed text amendments are not part of a development project and do not include development. Therefore there are no hazardous emissions or hazardous materials.
- d) **Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?** The proposed text amendments are Citywide but are not part of a development project and do not include development. Additionally, the City does not have any listed hazardous materials sites.
- e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?** The proposed text amendments are not part of a development project and do not include development. Additionally, no General Plan designations are inconsistent with Airport Compatibility Land Use Compatibility Standards.
- f) **For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?** The proposed text amendments are not part of a development project and do not include development. No impact.
- g) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?** None of the policies or programs in the Land Use and Development Code amendments would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- h) **Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?** The proposed text amendments are not part of a development project and do not include development.

IX HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

The Vacaville Land Use and Development Code applies to proposals for land use within the Vacaville City limits. The City's zoning map designates properties within the city as commercial, industrial, residential, or other designations. The proposed code amendments would apply primarily to development proposals on properties designated commercial. The proposed changes to fence height regulations would apply to properties zoned residential. The project does not include any proposals for development, nor does it directly approve any development proposals.

Discussion of Impacts

- a) **Violate any water quality standards or waste discharge requirements?** The proposed text amendment would not cause the violation any water quality standards or waste discharge requirements. No land use changes are proposed.
- b) **Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?** The proposed text amendments are not part of a development project and do not include development. They do not affect groundwater supplies.
- c) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?** The proposed text amendments are not part of a development project and do not include development. They do not affect drainage.
- d) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner**

which would result in flooding on- or off-site? The proposed text amendments are not part of a development project and do not include development. They do not affect drainage.

- e) **Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?** The proposed text amendments are not part of a development project and do not include development. They do not affect drainage or runoff.
- f) **Otherwise substantially degrade water quality?** The proposed text amendments are not part of a development project and do not include development. They do not affect water quality.
- g) **Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?** The proposed text amendments are not part of a development project and do not include development. They do not place housing or structures in any areas of potential flooding.
- h) **Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?** See section g).
- i) **Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?** The proposed text amendments are not part of a development project and do not include development. They do not place housing or structures in any areas of potential flooding
- j) **Inundation by seiche, tsunami, or mudflow?** The proposed text amendments are not part of a development project and do not include development. The City does not have areas that are susceptible to seiche, tsunami, or mudflow.

X LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

The Vacaville Land Use and Development Code applies to proposals for land use within the Vacaville City limits. The City's zoning map designates properties within the city as commercial, industrial, residential, or other designations. The proposed code amendments would apply primarily to development proposals on properties designated commercial. The proposed changes to fence height regulations would apply to properties zoned residential. The project does not include any proposals for development, nor does it directly approve any development proposals.

Discussion of Impacts

- a) **Physically divide an established community?** The proposed text amendments are not part of a development project and do not include development. They do not physically divide any community.

- b) **Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?** The proposed text amendments are not part of a development project and do not include development. They are intended to promote the economic vitality of the community in a way that is consistent with the general plan and other ordinances.
- c) **Conflict with any applicable habitat conservation plan or natural community conservation plan?** The proposed text amendments would not conflict with any applicable habitat conservation plan or natural community conservation plan. Presently the community does not have a federal habitat conservation plan; however, one is currently being prepared. The City does require habitat conservation plans in new Specific and Policy Plan areas prior to development.

XI MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

There are no known mineral resources within the Vacaville Urban Service Area.

Discussion of Impacts

- a) **Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?** The proposed text amendments are not part of a development project and do not include development. They would not result in any loss of availability of a mineral resource.
- b) **Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?** The proposed text amendments are not part of a development project and do not include development. They would not result in any loss of availability of a mineral resource.

XII NOISE

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

The Vacaville Land Use and Development Code applies to proposals for land use within the Vacaville City limits. The City's zoning map designates properties within the city as commercial, industrial, residential, or other designations. The proposed code amendments would apply primarily to development proposals on properties designated commercial. The proposed changes to fence height regulations would apply to properties zoned residential. The project does not include any proposals for development, nor does it directly approve any development proposals

Discussion of Impacts

- a) **Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?** None of the proposed text amendments would create noise levels in excess of the standards contained in the Noise Element or the City's Performance Standards. The text amendments do not propose any development. It would allow as a permitted use certain commercial developments in commercial zones, and require a conditional use permit for certain commercial uses if adjacent to residential zones. Any proposed project still would be subject to review and approval and compliance with established noise standards.
- b) **Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?** The project is amendments to the land use and development code and does not include and development. The proposed text amendments would not cause exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.
- c) **A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?** The text amendments do not propose any development. They would allow as a permitted use certain commercial developments in commercial zones, and require a conditional use permit for certain commercial uses if adjacent to residential zones. Any proposed project still would be subject to review and approval and compliance with established noise standards. The proposed text amendments would not cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.
- d) **A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?** The text amendments would allow as a permitted use certain commercial developments in commercial zones, and require a conditional use permit for certain commercial uses if adjacent to residential zones. Any proposed project still would be subject to review and approval and compliance with established noise standards. The proposed text amendments are not part of a development project and do not include development and thus would not affect noise levels.
- e) **For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?** The proposed text amendments are not part of a development project and do not include development.

- f) **For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?** No private airstrips exist in the project area.

XIII POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

The Vacaville Land Use and Development Code applies to proposals for land use within the Vacaville City limits. The City’s zoning map designates properties within the city as commercial, industrial, residential, or other designations. The proposed code amendments would apply primarily to development proposals on properties designated commercial. The proposed changes to fence height regulations would apply to properties zoned residential. The project does not include any proposals for development, nor does it directly approve any development proposals

Discussion of Impacts

- a) **Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?** The proposed text amendments are not part of a development project and do not include development. They do not directly or indirectly allow or affect residential development or population growth.
- b) **Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?** The proposed text amendments are not part of a development project and do not include development.
- c) **Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?** No existing population would be displaced by the proposed text amendments.

XIV PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

The Vacaville Land Use and Development Code applies to proposals for land use within the Vacaville City limits. The City's zoning map designates properties within the city as commercial, industrial, residential, or other designations. The proposed code amendments would apply primarily to development proposals on properties designated commercial. The proposed changes to fence height regulations would apply to properties zoned residential. The project does not include any proposals for development, nor does it directly approve any development proposals.

Discussion of Impacts

- a) **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:**

Fire protection? The proposed text amendments do not include and development and would not cause the need for additional fire protection services or facilities.

Police protection? The proposed text amendments do not include and development and would not cause the need for additional police protection services or facilities.

Schools? The proposed text amendments do not include and development and would not cause the need for additional school facilities.

Parks? The proposed text amendments do not include and development and would not cause the need for additional park services or facilities.

Other public facilities? The proposed text amendments do not include and development and would not cause the need for additional public services or facilities.

XV RECREATION

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

The Vacaville Land Use and Development Code applies to proposals for land use within the Vacaville City limits. The City's zoning map designates properties within the city as commercial, industrial, residential, or other designations. The proposed code amendments would apply primarily to development proposals on properties designated commercial. The proposed changes to fence height regulations would apply to properties zoned residential. The project does not include any proposals for development, nor does it directly approve any development proposals.

Discussion of Impacts

- a) **Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?** The proposed text amendments do not include any development and would not increase the need for parks and recreational facilities.
- b) **Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?** The text amendments do not propose any development and do not contain proposals for or require recreational facilities.

XVI TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

The Vacaville Land Use and Development Code applies to proposals for land use within the Vacaville City limits. The City's zoning map designates properties within the city as commercial, industrial, residential, or other designations. The proposed code amendments would apply primarily to development proposals on properties designated commercial. The proposed changes to fence height regulations would apply to properties zoned residential. The project does not include any proposals for development, nor does it directly approve any development proposals.

Discussion of Impacts

- a) **Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?** The proposed text amendments are not part of a development project and do not include development. Prior to development and use approvals, future projects are required to comply with CEQA process and review.
- b) **Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?** The proposed text amendments are not part of a development project and do not include development. Prior to development and use approvals, future projects are required to comply with CEQA process and review.
- c) **Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?** The proposed text amendments are not part of a development project and do not include development. Prior to development and use approvals, future projects are required to comply with CEQA process and review.
- d) **Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?** No road improvements are proposed with the text amendments.
- e) **Result in inadequate emergency access?** The text amendments would not directly or indirectly impact emergency access.
- f) **Result in inadequate parking capacity?** The proposed text amendments are not part of a development project and do not include development. Prior to development and use approvals, future projects are required to comply with CEQA process and review.
- g) **Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?** The proposed text amendments are not part of a development project and do not include development. Prior to development and use approvals, future projects are required to comply with CEQA process and review.

XVII UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Affected Environment

The Vacaville Land Use and Development Code applies to proposals for land use within the Vacaville City limits. The City's zoning map designates properties within the city as commercial, industrial, residential, or other designations. The proposed code amendments would apply primarily to development proposals on properties designated commercial. The proposed changes to fence height regulations would apply to properties zoned residential. The project does not include any proposals for development, nor does it directly approve any development proposals.

Discussion of Impacts

- a) **Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?** The proposed text amendments are not part of a development project and do not include development that would affect wastewater.
- b) **Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?** The proposed text amendments are not part of a development project and do not include development that would affect treatment facilities.
- c) **Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?** The proposed text amendments are not part of a development project, do not include development, and thus do not affect drainage.
- d) **Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?** The proposed text amendments are not part of a development project, do not include development, and do not affect water supplies..
- e) **Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?** The proposed text amendments are not part of a development project, do not include development, and do not affect wastewater.
- f) **Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?** The proposed text amendments are not part of a development project, do not include development, and do not affect solid waste.
- g) **Comply with federal, state, and local statutes and regulations related to solid waste?** The proposed text amendments do not contain proposals which cause regulations related to solid waste to be broken.

XVIII MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**APPENDIX A: CITY OF VACAVILLE ECONOMIC
VITALITY CODE AMENDMENTS**

ORDINANCE NO.

ORDINANCE AMENDING THE VACAVILLE LAND USE AND DEVELOPMENT CODE TO EXTEND PROJECT EXPIRATION DATES, MODIFY ALLOWANCES FOR TEMPORARY COMMERCIAL USES AND EVENTS, EXPAND PROJECTS ELIGIBLE FOR ADMINISTRATIVE CLEARANCES, ALLOW PET DAY CARES, MAKE CERTAIN USES PERMITTED RATHER THAN CONDITIONAL USES IN COMMERCIAL ZONES, AND ALLOW STAFF LEVEL REVIEW OF CERTAIN DESIGN REVIEW APPLICATIONS.

