

SUPPLEMENT NO. 16

INSERTION GUIDE

PLEASANTON MUNICIPAL CODE

July 2016

(Covering Ordinances through 2144)

This supplement consists of reprinted pages replacing existing pages in the Pleasanton Municipal Code.

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This Guide for Insertion should be retained as a permanent record of pages supplemented and should be inserted in the front of the code.

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PREFACE

The Pleasanton Municipal Code is a codification of the general and permanent ordinances of the City of Pleasanton, California. Originally published by Book Publishing Company, the code was prepared under the direction of Peter D. MacDonald, city attorney.

Commencing with the September 2007 code supplement, updates to this code are published by Quality Code Publishing. The code will be periodically updated to incorporate new legislation.

Detailed instructions for using the code are included at the front of this volume. An ordinance list and index are located at the end of the code.

The code is current through Supplement Number 16, July 2016, and includes Ordinance 2144, passed May 17, 2016.

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Chapter 2.04

CITY COUNCIL

Sections:

- 2.04.010 Meetings.**
- 2.04.015 Term of office.**
- 2.04.020 Salaries.**
- 2.04.030 City council vacancies.**

2.04.030 City council vacancies.

If there is a city council vacancy, including a vacancy for the office of mayor, the city council shall immediately call for a special election to fill the vacancy, with the special election to be held on the next regularly scheduled election date not less than 114 days from the call of the special election. (Ord. 1696 § 1, 1996)

2.04.010 Meetings.

The city council shall by resolution establish the times and dates of its regular meetings. Except when otherwise designated by the city council, the place of such regular meetings shall be the council chambers of the city. (Ord. 1222 § 5, 1985; prior code § 1-2.01)

2.04.015 Term of office.

A. The city council shall meet on the first Tuesday after it receives from the registrar of voters or from the city clerk a certified statement of the results of an election for city council and mayor. A special meeting may be called for that purpose. At that meeting the city council shall canvass the election returns, declare elected the persons having the highest number of votes and install the newly elected officers.

B. Each such council member shall hold office for a term of four years from and after the date and time at which he or she was declared elected and was installed and shall hold office until his or her successor is elected and qualified. The mayor shall hold office for a term of two years from and after the date and time at which the mayor was declared elected and was installed and shall hold office until his or her successor is elected and qualified. The mayor and members of council serving upon the adoption hereof shall continue to serve for the terms to which they were elected.

C. A council member (other than mayor) shall serve no more than two consecutive terms and a person who has been appointed or elected to council for more than two years shall serve no more than one additional term.

D. A mayor shall serve no more than four consecutive terms and a person who has been appointed or elected to mayor for more than one year shall serve no more than three additional terms. (Ord. 1700-A § 1, 1996; Ord. 1493 § 1, 1990)

2.04.020 Salaries.

The salary of each council member is \$1,045.00 per month. (Ord. 2138 § 1, 2016; Ord. 1957 § 1, 2008; Ord. 1422 § 1, 1989)

Chapter 2.06

MAYOR

Sections:

- 2.06.010 Election of mayor and council.**
- 2.06.020 Mayoral term.**
- 2.06.030 Compensation of mayor—Limit.**
- 2.06.040 Compensation of mayor—
Designated.**

2.06.010 Election of mayor and council.

The electors shall, after the effective date of the ordinance from which this section derives, elect a mayor and four city councilmembers. (Ord. 1261 § 1, 1986)*

* **Editor’s Note; Ord.** 1261 was approved by vote of the electors on June 3, 1986.

2.06.020 Mayoral term.

The term of office of the mayor shall be two years. (Ord. 1261 § 2, 1986)*

* **Editor’s Note; Ord.** 1261 was approved by vote of the electors on June 3, 1986.

2.06.030 Compensation of mayor—Limit.

The compensation for the office of mayor shall be set by ordinance; provided, that the mayor’s total compensation shall not exceed \$100.00 per month more than the compensation set for other city councilmembers. (Ord. 1261 § 3, 1986)*

* **Editor’s Note; Ord.** 1261 was approved by vote of the electors on June 3, 1986.

2.06.040 Compensation of mayor—Designated.

The salary for the office of mayor shall be \$100.00 in addition to the salary set forth for city councilmembers. (Ord. 1283 § 1, 1986)

Chapter 2.39

CIVIC ARTS COMMISSION*

Sections:

- 2.39.010 Commission created.**
- 2.39.020 Duties.**
- 2.39.030 Membership—Appointments.**
- 2.39.040 Term of membership.**
- 2.39.050 Maintenance of membership.**
- 2.39.060 Commissioner vacancies.**
- 2.39.070 Organization.**
- 2.39.080 Meetings.**

* **Prior ordinance history:** Ords. 1674 and 1768.

2.39.010 Commission created.

There is created a civic arts commission (commission). (Ord. 1819 § 1, 2001)

2.39.020 Duties.

The commission shall have the power and duty to:

A. Act in an advisory capacity to the city council in all matters pertaining to the arts and culture of the city.

B. Recommend to the city council the adoption of such ordinances, rules and regulations as it may deem necessary for the administration and preservation of fine arts and performing arts.

C. Work cooperatively with city boards and commissions, city departments, and other public and private organizations in creating and promoting art and cultural programs and activities within the city.

D. Review and recommend grant funding to arts-related, non-profit organizations in the community that are providing additional non-competitive arts programming.

E. Serve as the art and culture ambassadors to the general public.

F. Advocate to the public about the city's arts programs and policies.

G. Review and make recommendations upon all works of art to be acquired by the city, either by purchase, gift, or otherwise pursuant to art in public places Chapter 13.16.

H. Review and make recommendations with reference to any existing work of art in the public art collection in connection with: (1) the relocation or alteration thereof; or (2) the removal of; pursuant to the deaccession policy generally described in the Pleasanton Downtown Public Art Master Plan, as may be amended.

I. Recommend the promulgation of policies and procedures for the development and implementation of public art in the city.

J. With city council approval, apply for and accept gifts, grants, funds, contributions and bequests from individuals and public and private entities, agencies, foundations, trusts, corporations and other organizations or institutions that are arts and culture related.

K. Other powers and responsibilities as outlined in other sections of this chapter and as may be appropriate in carrying out the purposes and goals of this chapter and as set forth in reports or recommendations adopted by the city council. (Ord. 2132 § 1, 2016; Ord. 1819 § 1, 2001)

2.39.030 Membership—Appointments.

A. The commission shall have seven regular commissioners, one youth member, and one alternate commissioner all of whom shall be residents of the city.

B. The youth member shall be a minimum age of a high school freshman.

C. The regular commissioners, the youth member, and alternate commissioner shall be appointed by the mayor, subject to ratification by the city council, as provided in the adopted city council resolution establishing procedures for appointments to boards and commissions.

D. Commissioners shall be eligible to participate in all activities of the commission except that the alternate commissioner shall vote only in the event of an absence or conflict of interest of one of the regular commissioners, and the youth member shall not vote.

E. The alternate commissioner may serve as a voting member on any subcommittee of the commission and may be designated as the commission's representative to other boards and commissions.

F. Commissioners shall be compensated as established by city council resolution. (Ord. 2132 § 1, 2016; Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

2.39.040 Term of membership.

A. Regular commissioners shall be eligible to serve a maximum of eight years with two four-year terms.

B. Alternate commissioners shall be eligible to serve four-year terms and are not subject to a limit in the number of years served.

C. The youth member shall be eligible to serve a two-year term.

D. The terms of commissioners shall be consistent with and subject to city council resolution concern-

ing limiting service on boards and commissions. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

2.39.050 Maintenance of membership.

A. Persons appointed to the commission shall continue to serve as members of the commission except when:

1. The commissioner's term of office on the commission expires;
2. The commissioner voluntarily resigns from the commission;
3. The commissioner is absent from one-third of the regular meetings within a six-month period as provided in subsection C of this section;
4. The commissioner fails to maintain a primary residence in the city;
5. The commissioner is employed with the city in a capacity related to the duties of the commission.

B. The secretary of the commission shall inform the council when any of the above occurs.

C. The following procedures shall apply to termination of office as a result of absences from commission meetings:

1. At the end of each six-month period, the secretary of the commission shall report the attendance record of each member of the commission to the city manager, who shall transmit the record to the city council.
2. The city manager shall notify, in writing, any commissioner who has been absent from one-third or more of the regular meetings during the course of a six-month period and request that the commissioner submit, in writing, to the city council the reasons for the absences.
3. The city council shall determine if the commissioner's reasons for the absences were justified. If the city council determines that the reasons for the failure of the member to attend the meetings in question were not justified, the city council shall terminate the term of office of the commissioner and declare the office vacant.
4. If the city council declares such office vacant, the city clerk shall notify the commissioner that the commissioner's term has been officially terminated. (Ord. 1819 § 1, 2001)

2.39.060 Commissioner vacancies.

Vacancies on the commission shall be filled as provided in the city council resolution establishing procedures for appointments to city boards and commissions. (Ord. 1819 § 1, 2001)

2.39.070 Organization.

A. Commissioners shall meet in regular session and elect a chairperson and vice chairperson. The election shall be by a majority vote of the commission, to be held in December of each year. The term of service for these offices shall be one year, beginning in January of each year. No commissioner shall serve more than two consecutive full terms as chairperson of the commission.

B. The commission shall conduct its meetings and business in accordance with the Pleasanton city council's adopted "rules and operating procedures," as said rules and procedures may be amended from time to time.

C. The chairperson shall:

1. Preside at all meetings;
2. Appoint commissioners as needed to serve on subcommittees, ad hoc committees, and as representatives on other boards and commissions; and
3. Call special meetings.

D. The vice chairperson shall preside in the absence of the chairperson.

E. The city manager shall appoint a city employee to serve as staff liaison who shall also serve as secretary to the commission. The staff liaison/secretary to the commission shall keep true and accurate accounts of all action of the commission. (Ord. 1887 § 9, 2003; Ord. 1819 § 1, 2001)

2.39.080 Meetings.

A. The commission shall attempt to meet on a monthly basis at a predetermined time and place, but shall meet at least four times each calendar year.

B. Special meetings may be called by the chairperson or by a majority of the commissioners, the city manager, and/or the city council, provided written notice is given 48 hours in advance of the special meeting to the following: each commissioner, local newspapers of general circulation, and anyone filing written request for notice with the city clerk. Notice of meetings shall comply in all respects with Section 54950 et seq., of the Government Code, known commonly as the Ralph M. Brown Act.

C. All meetings shall be open to the public and shall follow a prepared agenda. Minutes of all meetings shall be kept and filed with the city clerk.

D. Four commissioners allowed to vote need to be present to constitute a quorum and a vote to approve or deny shall only occur upon a majority vote of the commissioners present who are allowed to vote. (Ord. 2059 § 1, 2013; Ord. 1819 § 1, 2001)

Chapter 2.40

PERSONNEL SYSTEM

Sections:

- 2.40.010** **Adopted—Purpose.**
- 2.40.020** **Personnel officer—Duties.**
- 2.40.030** **Personnel committee—Created.**
- 2.40.040** **Personnel committee—Duties.**
- 2.40.050** **Labor relations.**
- 2.40.060** **Appeal.**
- 2.40.070** **Applicability to competitive service.**
- 2.40.080** **Adoption and amendment of rules.**
- 2.40.090** **Appointments.**
- 2.40.100** **Probationary period.**
- 2.40.110** **Status of present personnel.**
- 2.40.120** **Demotion, dismissal, reduction in pay, suspension.**
- 2.40.130** **Abolition of position.**
- 2.40.140** **Improper political activity.**
- 2.40.150** **Discrimination.**
- 2.40.160** **Staff safety committee—Purpose.**
- 2.40.170** **Staff safety committee—Duties.**
- 2.40.180** **Staff safety committee—Composition.**
- 2.40.190** **Safety officer.**

2.40.010 **Adopted—Purpose.**

In order to establish and maintain an equitable and uniform procedure for dealing with personnel matters; to attract to municipal service the best and most competent persons available; to facilitate efficient and economical services to the public; to assure that appointments and promotion of employees will be based on merit and fitness; to provide a reasonable degree of security for qualified employees, defining the obligations, rights privileges, benefits and prohibitions which are placed upon all employees in the competitive service of the city, to recognize at the same time, within the limits of administrative feasibility, the fact that individuals differ, that no two individuals react alike to reward and discipline or to motivation and encouragement and for this reason to give considerable latitude to the personnel officer in the interpretation of this system, the personnel system set forth in this chapter is adopted. (Prior code § 1-3.34)

2.40.020 **Personnel officer—Duties.**

The city manager shall be the personnel officer. The city manager may delegate any of the powers and duties conferred upon him as personnel officer under this chapter to any other officer or employee of the city

or may recommend that such powers and duties be performed under contract. The personnel officer shall have full responsibility for all personnel matters not otherwise delegated in this chapter. These duties shall include, but not be limited to, the following:

- A. Attend all meetings of the personnel committee as an ex-officio member and act as its secretary;
- B. Prepare or cause to be prepared a position classification plan, including class specifications. The plan shall become effective upon approval by the city council by resolution;
- C. Prepare or cause to be prepared a plan of compensation, covering all classifications in the competitive service. The plan shall become effective upon approval by the city council and shall be revised as necessary annually during preparation and approval of the municipal budget;
- D. Prepare and recommend to the city council personnel rules and amendments thereto as necessary;
- E. Provide for publication or posting of notices of tests for positions in the competitive service, the reception of applications therefor, the conduct and grading of tests, the certification to the appointing authority of a list of persons eligible for appointment to the appropriate position in the competitive service, and the transfer, promotion, demotion, reinstatement, discipline, and lay-off of employees in the competitive service. (Prior code § 1-3.35)

2.40.030 **Personnel committee—Created.**

- A. There is created a personnel committee to consist of seven members and two alternates. The committee shall consist of the following members:
 1. The personnel officer who shall also serve as secretary to the committee;
 2. Two members of the exempt service to be appointed by the personnel officer;
 3. One member of the competitive service to be elected by a majority vote of the full-time permanent employees in the competitive service;
 4. One member of the city's competitive service appointed by the personnel officer;
 5. Two alternates shall be selected, one by the personnel officer and one by a majority vote of the full-time employees in the competitive service, to serve in case one of the committee members is unable or ineligible to serve;
 6. One member of each recognized employee organization elected by a majority vote of the full-time permanent employees in each recognized employee organization.

