

SUPPLEMENT NO. 25

INSERTION GUIDE

PLEASANTON PLANNING AND ZONING CODE

January 2021

(Covering Ordinances through 2211)

This supplement consists of reprinted pages replacing existing pages in the Pleasanton Planning and Zoning 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 Planning and Zoning Code is a codification of the planning and zoning ordinances of the City of Pleasanton, California, republished in June 2008 by Quality Code Publishing.

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Title 18
ZONING

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Chapter 18.40

O OFFICE DISTRICT

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- 18.40.020 Required conditions.**
- 18.40.030 Permitted and conditional uses.**
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- 18.40.050 Underground utilities.**
- 18.40.060 Off-street parking.**
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- 18.40.080 Signs.**
- 18.40.090 Design review.**

18.40.010 Purpose.

In addition to the objectives prescribed in Section 18.04.010 of this title, the O office district is included in this title to achieve the following purposes:

- A. To provide opportunities for offices of a semicommercial character to locate outside of commercial districts;
- B. To establish and maintain in portions of the city the high standards of site planning, architecture and landscape design sought by many business and professional offices;
- C. To provide adequate space to meet the needs of modern offices, including off-street parking of automobiles and, where appropriate, off-street loading of trucks;
- D. To provide space for semipublic facilities and institutions that appropriately may be located in office districts;
- E. To minimize traffic congestion and to avoid the overloading of utilities by preventing the construction of buildings of excessive size in relation to the amount of land around them;
- F. To protect offices from the noise, disturbance, traffic hazards, safety hazards, and other objectionable influences incidental to certain commercial uses;
- G. To protect offices from fire, explosion, noxious fumes and other hazards. (Prior code § 2-6.35)

18.40.020 Required conditions.

- A. All uses shall comply with the regulations prescribed in Chapter 18.84 of this title;
- B. All professional pursuits and businesses shall be conducted entirely within a completely enclosed structure, except for off-street parking and loading areas;
- C. No use shall be permitted, and no process, equipment or material shall be employed which is found by the planning commission to be objectionable to persons residing or working in the vicinity or injurious to property located in the vicinity by reason of odor, insect nuisance, fumes, dust, smoke, cinders, dirt, refuse, water-carried wastes, noise, vibration, illumination, glare, unsightliness or truck traffic, or to involve any hazard of fire or explosion. (Prior code § 2-6.36)

18.40.030 Permitted and conditional uses.

- A. Permitted and conditional uses in an O district are provided in Table 18.44.080.
- B. Tobacco product and tobacco paraphernalia sales are only permitted in compliance with Chapter 18.109. (Ord. 2208 § 3, 2020; Ord. 2155 § 3, 2017; Ord. 2113 § 1, 2015; Ord. 2086 § 2, 2014; Ord. 1995 § 2, 2009; Ord. 1950 § 2 (Exh. A), 2007; Ord. 1880, 2003; Ord. 1743, 1998; Ord. 1726 § 1, 1997; Ord. 1668 § 1, 1995; prior code § 2-6.37)

18.40.040 Prohibited uses.

The following uses shall not be permitted in the office district:

- A. Any use not specifically or conditionally permitted by this chapter, unless a determination is made under Chapter 18.128 of this title.
- B. Firearm sales. (Ord. 2155 § 3, 2017; Ord. 1880, 2003; Ord. 1738 § 1, 1998)

18.40.050 Underground utilities.

Electric and communication service wires to a new structure shall be placed underground from the nearest utility pole. If the city engineer finds, upon application by the property owner, that compliance is not feasible or economically justifiable, he or she shall permit different service arrangements. The property owner shall comply with the requirements of this section without expense to the city and shall make the necessary arrangements with the public utility involved. (Ord. 2155 § 3, 2017; Ord. 2000 § 1, 2009; Ord. 1738 § 1, 1998; prior code § 2-6.39)

18.40.060 Off-street parking.

Off-street parking facilities shall be provided for each use in the O district as prescribed in Chapter 18.88 of this title. (Ord. 2155 § 3, 2017; Ord. 1738 § 1, 1998; prior code § 2-6.40)

18.40.070 Off-street loading.

Off-street loading facilities shall be provided for each use as prescribed in Chapter 18.92 of this title. (Ord. 2155 § 3, 2017; Ord. 1738 § 1, 1998; prior code § 2-6.41)

18.40.080 Signs.

No sign, outdoor advertising structure or display of any character shall be permitted in the O district except as prescribed in Chapter 18.96 of this title. (Ord. 2155 § 3, 2017; Ord. 1738 § 1, 1998; prior code § 2-6.42)

18.40.090 Design review.

All permitted and conditional uses in the O district shall be subject to design review as prescribed in Chapter 18.20 of this title. Applicants are advised to confer with the zoning administrator before preparing detailed plans. (Ord. 2155 § 3, 2017; Ord. 1738 § 1, 1998; prior code § 2-6.43)

allowed by the zoning administrator upon making the finding that such displays are not detrimental to the public health, safety or general welfare. Such displays shall not contain signing (unless they are submitted as a sign). The zoning administrator’s decision with regard to what constitutes a decorative display may be appealed to the planning commission by the affected merchant or property owner. The requirements of Section 18.144.030 of this title shall not govern such an appeal.