Draft 1/14/2016

WHEREAS, the mission statement for the City's Economic Vitality Strategy (EVS) is to "Enhance the economic base of the community so that it supports and contributes to the improvement of Vacaville"; and

WHEREAS, the value statement of the EVS is "The City of Vacaville is a business-friendly community committed to sustaining a high quality of life by encouraging and facilitating stable, dependable, and diversified economic development"; and

WHEREAS, one strategy in the EVS is to streamline development processes to encourage businesses to locate and expand in Vacaville; and

WHEREAS, the City Council initiated amendments to the Land Use and Development Code aimed to streamline the development process; and

WHEREAS, Economic Development Committee recommended that measures be taken to streamline development process, and recommended the amendments herein.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF VACAVILLE DOES ORDAIN AS FOLLOWS:

*Note: Added text is shown in double underline
Deleted text is shown in ~~strikeout~~.
Commentary that is not part of the amendment is shown in a shaded box.*

Section 1. Amendment to definitions in Vacaville Municipal Code 14.02.016.020.

The following definitions in Vacaville Municipal Code 14.02.016.020 shall be amended as follows:

Kennels and Animal Boarding means any site, building, or structure where five or more small domestic pets, such as dogs and cats, at least 10 weeks of age are harbored.

Does not include:

■ The accessory use of boarding animals within completely enclosed buildings, dogs or cats in pet shops, or animal hospitals.

■ Pet Day Care.

Pet Day Care means a facility that temporarily boards small domestic pets, such as dogs and cats, during the day hours without overnight stays where a fee or other compensation is required for such boarding. Pet Day Care does not include pet shops where the animals are kept for sale or veterinary hospitals where the animals are kept for treatment.

Temporary Commercial Uses and Events means any use of a structure or land for an event for a limited period of time where the site is not permanently altered by grading or construction of accessory facilities. Commercial uses include, but are not limited to, sidewalk or parking lot sales, Christmas tree or seasonal sales, temporary vehicle sales, trade shows, and food carts. Events include, but are not limited to, art shows, carnivals, circuses, fairs, religious revivals, outdoor festivals, athletic events, organized walks or runs, public dances, rodeos and concerts.

See Section [14.09.084.100](#) for specific use requirements applicable to temporary commercial uses and events.

Section 2. Amendment of Section 14.09.072.130, Expiration of Approval, of the Vacaville Municipal Code.

Section 14.09.072.130, entitled “Expiration of Approval,” of the Vacaville Municipal Code is hereby amended to read as follows:

14.09.072.130 Expiration of Approval.

Permits and project approvals shall lapse and become void one year~~two years~~ after the approval date unless a greater time period is granted by the decision-maker, or unless any of the following occurs:

A. The following shall keep an approval active and valid:

1. A building permit is issued for the approved project and construction is commenced and diligently pursued toward completion;

2. If no building permit is required, and the use is initiated in accordance with the conditions of approval;

3. A complete application for a time extension has been filed and related fees have been paid. The original approval shall then be extended until a determination is made to approve, conditionally approve, or deny the time extension application. If, prior to the determination on the time extension, a building permit is issued or the use is initiated in accordance with the project conditions of approval, then a time extension shall no longer be required.

4. If a master plan has been approved for a phased project, and the initial building permit has been issued and diligently pursued, the original project approval shall remain valid.

B. If a conditional use has been established pursuant to a conditional use permit approved in accordance with the provisions of this division, and the use is subsequently discontinued for a period of at least ~~six months~~ one year, the use shall not be reestablished without a new conditional use permit being granted, or without the approval of the reestablishment of the use in accordance with Section 14.09.110.080, Reestablishment of Conditional Use, of Chapter 14.09.110, Conditional Use Permits, of this division.

C. With the exception of home occupation and large family day care permits, all land use approvals shall continue to be valid upon a change of ownership or operator of the subject site or structure.

D. The design review aspects of any unbuilt portion of a project shall expire 10 years after the original approval date, including any unbuilt portion approved in conjunction with a planned development, and a new design review approval shall be required in accordance with the provisions of Chapter 14.09.113, Design Review, of this division.

Section 3. Amendment of Section 14.09.072.140, Time Extensions, of the Vacaville Municipal Code.

Section 14.09.072.140, entitled "Time Extensions," of the Vacaville Municipal Code is hereby amended to read as follows:

14.09.072.140 Time Extensions.

Permits and entitlements may be granted a time extension with the filing of an application with the office of Community Development on a form prescribed by the Director and accompanied by the applicable filing fee. Time extensions shall be valid for one year unless otherwise specified by the decision-maker.

A. A request for a time extension shall be subject to the following conditions:

1. An application for a time extension must be filed prior to the expiration date of the original approval;

2. The Director shall be the decision-maker for a first time extension request of not more than one year. Otherwise, the~~The~~ decision-maker of the original project approval, notwithstanding any appeals, shall be the decision-maker on the time extension;

3. Public notice for a time extension shall be provided as determined by the Director;

4. Additional or revised conditions of approval may be applied to a project in accordance with the approval of a time extension;

5. A significant change in the project as it was originally approved, shall require the filing of a new application and shall not be eligible for a time extension. The Director is authorized to make the determination as to whether the project has changed significantly;

6. Approvals granted in accordance with the provisions of this division may receive no more than two time extensions; thereafter, a new application and fees must be submitted and a

new project approval must be granted. Additional extensions beyond the two extensions provided for in this section, may be granted only if the decision-maker determines that, based on evidence submitted by the applicant, circumstances beyond the applicant's control, such as a documented downturn in the economy affecting the marketplace, or other similar situations, have prevented the applicant from applying for and obtaining a building permit within the required time period.

7. The term of a time extension for an approval shall be the same as the time extension approved for a concurrently processed tentative map.

B. It shall be the responsibility of the applicant to submit an application for a time extension within the required time period.

Section 4. Amendment of Section 14.09.084.090.A.(10), of the Vacaville Municipal Code.

Section 14.09.084.090.A.(10) of the Vacaville Municipal Code, the list of exceptions to uses within enclosed structures, is hereby amended to read as follows:

10. Temporary commercial uses and events in accordance with Section 14.09.084.100 of this chapter;

Section 5. Amendment of Section 14.09.094.100, Temporary Uses, of the Vacaville Municipal Code.

Section 14.09.094.100, entitled "Temporary Uses," of the Vacaville Municipal Code is hereby amended to read as follows:

14.09.084.100 Temporary Commercial Uses and Events.

A. ~~Permitted Temporary Commercial Uses.~~ Temporary Commercial Uses and Events Allowed without a Permit. The following temporary commercial uses are permitted subject to the provisions herein. A temporary commercial use permit is not required, however the use must comply with all applicable standards, and the use must have a valid business license where applicable:

1. Temporary outdoor sale or display of products ~~that are a normal part of the sales inventory of on the site of~~ a permanent, on-site commercial use, such as sidewalk or parking lot sales, ~~and short term mobile food service carts, or the sale or display of products on a for-profit basis, which are not a normal part of the sales inventory or the services offered by a permanent, on-site use.~~

a. All such sales and merchandise shall be displayed outside of the pedestrian sidewalks and paths and any vehicular circulation areas and parking lots unless parking availability exceeds the requirements set forth in the Land Use and Development Code for the uses on the site.

b. Each site shall be allowed a maximum of six outdoor sales or displays per year. The maximum term of such uses shall be five consecutive days, with a minimum of 14 days between such uses or sales.

c. A separate City of Vacaville Business License is required if the vendor is other than the permanent on site business.

2. Christmas Tree and Pumpkin Sale Lots.

a. All such Christmas tree, pumpkin, or other seasonal sales shall be displayed outside of the pedestrian sidewalks and paths and any vehicular circulation areas and parking lots unless parking availability exceeds the requirements set forth in the Land Use and Development Code for the uses on the site.

b. Each site shall be allowed a maximum of one Christmas tree and two pumpkin sales per year.

c. Business License Required. A City of Vacaville Business License is required for vendors of Christmas trees and pumpkins.

3. The Director may approve an exception to the requirements of this section provided that the findings specified in subsection D.(7)(a) through (c) of this section can be made.

B. Temporary Commercial Uses and Events Requiring a Permit. Types of Uses Allowed Subject to the Approval of a Staff-Level Use Permit in Each Case. A Temporary Use Permit approved by the Community Development Director is required for any short-term commercial or entertainment activity on private property, whether open to the public or not, except as otherwise noted in this section. Such activities include, but are not limited to, amusement attractions; athletic events ~~not affiliated with a baseball team playing out of Travis Park;~~ carnivals, circuses, fairs, or festivals; indoor or outdoor concerts or performances; exhibits; fireworks displays; fundraising events; organized runs, walks, marathons or triathlons; parades; public dances; rodeos; temporary vehicle sales; trade shows; ~~temporary uses set forth in Land Use and Development Code Section 14.09.088.030;~~ or similar activities or events. These requirements do not apply to commercial uses or events being conducted within the approved capacity, limits, and conditions of the permanent venue, such as athletic events being held at an approved permanent stadium, concerts being held at an approved permanent amphitheater, or mobile food service uses locating at a site approved through design review for such uses. The following outlines specific requirements for certain temporary uses:

1. Off-site parking lot sale for new vehicles.

a. A maximum of six off-site auto sales per year on any site.

b. The maximum term for such each use shall be five consecutive days, with a minimum of 14 days between such uses or sales on any site.

2. Temporary outdoor operation of carnivals or other amusement activities in accordance with the provisions of Sections 9.17.010 through 9.17.140 of the Municipal Code. The maximum term of such uses shall be seven consecutive days, with a minimum of 120 days between such uses or sales.

4. Temporary use of a helicopter for construction-related activities unless considered as a part of the original Design Review, Use Permit, or Planned Development approving the use or structure on a site that is located within 1,000 feet away from a residential zoning district.

a. Prior to authorizing the use of a helicopter for construction related activities within 1,000 feet of a residential zoning district, the developer shall submit a schedule of the hours and days a helicopter will be used.

b. The Community Development Director shall notify all of the property owners within 1,000 feet of the construction site of where the use of a helicopter is proposed of the times and dates when the helicopter will be operated.

c. The use of a helicopter within 1,000 feet of a residential district is prohibited between dusk and dawn Monday through Saturday and all day on Sunday and holidays unless specifically approved by the Planning Commission at a duly noticed public hearing.