Chapter 5.28

BI DOWNTOWN PLEASANTON BUSINESS IMPROVEMENT DISTRICT

Sections:

- 5.28.010** **Established.**
- 5.28.020** **Resolution of intention.**
- 5.28.030** **Hearing.**
- 5.28.040** **Boundaries.**
- 5.28.050** **Subject to state law.**
- 5.28.060** **Findings.**
- 5.28.070** **Purpose.**
- 5.28.080** **System of assessments.**
- 5.28.090** **Voluntary contribution.**
- 5.28.110** **Power to contract.**
- 5.28.120** **Collection of charges.**

5.28.010 **Established.**

There is currently existing in the city the “Downtown Pleasanton Business Improvement District,” pursuant to the provisions of the Parking and Business Improvement Area Law of 1979, as set forth in the Streets and Highways Code of the state (Section 36000 et seq.). (Ord. 1211 § 1, 1985)

5.28.020 **Resolution of intention.**

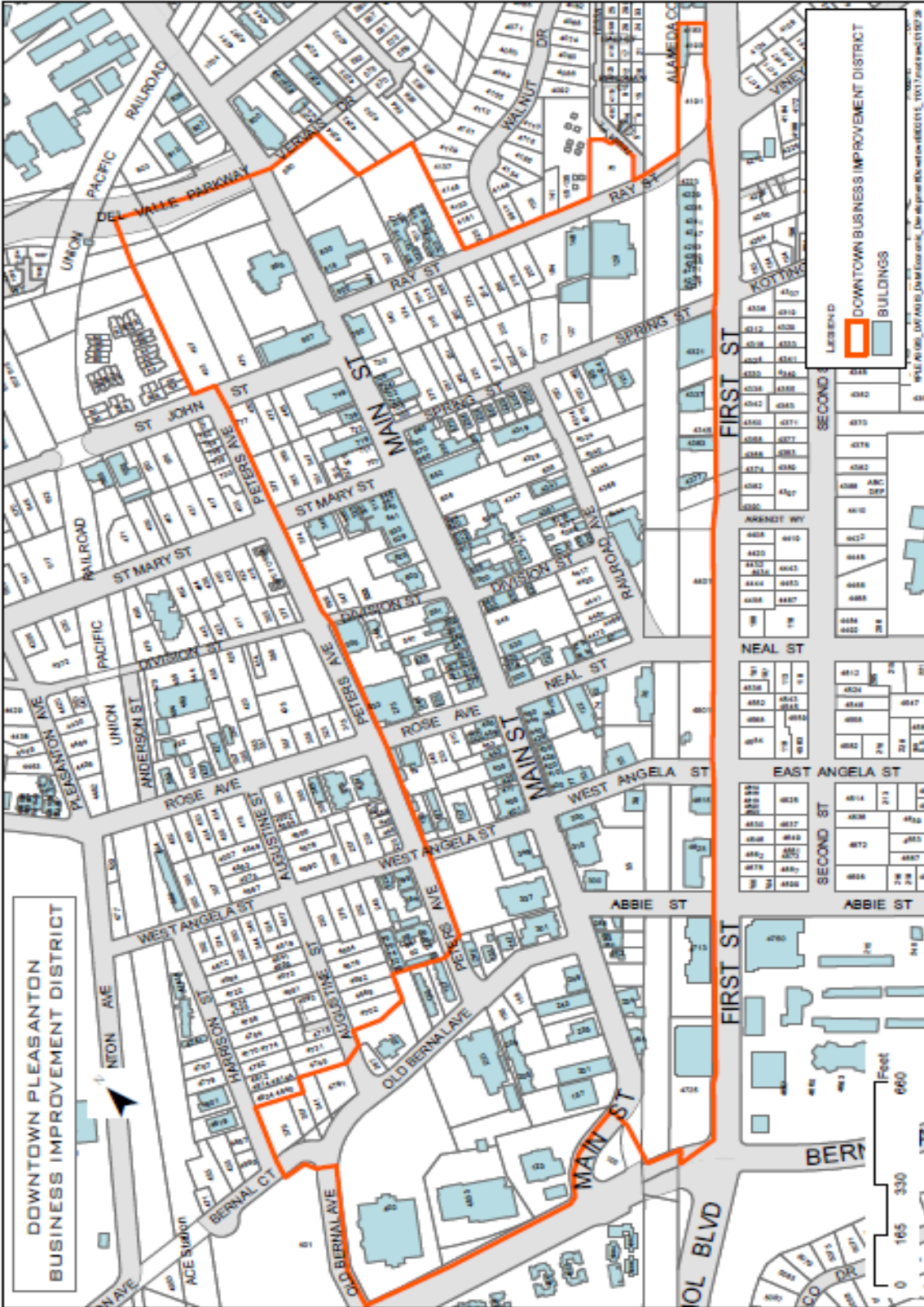
The city council, on August 20, 1985, adopted Resolution 85-397, entitled “Resolution of Intention to Modify the Downtown Pleasanton Business Improvement District.” (Ord. 1211 § 2, 1985)

5.28.030 **Hearing.**

A hearing was held at the city council chambers in the city on September 3, 1985, to consider the establishment of the downtown Pleasanton business improvement district and to hear any protests or concerns relating to that action. (Ord. 1211 § 3, 1985)

5.28.040 **Boundaries.**

The boundaries of the district shall be as shown on the map in Figure 5.28.040 of this chapter.



(Ord. 2131 § 2, 2015; Ord. 1211 § 4, 1985)

Title 6

SPECIFIC BUSINESS REGULATIONS

Chapters:

- 6.04 Amusement Devices**
- 6.08 Bingo Games**
- 6.18 Medical Marijuana**
- 6.20 Horseracing License Fee**
- 6.24 Massage**
- 6.28 Newsracks**
- 6.30 Shopping Cart Regulations**
- 6.32 Display of Sexually Explicit Reading Material**
- 6.36 Solicitors and Certain Businesses**
- 6.40 Taxicabs**
- 6.44 Teenage Dances**
- 6.48 Kennels and Pet Shops**
- 6.52 Cable System Regulatory Ordinance**
- 6.54 State Video Franchises**
- 6.56 Alarms**
- 6.60 Mobilehome Space Rents**
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Chapter 6.18

MEDICAL MARIJUANA

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- 6.18.010** **Definitions.**
- 6.18.020** **Operation of medical marijuana dispensaries prohibited.**
- 6.18.025** **Commercial medical marijuana activities prohibited.**
- 6.18.030** **Commercial medical marijuana cultivation prohibited.**
- 6.18.035** **Operation of commercial medical marijuana delivery prohibited.**
- 6.18.040** **No permits, licenses or entitlements for medical marijuana.**
- 6.18.050** **Penalty.**

6.18.010 **Definitions.**

As used in this chapter, the following terms shall be ascribed the following meanings:

A. “Commercial medical marijuana activity” means the cultivation, possession, manufacture, processing, storing, laboratory testing, labeling, transporting, distribution or sale of medical marijuana or medical marijuana products, in accordance with California Business and Professions Code Section 19300.5(k), as amended. Commercial medical marijuana activity does not include activity by qualified patients who only use medical marijuana for personal medical use in private and their primary caregivers.

B. “Cultivation” means any activity involving the planting, growing, harvesting, drying, curing, grading or trimming of cannabis, in accordance with California Business and Professions Code Section 19300.5(l), as amended.

C. “Delivery” shall have the same meaning as set forth in California Business and Professions Code Section 19300.5(m), as amended.

D. “Medical marijuana” means marijuana in compliance with California Health and Safety Code Section 11362.5 et seq., as well as medical marijuana products, and cannabis and cannabis concentrate as defined by California Business and Professions Code Section 19300.5, as amended.

E. “Medical marijuana dispensary” means any facility or location, whether fixed or mobile, where medical marijuana is made available to, distributed by, or distributed to one or more of the following: a qualified patient, a person with an identification card, or a primary caregiver, in accordance with California Health and Safety Code Section 11362.5 et seq., and California

Business and Professions Code Section 19300.5(n), as amended.

A medical marijuana dispensary shall not include the following uses, so long as such uses comply with this code, California Health and Safety Code Section 11362.5 et seq., as amended, and other applicable law:

1. A clinic licensed pursuant to Chapter 1 of Division 2 of the California Health and Safety Code, as amended;

2. A health care facility licensed pursuant to Chapter 2 of Division 2 of the California Health and Safety Code, as amended;

3. A residential care facility for persons with chronic life-threatening illness licensed pursuant to Chapter 3.01 of Division 2 of the California Health and Safety Code, as amended;

4. A residential care facility for the elderly licensed pursuant to Chapter 3.2 of Division 2 of the California Health and Safety Code, as amended;

5. A hospice or a home health agency, licensed pursuant to Chapter 8 of Division 2 of the California Health and Safety Code, as amended.

F. “Person with an identification card” shall have the meaning given that term by California Health and Safety Code Section 11362.7, as amended.

G. “Primary caregiver” shall have the meaning given that term by California Health and Safety Code Section 11362.7, as amended.

H. “Qualified patient” shall have the meaning given that term by California Health and Safety Code Section 11362.7, as amended. (Ord. 2137 § 1, 2016; Ord. 1955 § 1, 2007)

6.18.020 **Operation of medical marijuana dispensaries prohibited.**

In addition to the other prohibitions in this chapter, no person shall operate or permit to be operated a medical marijuana dispensary in or upon any premises in the city. (Ord. 2137 § 1, 2016; Ord. 1955 § 1, 2007)

6.18.025 **Commercial medical marijuana activities prohibited.**

In addition to the other prohibitions in this chapter, commercial medical marijuana activities of all types shall not be operated or permitted in or upon any premises in the city. (Ord. 2137 § 1, 2016)

6.18.030 **Commercial medical marijuana cultivation prohibited.**

A. In addition to the other prohibitions in this chapter, commercial cultivation of medical marijuana

shall not be operated or permitted in or upon any premises in the city.

B. The indoor cultivation of: (1) up to three medical marijuana plants by a qualified patient; or (2) up to nine medical marijuana plants by a primary caregiver – three such plants each for a maximum of three qualified patients being cared for by that primary caregiver; is not prohibited as long as such plants are not visible to the public from a public area and such plants do not utilize space otherwise needed to park a vehicle in a garage. (Ord. 2137 § 1, 2016)

6.18.035 Operation of commercial medical marijuana delivery prohibited.

In addition to the other prohibitions in this chapter, all commercial deliveries of medical marijuana that either originate or terminate within the city are expressly prohibited. (Ord. 2137 § 1, 2016)

6.18.040 No permits, licenses or entitlements for medical marijuana.

In addition to the other prohibitions in this chapter, no city permits, licenses, zoning certificates or entitlements shall be issued for any commercial medical marijuana activities, or other medical marijuana activities, in or upon any premises in the city. This section is also meant to prohibit all activities for which a state license is required. (Ord. 2137 § 1, 2016)

6.18.050 Penalty.

Any person violating any of the provisions of this chapter shall be subject to administrative citation as provided in Chapter 1.24. Each such person shall be guilty of a separate offense for each and every day during any portion of which any violation of any provision of this chapter is committed, continued or permitted by such person and shall be punished accordingly. (Ord. 2137 § 1, 2016; Ord. 1955 § 1, 2007)

Chapter 6.20

HORSERACING LICENSE FEE

Section:

6.20.010 Designated.

6.20.010 Designated.

The city elects to receive one-third of one percent of the total parimutuel wagers placed within the enclosure of the Alameda County Agricultural Fair Association racing events. (Ord. 1201 § 1, 1985)

be provided with a gasket so installed as to provide a seal where the door meets the stop on both sides and across the top.

3. Air from the room must be directly exhausted to the outside by an exhaust fan. Air from the smoking room must not be recirculated to other parts of the building. Pressure in the room must be less than in the surrounding area to make sure smoke does not drift to surrounding spaces.

4. The ventilation system must provide the smoking room with 60 cubic feet per minute (CFM) of supply air per smoker.

5. Nonsmokers should not have to use the smoking room for any purpose. The smoking room must be located in a nonwork area where no one, as part of his or her work responsibilities, is required to enter at any time.

Within 60 days of the effective date of this chapter, every employer having an enclosed place of employment shall adopt, implement, make known and maintain a written smoking policy which shall contain the following requirements:

Smoking shall be prohibited in all enclosed facilities within a place of employment except in freestanding bars and in designated smoking rooms. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, vehicles, and all other enclosed facilities.