- C. In a C-N and C-C district all products shall be sold primarily at the retail site.
- D. No use shall be permitted, and no process, equipment, or material shall be employed which is found by the zoning administrator or planning commission, as applicable, to be objectionable to persons residing or working in the vicinity or injurious to property located in the vicinity by reason of odor, insect nuisance, fumes, dust, smoke, cinders, dirt, refuse, water-carried wastes, noise, vibration, illumination, glare, unsightliness, or heavy truck traffic, or to involve any hazard of fire or explosion. No exterior illumination closer than 200 feet to the boundaries of a site or interior illumination closer than 10 feet to a window within 200 feet of the boundary of a site and visible beyond the boundary of a site, whether related to a sign or not, shall exceed the intensity permitted by Chapter 18.96 of this title regarding illumination. (Ord. 2155 § 3, 2017; Ord. 2055 § 2, 2012; Ord. 1656 § 1, 1995; Ord. 1104 § 1, 1983; prior code § 2-7.07)

18.44.080 Permitted and conditional uses.

- A. Permitted uses and uses subject to a minor conditional use permit or conditional use permit in a C district are provided in Table 18.44.080 at the end of this section.
- B. Multi-family dwellings and mixed-use development shall be permitted in the C-C district provided that there shall be not less than 1,000 square feet of site area per dwelling unit, and provided that dwelling units not located above a permitted nonresidential use shall be subjected to the requirements for usable open space per dwelling unit of the RM-1,500 district, or, if applicable, the Core Area Overlay district.

Yards and courts at and above the first level occupied by dwelling units shall be as required by Section 18.84.100 of this title, except that where no side or rear yard is required for a nonresidential use on the site, no side or rear yard need be provided except when required by the Building Code for adjoining walls with openings.
- C. Tobacco product and tobacco paraphernalia sales are only permitted in compliance with Chapter 18.109.
- D. Any other use which is determined by the zoning administrator or planning commission, as applicable, as provided in Chapter 18.128 of this title, to be similar to the uses listed in this section shall be a permitted use or a conditional use in the districts in which the uses to which it is similar are permitted uses or conditional uses.

Table 18.44.080

PERMITTED AND CONDITIONAL USES

The following uses shall be permitted uses or conditional uses in a commercial, mixed-use, office, or industrial district according to the following legend:			
P	Permitted Use	MU-T	Mixed Use Transitional
C	Conditional Use	CR	Regional Commercial District
MCUP	Minor Conditional Use	CS	Service Commercial District
TC	Temporary Conditional Use	CF	Freeway Interchange Commercial District
CN	Neighborhood Commercial District	O	Office District
CC	Central Commercial District	IP	Industrial Park District
MU-D	Mixed Use Downtown	IG	General Industrial District
If a property is zoned PUD, then the PUD shall be consulted for permitted and conditionally permitted uses before consulting this table. Where there is a conflict between Table 18.44.080 and the PUD, the PUD shall govern.			

	CN	CC	CR (m ¹)	CR (p ²)	CS	CF	O	I-P	I-G	CC	MU-D	MU-T ³⁵
CULTURAL AND ENTERTAINMENT												
Adult entertainment establishments ³		P	P	P	P					P ¹⁸	P ¹⁸	P
Art galleries	P	P	P	P						P	P	P
Auction rooms		C			C	C				C ¹⁸		
Bowling alleys, pool halls, indoor bocce court, and other similar uses		C	P	C	C					C	C	
Game arcades	C	C	C	C						C	C	
Regional attraction, including amusement parks, automobile racing stadiums, drive-in theater, miniature golf, indoor skating rinks, sports arenas, or stadiums			C	C	C	C						
Theaters and auditoriums	C	P	P	P	C					P	P	
EDUCATIONAL												
Nursery schools ^{4,5}	C		C	C								
Private schools with no more than 20 students at any one time ⁵	C		C	C			P					
Private schools with more than 20 students at any one time ⁵	C		C	C			C					
Schools and colleges with no more than 20 students in the facility at any one time. This category includes trade schools, business schools, heritage schools, music and art schools, tutoring, but does not include general purpose schools ^{5,6}	P	P	P	P	P	P	MCUP		P	P ¹⁸	P ¹⁸	MCUP
Schools and colleges with more than 20 students in the facility at any one time. This category includes trade schools, business schools, heritage schools, music and art schools, tutoring, but does not include general purpose schools ^{5,6}	MCUP	MCUP	MCUP	MCUP	MCUP	MCUP	C		MCUP	MCUP ¹⁸	MCUP ¹⁸	C
ENERGY/ACCESSORY USES												
Accessory uses and structures, not including warehouses, located on the same site as a permitted use and the following accessory structures and uses located on the same site with a permitted use or with a conditional use which has been granted a use permit in accord with the provisions of Chapter 18.124 of this title:												
Emergency standby electricity generator, fuel cell, and/or battery facilities ⁷ , photovoltaic facilities, small electricity generator facilities ⁸ , and small fuel cell facilities ⁹	P	P	P	P	P	P	P	P	P	P	P	P

These uses shall meet all four of the following parameters:

- i. The use is in compliance with all applicable requirements of Chapter 9.04 (Noise Regulations). The applicant may be required to install noise mitigating measures to ensure compliance with the noise regulations.
 - ii. For indoor music and entertainment, the exterior doors of the establishment shall remain closed when not being used for ingress/egress and self-closing mechanisms shall be installed on all exterior doors.
 - iii. For indoor music and entertainment, the establishment's windows shall remain closed when music/entertainment activities are taking place.
 - iv. The use is in compliance with all applicable requirements of the Pleasanton Municipal Code and all other applicable laws, particularly pertaining to noise, public disturbance, littering, and parking.
- 11 A conditional use permit shall be required for special downtown accessory entertainment uses, as defined in Chapter 18.08 of this title, and the use does not comply with the hour restrictions and/or conditions required for the use to be a permitted use or a temporary conditional use.
 - 12 The use shall be in accord with the provisions of Chapter 18.124 of this title.
 - 13 The city planning commission shall make a specific finding that the use will conform with each of the required conditions prescribed in Sections 18.48.040 through 18.48.120 of this chapter, in addition to the findings prescribed in Section 18.48.060.
 - 14 Wind energy facilities shall meet the following criteria: (1) The facilities shall not exceed a noise level of 45 dBA at any point on any residentially zoned property outside of the property plane where the facilities are located; and (2) The design of the facilities shall be streamlined (without ladders and extra appurtenances) to discourage birds from roosting on the facilities; and (3) Facilities on hillsides or ridges shall not be visible from a public right-of-way.
 - 15 This use with outdoor storage shall be subject to a conditional use permit as prescribed in Chapter 18.124.
 - 16 The following conditions shall apply to microbreweries and wineries: (1) The zoning administrator finds that adequate parking is available for said use; (2) If the zoning administrator determines that the use will be or is creating odor problems, an odor abatement device determined to be appropriate by the zoning administrator shall be installed within the exhaust ventilation system to mitigate brewery odors; (3) The applicant is in compliance with all applicable requirements of Chapter 9.04 of this code; (4) If operation of the use results in conflicts pertaining to parking, noise, odors, traffic, or other factors, the zoning administrator may modify or add conditions to mitigate such impacts, or may revoke the zoning certificate for the use.
 - 17 Basement storage as defined in Section 18.08.057 shall be permitted as warehousing in the central commercial (C-C) zoning district, subject to meeting all of the following criteria:
 - a. Basement storage shall be limited to the C-C zoning district within the downtown specific plan area and limited to commercial buildings only;
 - b. Basement storage shall be limited to nontoxic, nonhazardous materials only. It is the responsibility of the storage space operator to prepare a list of prohibited storage items, to have the list approved by the Livermore-Pleasanton fire department, and to require all storage space users to agree in writing that no items on the list or other hazardous materials will be stored. The storage space shall be used for storage only and no other activities and/or uses are allowed;
 - c. Prior to allowing basement storage, the building owner shall contact the building and safety division and fire department to ensure that the basement meets applicable building and fire codes. If required, the building owner and/or responsible party shall secure all applicable permits and/or make any required changes to the basement space to ensure the space meets current code standards for fire, safety, and accessibility;
 - d. The hours of access for basement storage use shall be: Monday through Friday from 6:00 a.m. to 10:00 p.m. and Saturday and Sunday from 10:00 a.m. to 6:00 p.m. only;
 - e. One parking space per on-site storage employee and one parking space for storage customers. This parking requirement is in addition to the parking required for other uses on-site;
 - f. Prior to allowing and/or renting space for basement storage, the property owner and/or responsible party shall submit a zoning certificate application and secure a business license. The zoning certificate application shall be accompanied by a narrative that describes the type of storage proposed, where parking will be allowed, and the use(s) of the building and shall include a site plan and basement storage floor plan that clearly defines, but is not limited to, the following: (1) The defined area(s) and square-footage in which storage will take place; (2) How the individual storage areas will be delineated (e.g., cages, walls, etc.); (3) Access and ADA accessibility.
 - 18 Use is not permitted on the ground floor when the property is also located in the Active Ground-Floor Overlay District, except where an exemption is granted as set forth in Chapter 18.81.
 - 19 Medical offices shall be subject to parking requirements identified in Chapter 18.88.
 - 20 A temporary outdoor use may be permitted pursuant to Section 18.116.040.
 - 21 All buses shall not be stored on site and no repair work shall be conducted on-site.
 - 22 Commercial radio and television aerials, antennas, and transmission towers shall be a minimum distance of 300 feet from the property lines of all of the following:
 - a. Existing or approved residences or agricultural zoning districts or in planned unit developments with a residential or agricultural zoning designation.
 - b. Undeveloped residential or agricultural zoning districts or undeveloped planned unit developments with a residential or agricultural zoning designation and without an approved development plan, unless designated as a public and institutional land use in the general plan.
 - c. Existing or approved public schools, private schools, and childcare centers, not including schools which only provide tutorial services.
 - d. Neighborhood parks, community parks, or regional parks, as designated in the general plan.
 - e. Existing or approved senior care/assisted living facilities, including nursing homes.

All commercial radio and television aerials, antennas, and transmission towers shall be located so as to minimize their visibility and, unless determined by the zoning administrator to be significantly hidden from view, designed to ensure that they will not appear as an aerial, antenna, and/or transmission tower. All such facilities determined by the zoning administrator to be visible from residential land uses, the I-580 and/or I-680 rights-of-way, or other sensitive land uses such as parks, schools, or major streets, shall incorporate appropriate stealth techniques to camou-

flage, disguise, and/or blend them into the surrounding environment, and shall be in scale and architecturally integrated with their surroundings in such a manner as to be visually unobtrusive. All applications for commercial radio and/or television aerials, antennas, and transmission towers shall include engineering analyses completed to the satisfaction of the zoning administrator. Said analyses shall be peer-reviewed by an outside consultant.

If mounted on structures or on architectural details of a building, these facilities shall be treated to match the existing architectural features and colors found on the building's architecture through design, color, texture, or other measures deemed to be necessary by the zoning administrator. Roof-mounted aerials and antennas shall be located in an area of the roof where the visual impact is minimized. Roof-mounted and ground-mounted aerials, antennas, and transmission towers shall not be allowed in the direct sightline(s) or sensitive view corridors, or where they would adversely affect scenic vistas, unless the facilities incorporate the appropriate, creative techniques to camouflage, disguise, and/or blend them into the surrounding environment, as determined to be necessary by the zoning administrator.

All commercial radio and television aerials, antennas, and transmission towers shall conform to the applicable requirements of Cal-OSHA and/or the FCC before commencement of, and during operation. Evidence of conformance shall be provided to the zoning administrator before final inspection of the facility by the chief building official.

If the zoning administrator finds that an approved aerial, antenna, or transmission tower is not in compliance with this title, that conditions have not been fulfilled, or that there is a compelling public safety and welfare necessity, the zoning administrator shall notify the owner/operator of the aerial/antenna/transmission tower in writing of the concern, and state the actions necessary to cure. After 30 days from the date of notification, if compliance with this title is not achieved, the conditions of approval have not been fulfilled, or there is still a compelling public safety and welfare necessity, the zoning administrator shall refer the use to the planning commission for review. Such reviews shall occur at a noticed public hearing where the owner/operator of the aerial/antenna/transmission tower may present relevant evidence. If, upon such review, the planning commission finds that any of the above have occurred, the planning commission may modify or revoke all approvals and/or permits.