5. Mobile food service carts, trailers, vehicles and/or similar temporary, portable or mobile structures or vehicles. In addition to the minimum conditions set forth in subsection C of this section, the applicant shall submit a written business plan outlining, at a minimum, the following information:

a. Precise location on the property where the use or business will be located. The location cannot impede pedestrian or vehicular access nor impair site distance on or off the premises.

b. Proposed hours and days of operation.

c. Types of food products to be offered.

d. Applicant shall show evidence of compliance with all applicable regulations and requirements of the Solano County Health and Social Services Department. Prior to commencing the use, the applicant shall submit evidence to the Director that any and all permits and or licenses from the Solano County Health and Social Services Department, including but not limited to:

i. Location of the off-site commissary if required by the Solano County Health and Social Services Department.

ii. Location of any restroom facilities if required by the Solano County Health and Social Services Department.

e. Methods for ensuring adequate sanitation such as dishwashing and hand washing.

f. Provide photographs of the proposed vehicle, trailer, or cart, including any tow vehicle.

g. Provide a description of any proposed signs, including the size, number, and locations desired to be placed, including any signage or identification on the proposed vehicle.

Signs may not be located within any rights-of-way or other public property, and are subject to City site distance requirements.

h. If the proposed location will utilize existing parking spaces, the applicant shall submit an analysis of the existing uses on the site, the current Land Use and Development Code parking requirements for such uses, and evidence that the required number of parking spaces will be available for other patrons at the site.

i. ~~Only one mobile food service use shall be permitted on any single parcel or single commercial development with multiple parcels; only one such commercial site may be approved by the Director.~~ Where multiple mobile food services are proposed on a single site for any time period ending more than 30 days after the first date use is authorized, the Temporary Commercial Use Permit shall be subject to Planning Commission review and approval as set forth in the Land Use and Development Code.

j. If the mobile food service trailer, cart, or vehicle is to be moved from the site each day, indicate the location where it will be stored.

k. The number of employees anticipated at peak hours.

l. The proposed methods for collecting and disposing of waste and litter.

m. Provisions for prohibiting loitering.

n. Location of any proposed seating to be provided for patrons of the mobile food service trailer, cart, or vehicle.

o. At the next regularly scheduled Planning Commission meeting after the date the Director approves a ~~Staff-Level Use Permit~~ Temporary Commercial Use Permit for any time period ending more than 30 days after the first date use is authorized, the Director shall inform the Planning Commission of the action taken and any findings adopted for either approval or denial, and any conditions of approval imposed. The Planning Commission, by majority vote, may call up the decision of the Director for review at a duly noticed public hearing. The Planning Commission may sustain, overrule, or modify the decision of the Director.

6. The Director may approve an exception to the requirements of this section; provided, that the findings specified in subsections D.(7)(a) through (c) of this section can be made.

C. Operational Requirements.

1. Reasonable and adequate access for vehicles and pedestrians shall be provided on site. Vehicles, fences, or other objects shall not block public sidewalks, fire lanes, or vehicle access. Adequate provision shall be made for vehicles to exit the parking lot area without having to back out or turn around.

2. No temporary use shall displace any required parking. Parking required for on-site uses shall be maintained throughout the duration of temporary uses on the site.

3. All temporary uses and structures shall comply with the provisions of the Fire Code and all Construction Codes adopted by the City of Vacaville and the State of California.

4. Temporary uses which include food service facilities not addressed in subsection B.(6) of this section shall obtain all necessary permits from the Solano County Environmental Health Services Department.

5. All businesses whose permanent business location is located inside or outside the City of Vacaville and are proposing to sell goods and/or charge an entrance fee shall:

a. Obtain a business license from the City of Vacaville Finance Department.

b. Obtain a Sales and Use Tax Permit from the California State Board of Equalization. Supply Sales and Use Tax Permit number with the City business license.

6. All pre-event promotional activities such as any on-site or site advertising and signage, the nature and extent of directional signs such as “sign twirlers,” and night lighting shall be identified in advance of the event.

7. All post-event activities, including restoring the site to its previous condition, removal of any on-site or off-site advertising or directional signs.

8. Where deemed necessary to protect the health and safety of attendees as well as the general public, the Chief of Police may require the applicant to submit a security plan for the event. The Chief of Police shall review and approve the security plan prior to the event taking place. Should the approved security plan not be implemented in its entirety or prove to be inadequate to protect the public health and safety once the event commences, the Chief of Police may order the event cancelled and all activities shall cease immediately.

9. The Director may approve an exception to the requirements of this section; provided, that the findings specified in subsections D.(7)(a) through (c) of this section can be made.

D. Additional Requirements for Major Temporary Commercial Uses and Events. ~~Director Approval of a Staff-Level Use Permit.~~ In addition ~~to these uses outlined above specifically requiring a Staff-Level Use Permit~~ to the requirements in subsection C of this section, any temporary ~~uses commercial use or event~~ which would utilize a site area of one acre or more or have an expected attendance of 2,000 or more persons per day ~~shall be subject to the approval of the Director. All Staff-Level Use Permits~~ shall be subject to the following:

1. Application and Business Plan Required. The applicant shall submit a completed standard Planning Permit application with a detailed business and operation plan for the event(s).

2. Consent of Property Owner Required. The use of any site for a temporary commercial use or event shall be subject to the written approval of the property owner, or the owner’s authorized agent.

3. Site Plan of Event Area and Surrounding Area to Be Used Required. A complete, dimensioned, and legible site plan must be submitted as part of the application. At a minimum, this site plan shall include:

- a. The specific area of the event in relation to the entire site;
- b. The proposed parking layout;
- c. The location of any tents or other temporary structures;
- d. Any proposed interior or perimeter fencing, barriers, barricades, or other security measures;
- e. Access and exit points for vehicles;
- f. The names and locations of all streets or off-site areas that are part of the event;
- g. All portable and permanent restroom facilities;
- h. The location of all temporary structures such as stages, bleachers, grandstands, tents, portable restrooms, booths, trash containers, dumpsters, etc.;
- i. The location of any cooking and/or food service areas; alcohol service areas; vendor areas; and any other booth areas;
- j. The location of generators and/or source of electricity;
- k. The placement of vehicles and trailers;
- l. The entrance/exit locations for events that are fenced, and entrance/exit locations within tents or temporary structures;
- m. Identification of all event components that meet Americans with Disabilities Act accessibility requirements (including, but not limited to, accessible parking, passenger loading/unloading areas, restrooms, seating, and path of travel) if the event is open to the public;
- n. Any other information deemed necessary by the Community Development Director.

4. Referral to Other Departments. The Director shall refer any application to the Fire, Police, and Public Works Departments for review prior to approval.

5. Conditions of Approval. Conditions of approval relating to the operation of the use may be imposed by the Director.

6. Security Plan Required. The applicant may be required to submit an Event Security Plan for the review and approval of the Police Chief as set forth in subsection C.(8) of this section.

7. Required Findings. Approval shall be subject to the following findings:

a. That the proposed use would not unreasonably impair pedestrian or vehicular access or parking in the area;

b. That the proposed use includes provisions for adequate security and safety of the general public;

c. That the proposed use would not unreasonably impair the operation of any other residential, commercial, or industrial use in the area.

8. Recycling Plan Required. For any large event with 2,000 or more attendees each day of the event a recycling plan shall be submitted and shall be subject to the review and prior approval of the City of Vacaville Recycling Coordinator or equivalent position.

9. Exceptions Allowed. The Director may approve an exception to the requirements of this section; provided, that the findings specified in subsection D.(7)(a) through (c) of this section can be made.

~~10. Short-Term Events. Temporary events of no more than three consecutive days sponsored by a public agency on public property shall not require Director approval.~~

This requirement moved to E below.

~~11.10~~ Administrative Hearing Required. The Director shall hold an Administrative Hearing at City Hall no less than five days and no more than ten days prior to the first day of any ~~temporary use or event requiring a Staff-Level Use Permit~~ major temporary commercial use or event.

a. Notice of the time, date, and place of the Administrative Hearing shall be mailed to all property owners and businesses within 600 feet of the proposed location.

b. Anyone attending this Administrative Hearing may submit written and oral testimony. In rendering a decision, the Director shall consider all written and oral testimony received as well as the comments from City Police, Fire, and other Departments.

c. The applicant will be responsible for all costs associated with distributing public notice and other costs to conduct the duly noticed Administrative Hearing.

d. Notice of the Director's decision shall be mailed to the applicant, all City Departments, and any interested party requesting such information no less than five days prior to the event.

~~1211~~. Referral to Planning Commission. The Director, at his or her sole discretion, may refer any Temporary Use to the Planning Commission for a determination and action on the ~~Staff-Level Use Permit~~. Major Temporary Commercial Use Permit.

E. Special Events on Public Property. A Special Event Permit is required for any temporary commercial use or event open to the general public and located on City parks, public streets, City buildings, or other facilities. Special Event Permits are subject to approval of the Community Services Director.

Section 6. Amendment of Section 14.09.118.040, 040 Standards Eligible for an Administrative Clearance, of the Vacaville Municipal Code.

Section 14.09.118.040, entitled “Standards Eligible for an Administrative Clearance,” of the Vacaville Municipal Code is hereby amended to read as follows:

14.09.118.040 Standards Eligible for an Administrative Clearance.

The Director may grant adjustments to residential and non-residential development standards as described in this section.

A. Decreases in minimum standards may be granted as follows:

1. A decrease of not more than 20 percent of the required width of a side yard or the yard between buildings subject to the following:

a. In residential districts, no reduction shall be granted for balconies or room additions above the first floor;

b. In residential districts, no reduction shall be granted that results in a side yard of less than five feet or the alternative minimum standard approved through a planned development, in accordance with Chapter 14.09.111 of this division.

2. A decrease of not more than 25 percent of the required front yard subject to the following:

a. In single-family residential districts, no reduction shall be granted for front-entry garages or any portion of a structure greater than one story that results in a front yard of less than 18 feet.

b. In residential districts where the minimum front setback is 15 feet or where the minimum front setback to an unenclosed porch is 10 feet, no further reduction may be granted through an administrative clearance.

3. A decrease of not more than 25 percent of the required rear yard subject to the following:

a. In residential districts, no reduction shall be granted for balconies or room additions above the first floor except for rear yards adjacent to public open space;

b. Compensating open yard area must be available adjacent to the rear yard in an amount equivalent to the floor area of the addition within the required rear yard.