D. "Dining area" means any area containing a counter or tables where meals are served, or area improved with tables, chairs, benches or similar improvements provided for sitting that is controlled by the business where patrons sit after purchasing food or beverage at a restaurant counter.

E. "Employee" means any person who is employed in consideration for direct or indirect monetary wages or profit, and any person who volunteers services for a nonprofit entity or public agency.

F. "Employer" means any person, partnership, corporation or nonprofit entity, including a municipal corporation or other public agency, which employs one or more persons.

G. "Enclosed" means closed in by a roof and walls on all sides with appropriate openings for ingress and egress.

H. "Freestanding bar" means a business which: (1) primarily serves alcoholic beverages; (2) as only incidental to serving such beverages, serves food, has music and/or dancing, provides coin-operated amusement devices, or provides pool tables, darts or other

similar activities; (3) prohibits persons under the age of 18 from entering the business; and (4) was operating as a freestanding bar on January 1, 1994. If there are other uses within the same building, the freestanding bar must also meet the following requirements:

1. Have a separate heating, ventilation and air-conditioning system (HVAC) designed such that none of the air from the freestanding bar will be recirculated into other areas of the building.

2. Be completely separated from the remainder of the building by solid partitions or glazing without openings other than doors, and all doors leading to the bar shall be self-closing. The doors shall be provided with a gasket so installed as to provide a seal where the door meets the stop on both sides and across the top.

3. Air from the freestanding bar must be directly exhausted to the outside by an exhaust fan. Air from the freestanding bar must not be recirculated to other parts of the building. Pressure in the room must be less than in the surrounding area to make sure smoke does not drift to surrounding spaces.

4. The ventilation system must provide the area of the freestanding bar with 60 cubic feet per minute (CFM) of supply air per smoker.

I. "Place of employment" means any area under the control of a public or private employer where employees normally frequent during the course of employment, including, but not limited to, work areas, employee lounges and restrooms, conference rooms and classrooms, cafeterias and hallways.

J. "Pool vehicle" means an automobile, truck or van, owned, leased or otherwise controlled by an employer, which is available, by advance request, reservation or otherwise, for the use, in the course of employment, of any employee or employees.

K. "Public place" means any area to which the public is invited or in which the public is permitted, including but not limited to banks, educational facilities, health facilities, public transportation facilities, reception areas, restaurants, retail food production and marketing establishments, retail service establishments, retail stores, theaters, and waiting rooms.

L. "Reasonable distance" shall mean any distance necessary to insure that persons in an area where smoking is prohibited are not exposed to second-hand smoke created by smokers near the area. The determination of the city manager shall be final in any disputes relating to reasonable distance for smoking near places regulated by this chapter.

M. "Restaurant" means any coffee shop, cafeteria, tavern, sandwich stand, soda fountain, private or public school cafeteria, and any other eating establish-

ment, organization, club, boarding house, or guest house, the primary purpose of which gives or offers for sale food to the public, guests, patrons or employees.

N. "Retail tobacco store" means a retail store utilized primarily for the sale of tobacco or smoking products and accessories.

O. "Service line" means any line at which one or more persons are waiting for or receiving service of any kind, whether or not such service includes the exchange of money.

P. "Smoking" means: (1) inhaling, exhaling, burning or carrying any lighted pipe, cigar, cigarette, or similar article of any kind; or (2) use of an activated or functioning device, whether an electronic cigarette as defined by California Health and Safety Code Section 119405 ("e-cigarette") or a similar device, including but not limited to a device intended to emulate smoking, which permits a person to inhale vapors or mists that may or may not include nicotine.

Q. "Sports arena" means bowling centers, sports pavilions, gymnasiums, health spas, boxing arenas, swimming pools, roller and ice rinks and other similar places where members of the public assemble to engage in physical exercise, participate in athletic competition or witness sports events. (Ord. 2093 § 1, 2014; Ord. 2038 § 1, 2012; Ord. 1615 § 1, 1994*; Ord. 1609 § 1, 1993)

* If a business expends more than \$500.00 to meet the requirements of Section 9.24.020(H), the business shall have until July 1, 1994 to comply fully with the requirements of Ordinance 1615.

9.24.030 Application of chapter in city-owned facilities.

All city buildings, vehicles, and other facilities shall be subject to this chapter. (Ord. 1609 § 1, 1993)

9.24.040 Prohibition of smoking in public places.

A. Smoking shall be prohibited in all enclosed public places within the city, including the following enclosed and unenclosed spaces:

1. Elevators and restrooms.
2. Buses, taxicabs and other means of public transit, and ticket, boarding and waiting areas of public transit depots.
3. Service lines.
4. Retail stores, except retail tobacco stores.
5. Retail food marketing establishments, including grocery stores and supermarkets.

6. All areas available to and customarily used by the general public in all businesses, nonprofit entities and public agencies patronized by the public, including

but not limited to business offices, banks, hotels and motels, except as provided in subsection (A)(14) of this section.

7. Restaurants, including:
 - a. Bars and banquet rooms in, open to or directly accessible from restaurants; and
 - b. Outdoor dining areas.
8. Bars.

9. Any building not open to the sky which is used primarily for exhibiting any motion picture, stage drama, lecture, musical recital, or other similar performance, except to the extent that smoking is part of any such production.

10. Sports arenas and convention halls.
11. Stadiums, amphitheaters and similar places of assembly which are open to the sky.

12. Health and residential and day care facilities, including, but not limited to, nursing homes, adult care facilities, child care facilities including family day care homes, hospitals, clinics, physical therapy facilities, doctors' offices and dentists' offices.

13. Polling places.
14. Private hotel and motel rooms rented to guests, except that up to 25 percent of such rooms may be designated for smoking guests, if on a separate floor(s) or if in a separate wing(s).

15. Private residences when used at any time as family day care homes or health care facilities.

16. Enclosed lobbies, hallways and other enclosed common areas in apartment buildings, including condominiums, in retirement facilities, and in other multiple-family residential facilities.

17. Any owner, operator, manager or other person holding an event Downtown, defined as the area within the Downtown Specific Plan, pursuant to a police department issued special event permit, involving a closure of a public street, a special event, a conditional use permit, or a temporary use, shall prohibit smoking at such event. "No Smoking" signs shall generally be visible at entrances or reasonable intervals along the perimeter of such event to advise guests, invitees and the public about the prohibition on smoking. Violators are subject to administrative citation as provided in Chapter 1.24.

B. Notwithstanding any other provisions of this section, any owner, operator, manager or other person who controls any establishment described in this section may declare that entire establishment as a nonsmoking establishment.

C. Notwithstanding the effective date of the ordinance codified in this chapter, any owner, operator, manager or other person who controls any private hotel

or motel shall have until July 1, 1994 to comply with subsection (A)(14) of this section. The council may grant an additional 12 months in which to comply for good cause shown. (Ord. 2136 § 1, 2016; Ord. 2125 § 2, 2015; Ord. 1615 § 1, 1994; Ord. 1609 § 1, 1993)

9.24.050 Regulation of smoking in places of employment.

A. Every employer shall provide a smoke-free work place for all employees.

B. Every employer shall post “No Smoking” or “Smoke Free” signs in accordance with Section 9.24.070 of this chapter.

C. Smoking outside any enclosed place of employment shall occur at a reasonable distance from any place of employment to insure that smoke does not enter any place of employment through doors and windows and affect occupants therein, or those entering or leaving any place of employment.

D. Within 60 days of the effective date of the ordinance codified in this chapter, every employer having an enclosed place of employment shall adopt, implement, make known and maintain a written smoking policy which shall contain the following requirements:

Smoking shall be prohibited in all enclosed facilities within a place of employment without exception. This includes common work areas, auditoriums, classrooms, conference and meeting rooms, private offices, elevators, hallways, medical facilities, cafeterias, employee lounges, stairs, restrooms, vehicles, and all other enclosed facilities.

E. Every employer shall communicate this smoking policy to all employees within three weeks of its adoption, and shall communicate the policy to a new employee upon hiring.

F. Every employer shall supply a written copy of the smoking policy upon request to any employee or prospective employee. (Ord. 1615 § 1, 1994; Ord. 1609 § 1, 1993)

9.24.060 Optional smoking areas.

A. Notwithstanding Sections 9.24.040 and 9.24.050 to the contrary, the following areas shall not be subject to the smoking restrictions of this chapter:

1. Private residences, except when such residence is used at any time as a family day care home or a health care facility.

2. Retail tobacco stores.

3. Outdoor areas a reasonable distance from any area designated nonsmoking in this chapter.

B. Notwithstanding any other provision of this section, any owner, operator, manager or other person

who controls any establishment described in this section may declare that entire establishment as a nonsmoking establishment. (Ord. 1615 § 1, 1994; Ord. 1609 § 1, 1993)

9.24.070 Posting of signs.

A. Where signs are required by this section, the owner, operator, manager or other person having control of a building shall conspicuously post in such building “Smoking” and “No Smoking” signs, whichever are appropriate, with letters of not less than one inch in height, or the international “Smoking” or “No Smoking” symbol (consisting of a pictorial representation of a burning cigarette, enclosed in a green circle for “Smoking,” or enclosed in a red circle with a red bar across it for “No Smoking”), or the same information in another format approved by the city manager.

B. Every theater owner, manager or operator shall conspicuously post signs in the lobby stating that smoking is prohibited within the theater or auditorium.

C. The owner, operator, manager or other person having control of a restaurant or other public place shall conspicuously post in, or at every entrance of, every restaurant or other public place, including all places described in Section 9.24.040 when in or adjacent to a building, or in outdoor dining areas, “No Smoking” signs and “Smoking” signs, when appropriate.

D. The owner, operator, manager or other person having control of every bar shall conspicuously post at every entrance of every bar, adjacent to any warning sign required under the California Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65), a “No Smoking” sign.

E. The owner, operator, manager or other person having control of the area shall remove all ash trays in any area designated nonsmoking. (Ord. 2038 § 1, 2012; Ord. 1609 § 1, 1993)

9.24.080 Enforcement.

A. The city manager and any other persons designated by the city manager shall administer and enforce the provisions of this chapter.

B. Any citizen who desires to register a complaint may initiate enforcement of this chapter.

C. A private citizen may bring legal action to enforce this chapter. (Ord. 1609 § 1, 1993)

9.24.090 Nonretaliation.

No person or employer shall discharge, refuse to hire, or in any manner retaliate against any employee or applicant for employment because such employee or

applicant exercises any rights afforded by this chapter.
(Ord. 1609 § 1, 1993)

9.24.100 Violations and penalties.

A. It is unlawful for any person who owns, manages, operates or otherwise controls the use of any premises subject to this chapter to fail to ensure compliance with its provisions.

B. It is unlawful for any person to smoke in any area designated nonsmoking under the provisions of this chapter.

C. Any person who violates any provision of this chapter shall be guilty of an infraction, punishable by:

1. A fine, not exceeding \$100.00, for the first violation;
2. A fine, not exceeding \$200.00, for a second violation of this chapter within one year;
3. A fine, not exceeding \$500.00, for each additional violation of this chapter within one year. (Ord. 1609 § 1, 1993)

9.24.110 Severability.

If any provision or clause of this chapter or the application thereof to any person or circumstances is held to be unconstitutional or to be otherwise invalid by any court of competent jurisdiction, such validity shall not affect other provisions or clauses or applications thereof which can be implemented without the invalid provision or clause or application, and to this end the provisions and clauses of this chapter are declared to be severable. (Ord. 1609 § 1, 1993)

Chapter 11.20

SPEED LIMITS*

Section:

11.20.010 Speed limits in certain zones.

* **Prior code history:** §§ 5-6.01, 5-6.05; and Ords. 1069, 1097, 1108, 1114, 1133, 1137, 1163, 1180, 1206, 1375, 1381, 1392, 1429, 1459, 1465, 1487, 1514, 1515, 1525, 1546, 1575, 1601, 1602, 1627, 1645, 1664, 1817, 1822.

11.20.010 Speed limits in certain zones.

Based upon an engineering and traffic investigation and study, the prima facie speed limit shall be as set forth in this section on those streets, or parts of said streets, designated in this section when signs are in place giving notice thereof:

- A. Andrews Drive:
 1. From Owens Drive to Old Santa Rita Road the speed limit shall be 35 miles per hour.
- B. Bernal Avenue:
 1. From Foothill Road to east side of Arroyo Laguna the speed limit shall be 35 miles per hour.
 2. From east side of Arroyo Laguna to Valley Avenue the speed limit shall be 40 miles per hour.
 3. From Valley Avenue to Pleasanton Avenue the speed limit shall be 45 miles per hour.
 4. From Pleasanton Avenue to Sunol Boulevard the speed limit shall be 35 miles per hour.
 5. From Sunol Boulevard to Windmill Way the speed limit shall be 35 miles per hour.
 6. From Windmill Way to Kottinger Drive the speed limit shall be 35 miles per hour.
 7. From Kottinger Drive to Vineyard Avenue/Tawny Avenue the speed limit shall be 30 miles per hour.
 8. From Vineyard Avenue/Tawny Avenue to Vineyard Avenue the speed limit shall be 30 miles per hour.
 9. From Vineyard Avenue to Nevada Street the speed limit shall be 35 miles per hour.
 10. From Nevada Street to Stanley Boulevard the speed limit shall be 40 miles per hour.
- C. Busch Road:
 1. From Valley Avenue to Gravel Company gate the speed limit shall be 35 miles per hour.
- D. Canyon Way:
 1. From Foothill Road to Stoneridge Mall Road the speed limit shall be 25 miles per hour.
- E. Case Avenue:
 1. From Bernal Avenue to Valley Avenue the speed limit shall be 25 mph.