- 23 The service station shall be at least 60 feet from residentially planned or zoned property. All operations except the sale of gasoline and oil shall be conducted within a building enclosed on at least three sides, and the minimum site area shall be 20,000 square feet. Direct sales to the public shall be limited to petroleum products, automotive accessories, food products, and limited household goods. Tobacco product and tobacco paraphernalia sales are only permitted in compliance with Chapter 18.109.
- 24 Lumberyards shall not include planing mills or sawmills and shall be at least 300 feet from an R or O district.
- 25 The use shall be at least 300 feet from an R or O district.
- 26 Any use not in conjunction with a medical use that includes massage service of four or more technicians at any one time shall be subject to a minor conditional use permit as prescribed in Chapter 18.124. Massage establishments shall meet the requirements of Chapter 6.24.
- 27 Any retail use in the C-R(m), C-R(p), and C-C Districts that includes firearm sales shall be subject to a conditional use permit as prescribed in Chapter 18.124. Firearm sales are prohibited in the C-N, C-F, MU-T, and MU-D Districts. Firearm sales in which no more than 10 firearms are stored on-site at any one time and the majority of firearms are sold through catalogs, mail order, or at trade shows are subject to a conditional use permit in the C-S District.
- 28 The use may include incidental care such as bathing and trimming, provided that all operations are conducted entirely within a completely enclosed building which complies with specifications for soundproof construction prescribed by the chief building official.
- 29 Any use that includes a drive-through shall be subject to a conditional use permit as prescribed in Chapter 18.124.
- 30 Liquor stores and convenience markets shall only be permitted in the C-R(m) and C-R(p) districts, and shall be subject to a conditional use permit as prescribed in Chapter 18.124 in the C-N and C-C districts.
Tobacco stores (which are uses which primarily sell tobacco products; from which more than 60 percent of gross annual revenue is derived from the sale of tobacco products and tobacco paraphernalia; does not permit anyone under 18 years of age to be present unless with parent or guardian; and does not sell alcoholic beverages or food for consumption on the premises), shall be subject to a conditional use permit as prescribed in Chapter 18.124 in the C-R(m), C-R(p), C-N and C-C districts, but only if the proposed site also meets the restrictions of Chapter 18.109.
Secondhand stores and/or pawn shops shall be subject to a conditional use permit as prescribed in Chapter 18.124 in the C-C district.
- 31 Where: (1) the subject tenant space is located within the Downtown Specific Plan area; and (2) the subject tenant space exceeds 7,500 gross square feet, a retail use shall be subject to a conditional use permit as prescribed in Chapter 18.124.
- 32 Homeless shelters within the SF service facilities overlay district that meet the requirements set forth in Chapter 18.82 shall be a permitted use.
- 33 If the subject tenant space exceeds 75,000 gross square feet, the use shall be subject to a conditional use permit as prescribed in Chapter 18.124. This requirement does not apply to light industrial uses located in Hacienda, an area defined by Ordinance 1325 and as subsequently amended.
- 34 Restaurants and catering establishments with outdoor dining shall be subject to a conditional use permit as prescribed in Chapter 18.124.
- 35 Any use shall operate only between the hours of 6:00 a.m. and 11:00 p.m.

(Ord. 2208 § 3, 2020; Ord. 2194 § 2, 2019; Ord. 2155 § 3, 2017; Ord. 2113 § 1, 2015; Ord. 2086 § 2, 2014; Ord. 2061 § 2, 2013; Ord. 2055 § 2, 2012; Ord. 2039 § 2, 2012; Ord. 2017 § 2, 2011; Ord. 2000 § 1, 2009; Ord. 1995 § 2, 2009; Ord. 1950 § 2 (Exh. A), 2007; Ord. 1880, 2003; Ord. 1850 § 1, 2002; Ord. 1821 § 1, 2001; Ord. 1810 § 1, 2000; Ord. 1743, 1998; Ord. 1738 § 1, 1998; Ord. 1726 § 1, 1997; Ord. 1725 § 1, 1997; Ord. 1668 § 2, 1995; Ord. 1665 § 2, 1995; Ord. 1604 § 1, 1993; Ord. 1603 § 3, 1993; Ord. 1394 § 1, 1989; Ord. 1390 § 1, 1988; Ord. 1379 § 1, 1988; Ord. 1354 § 4, 1988; Ord. 1346 § 2, 1987; Ord. 1340 § 1, 1987; Ord. 1216 § 1, 1985; Ord. 1071 § 2, 1983; prior code § 2-7.08)

18.44.090 Prohibited uses.

The following uses shall not be permitted in the commercial districts:

Any use not specifically or conditionally permitted by this chapter, unless a determination is made under Chapter 18.128 of this title. (Ord. 2155 § 3, 2017; Ord. 1880, 2003)

18.44.100 Underground utilities.

Electric and communication service wires to a new structure shall be placed underground from the nearest utility pole. If the city engineer finds, upon application by the property owner, that compliance is not feasible or economically justifiable, he or she shall permit different service arrangements. The property owner shall comply with the requirements of this section without expense to the city and shall make the necessary arrangements with the public utility involved. (Ord. 2000 § 1, 2009; prior code § 2-7.09)

18.44.110 Off-street parking.

Off-street parking facilities shall be provided for each use in the C districts as prescribed in Chapter 18.88 of this title. (Prior code § 2-7.10)