4. A decrease of the required pool setback of not less than three feet for the purpose of constructing a swimming pool or spa;

5. A decrease of not more than 20 percent of the minimum driveway width.

6. A decrease in the minimum number of parking spaces required by up to two spaces or up to 10 percent of the required number of spaces, whichever is greater.

B. Increases to maximum standards may be granted as follows:

~~1. An increase in the maximum fence height to eight feet subject to the following:~~

~~a. Increases shall be granted only for fences constructed on or within one foot of interior residential lot lines within the side or rear yard;~~

~~b. Any portion of the fence above six feet shall not be metal mesh, or chain link, excluding wrought iron;~~

~~c. Any portion of the fence above six feet shall be at least 25 percent open and integrated with the lower portion of the fence, both structurally and aesthetically;~~

~~d. For fences to be constructed on the property line, the property owners of the lots the fence will separate must agree in writing to the increase;~~

~~e. The fence shall comply with any applicable requirements of the Uniform Building Code.~~

The above was moved to be approvable without an administrative clearance.

1. An increase in the maximum fence height by up to two feet.

2. An increase in the maximum coverage by accessory structures in the required rear yard from 20 percent to no more than 35 percent, for lots with a single family dwelling, provided that there is compensating open yard area between the main structure and the required rear yard. (Ord. 1598, §10, 1998; Ord. 1564, §23, 1996)

Section 7. Amendment of Section 14.09.074.120 ,Masonry Walls and Fences, of the Vacaville Municipal Code.

Section 14.09.074.120, entitled "14.09.074.120," of the Vacaville Municipal Code is hereby amended to read as follows:

14.09.074.120 Masonry Walls and Fences.

Masonry walls and fences may be constructed in accordance with the standards of this section, to serve as a buffer between uses, to provide privacy or security, or to screen or separate uses or activities. Masonry walls and fences are defined in Division 14.02 of this Title. Unless otherwise specified, for the purposes of this section, the term “wall” shall mean masonry wall.

A. Standards. Walls and fences shall conform to the following standards of this chapter or of any applicable specific plan or policy plan regulations regarding walls and fences, unless otherwise provided for in this section.

1. Wall and Fence Height.

a. Interior lot lines. Rear and side yard walls and fences on interior lot lines shall be a maximum height of six feet;

b. Front yard. Walls, fences, and hedges within the required front yard shall not exceed three feet in height;

c. Corner lot. Walls and fences in the side yard of a corner lot or a reversed corner lot, or in the rear yard of a reversed corner lot shall comply with the following height standards:

i. A maximum height of six feet when located at least 15 feet from the face of curb, existing or planned;

ii. A maximum height of three feet when located closer than 15 feet from the face of curb, existing or planned, except that when the Director finds it necessary to provide one 10 foot wide fenced side yard on the lot, a maximum height of six feet may be allowed when located 10 feet from the curb;

d. Exceptions to Six Foot Height Limit. Walls and fences may be up to eight feet in height as follows:

i. When located in the side or rear yard of a lot in a residential district that abuts any of the following:

1. Non-residential zoning districts or non-residential uses in a residential district;

2. Parking facilities of four or more stalls for multi-family residential projects;

3. Conditional uses in a residential district;

4. Schools, parks, open space, and creekways;

5. A public street or alley.

ii. When a wall or fence is used in combination with a retaining wall, the total height may be up to eight feet, with the portion above the retaining wall being no higher than six feet;

iii. A variation in wall or fence height may be granted through the approval of a variance, administrative clearance, or planned development, in accordance with the applicable provisions of this division;

iv. When used for noise mitigation as described in subsection B.(3.e.) of this section.

v. An increase in the maximum fence height to eight feet subject to the following:

1. Increases shall be granted only for fences constructed on or within one foot of interior residential lot lines within the side or rear yard;

2. Any portion of the fence above six feet shall not be metal mesh, or chain link, excluding wrought iron;

3. Any portion of the fence above six feet shall be at least 25 percent open and integrated with the lower portion of the fence, both structurally and aesthetically;

4. For fences to be constructed on the property line, the property owners of the lots the fence will separate must agree in writing to the increase;

5. The fence shall comply with any applicable requirements of the Uniform Building Code.

e. Measuring Wall and Fence Height.

i. Wall and fence height shall be measured from the finished grade level established through a subdivision improvement plan or an approved grading plan, on the side of the fence on which the grade elevation is the greatest;

ii. When a retaining wall is used in combination with a wall or fence, the total height of the wall or fence shall be measured from the originally approved grade level, established through a subdivision improvement plan or an approved grading plan, on the side of the fence on which the grade elevation is the greatest.

2. Existing Fences. A legally established fence existing prior to the enactment of this ordinance (November 22, 1996) and which does not conform to the standards of this section, may be replaced in the same location, and at the same height, except as follows:

a. Fences which are required to be maintained or replaced as a condition of a new project approval, shall comply with the standards of this section.

3. Safety Hazards. No materials likely to create a safety hazard, such as nails, glass, and similar objects, shall protrude from any wall or fence. In addition, no electrified fences shall be allowed.

4. Walls and Fences in the Parkway. Front yard walls and fences may be extended into the parkway area behind the sidewalk. However, the City may, with 30 days written notice, require the removal of such wall or fence for the maintenance of the City property or other purposes. Removal shall be at the property owner's expense. Such fencing shall not obstruct access to water meters, fire hydrants, cable junction boxes, or other City or public utility equipment or devices. (Ord. 1564, §9, 1996)

B. Wall and Fence Requirements.

1. All walls or fences backing up to an arterial or collector street, as identified in the General Plan, or required as part of a land use approval or a new subdivision, shall be subject to design review;

2. Walls and fences installed by the owner of a single family dwelling for a lot that does not back up to an arterial or collector street and which consists of materials other than the acceptable wall and fence materials listed in this section, shall also be subject to design review. Design review requirements may be waived by the Director in accordance with the provisions of Chapter 14.09.113, of this division, for individually installed walls and fences:

a. Acceptable wall and fence materials shall include masonry, brick, wrought iron, chain link, or other tubular metal materials, and wooden fencing, excluding plywood or other composite panels or materials;

3. Masonry Walls Required. Masonry walls a minimum of six feet in height shall be required on property lines as follows:

a. When a multi-family residential district is adjacent to a single family residential district;

b. When a residential use is adjacent to a park, school, or other non-residential use, not including natural open space areas which includes creekways;

c. When a parking facility of four or more spaces is adjacent to a residential district;

d. When a mobile home park is adjacent to another residential or to a non-residential use;

e. For noise mitigation, as determined through an acoustical analysis:

i. The height of a masonry wall required for the mitigation of noise shall be determined by the findings of an acoustical study, but shall be no less than six feet in height;

ii. Berming shall be used in conjunction with a wall when an acoustical study has recommended that fencing over eight feet in height be installed;

iii. Masonry walls required as part of back-up treatment along an freeway, railroad right-of-way, or arterial shall be installed in accordance with the provisions of Division 14.12, Dedications and Improvements, of this Title.

f. In other locations when required through a design review or other project approval.

4. Fences adjoining property lines, and block end fences shall be required on perimeter lot lines, except in a required front yard;

5. Walls or fences shall be the responsibility of the developer when a new residential development is constructed that adjoins a public facilities district;

6. When a creekway is adjacent to a residential use in a residential district, a solid fence a minimum of six feet in height shall be required to be installed by the residential developer in conjunction with the residential development, with the following exception:

a. The decision-maker may waive this requirement when a single family lot does not abut a creekway, or for a multi-family project where private yard areas do not abut a creekway, when it is determined that a fence is not necessary for the public safety or convenience. (Ord. 1564, §9, 1996)

Section 8. Amendment of Section 14.09.110.080, Reestablishment of [Conditional] Use.

Section 14.09.110.080 of the Vacaville Municipal Code, entitled "Reestablishment of Use," is hereby amended to read as follows:

14.09.110.080 Reestablishment of Conditional Use.

Conditional uses may be reestablished as follows:

A. If a conditional use has been established pursuant to a conditional use permit approved in accordance with the provisions of this division, and the use is subsequently discontinued for a period of at least ~~six months~~one year, the use shall not be reestablished without a new conditional use permit being granted, or without the approval of the reestablishment of the conditional use.

~~1.~~ Discontinuation shall mean the cessation of the use regardless of the intent to resume the use, unless the Director is notified in writing of such intent prior to the use being discontinued, and has approved a schedule for the resumption of the use;

~~2. Written notification shall be provided to the Director prior to the use being discontinued.~~

B. A new conditional use permit shall be required to reestablish a conditional use that is damaged or destroyed to an extent greater than 50 percent of the replacement value of the combined structures on the site. The application process shall be as described in Section 14.09.110.050(C)(1)(a-c) of this chapter.

C. A new conditional use permit is not required to reestablish a conditional use that is damaged or destroyed to an extent less than 50 percent of the replacement value of the combined structures on the site. Structures destroyed to an extent of 50 percent or less of the replacement value shall not require a new conditional use permit but shall be subject to design review approval, as described in Section 14.09.110.050(D) of this chapter.

1. The Director may approve the reestablishment of a conditional use subject to all of the following:

a. That the current findings required to approve a conditional use permit can be made although the surrounding conditions may have changed since the original conditional use permit was approved;

b. That the current design review findings can be made; and

c. That reestablishing the use would not require exterior alterations such that a Planning Commission design review approval would be required.

D. A determination by the Director may be appealed in accordance with the provisions of Chapter 14.09.072, Development Review Process, of this division.

The current subsection C.1. on reestablishment of use appears to be incorrectly under subsection C referring to destroyed structures. The other changes are for clarification.

Section 9. Amendment of Table 14.09.085.01, Summary of Uses in Commercial Zoning Districts.