- F. Chabot Drive:
 1. From Owens Drive to Stoneridge Drive the speed limit shall be 35 miles per hour.
 2. From Stoneridge Drive to Inglewood Drive the speed limit shall be 35 miles per hour.
- G. Deodar Way:
 1. From Foothill Road to Stoneridge Mall Road the speed limit shall be 30 miles per hour.
- H. Division Street:
 1. From Del Valle Parkway to St. Mary Street the speed limit shall be 25 miles per hour.
- I. Dublin Canyon Road:
 1. From northern city limits to Laurel Creek Drive the speed limit shall be 45 miles per hour.
 2. From Laurel Creek Drive to Foothill Road the speed limit shall be 35 miles per hour.
- J. First Street:
 1. From Stanley Boulevard to Ray Street/Vineyard Avenue the speed limit shall be 40 miles per hour.
 2. From Ray Street/Vineyard Avenue to Bernal Avenue the speed limit shall be 25 miles per hour.
- K. Franklin Drive:
 1. From Stoneridge Drive to Johnson Drive (north) the speed limit shall be 35 miles per hour.
- L. Foothill Road:
 1. From northern city limits to Stoneridge Drive the speed limit shall be 45 miles per hour.
 2. From Stoneridge Drive to Muirwood Drive (north) the speed limit shall be 45 miles per hour.
 3. From Muirwood Drive (north) to West Las Positas Boulevard the speed limit shall be 45 miles per hour.
 4. From West Las Positas Boulevard to Foothill Knolls Drive the speed limit shall be 45 miles per hour.
 5. From Foothill Knolls Drive to Bernal Avenue the speed limit shall be 45 miles per hour.
 6. From Bernal Avenue to southern city limits the speed limit shall be 40 miles per hour.
 7. From 215 feet south of Country Lane to Verona Road the speed limit shall be 45 miles per hour.
- M. Gibraltar Drive (north):
 1. From Hopyard Road to Stoneridge Drive the speed limit shall be 40 miles per hour.
- N. Gibraltar Drive (south):
 1. From Stoneridge Drive to Willow Road the speed limit shall be 35 miles per hour.
- O. Hacienda Drive:
 1. From northern city limits to Owens Drive the speed limit shall be 40 miles per hour.

2. From Owens Drive to Stoneridge Drive the speed limit shall be 40 miles per hour.

3. From Stoneridge Drive to West Las Positas Boulevard the speed limit shall be 40 miles per hour.

P. Hopyard Road:

1. From northern city limits to Owens Drive the speed limit shall be 40 miles per hour.

2. From Owens Drive to Stoneridge Drive the speed limit shall be 45 miles per hour.

3. From Stoneridge Drive to West Las Positas Boulevard the speed limit shall be 45 miles per hour.

4. From West Las Positas Boulevard to Valley Avenue the speed limit shall be 40 miles per hour.

5. From Valley Avenue to Black Avenue the speed limit shall be 35 miles per hour.

6. From Black Avenue to Del Valle Parkway the speed limit shall be 35 miles per hour.

Q. Independence Drive:

1. From Bernal Avenue to Junipero Street the speed limit shall be 30 miles per hour.

R. Inglewood Drive:

1. From Hopyard Road to Willow Road the speed limit shall be 35 miles per hour.

S. Johnson Drive:

1. From Stoneridge Drive to 1,900 feet north of Commerce Circle the speed limit shall be 40 miles per hour.

2. From 1,900 feet north of Commerce Circle to 1,000 feet north of Owens Drive the speed limit shall be 45 miles per hour.

3. From 1,000 feet north of Owens Drive to Owens Drive (south) the speed limit shall be 30 miles per hour.

4. From Owens Drive (south) to Franklin Drive (south) the speed limit shall be 35 miles per hour.

T. Koll Center Parkway:

1. From Valley Avenue to Valley Avenue the speed limit shall be 30 miles per hour.

U. Laguna Creek Lane:

1. From West Lagoon Road to Valley Avenue the speed limit shall be 35 miles per hour.

V. Laurel Creek Way:

1. From Foothill Road to Stoneridge Mall Road the speed limit shall be 30 miles per hour.

W. Main Street:

1. From Stanley Boulevard to Bernal Avenue the speed limit shall be 25 miles per hour.

X. Old Santa Rita Road:

1. From Santa Rita Road to Rosewood Drive the speed limit shall be 30 miles per hour.

Y. Owens Drive:

1. From Johnson Drive to Hopyard Road the speed limit shall be 30 miles per hour.

2. From Hopyard Road to Chabot Canal the speed limit shall be 40 miles per hour.

3. From Chabot Canal to Rosewood Drive the speed limit shall be 40 miles per hour.

4. From Rosewood Drive to West Las Positas Boulevard the speed limit shall be 40 miles per hour.

Z. Pimlico Drive:

1. From Santa Rita Road to Brockton Drive the speed limit shall be 30 miles per hour.

2. From Brockton Drive to 400 feet north of Kirkcaldy Street the speed limit shall be 35 miles per hour.

AA. Rosewood Drive:

1. From Owens Drive to Old Santa Rita Road the speed limit shall be 40 miles per hour.

2. From Old Santa Rita Road to Santa Rita Road the speed limit shall be 40 miles per hour.

BB. Saint Mary Street:

1. From Division Street to Main Street the speed limit shall be 25 miles per hour.

CC. Santa Rita Road:

1. From northern city limits to Rosewood Drive the speed limit shall be 45 miles per hour.

2. From Rosewood Drive to West Las Positas Boulevard the speed limit shall be 45 miles per hour.

3. From West Las Positas Boulevard to Mohr Avenue the speed limit shall be 45 miles per hour.

4. From Mohr Avenue to Valley Avenue the speed limit shall be 35 miles per hour.

5. From Valley Avenue to Black Avenue the speed limit shall be 35 miles per hour.

6. From Black Avenue to Stanley Boulevard the speed limit shall be 35 miles per hour.

DD. Sports Park Drive:

1. From Parkside Drive to end of Sports Park the speed limit shall be 20 miles per hour.

EE. Springdale Avenue:

1. From Stoneridge Mall Road to Stoneridge Drive the speed limit shall be 25 miles per hour.

FF. Stanley Boulevard:

1. From Main Street/Santa Rita Road to First Street the speed limit shall be 30 miles per hour.

2. From First Street to Valley Avenue/Bernal Avenue the speed limit shall be 40 miles per hour.

3. From Valley Avenue/Bernal Avenue to eastern city limits the speed limit shall be 50 miles per hour.

GG. Stoneridge Mall Road:

1. From Embarcadero Court to Stoneridge Drive the speed limit shall be 30 miles per hour.

2. From Embarcadero Court to Deodar Way the speed limit shall be 30 miles per hour.

3. From Deodar Way to Stoneridge Mall Road the speed limit shall be 30 miles per hour.

HH. Stoneridge Drive:

1. From Foothill Road to Stoneridge Mall Road the speed limit shall be 40 miles per hour.

2. From Stoneridge Mall Road to Johnson Drive the speed limit shall be 45 miles per hour.

3. From Johnson Drive to Hopyard Road the speed limit shall be 45 miles per hour.

4. From Hopyard Road to Willow Road the speed limit shall be 40 miles per hour.

5. From Willow Road to West Las Positas Boulevard the speed limit shall be 40 miles per hour.

6. From West Las Positas Boulevard to Santa Rita Road the speed limit shall be 40 miles per hour.

7. From Santa Rita Road to Kamp Drive the speed limit shall be 35 miles per hour.

8. From Kamp Drive to Newton Way the speed limit shall be 35 miles per hour.

9. From Newton Way to Trevor Parkway the speed limit shall be 35 miles per hour.

10. From Trevor Parkway to El Charro Road the speed limit shall be 40 miles per hour.

II. Sunol Boulevard:

1. From Bernal Avenue to Sonoma Drive the speed limit shall be 35 miles per hour.

2. From Sonoma Drive to I-680 the speed limit shall be 40 miles per hour.

JJ. Valley Avenue:

1. From Sunol Boulevard to Case Avenue the speed limit shall be 30 miles per hour.

2. From Case Avenue to Oak Vista Way the speed limit shall be 35 miles per hour.

3. From Oak Vista Way to Bernal Avenue the speed limit shall be 25 miles per hour.

4. From Bernal Avenue to South Paseo Santa Cruz the speed limit shall be 35 miles per hour.

5. From South Paseo Santa Cruz to Hopyard Road the speed limit shall be 35 miles per hour.

6. From Hopyard Road to Crestline Road the speed limit shall be 35 miles per hour.

7. From Crestline Road to Santa Rita Road the speed limit shall be 35 miles per hour.

8. From Santa Rita Road to Busch Road the speed limit shall be 35 miles per hour.

9. From Busch Road to Stanley Boulevard the speed limit shall be 40 miles per hour.

KK. Vineyard Avenue:

1. From Bernal Avenue to Montevino Drive the speed limit shall be 35 miles per hour.

2. From Montevino Drive to Vineyard Terrace the speed limit shall be 40 miles per hour.

3. From Vineyard Terrace to Machado Place the speed limit shall be 45 miles per hour.

4. From Machado Place to eastern city limits the speed limit shall be 50 miles per hour.

LL. West Las Positas Boulevard:

1. From Foothill Road to Hopyard Road the speed limit shall be 35 miles per hour.

2. From Hopyard Road to Hacienda Drive the speed limit shall be 40 miles per hour.

3. From Hacienda Drive to Stoneridge Drive the speed limit shall be 40 miles per hour.

4. From Stoneridge Drive to Santa Rita Road the speed limit shall be 40 miles per hour.

MM. Willow Road:

1. From Owens Drive to Stoneridge Drive the speed limit shall be 35 miles per hour.

2. From Stoneridge Drive to West Las Positas Boulevard the speed limit shall be 35 miles per hour.

(Ord. 2139 § 1, 2016; Ord. 2087 § 1, 2014; Ord. 2063 § 1, 2013; Ord. 1959 § 1, 2007; Ord. 1882 § 2, 2003; Ord. 1875 § 3, 2003)

Chapter 11.24

STOPS AND YIELDS

Sections:

11.24.010 Stop signs.

11.24.020 Authority to install.

11.24.010 Stop signs.

Whenever any resolution of the city designates and describes any street or portion thereof as a through street, or any intersection at which vehicles are required to stop at one or more entrances thereto or any railroad grade crossing at which vehicles are required to stop, the city traffic engineer shall erect and maintain stop signs as follows:

A stop sign shall be erected on each and every street intersecting such through street or portion thereof so designated and at those entrances to other intersections where a stop is required and at any railroad grade crossing so designated; provided, however, stop signs shall not be erected or maintained at any entrance to an intersection when such entrance is controlled by an official traffic-control signal. Every such sign shall conform with and shall be placed as provided in the Vehicle Code. (Prior code § 5-2.30)

11.24.020 Authority to install.

The city traffic engineer is authorized to install and maintain yield signs at any intersection at which he or she deems it necessary that the right-of-way at one or more entrances thereto be yielded in a manner other than in accordance with the normal right-of-way rules established by the Vehicle Code for uncontrolled intersections as follows:

A yield sign shall be erected at those entrances to the intersection where a vehicle is required to yield the right-of-way; provided, however that such yield right-of-way signs shall not be erected upon the approaches to more than one of the intersecting streets. Every such sign shall conform with, and shall be placed as provided in the Vehicle Code. (Prior code § 5-2.40)

4. The number of dogs shall not exceed three per person in charge of the dogs.

B. The person in charge of the dog shall remove immediately any feces left by the dog and dispose of such feces if the feces are in a picnic area, gathering site, irrigated lawn area, parking lot, or roadway of the Augustin Bernal Park or within 100 feet thereof. (Ord. 1919 § 9, 2005)

13.08.090 Sale of goods or services—Exhibitions and private lessons and classes.

No person shall sell any goods or services; conduct or maintain any show, performance, concert, place of amusement or exhibition; or conduct private lessons or classes for compensation without the written permission of the director. (Ord. 2093 § 1, 2014; Ord. 2065 § 1, 2013; Ord. 1428 § 4, 1989)

13.08.100 Advertising.

No person shall place or affix any handbills, circulars, pamphlets, or advertisement to any tree, fence, shrub or structure. (Ord. 1428 § 4, 1989)

13.08.110 Vehicles.

A. No person shall operate a motor vehicle in or on any park and recreation facility except on designated streets and parking areas without the written authorization of the director of parks and community services.

B. No person shall park a motor vehicle between 11:00 p.m. and 5:00 a.m. in or on any park and recreation facility, including city parking lots serving such park and recreation facilities, except with written authorization of the director of parks and community services. (Ord. 2120 § 1, 2015; Ord. 1796 § 1, 1999; Ord. 1428 § 4, 1989)

13.08.120 Camping—Sleeping.

A. No person shall camp or lodge in a tent or on the ground in any park and recreation facility, including the parking lot area of any such facility.