18.44.120 Off-street loading.

Off-street loading facilities shall be provided for each use in the C districts prescribed in Chapter 18.92 of this title, except in the C-R district where the zoning administrator and/or planning commission shall establish regulations on a case by case basis in accordance with the purposes of Chapters 18.20 and 18.74, as applicable, of this title. (Ord. 2155 § 3, 2017; Ord. 1591 § 2, 1993; prior code § 2-7.11)

18.44.130 Signs.

No sign, outdoor advertising structure, or display of any character shall be permitted in the C districts, except as prescribed in Chapters 18.96 and 18.74, as applicable, of this title. (Ord. 2155 § 3, 2017; prior code § 2-7.12)

18.44.140 Design review.

All uses in the C districts involving exterior changes, uses, or improvements shall be subject to design review as prescribed in Chapter 18.20 of this title. Applicants are advised to confer with the zoning administrator before preparing detailed plans. (Ord. 2155 § 3, 2017; prior code § 2-7.13)

Chapter 18.46

MU MIXED USE DISTRICTS

Sections:

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- 18.46.020 Required conditions.**
- 18.46.030 Permitted and conditional uses.**
- 18.46.040 Prohibited uses.**
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- 18.46.060 Off-street parking.**
- 18.46.070 Off-street loading.**
- 18.46.080 Signs.**
- 18.46.090 Design review.**

18.46.010 Purpose.

- A. In addition to the objectives prescribed in Section 18.04.010 of this title, the mixed use districts are included in this title to:
 - 1. Provide opportunities for a diversity of compatible and complementary commercial and residential uses within close proximity to one another, including uses that may be located on the same site, in the same building, or on adjacent sites.
 - 2. Encourage convenient access for downtown residents to services, entertainment, shopping and dining, within a short walking or bicycling distance.
- B. In addition to the purposes set forth above:
 - 1. The mixed use-downtown district is intended to foster a dynamic mixed use destination at the southern end of the downtown, that complements and extends the vitality of the existing central-commercial district. This district supports a balanced mix of uses including commercial, hotel, entertainment, office, food halls, live/work and residential uses, and public-serving uses including public parking facilities to serve the needs of the broader downtown area; and
 - 2. The mixed use-transitional district is intended to accommodate a range of lower-intensity commercial uses than allowed in the mixed use-downtown and downtown commercial districts, including retail, office, personal services, food services and, that are compatible with residential uses located both within and adjacent to the district. (Ord. 2194 § 2, 2019)

18.46.020 Required conditions.

- A. All uses shall comply with the regulations prescribed in Chapter 18.84 of this title, except as otherwise specified in this chapter;
- B. All uses shall be conducted entirely within a completely enclosed structure, except for outdoor dining, and outdoor displays for retail shops that are located immediately in front of the shop and do not impede pedestrian traffic;
- C. No use shall be permitted, and no process, equipment or material shall be employed which is found by the zoning administrator or planning commission, as applicable, to be objectionable to persons residing or working in the vicinity or injurious to property located in the vicinity by reason of odor, insect nuisance, fumes, dust, smoke, cinders, dirt, refuse, water-carried wastes, noise, vibration, illumination, glare, unsightliness or truck traffic, or to involve any hazard of fire or explosion;
- D. Development in the MU-D district shall be subject to planned unit development review and approval by city council. (Ord. 2194 § 2, 2019)

18.48.020 Special purpose—I-P industrial park district.

The special purposes of the I-P district are as follows:

- A. To establish and maintain high standards of site planning, architecture and landscape design that will create an environment attractive to the most discriminating industries and research and development establishments seeking sites in northern California;
- B. To provide locations for industries that can operate in close proximity to commercial and residential uses with minimum mutual adverse impact;
- C. To protect light industrial and related uses from nuisances associated with heavy industrial uses. (Prior code § 2-7.18)

18.48.030 Special purpose—I-G general industrial district.

The special purpose of the I-G district is to provide locations where industries that are incompatible with most other land uses can operate with minimum restriction and without adverse effect on other uses. (Prior code § 2-7.18(a))

18.48.040 Required conditions generally.

All uses shall comply with the regulations prescribed in Chapter 18.84 of this title and with the additional regulations prescribed in this section. The zoning administrator may require submission of evidence of ability to comply with the required conditions or of maintenance of the required conditions as prescribed in Chapter 18.128 of this title regarding determination of compliance with required conditions. (Ord. 2155 § 3, 2017; prior code § 2-7.19)

18.48.050 Noise restrictions.

In an I-P district, no use except a temporary construction operation shall be permitted which creates, at any point beyond the boundaries of the site, noise of a maximum sound pressure level greater than the values given in the following table. In an I-G district no use except a temporary construction operation shall be permitted which creates, at any R or O district boundary, noise of a maximum sound pressure level greater than the values given in the following table. The sound pressure levels shall be measured in decibels 0.002 dynes per square centimeter with a sound level meter and associated octave band filter conforming to standards prescribed by the American Standards Association.

Octave Band (Cycles Per Second)	Maximum Permitted Sound Pressure Level (Decibels)
Below 75	72
75—149	67
150—299	59
300—599	52
600—1,199	46
1,200—2,399	40
2,400—4,799	34
4,800 and above	32

(Ord. 2155 § 3, 2017; prior code § 2-7.19(1))

18.48.060 Emissions.

No use shall be permitted which creates any emission which endangers human health, can cause damage to animals, vegetation or other property, or which can cause soiling at any point beyond the boundaries of the site. All uses that emit any of the air contaminants listed in the bay area air pollution control district's Regulation 2, shall comply with the regulations contained therein. (Ord. 2155 § 3, 2017; prior code § 2-7.19(2))

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18.48.070 Odor.