Table 14.09.085.01, Summary of Uses in Commercial Zoning Districts, is hereby amended to read as follows:

**TABLE 14.09.085.01
SUMMARY OF USES IN COMMERCIAL ZONING DISTRICTS**

Uses in Commercial Zoning Districts	CD	CG	CN	CO	CR	CS
Accessory uses and structures to a permitted use.	P	P	P	P	P	P
Accessory uses and structures to a conditional use.	C	C	C	C	C	C
Accessory uses to non-conforming single family and multi-family dwellings, and manufactured housing units, in accordance with Section 14.85.030 of this chapter.	P	P	NP	P	NP	P
Adult-oriented businesses, in accordance with Chapter 14.137 of this Title.	P	P	NP	NP	NP	NP
Agricultural uses, not including livestock.	NP	NP	NP	NP	C	NP

Uses in Commercial Zoning Districts	CD	CG	CN	CO	CR	CS
Amusement arcades.	<u>P/C (1)G</u>	<u>P/C (1)G</u>	<u>P/C (1)G</u>	<u>P/C (1)G</u>	<u>P/C (1)G</u>	NP
Amusement arcades, accessory.	P	P	P	P	P	P
Automobiles and other vehicles, rental and leasing services.	NP	<u>P/C (1)G</u>	NP	NP	NP	<u>P/C (1)G</u>
Automobiles and other vehicles, sales and service, new.	NP	P	NP	NP	NP	P
Automobiles and other vehicles, sales, used.	NP	C	NP	NP	NP	C
Banks and financial services.	P	P	P	P	NP	NP
Bars and lounges.	P	P	NP	NP	NP	NP
Body and paint shops.	NP	C	NP	NP	NP	C
Building materials and supply stores.	NP	P	NP	P	NP	P (34)
Business support services.	P	P	P	P	NP	P
Commercial centers.	NP	C	C	C	NP	NP
Commercial service center.	NP	C	NP	NP	NP	NP
Commercial uses designated as a permitted use by an applicable policy plan or specific plan.	P	P	P	P	P	P
Commercial uses designated as a conditional use by an applicable policy plan or specific plan.	C	C	C	C	C	C
Commercial communication services.	P	P	C	C	NP	NP
Community care facilities, large.	C	C	C	C	NP	NP
Convenience markets.	<u>G</u> <u>P/C(2)(64)</u>	<u>GP/C(2)</u>	C	C	NP	C
Day care centers.	P	P	P	P	NP	NP
Demolition of historic structures <u>within a Historic Preservation Overlay District</u> in accordance with the provisions of Chapter 14.09.105, Historic Preservation Overlay District, of this division.	C	NP	NP	NP	NP	NP
Dried and dehydrated fruit and vegetable facilities, excluding onions, garlic, and other such malodorous products, legally established prior to the enactment of this ordinance (January 10, 1997). (35)	NP	NP	NP	NP	NP	C
Drive-in businesses.	C (46)	<u>GP/C(1)</u>	C	C	NP	<u>GP/C (1)</u>
Fitness centers.	P	P	P	NP	NP	NP

Uses in Commercial Zoning Districts	CD	CG	CN	CO	CR	CS
Food stores (see Division 14.02, Definitions).	P	C (911)	P	C (911)	NP	NP
Furniture, furnishings, and equipment stores.	P	P	P (34)	P	NP	P (34)
Golf courses.	NP	NP	NP	NP	C	NP
Hotels and motels.	C	P/C(1)G	NP	NP	NP	NP
Libraries and museums.	P	P	NP	P	NP	NP
Lumber and general building materials, yard and stores, legally established prior to the enactment of this ordinance (January 10, 1997).	NP	C (75)	NP	NP	NP	C (34,75)
Medical offices and clinics.	P	P	P	P	NP	NP
Membership organization facilities.	P (42)	P	P	P	P	P
Motor freight transporting and storage services.	NP	NP	NP	NP	NP	C
Limited expansion of non-conforming non-residential uses, in accordance with Chapter 14.09.135, Non-Conforming Uses and Structures, of this division.	C	C	C	C	NP	C
Reconstruction of non-conforming residential structures and the reestablishment of non-conforming residential uses, in accordance with the provisions of Chapter 14.09.135, Non-Conforming Uses and Structures, of this division.	C	C	NP	C	NP	C
Nurseries, retail.	P	P	P	NP	NP	P
Offices.	P	P	P	P	NP	P
Outdoor commercial recreation.	NP	C	NP	NP	C	NP
Outdoor storage or sales, accessory to a principal use where the storage or sales area is 15 percent or less of the gross floor area of the principal use.	P	P	P	P (86)	P	P
Outdoor storage or sales, accessory to a principal use where the storage, sales, area exceeds 15 percent of the gross floor area of the principal use.	NP	GP/C (1)	NP	NP	NP	P/C (1) G
Outdoor service or repair, accessory to a principal use.	NP	P/C (1) G	NP	NP	NP	P/C (1) G
Parks and playgrounds.	C	C	C	C	C	NP
Parking lots.	P	P	P	P	NP	P

Uses in Commercial Zoning Districts	CD	CG	CN	CO	CR	CS
Personal services.	P	P	P (34)	P	NP	P
<u>Pet day cares</u>	<u>P/C (1)</u>	<u>P/C (1)</u>	<u>P/C (1)</u>	<u>P/C (1)</u>	<u>NP</u>	<u>P</u>
Post offices.	P	P	NP	NP	NP	NP
Public safety facilities.	C	C	C	C	NP	C
Public utility and public service buildings and structures.	C	C	C	C	C	C
Recreation centers and facilities.	P	P	NP	NP	NP	NP
Rental centers, commercial.	NP	<u>P/C (1)C</u>	NP	C	NP	P
Rental centers, household.	P	P	P	P	NP	P
Repair and maintenance, consumer products.	P	P	P	P	NP	P
Repair and maintenance, vehicles.	NP	<u>P/C (1)C</u>	NP	NP	NP	P
Restaurants and eating establishments.	P	P	P (97)	P (97)	NP	P(97)
Retail and general merchandise stores.	P	P	P	P	NP	NP
Schools, specialized – small.	P	P	P	P	NP	C
Schools, specialized – large.	NP	C	C	NP	NP	NP
Service stations.	C	<u>P/C (2)C</u>	C	C	NP	<u>P/C (2)C</u>
Social service facilities.	C	C	C	NP	NP	NP
Storage, household and business.	NP	<u>P/C (1)C</u>	NP	NP	NP	P
Telecommunication facilities, major. (<u>1240</u>)	C	C	C	C	C	C
Telecommunication facilities, minor. (<u>1240</u>)	P	P	P	P	P	P
Temporary commercial uses and events.	P	P	P	P	P	P
Theaters and meeting halls.	P (42)	P	C (108)	NP	NP	NP
Trade contractor shops.	NP	NP	NP	NP	NP	P
Transit stations and terminals.	C	C	NP	NP	NP	C
Veterinary hospitals.	P	P	P	P	NP	P
Wholesaling and distribution, legally established prior to the enactment of this ordinance (January 10, 1997). (<u>35</u>)	NP	C	NP	NP	NP	NP
Wholesaling and distribution, small.	NP	NP	NP	NP	NP	NP

Uses in Commercial Zoning Districts	CD	CG	CN	CO	CR	CS
P = Permitted Use / C = Conditional Use / NP = Not a Permitted Use or a Conditional Use						
CD: Downtown Commercial CN: Neighborhood Commercial CR: Recreation Commercial						
CG: General Commercial CO: Office Commercial CS: Service Commercial						

NOTES TO USES IN COMMERCIAL ZONING DISTRICTS TABLE

(1) ~~The use is a conditional use the lot on which the use is proposed abuts a residential district. Otherwise it is a permitted use.~~

(2) ~~The use is a conditional use the lot on which the use is proposed abuts a residential district, or the use requires a Determination of Public Convenience and Necessity under Chapter 14.09.124. Otherwise it is a permitted use.~~

(34) In the CS district, large home furnishings and equipment stores, such as furniture and appliance stores, building materials and supply stores, and lumber and general building materials, yards, and stores shall be conducted in an area not to exceed 40,000 square feet in gross floor area; any other retail use shall not exceed 5,000 square feet in gross floor area.

In the CN district, furniture, home furnishings and equipment stores, and personal services uses shall be limited to a floor area not to exceed 10,000 square feet of gross floor area.

(42) In the CD district:

- a. Membership organization facilities, and theaters and meeting halls with an assembly occupant load of less than 50 persons in each room is a permitted use;
- b. Membership organization facilities, and theaters and meeting halls that have at least one room with an assembly occupant load of 50 or more persons is a conditional use.

(53) Uses legally established prior to the enactment of this ordinance (July 10, 1997) may expand or be altered in accordance with the provisions of Section [14.09.110.050](#) of this division, for pre-existing conditional uses.

(64) In the CD district, convenience markets and drive-in businesses are not allowed in the downtown historic district.

(75) In the CG and CS districts, lumber and general building materials, yards, and stores shall not be located adjacent to a residential district, unless such use was legally established prior to the enactment of this ordinance (January 10, 1997). Such uses legally established may expand or be altered in accordance with the provisions of Section [14.09.110.050](#) of this division for pre-existing conditional uses.

(86) In the CO district, outdoor storage is a permitted use except that outdoor storage shall not be allowed in the PO-Professional Office Overlay District.

(97) In the CN district:

- a. Restaurants and eating establishments are a permitted use when there is no separate area allowed for the sale and consumption of alcoholic beverages;
- b. Restaurants and eating establishments are a conditional use when a specific area is devoted to the sale and consumption of alcoholic beverages, or when the hours of operation for full food service are less than the hours of operation for serving alcoholic beverages. Such specific area may not exceed one third of the gross floor area of the establishment.

In the CO district, restaurants and eating establishments are a permitted use when there is no separate area for the sale and consumption of alcoholic beverages.

In the CS district, restaurants and eating establishments shall be conducted in an area not to exceed 5,000 square feet in gross floor area, and shall have no separate area for the sale and consumption of alcoholic beverages.

(108) In the CN district, only movie theaters are allowed, subject to a conditional use permit, and must be accessory to a commercial center.

(119) In the CG and CO districts, a development application for a new food store shall require a conditional use permit supported by a market study to determine the City-wide and neighborhood necessity for a new food store. In approving a conditional use permit, the decision-maker shall find that the new store will not result in an undue concentration of food stores within any portion of the City, that the new store is not likely to result in increases in the vacancy rates of existing shopping centers, and that the new use will promote the orderly growth and development of the City.

(1249) Chapter 14.09.125, Telecommunication Facilities, should be consulted for regulations pertaining to the four categories of telecommunication facilities: exempt, accessory, minor, and major, and for the location, performance, and design criteria contained within the provisions of that chapter.