B. Except during daylight, or except for security purposes and with the written permission of the director, no person shall stay, remain or sleep in a motor home or other motor vehicle or otherwise, in any park and recreation facility, including the parking lot area of such facility. (Ord. 1428 § 4, 1989)

13.08.130 Alcoholic beverages.

No person shall drink any alcoholic beverage in any park and recreation facility, except in connection with an event or activity which has the written permis-

sion of the director. (Ord. 1659 § 1, 1995; Ord. 1428 § 4, 1989)

13.08.140 Hours of operation.

A. A park and recreation facility shall be available to the public during daylight except: (1) for the use of pathways/sidewalks within the facility; (2) when there is posted conspicuously a sign limiting the daytime hours when such facility is available to the public; and (3) after daylight if and when the facility is lighted.

B. No person shall refuse or fail to leave a park and recreation facility upon being directed to leave: (1) by the director or the director's designee; or (2) by a peace officer.

C. No person shall be or remain in a park and recreation facility other than during daylight except as follows:

1. When the person is only using the sidewalk or pathway within the facility;

2. When the facility is posted conspicuously that the daytime hours that the facility is open to the public are limited to hours other than during daylight;

3. When the facility is lighted and the person is a participant or spectator at the event taking place at the lighted facility; or

4. When the director has given written permission.

D. The director, police chief or fire chief, or the designees, may close any park and recreation facility to the public when it is determined that such closure will protect the public health, safety and/or welfare or is necessary to protect such facility from misuse or destruction. If possible, notice thereof shall be posted in conspicuous locations in the affected facility.

E. No person shall be in the Century House or within the fenced area within the Bicentennial Park without the written permission of the director.

F. No person, group or organization (collectively the "renter") shall claim exclusive use of any or all of a park and recreation facility without having leased such park or recreation facility or received the written permission of the director. With such lease or permission, the renter may exclude members of the public from that park or from that recreation facility, and the renter may also establish the renter's own reasonable rules of use during such period.

G. Group use (which means 25 or more persons affiliated in any way) of any park and recreational facility shall be permitted only as follows:

1. With the written permission of the director;

2. Only in those sections of any community park planned for such use; and

3. Only in neighborhood parks if by bona fide neighborhood groups and only for neighborhood related activities. (Ord. 2120 § 1, 2015; Ord. 1659 § 1, 1995; Ord. 1474 § 1, 1990; Ord. 1428 § 4, 1989)

13.08.145 Required riding equipment in in-line skateparks and skateboard parks.

It is unlawful for a person to ride a skateboard or a nonmotorized scooter, or to use in-line skates, in an in-line skatepark or skateboard park unless the person is wearing a helmet that meets the standards specified in Section 21212(a) of the California Vehicle Code, elbow pads and kneepads, all which shall be properly fitted and fastened, and where the skateboard park has a sign posted which provides that anyone in-line skating or riding a skateboard in the park must wear a helmet, elbow pads and kneepads or be subject to a citation. (Ord. 1924 § 1, 2005; Ord. 1654 § 2, 1995)

13.08.150 Motor driven cycles and model vehicles and planes.

A. No person shall operate, transport or maintain any motor driven cycle, motorcycle, motorized bicycle or moped as the same are defined in the Vehicle Code or determined in the reasonable discretion of the chief of police or designee, within any park and recreation facility except in those areas as may be specifically designated for such purpose or with the written permission of the director.

B. No person shall operate in any park and recreation facility any airborne, waterborne or landborne model plane, any rocket or missile, or any vessel or vehicle, whether such plane, rocket, missile, vessel or vehicle uses an internal combustion engine or is propelled/operated otherwise, without the written permission of the director. (Ord. 2065 § 1, 2013; Ord. 1428 § 4, 1989)

13.08.160 Horseback riding.

No person shall ride, walk or pasture a horse in any park and recreation facility except within areas specifically designated for that purpose. (Ord. 1428 § 4, 1989)

13.08.170 Golfing.

No person in a park and recreation facility shall golf, including, but not limited to, chipping, putting, driving or otherwise practicing golf, except within areas specifically designated for such use. (Ord. 1428 § 4, 1989)

13.08.180 Amplified sound or music.

A. No person in a park and recreation facility shall use amplifiers, amplifying equipment, microphones, boosters, electrified musical instruments or any other type of electronic or mechanical device used to increase the wattage and volume of electronically or otherwise produced sound, without the written permission of the director.

B. No person in a park and recreation facility, by use of a radio, tape, record or other electronic or mechanical device, shall produce or allow to be produced a noise level which disturbs a reasonable person's peace and quiet; in no event shall the noise level exceed the limits of Section 9.04.060 of this code. (Ord. 1428 § 4, 1989)

13.08.190 Smoking.

A. No person shall smoke in any enclosed building in a park and recreational facility except as provided in Chapter 9.24 of this code.

B. A renter of a park or recreation facility Downtown shall prohibit smoking during such rental. "No Smoking" signs shall generally be visible at entrances or reasonable intervals along the perimeter of such rental to advise guests, invitees and the public about such prohibition on smoking. Violators are subject to administrative citation as provided in Chapter 1.24.

C. "Smoking" is defined as set forth in Section 9.24.020(P).

D. "Downtown" is defined as the area within the Downtown Specific Plan. (Ord. 2136 § 1, 2016; Ord. 2125 § 2, 2015; Ord. 1428 § 4, 1989)

13.08.200 Bicycles.

A. No person shall ride or operate a bicycle in any park and recreation facility in a negligent, unsafe or reckless manner or in any way that endangers the life, limb or property of any person.

B. It is unlawful for a person to ride a bicycle in a bicycle motocross park unless the person is wearing a properly fitted and fastened helmet that meets the standards specified in Section 21212(a) of the California Vehicle Code.

C. If a pathway or roadway is designated for bicycle use, a person shall use such pathway or roadway for such use. (Ord. 1924 § 1, 2005; Ord. 1428 § 4, 1989)

13.08.205 Hang gliding prohibited.

Hang gliding and hang gliders are prohibited in Augustin Bernal Park. (Ord. 1595 § 2, 1993)

13.08.210 Additional rules.

The director is authorized to promulgate from time to time such other and further rules and regulations as may be necessary for the purpose of regulating the use of any park and recreation facility. Upon adoption thereof by the city council by resolution, such rules and regulations shall have the same force and effect as the provisions of this chapter. (Ord. 1428 § 4, 1989)

- space; coverage by buildings, parking (covered, open, off-street), streets, sidewalk; and where applicable, paths and recreational facilities;
2. A topographical map showing existing contours and proposed lot lines, which may be integrated with the site plan described in subsection (D)(1) of this section; the lot lines may be omitted if building locations on the site plan make proposed lot lines obvious. The topographical map shall be at a scale no smaller than one inch equals 100 feet showing contour lines existing prior to grading at an interval of not more than 10 feet. The community development director, or his or her designated representative, may allow a reduction in the scale of the map or allow an increase in the contour interval when in his or her opinion the size of the parcel or its terrain requires such changes to make the map more meaningful. The director may omit the requirement for a topographical map entirely for a parcel located on land having an average slope of less than 10 percent;
 3. A grading plan showing increments of the depths of all cuts and fills in various colors or any similar display which shows the cuts, fills and depths thereof and readily distinguishes between differing fills and depths; and a slope classification map showing, in contrasting colors, all land which has less than 10 percent slope, that land which has a slope between 10 percent and 20 percent and all land which has a slope greater than 20 percent. The community development director, or his or her designated representative, may waive the slope classification map for properties which do not have significant land areas in excess of 10 percent slope;
 4. The community development director, or his or her designated representative, shall require, where appropriate, development profiles which show the relationship of the proposed project to any dominant geological or topographical features which may be on or in the vicinity of the proposed project;
 5. On the site plan or on a separate plat show any tree(s), including size and species as provided in Chapter 17.16 of this code and whether or not such tree(s) is to be removed or destroyed;
 6. Sufficient dimensions to show right-of-way widths, pavement widths, street grades, whether streets are to be public or private, and all proposed frontage improvements on new and existing streets;
 7. The community development director, after consulting with the city engineer, may require a current preliminary soils and geological report prepared by a registered civil engineer and/or a registered geologist when development is proposed in areas in excess of 10 percent average slope, there is known or suspected ground instability, high water table, or significant erosion. A geologic report shall always be prepared as required by Chapter 17.12 of this code;
 8. A detailed landscaping plan showing the natural open space, if any, which will remain upon completion of development, all existing trees and the precise boundaries of additional landscaping; the landscape plan shall include container size of all trees and shrubs, species of all plant material, evidence of an irrigation system (indicating whether manual or automatic), street furniture, and fencing materials, and where applicable, dimensions and locations;
 9. Residential developments also shall include the following data:
 - a. A calculation of the population density of the development,
 - b. The location of proposed dwelling units and types,
 - c. A calculation of the number of bedrooms to be constructed;
 10. A specification of the permitted uses desired in the development plan. The community development director, the planning commission, or city council may require greater identification of specific uses;
 11. Notwithstanding the requirements of this subsection, an applicant for a PUD development plan for the development of two or more acres, which development will occur in stages, may submit general information relating to subsections (D)(1) through (D)(9) of this section for review for the entire project. Unless otherwise authorized by the city council, each stage or phase of the project must be adjacent to any previously approved portion of the development plan and shall be reviewed by and approved by the planning commission and city council, in accordance with the procedure set forth herein, together with the exact, complete and detailed information required by subsections (D)(1) through (D)(9) of this section. No tentative subdi-

vision map, building permit or other entitlement shall be approved or issued until such review and approval has been obtained.

E. Grading Control.

1. Size and Treatment. In order to keep all graded areas and cuts and fills to a minimum, to eliminate unsightly grading and to preserve the natural appearance and beauty of the property as far as possible as well as to serve the other specified purposes of this chapter, specific requirements may be placed on the size of areas to be graded or to be used for building, and on the size height and angles of cut slopes and fill slopes and the shape thereof. In appropriate cases, retaining walls may be required.
2. Restrictions. All areas indicated as natural open space on the approved development plan shall be undisturbed by grading, excavating, structures or otherwise except as permitted by this subsection. Where applicable, drainage improvements, utility lines, riding trails, hiking trails, picnic areas, stables and similar public improvements and amenities may be placed in natural open space areas at the time of approval of a PUD development plan. Where natural open space is disturbed for public improvements, best engineering efforts shall be undertaken to make said improvements as unobtrusive as practicable and trenched areas (and similar ground disturbances) shall be treated so as to encourage rapid regeneration of the natural coverage.
3. Landscaping. The PUD development plan shall include the planting of newly created banks or slopes for erosion control or to minimize their visual effect. (Ord. 2000 § 1, 2009; prior code § 2-8.35)

18.68.120 HPD process.

If a development is proposed pursuant to this chapter, which also could develop under the provisions of the hillside planned development district (Chapter 18.76 of this title), the developer shall submit with his or her application for PUD zoning and PUD development plan an explanation why the project is not requested for development pursuant to the hillside planned development district. (Prior code § 2-8.36)

18.68.130 Procedure.

- A. The placement of property into the PUD zoning district may be initiated by the city council, planning commission, property owner, an authorized representative or an option holder pursuant to the provisions of this chapter.
- B. The city council, planning commission, applicant or general citizen may appeal any decision approving or disapproving a request for PUD zoning, development plan approval, or modification to a development plan pursuant to the provisions of this chapter.
- C. A PUD district zoning request and development plan may be processed concurrently or separately. If they proceed concurrently, only a single ordinance shall be required for approval. If they proceed separately, or if the PUD development plan proceeds in phases as provided by this chapter, separate ordinances shall be required for each process and phase of the project. The ordinance(s) required by this subsection shall be processed in the same manner as any zoning ordinance.
- D. If a subdivision map is processed concurrently with a PUD zoning request or PUD development plan, then Sections 19.20.110(C) and 19.22.060(F) shall apply for tentative maps and vesting tentative maps, respectively. A parcel map or minor subdivision may be submitted for review concurrently with the application for a PUD zoning request or PUD development plan.
- E. An applicant shall file a separate application for each noncontiguous parcel upon which consideration of PUD zoning and/or a development plan is desired. For the purposes of this subsection, parcels shall be deemed to be noncontiguous if they are separated by roads, streets, utility easements or railroad rights-of-way, which, in the opinion of the community development director, are of such a width as to:
 1. Destroy the unity of the proposed project or the ability of the parcel to be developed as a cohesive unit; or
 2. Otherwise create the impression that two separate parcels or projects are being developed. (Ord. 2144 § 2, 2016; Ord. 2000 § 1, 2009; prior code § 2-8.37)

Chapter 19.04

GENERAL PROVISIONS

Sections:

- 19.04.010 Purpose.**
- 19.04.020 Considerations—General plan and zoning ordinance.**
- 19.04.030 Considerations—Existing conditions.**
- 19.04.040 Considerations—Community facilities.**

19.04.010 Purpose.

A. The purpose of this title is to control and regulate the division of any land for any purpose whatever within the city and such land as may be annexed to the city. It includes resubdivision, the process of subdividing, or the land or territory subdivided, including planned unit developments. The status of proposed planned unit developments shall be determined by the city planning commission in accordance with the provisions of Title 18 of this code.

B. The application of the provisions of this title shall be deemed supplemental to the provisions of the Subdivision Map Act of the state of California (Government Code Section 66410, et seq.), and to the extent that the Map Act preempts local ordinances as contained in this title, the provisions of state law shall apply. In cases where the local jurisdiction may adopt more flexible standards and procedures and less restrictive time limits, the provisions of the local ordinances as contained in this title shall apply. (Ord. 1222 § 23, 1985; prior code § 2-2.01)

19.04.020 Considerations—General plan and zoning ordinance.

The general plan shall guide the use of all land within the corporate boundaries of the city. The type and intensity of land use as shown on the general plan shall determine the types of streets, roads, highways and other utilities and public facilities that shall be provided by the subdivider. No land shall be subdivided and developed for any purpose not contemplated or specifically authorized by the precise zoning ordinance of the city.