No use shall be permitted which creates annoying odor in such quantities as to be readily detectable beyond the boundaries of the site in an I-P or L-I district or beyond the boundaries of the district in an I-G district when diluted in the ratio of one volume of odorous air to four volumes of clean air. (Ord. 2155 § 3, 2017; prior code § 2-7.19(3))

18.48.080 Vibration.

No use except a temporary construction operation shall be permitted which creates vibration sufficient to cause a displacement of 0.003 of one inch beyond the boundaries of the site. (Ord. 2155 § 3, 2017; prior code § 2-7.19(4))

18.48.090 Heat and cold, glare and electrical disturbance.

No use except a temporary construction operation shall be permitted which creates changes in temperature or direct or sky reflected glare, detectable by the human senses without the aid of instruments beyond the boundaries of the site. No use shall be permitted which creates electrical disturbances that affect the operation of any equipment beyond the boundaries of the site. No exterior illumination closer than 200 feet to the boundaries of a site or interior illumination closer than 10 feet to a window within 200 feet of the boundary of a site and visible beyond the boundary of a site, whether related to a sign or not, shall exceed the intensity permitted by Chapter 18.96 of this title relating to illumination. (Ord. 2155 § 3, 2017; prior code § 2-7.19(5))

18.48.100 Radiation.

No use shall be permitted which emits dangerous radioactivity. (Ord. 2155 § 3, 2017; prior code § 2-7.19(6))

18.48.110 Insect nuisance.

No use shall be permitted which creates insect nuisance beyond the boundaries of the site. (Ord. 2155 § 3, 2017; prior code § 2-7.19(7))

18.48.120 Disposal of industrial waste.

All uses shall comply with regulations prescribed by city ordinance. (Ord. 2155 § 3, 2017; prior code § 2-7.19(8))

18.48.130 Permitted and conditional uses—I-P district.

- A. Permitted and conditional uses in the I-P district are provided in Table 18.44.080.
- B. Tobacco product and tobacco paraphernalia sales are only permitted in compliance with Chapter 18.109.
- C. The conditional uses provided in Table 18.44.080 shall be permitted upon the granting of a use permit in accord with the provisions of Chapter 18.124 of this title. (Ord. 2208 § 3, 2020; Ord. 2155 § 3, 2017; Ord. 2000 § 1, 2009; Ord. 1950 § 2 (Exh. A), 2007; Ord. 1880, 2003; Ord. 1821 § 1, 2001; Ord. 1738 § 1, 1998; Ord. 1665 § 3, 1995; prior code § 2-7.20(1))

18.48.140 Permitted and conditional uses—I-G district.

- A. Permitted and conditional uses in the I-G district are provided in Table 18.44.080.
- B. Tobacco product and tobacco paraphernalia sales are only permitted in compliance with Chapter 18.109.
- C. The conditional uses provided in Table 18.44.080 shall be permitted upon the granting of a use permit in accord with the provisions of Chapter 18.124 of this title. (Ord. 2208 § 3, 2020; Ord. 2155 § 3, 2017; Ord. 1950 § 2 (Exh. A), 2007; Ord. 1738 § 1, 1998; prior code § 2-7.20(2))

18.48.150 Prohibited uses.

The following uses shall not be permitted in the industrial districts:

Any use not specifically or conditionally permitted by this chapter, unless a determination is made under Chapter 18.128 of this title. (Ord. 2155 § 3, 2017; Ord. 1880, 2003)

18.48.160 Underground utilities.

In the I-P, I-G and L-I districts, electric and communication service wires to a new structure shall be placed underground from the nearest utility pole. If the city engineer finds, upon application by the property owner, that compliance is not feasible or economically justifiable, he or she shall permit different service arrangements. The property owner shall comply with the requirements of this section without expense to the city and shall make the necessary arrangements with the public utility involved. (Ord. 2155 § 3, 2017; Ord. 2000 § 1, 2009; prior code § 2-7.22)

18.48.170 Off-street parking.

Off-street parking facilities shall be provided for each use as prescribed in Chapter 18.88 of this title. (Ord. 2155 § 3, 2017; prior code § 2-7.23)

18.48.180 Off-street loading.

Off-street loading facilities shall be provided for each use as prescribed in Chapter 18.92 of this title. (Ord. 2155 § 3, 2017; prior code § 2-7.24)

18.48.190 Signs.

No sign, outdoor advertising structure, or display of any character shall be permitted except as prescribed in Chapter 18.96 of this title. (Ord. 2155 § 3, 2017; prior code § 2-7.25)

18.48.200 Design review.

All permitted and conditional uses shall be subject to design review as prescribed in Chapter 18.20 of this title. Applicants are advised to confer with the zoning administrator before preparing detailed plans. (Ord. 2155 § 3, 2017; prior code § 2-7.26)

Chapter 18.52

Q ROCK, SAND AND GRAVEL EXTRACTION DISTRICT

Sections:

18.52.010	Purpose.
18.52.020	Required conditions.
18.52.030	Permitted uses.
18.52.040	Conditional uses.
18.52.045	Prohibited uses.
18.52.050	Special conditions applying to rock, sand and gravel extraction and processing.
18.52.060	Plan and operating data required.
18.52.070	General plan for reuse required.
18.52.080	Term of use permit—Review required.
18.52.090	Preexisting uses—Terms of review.
18.52.100	Minimum standards.
18.52.110	Off-street parking.
18.52.120	Off-street loading.
18.52.130	Signs.
18.52.140	Design review.