(1344) Hotels and motels existing as of the effective date of the ordinance codified in this section (March 25, 2010) shall be subject to the standards of Section [14.09.135.070](#), Limited Expansion of a Non-Residential, Non-Conforming Use. Extended stay hotels/motels for greater than 30-day occupancy are prohibited unless approved through a conditional use permit.

Section 10. Amendment Section 14.09.086.030, Permitted Uses [in the CD District]

Section 14.09.086.030, Permitted Uses [in the CD District] is hereby amended to read as follows:

14.09.086.030 Permitted Uses.

A. The following uses are permitted uses in the CD district, and include, but are not limited to:

1. Accessory uses and structures to a permitted use;
2. Accessory uses to non-conforming single-family and multi-family dwellings in accordance with Section [14.09.085.030](#);
3. Adult-oriented businesses in accordance with the provisions of Chapter 14.09.137 of this code;
4. Amusement arcades, accessory where not abutting a residential district;
5. Banks and financial services;
6. Bars and lounges;
7. Business support services;
8. Day care centers;
9. Convenience markets where not abutting a residential district, not in the downtown historic district, and not requiring a City Determination of Public Convenience and Necessity under Chapter 14.09.124;
- 9-10. Commercial uses designated as a permitted use by an applicable policy plan or specific plan;
110. Commercial communication services;
124. Fitness centers;
132. Food stores;
143. Furniture, furnishings, and equipment stores;
154. Libraries and museums;
165. Medical offices and clinics;
176. Membership organization facilities with an assembly occupant load of less than 50 persons in each room;
 - a. Accessory uses in accordance with the requirements in Section [14.02.016.020](#),
Definitions;
187. Nurseries, retail;
198. Offices;

2049. Outdoor storage or sales, accessory to a principal use, in accordance with Section 14.09.084.090.A.12, where the storage or sales area is 15 percent or less of the gross floor area of the principal use, and the use being stored or sold is not a use listed under Sections 14.09.084.090.A.1 through A.11;

219. Parking lots;

224. Personal services;

23. Pet day cares where not abutting a residential district;

242. Post offices;

253. Recreation centers and facilities;

264. Rental centers, household;

275. Repair and maintenance, consumer products;

286. Restaurants and eating establishments;

297. Retail and general merchandise stores;

3028. Schools, specialized, small;

3129. Temporary commercial uses and events;

3230. Theaters and meeting halls with an assembly occupant load of less than 50 persons in each room;

3334. Veterinary hospitals;

3432. Telecommunication facility, minor, in accordance with the provisions of Chapter 14.09.125, Land Use Permits and Approvals, Telecommunication Facilities.

Section 11. Amendment Section 14.09.086.040, Conditional Uses [in the CD District]

Section 14.09.086.030, Conditional Uses [in the CD District] is hereby amended to read as follows:

A. The following conditional uses are allowed in the CD district upon the granting of a conditional use permit, in accordance with the provisions of Chapter 14.09.110 of this code, and include:

1. Accessory uses and structures to a conditional use;
2. Amusement arcades where not abutting a residential district;

3. Commercial uses designated as a conditional use by an applicable policy plan or specific plan;

4. Community care facilities, large;

5. Convenience markets outside the downtown historic district where abutting a residential district or requiring a City Determination of Public Convenience or Necessity under Chapter 14.09.124., except in the downtown historic district;

6. Demolition of historic structures in accordance with the provisions of Chapter 14.09.105, Overlay Districts – HP, Historic Preservation;

7. Drive-in businesses, except in the downtown historic district;

8. Hotels and motels;

9. Membership organization facilities that have at least one room with an assembly occupant load of 50 or more persons;

a. Accessory uses in accordance with the requirements in Section [14.02.016.020](#), Definitions;

10. The limited expansion of non-conforming, non-residential uses, in accordance with Chapter 14.09.135, Supplemental Standards, Non-Conforming Uses and Structures;

11. The reconstruction of non-conforming residential structures and the reestablishment of non-conforming residential uses, in accordance with the provisions of Chapter 14.09.135, Supplemental Standards, Non-Conforming Uses and Structures;

12. Parks and playgrounds;

13. Pet day cares where abutting a residential district;

~~43~~14. Public safety facilities;

~~44~~15. Public utility and public service buildings and structures;

~~45~~16. Service stations;

~~46~~17. Social service facilities;

~~47~~18. Theaters and meeting halls that have at least one room with an assembly occupant load of 50 or more persons;

~~48~~19. Transit stations and terminals;

~~49~~20. Telecommunication facility, major, in accordance with the provisions of Chapter 14.09.125, Land Use Permits and Approvals, Telecommunication Facilities.

Section 12. Amendment Section 14.09.087.030, Permitted Uses [in the CG District]

Section 14.09.087.030, Permitted Uses [in the CG District] is hereby amended to read as follows:

14.09.087.030 Permitted Uses.

A. The following uses are permitted uses in the CG district, and include, but are not limited to:

1. Accessory uses and structures to a permitted use;
2. Accessory uses to non-conforming single-family, multi-family, and manufactured housing units in accordance with Section [14.09.085.030](#);
3. Adult-oriented businesses in accordance with the provisions of Chapter 14.09.137 of this code;
- [4. Amusement arcades where not abutting a residential district:](#)
4. Amusement arcades, accessory;
- [#. Automobiles and other vehicles, rental and leasing services where not abutting a residential district:](#)
5. Automobiles and other vehicles, sales and service, new;
6. Banks and financial services;
7. Bars and lounges;
8. Building material and supply stores;
9. Business support services;
10. Day care centers;
- [11. Drive-in businesses where not abutting a residential district:](#)
- [1244.](#) Commercial uses designated as a permitted use by an applicable policy plan or specific plan;
- [13. Convenience markets where not abutting a residential district and not requiring a City Determination of Public Convenience or Necessity:](#)
- [1442.](#) Fitness centers;
- [1543.](#) Furniture, furnishings, and equipment stores;

16. Hotel and motels where not abutting a residential district:

1744. Libraries and museums;

1845. Medical offices and clinics;

1946. Membership organization facilities;

a. Accessory uses in accordance with the requirements in Section [14.02.016.020](#),
Definitions;

2047. Nurseries, retail;

21. Outdoor service or repair, accessory to a principal use, where not abutting a residential district:

2248. Outdoor storage or sales, accessory to a principal use, in accordance with Section [14.09.084.090.A.12](#) (commercial districts development standards), where the storage or sales area is 15 percent or less of the gross floor area of the principal use, and the use being stored or sold is not a use listed under Sections [14.09.084.090.A.1](#) through A.11;

23. Outdoor storage or sales, accessory to a principal use, in accordance with Section [14.09.084.090.A.12](#), where the storage or sales area exceeds 15 percent of the gross floor area of the principal use, the use being stored or sold is not a use listed under Sections [14.09.084.090.A.1](#) through A.11, and the use does not abut a residential district:

2449. Offices;

2520. Parking lots;

2624. Personal services;

27. Pet day cares where not abutting a residential district:

2822. Post offices;

2923. Recreation centers and facilities;

30. Rental centers, commercial, where not abutting a residential district.

3124. Rental centers, household;

3225. Repair and maintenance, consumer products;

3326. Restaurants and eating establishments;

3427. Retail and general merchandise stores;

~~2835~~. Schools, specialized, small;

36. Service stations where not abutting a residential district and not requiring a City Determination of Public Convenience or Necessity under Chapter 14.09.124;

37. Storage, household and business where not abutting a residential district;

~~3829~~. Temporary commercial uses and events;

~~3930~~. Theaters and meeting halls;

~~4034~~. Veterinary hospitals;

~~4132~~. Commercial communication services;

~~4233~~. Telecommunication facility, minor, in accordance with the provisions of Chapter 14.09.125, Land Use Permits and Approvals, Telecommunication Facilities.

Section 13. Amendment Section 14.09.087.040, Conditional Uses [in the CG District]

Section 14.09.087.040, Conditional Uses [in the CG District] is hereby amended to read as follows:

A. The following conditional uses are allowed in the CG district upon the granting of a conditional use permit, in accordance with the provisions of Chapter 14.09.110 of this code, and include:

1. Accessory uses and structures to a conditional use;
2. Amusement arcades where abutting a residential district;
3. Automobiles and other vehicles, sales, used;
4. Automobiles and other vehicles, rental and leasing services, where abutting a residential district;
5. Body and paint shops;
6. Commercial centers;
7. Commercial service center;
8. Commercial uses designated as a conditional use by an applicable policy plan or specific plan;
9. Community care facilities, large;

10. Convenience markets where abutting a residential district or requiring a City Determination of Public Convenience or Necessity;

11. Drive-in businesses where abutting a residential district;

12. Food stores (see Table 14.09.085.01, note 9);

13. Hotels and motels where abutting a residential district;

14. Lumber and general building materials, yards and stores, provided such use shall not be located adjacent to a residential district, unless legally established prior to the enactment of the ordinance codified in this section (January 10, 1997);

15. The limited expansion of non-conforming, non-residential uses, in accordance with Chapter 14.09.135, Non-Conforming Uses and Structures;

16. The reconstruction of non-conforming residential structures and the reestablishment of non-conforming residential uses, in accordance with the provisions of Chapter 14.09.135, Supplemental Standards, Non-Conforming Uses and Structures;

17. Outdoor commercial recreation;

18. Outdoor storage or sales, accessory to a principal use, in accordance with Section [14.09.084.090.A.12](#), where the storage or sales area exceeds 15 percent of the gross floor area of the principal use, **and** the use being stored or sold is not a use listed under Sections 14.09.084.090.A.1 through A.11, and the use abuts a residential district;

19. Outdoor service or repair, accessory to a principal use, where abutting a residential district;

20. Parks and playgrounds, less than two acres in size;

21. Pet day cares where abutting a residential district;

2224. Public safety facilities;

2322. Public utility and public service buildings and structures;

2423. Rental centers, commercial, where abutting a residential district;

2524. Repair and maintenance, vehicles, where abutting a residential district;

2625. Schools, specialized – large;

2726. Service stations where abutting a residential district or requiring a City Determination of Public Convenience or Necessity under Chapter 14.09.124;

2827. Social service facilities;

~~2829~~. Storage, household and business, where abutting a residential district;

~~3029~~. Transit stations and terminals;

~~3139~~. Wholesaling and distribution, legally established prior to the enactment of the ordinance codified in this section (January 10, 1997);

~~3234~~. Telecommunication facility, major, in accordance with the provisions of Chapter 14.09.125, Land Use Permits and Approvals, Telecommunication Facilities.