Persons seeking to subdivide land concurrently with an application to amend the general plan or amend the precise zoning ordinance are subject to specific limitations to ensure general plan and zoning conformity. (Ord. 2144 § 2, 2016; prior code § 2-2.02)

19.04.030 Considerations—Existing conditions.

Consideration shall be given to provision for uniformity of street widths and for proper alignments and street names. Preservation of the privacy and safety of streets in residential areas shall be encouraged by control of through traffic in such areas. The amount of street required shall be directly related to the traffic generating uses of abutting land. Intersections on streets, highways and other trafficways shall be reduced to a minimum consistent with the basic needs of ingress and egress. Intersections shall be so designed to provide for the greatest safety both for pedestrians and motorists. Provisions shall be made for assuring adequate light, air and privacy on all parcels of property, regardless of the land use. The topography of the land shall be respected, and where cutting and filling is necessary, the quality of development shall be maintained. Streets shall be designed to minimize excessive grading and scarring of the landscape. Problems of drainage shall be resolved in such manner as to permit the occupants of the subdivision reasonable security against flooding. (Prior code § 2-2.03)

19.04.040 Considerations—Community facilities.

Community facilities shall be provided for in the subdivision process. This chapter establishes procedures for the referral of proposed subdivision maps to pertinent governmental agencies and utility companies, both public and private, so that the extension of community facilities and utilities may be accomplished in an orderly manner concurrent with a subdivision of land. In order to facilitate the acquisition of public land area required, the planning commission may require the subdivider to reserve land for schools, parks, playgrounds and other public purposes. Donation and dedication of land area consistent with the standards of the general plan and in such locations as will implement the general plan may be accepted by the city council. (Prior code § 2-2.04)

Chapter 19.08

DEFINITIONS

Sections:

- 19.08.010** **Generally.**
- 19.08.020** **Block.**
- 19.08.030** **Collector street.**
- 19.08.040** **Cul-de-sac.**
- 19.08.050** **Frontage road.**
- 19.08.060** **General plan.**
- 19.08.070** **Improvements (public).**
- 19.08.080** **Lot.**
- 19.08.090** **Major thoroughfare, secondary thoroughfare, freeway and parkway.**
- 19.08.100** **Map Act.**
- 19.08.110** **Minor residential street or industrial service street.**
- 19.08.120** **Minor subdivision.**
- 19.08.130** **Public utility.**
- 19.08.140** **Service alley or alley.**
- 19.08.150** **Standard specifications.**
- 19.08.160** **Subdivider.**
- 19.08.170** **Subdivision.**

19.08.010 **Generally.**
 Words or phrases not defined in this chapter, but defined in the Government Code of California, or in Title 18 of this code, shall be used as though defined in this chapter in full, unless the context clearly indicates a contrary intention. (Prior code § 2-2.15)

19.08.020 **Block.**
 “Block” means an area of land within a subdivision, which area is entirely bounded by streets, highways or ways, except alleys, or the exterior boundary or boundaries of the subdivision. (Prior code § 2-2.16)

19.08.030 **Collector street.**
 “Collector street” means a street intermediate in importance between minor residential street and a major or secondary thoroughfare which has the purpose of collecting local traffic and carrying it to a thoroughfare. (Prior code § 2-2.17)

19.08.040 **Cul-de-sac.**
 “Cul-de-sac” means a street open at one end only for motor vehicle traffic, and providing at the other end special facilities for the turning around of motor vehicles. The turning end may also abut an access way for pedestrians, bicycles, and/or emergency vehicles to con-

nect with other streets, paths or activity centers. (Ord. 2095 § 2, 2014; prior code § 2-2.18)

19.08.050 **Frontage road.**
 “Frontage road” means a street adjacent to a thoroughfare, freeway or parkway, separated therefrom by a dividing strip and providing ingress and egress from abutting property. (Prior code § 2-2.26)

19.08.060 **General plan.**
 “General plan” means the general plan of the city, adopted by Ordinance No. 309, effective July 1, 1960, and any amendment thereto, or any general plan adopted subsequent to the adoption of the ordinance codified in this title and superseding the plan adopted July 1, 1960. (Prior code § 2-2.19)

19.08.070 **Improvements (public).**
 “Improvements,” as used in this title, means those public works improvements normally constructed within street rights-of-way or public easements, as a part of the subdivision improvements, including, but not limited to, curb, gutter, sidewalk, street paving, sewers, water lines, storm drain facilities, trees, fire hydrants and street lights. It shall also include rough grading the building sites to provide a buildable site with proper drainage. (Prior code § 2-2.31)

19.08.080 **Lot.**
 “Lot” means a parcel or portion of land separated from other parcels or portions by description as on a subdivision or record of survey map or metes and bounds for purposes of sale, lease or separate use. (Prior code § 2-2.20)

19.08.090 **Major thoroughfare, secondary thoroughfare, freeway and parkway.**
 “Major thoroughfare,” “secondary thoroughfare,” “freeway” and “parkway” mean a vehicular route so designated on the general plan or any other vehicular route so designated by the city council, on recommendation of the planning commission. (Prior code § 2-2.21)

19.08.100 **Map Act.**
 “Map Act” means the Subdivision Map Act of the state of California. (Prior code § 2-2.22)

19.08.110 **Minor residential street or industrial service street.**
 “Minor residential street” or “industrial service street” means a street intended wholly or principally for

vider with other public or private agencies as may be disclosed by the plans to be interested. (Ord. 2019 § 1, 2011; Ord. 2000 § 1, 2009; prior code § 2-2.36)

Chapter 19.16

MINOR SUBDIVISIONS

Sections:

- 19.16.010 Minor subdivision defined.**
- 19.16.020 Applicability.**
- 19.16.030 Application.**
- 19.16.040 Certification of map and conveyance.**
- 19.16.050 Conditions of approval.**
- 19.16.060 Acceptance of parcel map dedications by city engineer.**
- 19.16.070 Acceptance of standard development agreements by city manager.**
- 19.16.080 Exemption from final map filing requirement.**
- 19.16.090 Appeal.**
- 19.16.100 Determination by commission.**
- 19.16.110 Waiver of parcel map.**

19.16.010 Minor subdivision defined.

“Minor subdivision” means a subdivision for which a parcel map may or shall be prepared in accordance with the provisions of the Subdivision Map Act (Section 66410 et seq., of the Government Code). Parcel maps shall be required for all subdivisions not requiring the filing of a final map and not otherwise exempted by the provisions of the Subdivision Map Act. A tentative parcel map shall be required for all subdivisions requiring a parcel map. (Ord. 1185 § 1, 1985; prior code § 2-3.01)

19.16.020 Applicability.

Notwithstanding any other provisions of this title to the contrary, the procedure set forth in this chapter shall govern the processing of and requirements pertaining to minor subdivisions. (Prior code § 2-3.02)

19.16.030 Application.

The subdivider of a minor subdivision shall file an application with the community development director on a form prescribed by the city, provided an allocation has been received from the residential allocation board for the number of residential units included in the minor subdivision application. An application for a minor subdivision cannot be filed in the absence of the aforementioned allocation; provided, however, that a project submitted to the community development director on or before June 27, 1977, or one which received sewer connection permits pursuant to Resolution No. 77-108 (A

Resolution Specifically Allocating 140 Single Family Dwelling Unit Equivalent Sewer Connections at the Sunol Sewage Treatment Plant for Properties Located Within the Sunol Sewer Service Area) shall be exempt from the prohibition provided in this section. (Ord. 2000 § 1, 2009; prior code § 2-3.03)

19.16.040 Certification of map and conveyance.

A. If the review board determines that the proposed subdivision meets the requirements of this chapter, then they shall certify to this fact on the face of the map, and any conveyance to be drawn by the owners of the land subdivided.

B. When a subdivider processes a minor subdivision application concurrently with a PUD zoning request, PUD development plan, rezoning request, specific plan amendment or general plan amendment (a “land use amendment”), any approval of a minor subdivision: (1) shall not be valid until the underlying land use amendment has been adopted by the city council and is in full force and effect; and (2) may be subject to modification based on the terms of the underlying land use amendment adopted by the city council which may differ from that considered by the zoning administrator or planning commission, as applicable, when the land use amendment and minor subdivision were processed concurrently. (Ord. 2144 § 2, 2016; prior code § 2-3.04)

19.16.050 Conditions of approval.

The following requirements may be imposed as a condition of approval of minor subdivisions or lot splits:

- A. Dedication of utility easements;
- B. Proof that there are adequate utilities for the proposed use of the land, such as an adequate water supply, adequate sanitary sewer facilities and adequate drainage facilities;
- C. Dedication of streets or rights-of-way for widening purposes;
- D. Payment for fees, pursuant to Ordinance No. 439 (parkland dedications), adopted February 7, 1966, and amendments, to be used for improvements of neighborhood park facilities which would serve the land of minor subdivisions or lot splits. (Prior code § 2-3.05)

19.16.060 Acceptance of parcel map dedications by city engineer.

In conjunction with the approval of any parcel map, the city engineer may accept or reject dedications and offers of dedications that are made by certificate on the map. (Ord. 1141 § 1, 1984; prior code § 2-3.05.1)

19.16.070 Acceptance of standard development agreements by city manager.

In conjunction with the approval of any parcel map, the city manager may sign on behalf of the city, standard development, improvement and dedication contracts. (Ord. 1141 § 1, 1984; prior code § 2-3.05.2)

ronmental protection and other applicable provisions of the state Subdivisions Map Act.

(Prior code § 2-3.09)

19.16.080 Exemption from final map filing requirement.

Minor subdivisions, as defined in this chapter are exempt from the provisions of Chapter 19.24 of this title requiring the preparation and filing of a final map. (Prior code § 2-3.06)

19.16.090 Appeal.

In the event the subdivider is dissatisfied with any determination of the review board or its designee, either as to the determination as to whether a proposed subdivision qualifies as a minor one, or as to any requirements or conditions which the review board seeks to impose, then the subdivider may appeal to the commission by filing a statement in writing with the community development director within three days prior to final action by the planning commission under Section 19.16.100, stating his or her reasons for appeal. (Ord. 2000 § 1, 2009; prior code § 2-3.07)

19.16.100 Determination by commission.

In the event of appeal, the commission must approve, affirm, reverse or modify any determination of the review board or its designee with respect to the proposed minor subdivision, within 30 days after review board action under Section 19.16.040, stating his or her reasons for appeal. (Prior code § 2-3.08)

19.16.110 Waiver of parcel map.

The city planning commission may waive the requirements of the state Subdivision Map Act pertaining to the preparation and filing of a parcel map for any division of a parcel or parcels of land into four or less parcels for purposes of sale, lease or financing, whether immediate or future or to any parcel or parcels of land divided into lots or parcels each a gross area of 40 acres or more or each of which is a quarter-quarter section or larger, provided the planning commission finds that:

The proposed land division complies with the requirements of this code, including, but not limited to, those provisions relating to area, improvement and design, flood and drainage control, appropriate improved public roads, sanitary disposal facilities, water supply availability, envi-

Chapter 19.20

TENTATIVE MAP

Sections:

- 19.20.010 Filing procedure.**
- 19.20.020 Fee.**
- 19.20.030 Distribution of copies.**
- 19.20.040 Notification of action.**
- 19.20.050 Preparation requirements.**
- 19.20.060 Scale.**
- 19.20.070 Vicinity sketch.**
- 19.20.080 Required information.**
- 19.20.090 Street names.**
- 19.20.100 Accompanying data statement.**
- 19.20.110 Planning commission action.**
- 19.20.120 City council review.**
- 19.20.130 Expiration.**
- 19.20.140 Time extension.**

19.20.010 Filing procedure.

A. The subdivider shall file with the planning commission 25 white copies and one duplicate transparency of the tentative map of each subdivision and such other copies as may be required by the community development director or his or her designated representative. The time of filing of a tentative map shall be construed to be the time at which a tentative map meeting all of the requirements of this chapter has been filed with the community development director or his or her designated representative, the environmental impact review process (including completion of any required environmental impact report or negative declaration) established by the city council has been completed, and the project has received an allocation from the residential allocation board for the number of units proposed to be subdivided. A tentative map shall not be accepted for filing which does not meet the requirements of this section. The community development director or his or her designated representative shall indicate the date of receipt of a tentative map meeting the requirements of this chapter and shall advise the applicant in writing when the time period for evaluation by the planning commission of the tentative map has commenced.