18.52.010 Purpose.

In addition to the objectives prescribed in Section 18.04.010 of this title, the Q rock, sand and gravel extraction district is included in this title to achieve the following purposes:

- A. To protect the natural resources in the city and assure that their utilization is not prejudiced by the intrusion of incompatible uses;
- B. To indicate clearly to all interested parties the portions of the city that have been designated for rock, sand and gravel extraction and processing subject to compliance with the standards of this chapter;
- C. To protect properties and uses not in the Q district from nuisances incidental to extraction, processing and hauling rock, sand and gravel;
- D. To ensure that general reuse plans for sites used for rock, sand and gravel extraction and processing are maintained and effectuated. (Prior code § 2-7.30)

18.52.020 Required conditions.

All uses shall comply with the regulations prescribed in Chapter 18.84 of this title, and with the following additional regulations of the I-G district: Sections 18.48.050 through 18.48.120 of this title. (Ord. 2155 § 3, 2017; prior code § 2-7.31)

18.52.030 Permitted uses.

The following uses shall be permitted:

Any use permitted in the A agricultural district except dwellings. (Prior code § 2-7.32)

18.52.040 Conditional uses.

The following conditional uses shall be permitted upon the granting of a use permit, in accord with the provisions of Chapter 18.124 of this title:

Chapter 18.108

TRAILERS AND TRAILER PARKS

Sections:

- 18.108.010** **Occupancy requirements.**
- 18.108.020** **Parking restriction.**
- 18.108.030** **Required conditions for trailer parks.**
- 18.108.040** **Trailers on school sites.**

18.108.010 **Occupancy requirements.**

Except as provided in Sections 18.108.040 and 18.116.010, no trailer (mobilehome) shall be occupied or used for living or sleeping purposes unless it is located in a licensed trailer park, provided that a trailer may be used as an office for a construction project. (Prior code § 2-10.26)

18.108.020 **Parking restriction.**

No trailer, whether designed for living or sleeping purposes or not, shall be parked or stored in an R district, except as prescribed in Sections 18.84.270 and 18.108.040. (Prior code § 2-10.27)

18.108.030 **Required conditions for trailer parks.**

Trailer parks permitted as conditional uses in the RM and C-F districts shall comply with the regulations prescribed in Chapter 18.84 of this title, except as provided in this section:

- A. The minimum site area for trailer park shall be five acres, provided that preexisting trailer park shall be five acres, conforming by reason of failure to meet the minimum site area requirement. A preexisting trailer park conforming in all respects except site area may be expanded, but shall not be reduced in area.
- B. There shall be 4,000 square feet of site area for each trailer space. A preexisting trailer park shall not be deemed nonconforming by reasons of failure to meet the minimum site area per trailer space requirement, and may be enlarged, provided that there shall be 4,000 square feet of additional site area for each trailer space added.
- C. A trailer park shall meet the usable open space requirements for the district in which it is located; provided, that a trailer park in a C-F district shall meet the open space requirements for the RM-1,500 district; and provided, that each trailer park shall have in addition at least one recreation space not less than 5,000 square feet in area and suitably developed for the use of residents of the trailer park.
- D. Not more than one dwelling unit shall be located on the site of a trailer park in a C-F district.
- E. No trailer or dwelling unit shall be located in a required yard or less than 20 feet from a street property line or another trailer or less than 15 feet from a property line not abutting a street.
- F. All areas used for automobile circulation or parking shall be improved as prescribed for required parking facilities in Section 18.88.040.
- G. The site shall be landscaped as required in Sections 18.84.130 through 18.84.260, and shall have additional landscaping, including trees, shrubs, and lawn, as determined by the board of design review to provide a suitable setting. (Prior code § 2-10.28)

18.108.040 **Trailers on school sites.**

A trailer may be occupied or used for living or sleeping purposes on a developed public or private school site or college site, provided that such trailer is occupied for the purpose of reducing vandalism and other damage to school facilities. A conditional use permit, in accordance with Chapter 18.124 of this title, is required for installation of a trailer. (Prior code § 2-10.29)

Chapter 18.109

RETAILERS OF TOBACCO PRODUCTS AND PARAPHERNALIA

Sections:

- 18.109.010 Purpose and intent.**
- 18.109.020 Definitions.**
- 18.109.030 Prohibition and effect on existing retail sites.**
- 18.109.040 Measure of distance.**
- 18.109.050 Inspection by officials.**
- 18.109.060 Penalties.**
- 18.109.070 Severability.**

18.109.010 Purpose and intent.

It is the purpose and intent of this chapter to reduce the exposure of youth to tobacco products and tobacco paraphernalia in advertisement and product placement at retail establishments near public schools, public parks and public recreation facilities. These are places where youth congregate, as well as travel to and from frequently. By restricting tobacco sales along frequent youth travel routes, this decreases youth exposure to and availability of tobacco products. The intent is to reduce youth smoking and use of tobacco products. (Ord. 2208 § 3, 2020)

18.109.020 Definitions.

For purposes of this chapter, certain words and terms are defined as follows:

- A. “Public park” means a site or parcel of land owned by a public agency and open to the public for active or passive recreation activity (e.g. neighborhood or community city parks, East Bay Regional Park District park). This definition excludes public trails.
- B. “Public recreation facility” means a site or parcel of land owned by a public agency and improved with a building or other facility, open to the public for active or passive recreation activity (e.g. city senior center, city aquatic center).
- C. “Public school” means a site or parcel of land owned by a public school district where instruction is provided, and includes the buildings and related recreation fields.
- D. “Tobacco paraphernalia” means cigarette papers or wrappers, blunt wraps, pipes, holders of smoking materials of all types, cigarette rolling machines, e-cigarette liquid pods and any other item designed primarily for the smoking or ingestion of tobacco products. (See California Business and Professions Code Section 22962.) This definition may be used throughout Title 18.
- E. “Tobacco product” means any of the following:
 1. A product containing, made, or derived from tobacco or nicotine that is intended for human consumption, whether smoked, heated, chewed, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, including, but not limited to, cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, or snuff.
 2. An electronic device that delivers nicotine or other vaporized liquids to the person inhaling from the device, including, but not limited to, an electronic cigarette, cigar, pipe, or hookah.
 3. Any component, part, or accessory of a tobacco product, whether or not sold separately.
 4. Exception. “Tobacco product” does not include a product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product or for other therapeutic purposes where the product is marketed and sold solely for such an approved purpose. (See California Business and Professions Code Section 22950.5.) This definition may be used throughout Title 18.