Section 14. Amendment Section 14.09.088.030, Permitted Uses [in the CN District]

Section 14.09.088.030, Permitted Uses [in the CN District] is hereby amended to read as follows:

14.09.088.030 Permitted Uses.

A. The following uses are permitted uses in the CN district, and include, but are not limited to:

1. Accessory uses and structures to a permitted use;

~~2~~. Amusement arcades where not abutting a residential district;

~~32~~. Amusement arcades, accessory;

~~43~~. Banks and financial services;

~~54~~. Business support services;

~~65~~. Day care centers;

~~76~~. Commercial uses designated as a permitted use by an applicable policy plan or specific plan;

~~87~~. Fitness centers;

~~98~~. Food stores;

~~109~~. Furniture, furnishings, and equipment stores, subject to the provisions of Section 14.09.088.050.B. of this chapter;

~~1149~~. Medical offices and clinics;

~~1244~~. Membership organization facilities;

a. Accessory uses in accordance with the requirements in the Definitions Section of this Title, Section 14.02.016.020;

1342. Nurseries, retail;

1443. Offices;

1544. Outdoor storage or sales, accessory to a principal use, in accordance with Section 14.09.084.090.A.(12) of Chapter 14.09.084, Commercial Districts Development Standards, of this division, where the storage or sales, area is 15 percent or less of the gross floor area of the principal use, and the use being stored or sold, is not a use listed under Section 14.09.084.090.A.(1-11);

1645. Parking lots;

1746. Personal services, subject to the provisions of Section 14.09.088.050.B. of this chapter;

18. Pet day cares where not abutting a residential district;

1947. Rental centers, households;

2048. Repair and maintenance, consumer products;

2149. Restaurants and eating establishments, provided there is no separate area primarily devoted to the sale and consumption of alcoholic beverages;

2220. Retail and general merchandise stores;

2324. Schools, specialized, small;

2422. Temporary commercial uses and events;

2523. Veterinary hospitals;

2624. Telecommunication facility, minor, in accordance with the provisions of Chapter 14.09.125, Telecommunication Facilities, of this division.

Section 15. Amendment of Section 14.09.088.040, Conditional Uses [in the CN District]

Section 14.09.088.040 of the Vacaville Municipal Code, entitled “Conditional Uses,” is hereby amended to read as follows:

14.09.088.040 Conditional Uses.

A. The following conditional uses are allowed in the CN district upon the granting of a conditional use permit, in accordance with the provisions of Chapter 14.09.110 of this division, and include:

1. Accessory uses and structures to a conditional use;

2. Amusement arcades where abutting a residential district;
3. Commercial uses designated as a conditional use by an applicable policy plan or specific plan;
4. Commercial centers;
5. Commercial communication services;
6. Community care facilities, large;
7. Convenience markets;
8. Drive-in businesses;
9. Movie theaters accessory to a commercial center;
10. The limited expansion of non-conforming, non-residential uses, in accordance with the provisions of Chapter 14.09.135, Non-Conforming Uses and Structures, of this division;
11. Parks and playgrounds;
12. Pet day cares where abutting a residential district;
1342. Public safety facilities;
1443. Public utility and public service buildings and structures;
1544. Restaurants and eating establishments provided no more than one-third of the gross floor area is principally devoted to the sale and consumption of alcoholic beverages or where the hours of operation for full food service are less than the hours of operation for serving alcoholic beverages;
1645. Service stations;
1746. Social service facilities;
1847. Schools, specialized – large;
1948. Telecommunication facility, major, in accordance with the provisions of Chapter 14.09.125, Telecommunication Facilities, of this division.

Section 16. Amendment of Section 14.09.089.030, Permitted Uses [in the CO District]

Section 14.09.089.030 of the Vacaville Municipal Code, entitled “Permitted Uses,” is hereby amended to read as follows:

14.09.089.030 Permitted Uses.

A. The following uses are permitted uses in the CO district, and include, but are not limited to:

1. Accessory uses and structures to a permitted use;

2. Accessory uses to non-conforming single-family, multi-family, and manufactured housing units in accordance with Section [14.09.085.030](#);

3. Amusement arcades where not abutting a residential district:

43. Amusement arcades, accessory;

54. Banks and financial services;

65. Building material and supply stores;

76. Business support services;

87. Commercial uses designated as a permitted use by an applicable policy plan or specific plan;

98. Furniture, furnishings, and equipment stores;

109. Libraries and museums;

1140. Medical offices and clinics;

1244. Membership organization facilities;

a. Accessory uses in accordance with the requirements in Section [14.02.016.020](#), Definitions;

1342. Offices;

1443. Outdoor storage or sales, accessory to a principal use, in accordance with Section [14.09.084.090](#).A.12 (commercial districts development standards), where the storage or sales area is 15 percent or less of the gross floor area of the principal use, and the use being stored or sold is not a use listed under Sections [14.09.084.090](#).A.1 through A.11;

1544. Parking lots;

1645. Personal services;

17. Pet day cares where not abutting a residential district:

1846. Repair and maintenance, consumer products;

1917. Rental centers, household;

2048. Restaurants and eating establishments, provided there is no separate area devoted to the sale and consumption of alcoholic beverages;

2149. Retail and general merchandise stores;

2220. Temporary commercial uses and events;

2324. Veterinary hospitals;

2422. Day care centers;

2523. Schools, specialized – small;

2624. Telecommunication facility, major, in accordance with the provisions of Chapter 14.09.125, Land Use Permits and Approvals, Telecommunication Facilities.

Section 17. Amendment of Section 14.09.089.040, Conditional Uses [in the CO District]

Section 14.09.089.040 of the Vacaville Municipal Code, entitled “Conditional Uses,” is hereby amended to read as follows:

14.09.089.040 Conditional Uses.

A. The following conditional uses are allowed in the CO district upon the granting of a conditional use permit, in accordance with the provisions of Chapter 14.09.110 of this code, and include:

1. Accessory uses and structures to a conditional use;
2. Amusement arcades where abutting a residential district;
3. Commercial centers;
4. Commercial uses designated as a conditional use by an applicable policy plan or specific plan;
5. Community care facilities, large;
6. Convenience markets;
7. Drive-in businesses;
8. Food stores (see Table 14.09.085.01, note 9);

9. The limited expansion of non-conforming non-residential uses, in accordance with the provisions of Chapter 14.09.135, Supplemental Standards, Non-Conforming Uses and Structures;

10. The reconstruction of non-conforming residential structures and the reestablishment of non-conforming residential uses, in accordance with the provisions of Chapter 14.09.135, Supplemental Standards, Non-Conforming Uses and Structures;

11. Parks and playgrounds;

12. Pet day cares;

1342. Public safety facilities;

1413. Public utility and public service buildings and structures;

1544. Rental centers, commercial;

1645. Service stations;

1746. Commercial communication services;

1847. Telecommunication facility, major, in accordance with the provisions of Chapter 14.09.125, Land Use Permits and Approvals, Telecommunication Facilities.

Section 18. Amendment of Section 14.09.090.030, Permitted Uses [in the CR District]

Section 14.09.090.030 of the Vacaville Municipal Code, entitled "Permitted Uses," is hereby amended to read as follows:

14.09.090.030 Permitted Uses

A. The following uses are permitted uses in the CR district:

1. Accessory uses and structures to a permitted use;

2. Amusement arcades where not abutting a residential district;

32. Amusement arcades, accessory;

43. Commercial uses designated as a permitted use by an applicable policy plan or specific plan;

54. Membership organization facilities;

a. Accessory uses in accordance with the requirements in the Definitions Section of this Title, Section [14.02.016.020](#);

65. Outdoor storage or sales, accessory to a principal use in accordance with Section [14.09.084.090.A.\(12\)](#) of Chapter 14.09.084, Commercial Districts Development Standards, of this division, where the storage or sales area is 15 percent or less of the gross floor area of the principal use, and the use being stored or sold is not a use listed under Section [14.09.084.090.A.\(1-11\)](#);

76. Temporary commercial uses and events;

87. Telecommunication facility, minor, in accordance with the provisions of Chapter 14.09.125, Telecommunication Facilities, of this division.

Section 19. Amendment of Section 14.09.090.040, Conditional Uses [in the CR District]

Section 14.09.090.040 of the Vacaville Municipal Code, entitled “Conditional Uses,” is hereby amended to read as follows:

14.09.090.040 Conditional Uses.

A. The following conditional uses are allowed in the CR district upon the granting of a conditional use permit, in accordance with the provisions of Chapter 14.09.110 of this division, and include:

1. Accessory uses and structures to a conditional use;
2. Agricultural uses, not including livestock;
3. Amusement arcades where abutting a residential district;
4. Commercial uses designated as a conditional use by an applicable policy plan or specific plan;
5. Golf courses;
6. Outdoor commercial recreation;
7. Parks and playgrounds;
8. Public utility and public service buildings and structures;
9. Telecommunication facility, major, in accordance with the provisions of Chapter 14.09.125, Telecommunication Facilities, of this division.