B. The requirement that a project have an allocation from the residential allocation board shall not be applicable to tentative maps submitted to the community development director on or before June 27, 1977, or to any maps that have obtained sewer connection permits pursuant to Resolution No. 77-108. (Ord. 2000 § 1, 2009; prior code § 2-2.40)

19.20.020 Fee.

A filing fee of \$100.00, plus \$2.50 for each lot included in the subdivision, shall be paid at the time of filing the tentative map. If additional tentative maps covering the same tract or revisions of the initial map are filed by the same subdivider prior to official action by the planning commission, no additional fee will be required. (Prior code § 2-2.41)

19.20.030 Distribution of copies.

Within four days after the filing of the tentative map, the director of housing and community development shall transmit the requested number of copies of said map together with accompanying data to such public agencies and/or utilities as may be affected or concerned with the results of the proposed subdivision. Each of the public agencies and/or utilities may, within 14 days after the map has been filed, forward to the commission written reports of its findings and recommendations thereof. The city engineer shall prepare a written report of recommendations on the tentative map in relation to the requirements of this chapter and other applicable regulations of the city or other public agencies, and shall submit the same to the planning commission within two days prior to the scheduled planning commission meeting at which said map is to be considered. (Prior code § 2-2.42)

19.20.040 Notification of action.

Approval, disapproval or conditional approval of the tentative map shall be made in writing to the subdivider. One copy of the map and accompanying data and the planning commission report thereon shall remain in the permanent file of the planning commission. The city clerk shall send one copy of the report of the commission, showing the action taken, to the subdivider, and one copy to the city council. (Prior code § 2-2.43)

19.20.050 Preparation requirements.

The subdivider shall cause the tentative map of the land proposed to be subdivided to be prepared by a person competent in the preparation of such maps, such as a registered civil engineer or licensed surveyor or practicing land or city planner. Such tentative map shall be in full compliance with the requirements of this chapter. Topography and boundaries of said tentative map shall be certified as to accuracy by a registered civil engineer or licensed surveyor, and all public improvements shall be designed by a registered civil engineer. (Prior code § 2-2.44)

19.20.060 Scale.

The scale of the map shall be one inch equals 100 feet, or as may be required by the city engineer, and shall be clearly and legibly reproduced. (Prior code § 2-2.45)

19.20.070 Vicinity sketch.

A vicinity sketch at a scale of 1,000 feet or more to the inch shall be drawn on or shall accompany the tentative map. It shall show the street and tract lines of all existing subdivisions and the outline of acreage parcels of land, within at least one-half mile of the boundary of the proposed tract, together with the names and/or numbers of all tracts between it and the nearest existing highways or thoroughfares. It may also be required to show the proposed land use and suggested street layout and any adjoining property and will normally be required in development of small portions of large holdings in the same ownership. The showing of proposed land use and suggested street layout shall take into consideration the most advantageous development of the entire area in relation to the general plan. (Prior code § 2-2.46)

19.20.080 Required information.

A. The following information shall be shown on the tentative map:

1. The tract number and name. (Any subdivision containing five acres or more shall be designated with a tract name, and unit number, if possible. Said tract name shall not duplicate or nearly duplicate the name of any other tract in Alameda County);
2. The name and address of the record owner or owners;
3. The name and address of the subdivider;
4. The name and address of the person, firm or organization preparing the tentative map;
5. The date, north point and a written and graphic scale;
6. A sufficient description to define the location and boundaries of the proposed subdivision;
7. The locations, names and existing widths of adjacent streets, highways and ways;
8. The names and numbers of adjacent tracts and the names of owners of adjacent unplatted land;
9. The contours at one-foot intervals for predominant ground slopes within the tract between level and five percent, and five-foot contours for predominant ground slopes within the tract over five percent. Such contours shall be referred to the system of bench marks established by the city engineer; said system utilizing

United States Coast and Geodetic Survey mean sea level datum of 1929;

10. The approximate boundaries of areas subject to inundation or stormwater overflows and the location, width and direction of flow of all existing watercourses and storm drain facilities, plus a schematic diagram indicating the proposed storm drain system with tentative sizes and grades;

11. The existing use or uses of the property and, to scale, the outline of any existing buildings and their locations in relation to existing or proposed street and lot lines;

12. A statement of the present zoning and proposed use or uses of the property, as well as proposed zoning changes, whether immediate or future;

13. Any proposed public areas;

14. The approximate location of all trees with a trunk diameter four inches or greater, standing within the boundaries of the tract, or outlines of groves or orchards;

15. The dimensions, locations and uses of all existing or proposed easements for drainage, sewerage, water and public utilities;

16. The approximate radius of each curve;

17. The approximate lot layout and dimensions of each lot;

18. The size of the smallest lot in the tract;

19. A statement of the water and other utility source, and indication of the location of all fire hydrants, and schematic diagram showing the proposed water system with tentative pipe sizes;

20. A statement of provisions for sewerage and sewage disposal, and a schematic diagram indicating the proposed sanitary sewer system with tentative sizes and grades;

21. The locations, names, widths, approximate proposed grades and gradients of all streets, and a typical cross section of curbs, gutters, sidewalks, easements and other improvements;

22. An outline of any proposed deed restrictions.

B. The director of housing and community development, or his or her designated representative, shall reject a tentative map if the information required in subsection A of this section is not included upon the map. The review board shall reject a minor subdivision map if the information required in subsection A which is applicable is not included upon the map. In the event of such rejection, the proposed subdivider shall be notified as soon as possible in writing. (Prior code § 2-2.47)

19.20.090 Street names.

Each street which is to be dedicated, which is a continuation of, or approximately the continuation of, any existing dedicated street shall be shown on the tentative map and shall be given the same name as such existing street. The proposed name of each other street shown on the tentative map shall be submitted to the commission for its approval. (Prior code § 2-2.48)

19.20.100 Accompanying data statement.

Such information not shown on the map shall be contained in a written statement accompanying the map. (Prior code § 2-2.49)

19.20.110 Planning commission action.

A. The planning commission shall assume the responsibilities relating to tentative maps as set forth in Government Code Sections 66473.5, 66474, 66474.1 and 66474.6. The planning commission's actions regarding a tentative map shall be reported in writing to the subdivider.

B. The planning commission shall act upon a tentative map within 50 days of its filing.

C. Subsection B of this section, and Government Code Section 66452.4 shall not apply when a subdivider processes a tentative map application concurrently with a PUD zoning request, PUD development plan, rezoning request, specific plan amendment or general plan amendment (a "land use amendment"). In such case, any approval of a tentative map: (1) shall not be valid until the underlying land use amendment has been adopted by the city council and is in full force and effect; and (2) may be subject to modification based on the terms of the underlying land use amendment adopted by the city council which may differ from that considered by the planning commission when the land use amendment and tentative map were processed concurrently. (Ord. 2144 § 2, 2016; prior code § 2-2.50(a), (b))

19.20.120 City council review.

A. If a tentative map is approved or conditionally approved, the director of housing and community development shall immediately make a written report to the city council. Within 10 days, or at its next succeeding regular meeting after receipt of said report, the council may review the map and conditions imposed by the planning commission. If the council decides to review the map and conditions, it shall hear the matter upon written notice mailed by the city clerk to the subdivider and the planning commission, unless the subdivider consents to a continuance within 15 days or at its next succeeding regular meeting. At that hearing the

council may add, modify or delete conditions when the council determines that such changes are necessary to insure that the tentative map conforms to zoning conditions imposed upon the property and applicable provisions of this chapter and of the Subdivision Map Act of the state. If the council does not act within the time limit set forth in this chapter, the tentative map shall be deemed to have been approved or conditionally approved as set forth in the planning commission report, unless the time for acting upon the tentative map has been extended by mutual consent of the subdivider and the city council.

B. Subsection A of this section, and Government Code Section 66452.4 shall not apply when a subdivider processes a tentative map concurrently with a PUD zoning request, PUD development plan, rezoning request, specific plan amendment or general plan amendment (a "land use amendment"). In such cases, the city council may modify a tentative map approved by the planning commission based on the terms of the underlying land use amendment adopted by the city council at the same meeting that the city council considers such land use amendment. Furthermore, the validity of such tentative map is conditioned on the underlying land use amendment adopted by the city council being in full force and effect. (Ord. 2144 § 2, 2016; prior code § 2-4.38)

19.20.130 Expiration.

Tentative map approval shall expire 24 months after approval or conditional approval of the tentative map, or such longer time as mandated by the Subdivision Map Act (Government Code Section 66410, et seq.). (Ord. 1074 § 1, 1983; prior code § 2-2.51)

19.20.140 Time extension.

Upon written application of the subdivider made prior to the expiration of the tentative map, the planning commission may grant an extension of time not exceeding one year for the filing of a final map. Additional extensions not exceeding one year each may subsequently be granted, provided that the total length of time for all such extensions granted under this section shall not exceed a total of three years for any tentative map. Application for an extension shall be made to the planning commission prior to the expiration of tentative map approval, or any extension thereof, and shall be accompanied with a fee as set forth in the resolution establishing fees and charges, codified in the appendix to Title 3 of this code. The application must include the reasons or bases for the requested extension. If the planning commission denies a subdivider's application for extension,

the subdivider may appeal to the city council within 15 days after the planning commission has denied the extension. (Ord. 1074 § 1, 1983; prior code § 2-2.52)

Chapter 19.22

VESTING TENTATIVE MAPS

Sections:

- 19.22.010 Purpose.**
- 19.22.020 Definitions.**
- 19.22.030 Applicability.**
- 19.22.040 Procedure.**
- 19.22.050 Development rights.**
- 19.22.060 Limitations on development rights.**
- 19.22.070 Term and expiration of development rights.**

19.22.010 Purpose.

The purpose of this chapter is to establish a procedure for approval of tentative maps that provide certain statutorily vested rights to subdividers under the Subdivision Map Act. (Ord. 1233 § 1, 1985; prior code § 2-2.60)

19.22.020 Definitions.

In this chapter:

A. “Vesting tentative map” means a representation of a subdivision which has been filed, processed and approved in accordance with the Subdivision Map Act and this chapter and which has printed conspicuously on its face the words, “Vesting Tentative Map.”

B. All other definitions as set forth in this title and the Subdivision Map Act shall apply. (Ord. 1233 § 1, 1985; prior code § 2-2.61)

19.22.030 Applicability.

This chapter applies only to residential subdivisions. Beginning January 1, 1988, this chapter will also apply to nonresidential subdivisions. (Ord. 1233 § 1, 1985; prior code § 2-2.62)

19.22.040 Procedure.

A. Option to File Vesting Tentative Map. When a tentative map is required by this chapter, a vesting tentative map may be filed.

B. Filing. A vesting tentative map shall be filed in the same manner as a conventional tentative map but shall have printed conspicuously on its face “Vesting Tentative Map” before it shall be accepted by the city.

C. Application of Title. Except as otherwise provided in this chapter, the remaining provisions of this title apply to a vesting tentative map. A vesting tentative map shall be processed in the same manner as any other tentative map, and shall expire after the same period of

time and be subject to the same provisions for extension as an ordinary tentative map.

D. Accompanying Data. Such information as is otherwise required under the provisions of this title for the filing of a tentative map shall also be required for the filing of a vesting tentative map. The community development director may require supplemental information as relates to the vesting nature of the proposed vesting tentative map. (Ord. 2000 § 1, 2009; Ord. 1233 § 1, 1985; prior code § 2-2.63)

19.22.050 Development rights.

The approval of a vesting tentative map confers a vested right to proceed with development in substantial compliance with the city’s zoning and subdivision ordinances, policies and standards in effect on the date the city determines the vesting tentative map application is complete except as qualified by Section 19.22.060. (Ord. 2144 § 2, 2016; Ord. 1233 § 1, 1985; prior code § 2-2.64)

19.22.060 Limitations on development rights.

A. State and Federal Laws. This chapter relates only to the imposition of conditions and requirements imposed by the city and does not affect the obligation of a subdivider to comply with the conditions and requirements of state or federal laws, regulations or policies.

B. Police Power Regulations. This chapter, however, does not enlarge or diminish the types of conditions which the city may impose on a development nor diminish or alter the city’s police power to protect against a condition dangerous to the public health or safety. The city may condition or deny a permit, approval, extension or entitlement relating to an approved vesting tentative map if it determines that either:

1. The failure to do so would place the residents of the subdivision or the community in a condition dangerous to their health or safety; or

2. The condition or denial is required to comply with state or federal law.

C. Discretion Conferred by Existing Ordinances. This chapter shall not be construed as a limitation upon discretion vested in the city council, planning commission or other decisionmaking body of the city by ordinances in existence at the time a vested tentative map is approved. For example, the zoning district applicable to a parcel at the time rights vest under this chapter designates a given use as a conditional use, then the decisionmaking body in its reasonable discretion may approve, condition or deny the proposed conditional use on that parcel.

D. **Building Codes.** This chapter shall not be construed to prevent changes in uniform fire, building, plumbing, mechanical and electrical codes if those code changes do not prevent use of the property for purposes permitted at the time rights are vested under this chapter.

E. **Development Fees.** This chapter does not affect the establishment or collection of any development-related fee. The amount of any fee imposed, including, but not limited to, park dedication, transportation, building permit, plan processing, inspection or any other development-related fee as fixed by ordinance or resolution of the city, will be determined at the time such fee is paid.

F. **Concurrent Processing of Map and Land Use Amendment.** In recognition that a vesting tentative map application must be submitted in conformance with the general plan land use designation and zoning for a site in order for such map application to be deemed complete, when a subdivider submits a vesting tentative map application concurrently with a PUD zoning request, PUD development plan, rezoning request, specific plan amendment or general plan amendment (a “land use amendment”), such map application shall not be deemed complete until: (1) the underlying land use amendment adopted by the city council is in full force and effect; and (2) such map complies with that land use amendment. (Ord. 2144 § 2, 2016; Ord. 1233 § 1, 1985; prior code § 2-2.65)

19.22.070 Term and expiration of development rights.

A. **Duration of Development Rights.** The right to proceed with development as set forth in Section 19.22.050 continues for one year following the recordation of the final map or parcel map. If a project covered by a single vesting tentative map is divided into phases and more than one final map is recorded, the one-year period begins for each phase when the final map for that phase is recorded.