- F. “Tobacco retailer” means a business which sells tobacco products and tobacco paraphernalia on a retail basis (but not in the quantity that qualifies the business as a tobacco store) in addition to other products and services being offered by the business. This definition may be used throughout Title 18.
- G. “Tobacco retail site” means a site where a tobacco retailer or tobacco store operates.
- H. “Tobacco store” means a retail business which primarily sells tobacco products; generates more than 60 percent of its gross revenues annually from the sale of tobacco products and tobacco paraphernalia; does not permit any person under 18 to enter unless with parent or guardian; and does not sell alcoholic beverages or food for consumption on the premises. (See California Business and Professions Code Section 22962.) This definition may be used throughout Title 18. (Ord. 2208 § 3, 2020)

18.109.030 Prohibition and effect on existing retail sites.

- A. No person shall cause or permit the establishment of a new tobacco retail site within 1,000 feet of a public school, public park, or public recreation facility.
- B. A tobacco retail site which is within 1,000 feet of a public school, public park, or public recreation facility that is existing on the effective date of the ordinance codified in this chapter may continue to operate, sell and display tobacco products and tobacco paraphernalia.
 - 1. However, such pre-existing retail tobacco site shall then be subject to the nonconforming use provisions in Chapter 18.120 with regard to: the restrictions on alterations and additions in Section 18.120.030; and abandonment in Section 18.120.040. But, shall not be subject to the elimination provisions of Section 18.120.060.
 - 2. A retail tobacco site which qualifies under this section shall still be subject to other tobacco retail restrictions in this code and state and federal law. (Ord. 2208 § 3, 2020)

18.109.040 Measure of distance.

The distance between any tobacco retail site and any public school, public park, or public recreation facility shall be measured in a straight line, without regard to intervening structures, from the closest exterior structural wall of the tobacco retail site building to the closest property line of the public school, public park, or public recreation facility.

The city may make the measurement of distance using satellite images to determine building wall location and parcels on the city’s geographic information system (GIS). A person who disagrees with this measurement may hire their own California licensed surveyor to provide another measurement. (Ord. 2208 § 3, 2020)

18.109.050 Inspection by officials.

Any and all investigating officials of the city shall have the right to enter a tobacco retail site from time to time during regular business hours to make reasonable inspections, including review of financial records to determine the percentage of gross receipts related to the sale of tobacco products and tobacco paraphernalia, to observe and enforce compliance with state or federal laws, provisions of this chapter, and provisions of this code. (Ord. 2208 § 3, 2020)

18.109.060 Penalties.

Notwithstanding Section 1.24.010(B), violations of this chapter are also subject to administrative citation pursuant to Chapter 1.24 for each instance when tobacco products or tobacco paraphernalia are on display or offered for sale in violation of Section 18.109.030. Fines for such administrative citations shall be paid by the business owner, not the employee. The city may also pursue other legal remedies and penalties for violations of this chapter. (Ord. 2208 § 3, 2020)

18.109.070 Severability.

If any provision or clause of this chapter or the application thereof to any person or circumstance is held to be unconstitutional or otherwise invalid by any court of competent jurisdiction, such invalidity shall not affect other chapter

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provisions or clauses or applications thereof which can be implemented without the invalid provision, clause or application, and to this end the provisions and clauses of this chapter are declared to be severable. (Ord. 2208 § 3, 2020)

Chapter 18.110

PERSONAL WIRELESS SERVICE FACILITIES

Sections:

- 18.110.005 Purpose.**
- 18.110.010 Applicability.**
- 18.110.020 Notice and approval process.**
- 18.110.030 Revocation of approval.**
- 18.110.040 Submittals.**
- 18.110.050 Locational standards.**
- 18.110.060 Co-location.**
- 18.110.070 Stealth techniques.**
- 18.110.080 Height.**
- 18.110.090 Colors and materials.**
- 18.110.100 Landscaping.**
- 18.110.110 Setbacks and projections into yards.**
- 18.110.120 Projections into public rights-of-way.**
- 18.110.130 Number of antennas and facilities permitted.**
- 18.110.140 Noise.**
- 18.110.150 Interference.**
- 18.110.160 Maintenance and safety.**
- 18.110.170 Antennas located on an undeveloped parcel.**
- 18.110.180 Access roads.**
- 18.110.190 Advertising.**
- 18.110.200 Federal Aviation Administration.**
- 18.110.210 Historical and archaeological sites.**
- 18.110.220 Minor modifications.**
- 18.110.230 Cessation of operation on-site.**
- 18.110.240 Fees.**
- 18.110.250 Preexisting and nonconforming personal wireless service facilities.**
- 18.110.260 Length of approvals.**
- 18.110.270 Change in federal or state regulations.**
- 18.110.280 Indemnity and liability.**
- 18.110.290 Severability.**

18.110.005 Purpose.

The purpose and intent of this chapter is to provide a comprehensive set of standards for the development and installation of personal wireless service facilities. The regulations contained herein are designed to protect and promote public safety and community welfare, property values, and the character and aesthetic quality of Pleasanton, while at the same time not unduly restricting the development of personal wireless service facilities, and not unreasonably discriminating among personal wireless service providers of functionally equivalent services. (Ord. 2086 § 2, 2014; Ord. 1743 § 1, 1998)

18.110.010 Applicability.

- A. This chapter shall apply to all property owned by private persons, firms, corporations or organizations, and property owned by the city, including public streets and alleys, and property owned by any agencies of the city, or by any local, state, or federal government, agency, or political subdivision thereof required to comply with local government regulations as required by law or by written agreement, with the exception of the following facilities:
1. Amateur (including ham and shortwave) radio facilities on private property provided that the antenna does not exceed 65 feet in height or is not more than 25 feet above the height limit prescribed by the regulations