Section 20. Amendment of Section 14.09.091.030, Permitted Uses [in the CS District]

Section 14.09.091.030 of the Vacaville Municipal Code, entitled “Permitted Uses,” is hereby amended to read as follows:

14.09.091.030 Permitted Uses.

A. The following uses are permitted uses in the CS district, and include, but are not limited to:

1. Accessory uses and structures to a permitted use;
2. Accessory uses to non-conforming single family, multi-family, and manufactured housing units in accordance with Section [14.09.085.030](#) of this division;
3. Amusement arcades, accessory;
4. Automobiles and other vehicles, rental and leasing services, where not abutting a residential district:
 54. Automobiles and other vehicles, sales and service, new;
 65. Building material and supply stores, subject to the provisions of Section [14.09.091.050](#).B. of this chapter;
 76. Business support services;
 87. Commercial uses designated as a permitted use by an applicable policy plan or specific plan;
 9. Drive-in businesses where not abutting a residential district:
 108. Furniture, furnishings, and equipment stores, subject to the provisions of Section [14.09.091.050](#).B.1. of this chapter;
 119. Nurseries, retail;
 1240. Offices;
 1344. Outdoor storage or sales, accessory to a principal use, in accordance with Section [14.09.084.090](#).A.(12) of Chapter 14.09.084, Commercial Districts Development Standards, of this division, when the storage or sales, area does not exceed 15 percent of the gross floor area of the principal use; and the use being stored or sold, is not an exempted use listed under Section [14.09.084.090](#).A.(1-11);
 14. Outdoor storage or sales, accessory to a principal use, in accordance with Section [14.09.084.090](#).A.(12) of Chapter 14.09.084, Commercial Districts Development Standards, of this division, when the storage or sales, area does not exceed 15 percent of the gross floor area of the principal use, the use being stored or sold, is not an exempted use listed under Section [14.09.084.090](#).A.(1-11), and the use does not abut a residential district:
 15. Outdoor service or repair, accessory to a principal use, where not abutting a residential district:

~~4216~~. Parking lots;

~~4317~~. Personal services;

18. Pet day cares:

~~1944~~. Rental centers, household;

~~2045~~. Rental centers, commercial;

~~2146~~. Repair and maintenance, consumer products;

~~2247~~. Repair and maintenance, vehicles;

~~2348~~. Restaurants and eating establishments, subject to the provisions of Section [14.09.091.050](#).B. of this chapter;

24. Service stations where not abutting a residential district and not requiring a City Determination of Public Convenience or Necessity under Chapter 14.09.124;

~~2549~~. Storage, household and business;

~~2620~~. Temporary commercial uses and events;

~~2724~~. Trade contractor shops;

~~2822~~. Veterinary hospitals;

~~2923~~. Wholesaling and distribution, small;

~~3024~~. Telecommunication facility, minor, in accordance with the provisions of Chapter 14.09.125, Telecommunication Facilities, of this division.

Section 21. Amendment of Section 14.09.091.040, Conditional Uses [in the CS District]

Section 14.09.091.040 of the Vacaville Municipal Code, entitled “Conditional Uses,” is hereby amended to read as follows:

14.09.091.040 Conditional Uses.

A. The following conditional uses are allowed in the CS district upon the granting of a conditional use permit, in accordance with the provisions of Chapter 14.09.110 of this division, and include:

1. Accessory uses and structures to a conditional use;
2. Automobiles and other vehicles, sales, used;

3. Automobiles and other vehicles, rental and leasing services, where abutting a residential district;
4. Body and paint shops;
5. Commercial uses designated as a conditional use by an applicable policy plan or specific plan;
6. Convenience markets;
7. Dried and dehydrated fruit and vegetable facilities, excluding onions, garlic, and other such malodorous products, legally established prior to the enactment of this ordinance (January 10, 1997);
8. Drive-in businesses where abutting a residential district;
9. Lumber and general building materials, yards and stores, subject to the provisions of Section [14.09.091.050](#).B.1. of this chapter, and provided such use shall not be located adjacent to any residential district, unless such use was legally established prior to the enactment of this ordinance (January 10, 1997);
10. Membership organization facilities;
 - a. Accessory uses in accordance with the requirements in the Definitions Section of this Title, Section [14.02.016.020](#);
11. Motor freight transporting and storage services;
12. The limited expansion of non-conforming, non-residential uses, in accordance with Chapter 14.09.135, Non-Conforming Uses and Structures, of this division;
13. The reconstruction of non-conforming residential structures and the reestablishment of non-conforming residential uses, in accordance with the provisions of Chapter 14.09.135, Non-Conforming Uses and Structures;
14. Outdoor storage or sales, accessory to a principal use, in accordance with Section [14.09.084.090](#).A.(12) of this division, when the storage or sales, area exceeds 15 percent of the gross floor area of the principal use; ~~and~~ the use being stored or sold, is not an exempted use listed under Section [14.09.084.090](#).A.(1-11); and the use abuts a residential district.
15. Outdoor service or repair, accessory to a principal use, where abutting a residential district;
16. Public safety facilities;
17. Public utility and public service buildings and structures;

18. Service stations where abutting a residential district or requiring a City Determination of Public Convenience or Necessity under Chapter 14.09.124;

19. Transit stations and terminals;

20. Schools, specialized – small;

21. Telecommunication facility, major, in accordance with the provisions of Chapter 14.09.125, Telecommunication Facilities, of this division.

Section 22. Amendment Section 14.09.100.030, Permitted Uses [in the CF District]

Section 14.09.100.030, Permitted Uses [in the CF District] is hereby amended to read as follows:

14.09.100.030 Permitted Uses.

A. The following uses are permitted uses in the CF district, subject to design review approval, and include, but are not limited to:

1. Accessory uses and structures to a permitted use;
2. Detention basins, flood control channels, and water supply canals;
3. Grazing of livestock subject to the following:
 - a. Grazing shall be on pasture land or hillside grasslands;
 - b. Seasonal supplemental feed shall be permitted;
 - c. Grazing shall not include the confining of livestock in enclosures such as feedlots or corrals where feed is provided on a regular basis;
4. Growing of fruit and nut trees, vegetables, grains, field crops, horticultural specialties, and timber;
5. Hospitals and related medical facilities, as designated in an applicable policy plan or specific plan;
6. Libraries and museums;
7. Membership organization facilities;
 - a. Accessory uses in accordance with the requirements in the Definitions Section of this Title, Section 14.02.016.020;
8. Offices owned or leased by a local, state, county, regional, or federal agency, or special districts, including offices leased to or operated by private parties;

- 9. Parking lots;
- 10. Public safety facilities;
- 11. Public facilities designated as a permitted use by an applicable policy plan or specific plan;
- 12. Recreation uses such as playgrounds, neighborhood parks, bike and pedestrian paths, creekways, arboretums, and community gardens;
- 13. Public schools, including elementary, junior high schools, high schools, colleges, and vocational schools;
- 14. Temporary commercial uses and events in accordance with the provisions of Section 14.09.084.100 of this division;
- 15. Water wells and pumps stations and other similar utility facilities within an enclosed structure or below ground, when located on the same site as a permitted use;
- 16. Telecommunication Facility, Minor, in accordance with the provisions of Chapter 14.09.125, Telecommunication Facilities, of this division;
- 17. Gas-fired thermal power plants and any facilities appurtenant thereto, including transmission lines and pipelines, which are subject to the jurisdiction of the California Energy Resources Conservation and Development Commission, currently 50 megawatts or greater, provided such plants are located within two miles of a transmission interconnection and near a source of reclaimed water for power plant cooling.

Section 23. Policy Plan Amendments

The policy plans and specific plans indicated in the table below are hereby amended to add “Pet Day Care” as a permitted or conditional use in the areas shown in the table.

Policy Plans/Specific Plans	Pet Day Care added as:
Airport Business Area	Add as a permitted use in Area I
Allison Business Area	Add as a permitted use in Area I
East Side of Alamo	Add to the list of Provisional Uses
Green Tree Park	Add as a permitted use in Area I & II
Interchange Business Park	Add as a permitted use in Area I; In Areas II and III add as a permitted use in the list under “Commercial and Service uses for employees and business . . . ”

North Village	Add as a permitted use in commercial areas (add to list under “Service establishments primarily engaged. . . .”), Add as a permitted use in Business Park areas under “Incidental commercial uses and services”
Nut Tree Business Park	Add as a permitted use in Sector I, Areas 1, 2A, and 5
Orange Tree Business Park	Add as a permitted use in Area I
Vacaville-Golden Hills Business Park	Add as a conditional use in Area I (add to list under “Service establishments primarily engaged”); add as a permitted use in Area II (add to list under “Commercial and Service uses for employees and business.”)
Willow-Kilkenny	Add as a permitted use in Area I (add to list under “Service establishments primarily engaged”),

Section 24. Amendment Section 14.09.113.040, Projects Requiring a Design Review Application

Section 14.09.113.040 of the Vacaville Municipal Code, entitled “Projects Requiring a Design Review Application,” is hereby amended to read as follows:

14.09.113.040 Projects Requiring a Design Review Application.

All plans submitted for a land use approval or a building permit are subject to design review at the time of submittal. New uses, structures, or site improvements, or alterations or enlargements to existing uses, structures, or site improvements, as described in this section, shall require a design review approval by the applicable decision-maker. Modifications to approved projects, conditional use permits, and planned developments shall incorporate, as part of the approval of an application, design review approval in accordance with the provisions of this chapter. A separate design review application shall not be required.

A. Planning Commission approval.

1. Non-residential: New structures or the enlargement of existing structures which involve more than any of the following gross square feet of new floor area:

~~a. New structures or the enlargement of existing structures which involve more than 5,000 gross square feet of new floor area.~~

a. In commercial districts, more than 5,000 square feet where abutting a residential district, or 25,000 square feet where not abutting a residential district.

b. In industrial or Business Park districts, more than 5,000 square feet where abutting a residential district, or 100,000 square feet where not abutting a residential district.

c. In other districts, more than 5,000 square feet.

2. Residential:

a. Multi-family buildings or single family attached buildings involving more than 10 dwelling units;

b. Single family detached units other than those described in subsections B(2)(b)(c) of this section.

3. Any major modifications where the Planning Commission is the decision-maker;

4. Specific Plan and Policy Plan Areas:

a. New residential subdivisions requiring a tentative map and all residential developments consisting of 10 or more units.

B. Director Approval.

1. Nonresidential.

a. A change of use in an existing building or to a site;

b. New structures or the enlargement of existing structures which do not involve more than any of the following gross square feet of new floor area:

i. In commercial districts, 5,000 square feet where abutting a residential district, or 25,000 square feet where not abutting a residential district.

ii. In industrial or Business Park districts, 5,000 square feet where abutting a residential district, or 100,000 square feet where not abutting a residential district.

iii. In other districts, 5,000 square feet.

~~b. New uses and structures when the gross floor area of the new structure is 5,000 square feet or less;~~

~~c. Enlargements to existing uses and structures when the new gross floor area of the enlargement is 5,000 square feet or less;~~

c.d. Exterior alterations of existing buildings or alterations to a site;

d.e. Adult-oriented businesses.

2. Residential.

a. Multifamily buildings or single-family attached units involving 10 or fewer dwelling units;

b. Single-family detached units, involving one builder and totaling no more than three building permits on one block WITHIN a 12-month period;

c. Custom homes.

3. Director Is Decision-Maker. Any modification or application for a major modification where the Director is the decision-maker.

4. Specific Plan and Policy Plan Areas. All projects, regardless of size, within an adopted specific plan or policy plan area, including new uses and structures and alterations or enlargements of existing uses and structures, except as noted in Subsection A.(4)(a) of this section.

DRAFT