B. **Expiration of Development Rights.**

1. The right to proceed with development as set forth in subsection A of this section shall expire if a final map is not approved before the vesting tentative map expires.

2. If the subdivider or a successor submits a complete application for a building permit during the one-year period specified in subsection B, the right to proceed with development continues until that permit or any extension of that permit granted by the city expires.

C. **Extension of Time for Exercise of Development Rights.**

1. If the city does not process an application for a grading permit or for design review within 30 days of the date the application is complete the one-year period specified in subsection B of this section is automatically extended by the time exceeding the 30-day period used by the city to complete processing.

2. Before the expiration of the one-year period specified in subsection B of this section, the subdivider or successor may apply to the city council for a one-year extension. (Ord. 1233 § 1, 1985; prior code § 2-2.66)

Statutory References for California Cities

These references direct the code user to those portions of the state statutes relevant to California cities. This reference list is current through April 2016, and will be periodically updated by Quality Code Publishing as statutes are revised.

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General Provisions

Administrative fines and penalties
Gov. Code § 53069.4

Alternative forms of government
*Gov. Code § 34851 et seq.***

Authority to adopt, amend, revise or repeal city charters
*Cal. Const. Art. XI §§ 3 and 5**

Citations for infractions and misdemeanors
Penal Code §§ 853.5—853.85

Classifications of cities
Gov. Code §§ 34100—34102

Code adoption
Gov. Code §§ 50022.1—50022.10

Conflict of interest code
Gov. Code § 87100 et seq.

Elections

Gov. Code §§ 34050 and 36503
Elections Code §§ 1301, 9200 et seq., and 10100 et seq.

Expedited judicial review of First Amendment cases
Code of Civil Procedure § 1094.8

False petitions
Gov. Code § 34093

General powers
Gov. Code § 37100 et seq.
Cal. Const. Art. XI § 7

Imprisonment
Gov. Code §§ 36901, 36903—36904

Initiative and referendum
Cal. Const. Art. XI § 7.5
Elections Code §§ 9200 et seq., and 9235 et seq.

* Applicable solely to chartered cities.

** May not be applicable to chartered cities.

STATUTORY REFERENCES

Judicial review of city decisions
Code of Civil Procedure § 1094.6

Ordinances
Gov. Code § 36900 et seq.

Penalties for ordinance violations
Gov. Code §§ 36900 and 36901

Police power
Cal. Const. Art. XI § 7

Procedure for enactment or revision of city charters
*Gov. Code § 34450 et seq.**

Administration and Personnel

Chief of police
*Gov. Code § 41601 et seq.***

City assessor
*Gov. Code § 41201 et seq.***

City attorney
*Gov. Code § 41801 et seq.***

City clerk
*Gov. Code § 40801 et seq.***

City manager
*Gov. Code §§ 34851—34859***

City officers generally
*Gov. Code § 36501***

City records
Gov. Code §§ 34090—34090.7

City treasurer
*Gov. Code § 41001 et seq.***

Election of legislative body by districts
Gov. Code § 34870 et seq.

Elective mayor
*Gov. Code §§ 34900—34905***

The California Emergency Services Act
Gov. Code § 8550 et seq.

Fire department
Gov. Code § 38611

Legislative body
Gov. Code § 36801 et seq.

Local emergencies
Gov. Code §§ 8630—8634

Local planning agencies
Gov. Code § 65100 et seq.

Mayor
*Gov. Code §§ 36801—36803 and 40601 et seq.***

Meetings (“Ralph M. Brown Act”)
Gov. Code § 54950 et seq.

Peace officer standards and training
Penal Code § 13500 et seq.

Personnel system
Gov. Code § 45000 et seq.

Retirement systems
Gov. Code § 45300 et seq.

Revenue and Finance

Chartered city special assessment procedure
*Gov. Code § 43240**

Claims against public entities
Gov. Code § 900 et seq.

Contracting by local agencies (“Local Agency Public Construction Act”)
Pub. Contract Code § 20100 et seq.

Development fees
Gov. Code § 66000 et seq.

Financial powers
Gov. Code § 37200 et seq.

Fiscal year in chartered cities
*Gov. Code § 43120**

* Applicable solely to chartered cities.

** May not be applicable to chartered cities.

Graffiti prevention tax
Rev. and Tax. Code §§ 7287—7287.10

Local agency service fees and charges
Gov. Code § 66012 et seq.

Property tax assessment, levy and collection
Gov. Code § 43000 et seq.

Public works and public purchases
Gov. Code § 4000 et seq.

Bradley-Burns Uniform Local Sales and Use Tax
 Law
Rev. and Tax. Code § 7200 et seq.
Gov. Code § 37101

Special gas tax street improvement fund
Str. and Hwys. Code § 2113

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Rev. and Tax. Code § 11901 et seq.

Transfer of tax function to county
Gov. Code § 51500 et seq.

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Rev. and Tax. Code §§ 7280—7283.51

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Civil Code § 2080 et seq.

Uniform public construction cost accounting act
Pub. Contract Code § 22000 et seq.

Business Licenses, Taxes and Regulations

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Gov. Code § 37101
Bus. and Prof. Code § 16000 et seq.

Automatic checkout systems
Civil Code § 7100 et seq.

Bingo
Penal Code § 326.5

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Bus. and Prof. Code § 17510 et seq.

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Gov. Code § 65850.1

Community antenna television systems
Gov. Code § 53066 et seq.

Gambling Control Act
Bus. and Prof. Code § 19800 et seq.

Massage parlors
Gov. Code § 51030 et seq.

Private Investigator Act
Bus. and Prof. Code § 7512 et seq.

Taxicabs and vehicles for hire
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Animals

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Dangerous and vicious dogs
Food and Agric. Code § 31601 et seq.

Dogs and dog licenses
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Food and Agric. Code § 30501 et seq.

Rabies control
Health and Saf. Code § 121575 et seq.

Health and Safety

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Gov. Code § 38790.1

Fire prevention
Health and Saf. Code § 13000 et seq.

Fireworks
Health and Saf. Code §§ 12500 et seq. (State Fireworks Law) and 12640 et seq. (Permits)

* Applicable solely to chartered cities.
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STATUTORY REFERENCES

Garbage and refuse collection and disposal
Public Resources Code §§ 49300 and 49400
Gov. Code § 38790

Graffiti abatement
Gov. Code §§ 38772 and 53069.3

Hospitals
Gov. Code § 37600 et seq.

Littering
Penal Code § 374

Noise control
Health and Saf. Code § 46000 et seq.
Gov. Code § 65302(f)

Nuisance abatement
Gov. Code § 38771 et seq.
Penal Code §§ 370, 372 and 373a

Weed control
Gov. Code §§ 39501—39502

Public Peace, Morals and Welfare

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Penal Code § 403 et seq.

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Vehicles and Traffic

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Stopping, standing, and parking
Vehicle Code § 22500 et seq.

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Vehicle Code § 21350 et seq.

Turning movements
Vehicle Code § 22100 et seq.

Vehicle weight limits
Vehicle Code § 35700 et seq.

* Applicable solely to chartered cities.

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Streets, Sidewalks and Public Places

Advertising displays
Bus. and Prof. Code §§ 5230, 5231 and 5440 et seq.

Constructions of sidewalks and curbs
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Improvement Act of 1911
Str. and Hwys. Code § 5000 et seq.

Landscaping and Lighting Act of 1972
Str. and Hwys. Code § 22500 et seq.

Municipal parks
Public Resources Code § 5181 et seq.

Obstructions and encroachments of public ways
Gov. Code § 38775

Tree Planting Act of 1931
Str. and Hwys. Code § 22000 et seq.

Underground utility districts
Str. and Hwys. Code § 5896.1 et seq.
Gov. Code § 38793

Public Services

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Gov. Code § 66013

Municipal sewers
Gov. Code § 38900 et seq.
Health and Saf. Code § 5470 et seq.

Municipal water systems
Gov. Code § 38730 et seq.

Water wells
Water Code § 13700 et seq.

Buildings and Construction

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Health and Saf. Code §§ 17922, 17958 and 17958.5

Authority to regulate buildings and construction
Gov. Code §§ 38601(b) and 38660

Inspection warrants
Code of Civil Procedure § 1822.50 et seq.

Mobilehomes
Health and Saf. Code § 18200 et seq.

Signs
Gov. Code §§ 38774 and 65850(b)
Bus. and Prof. Code § 5229 et seq.

State Housing Law
Health and Saf. Code § 17910 et seq.

Subdivisions

Subdivision Map Act
Gov. Code § 66410 et seq.

Zoning

Family day care homes
Health and Saf. Code § 1597.30 et seq.

Local authority to regulate land use
Gov. Code § 65850

Local planning generally (“Planning and Zoning Law”)
Gov. Code § 65000 et seq.

Local zoning administration
Gov. Code § 65900 et seq.

Open-space zoning
Gov. Code § 65910 et seq.

Zoning fees and charges
Gov. Code § 66014

* Applicable solely to chartered cities.
 ** May not be applicable to chartered cities.

STATUTORY REFERENCES

Environmental Protection

The California Environmental Quality Act
Public Resources Code § 21000 et seq.

The California Noise Control Act of 1973
Health and Saf. Code § 46000 et seq.
Gov. Code § 65302(f)

* Applicable solely to chartered cities.

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2093	Amends §§ 2.29.030, 2.38.080, 2.48.050, 5.08.020, 9.24.020, 13.08.090, 14.04.060, 14.04.130, 15.12.080, 18.20.010 and 18.48.180, various updates to the code (2.29, 2.38, 2.48, 5.08, 9.24, 13.08, 14.04, 15.12, 18.20, 18.48)
2094	Adds Ch. 17.26 and §§ 18.36.095 and 18.88.035, transit incentive (17.26, 18.36, 18.88)
2095	Amends §§ 19.08.040 and 19.36.060, street design improvements (19.08, 19.36)
2096	Approves application for PUD (Special)
2097	Amends §§ 9.30.110 and 14.04.060, water conservation (9.30, 14.04)
2098	Approves application for PUD (Special)
2099	Approves application for PUD (Special)
2100	Approves application for PUD (Special)
2101	Approves development agreement (Special)
2102	Approves application for PUD (Special)
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2104	Amends Ch. 9.30, water conservation plan (9.30)
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2110	Approves application for PUD (Special)
2111	Rezone (Special)
2112	Repeals and replaces Ch. 17.36, growth management program (17.36)
2113	Adds Ch. 18.103; amends §§ 18.28.030, 18.28.040, 18.32.030, 18.36.030, 18.40.030 and 18.44.090; repeals Ord. 145, beekeeping (18.28, 18.32, 18.36, 18.40, 18.44, 18.103)
2114	Approves application for PUD (Special)
2115	Adds Ch. 14.06, regulation of recycled water use (14.06)
2116	Adds Ch. 14.20, recycled water use for landscape irrigation (14.20)
2117	Amends contract with the Public Employees' Retirement System (Special)
2118	Amends Ch. 9.30 and § 14.04.060(G), water conservation (9.30, 14.04)
2119	Amends Ch. 5.36, tourism business improvement district (5.36)
2120	Adds §§ 7.36.075, 11.04.055, 11.04.057 and 11.36.230; amends §§ 1.20.020, 2.29.030, 3.32.010, 6.40.020(A), 9.08.170, 9.21.010—9.21.070, 9.32.010—9.32.050, 13.08.040, 13.08.110, 13.08.140, 17.16.003, 17.16.006, 17.16.110, 17.46.020, 17.46.050, 17.46.070, 17.46.100, 17.46.110, 17.46.130, 18.08.172, 18.100.100, 18.124.100, 18.124.110 and 20.04.015; moves Ch. 19.44 to Ch. 17.46; repeals Ch. 6.68, omnibus ordinance to clarify provisions (1.20, 2.29, 3.32, 6.40, 7.36, 9.08, 9.21, 9.32, 11.04, 11.36, 13.08, 17.16, 17.46, 18.08, 18.100, 18.124, 20.04)
2121	Approves application for PUD (Special)
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2123	Approves application for PUD (Special)
2124	Approves development agreement (Special)
2125	Amends §§ 9.24.010, 9.24.040, 13.08.010 and 13.08.190, smoking (9.24, 13.08)
2126	Adds Ch. 20.70, expedited permitting process for small residential rooftop solar systems (20.70)
2127	Approves application for PUD (Special)
2128	Amends contract with the California Public Employees' Retirement System (Special)
2129	Approves application for PUD (Special)
2130	Amends § 18.20.010(B)(15), projects subject to design review (18.20)
2131	Amends § 5.28.040; repeals § 5.28.100, new business exemption (5.28)
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2133	Approves application for PUD (Special)
2134	Approves development agreement (Special)

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2136	Amends §§ 9.24.040 and 13.08.190, smoking (9.24, 13.08)
2137	Urgency ordinance amending Ch. 6.18, medical marijuana (6.18)
2138	Amends § 2.04.020, salaries (2.04)
2139	Amends § 11.20.010, speed limits (11.20)
2140	Amends contract with the California Public Employees' Retirement System (Special)
2141	Approves application for PUD (Special)
2142	Approves application for PUD (Special)
2143	Approves development agreement (Special)
2144	Amends §§ 18.68.130, 19.04.020, 19.16.040, 19.20.110, 19.20.120, 19.22.050 and 19.22.060, subdivisions (18.68, 19.04, 19.16, 19.20, 19.22)

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