

MAP KEY

- 1** 249 Main Street
First Republic Bank
- 2** 300 Main Street
Heritage Bank of Commerce
- 3** 337 Main Street
Bank of America
- 4** 465 Main Street
Valley Community Bank
- 5** 561 Main Street
Chase Bank
- 6** 600 Main Street
Comerica Bank
- 7** 749 Main Street
U.S. Bank

**P12-0042 (Code Amendment)
Exhibit B, Proposed Code Language
February 22, 2012**

Excerpt from Pleasanton Municipal Code Section 18.44:

The following uses shall be permitted uses or conditional uses in a C district where the symbol “P” for permitted use, “C” for conditional use, or “TC” for temporary conditional use appears in the column beneath the C district:

Note:

* Uses which are part of a completely enclosed mall complex, all activities take place entirely indoors.

** Uses on peripheral sites physically separated from a central enclosed mall.

	CR*(m)	CR**(p)	CN	CC	CS	CF	CA
Financial institutions, including banks, savings and loan offices, finance companies, credit unions and related services	P	P	P	P***	P		

*** Conditionally permitted use if the subject property:
 1. Is zoned Central-Commercial (C-C) or is zoned Planned Unit Development (PUD) that references uses of the C-C district; AND
 2. Is located within the Downtown Revitalization District; AND
 3. Has frontage on Main Street.

In addition to being subject to a conditional use permit, financial institutions that propose to locate on properties that meet all three of the above parameters shall also meet the following criteria:

- a. The proposed financial institution shall be the only financial institution on the block, including both sides of the street; AND
- b. The proposed financial institution shall not locate on a corner property.

Financial institutions that propose to locate on properties that do not meet all three of the above parameters shall be permitted uses and shall not be required to meet the additional criteria.

Existing financial institutions may remain as nonconforming uses. Notwithstanding Chapter 18.120.040 of this code, if an existing financial institution has been abandoned, discontinued, or changed to a conforming use for a continuous period of 180 days or more, the nonconforming use shall not be reestablished without meeting the criteria established for financial institutions and also securing a Conditional Use Permit. Abandonment or discontinuance shall include cessation of a use regardless of intent to resume the use.

Microbrewery	P****	P****		P****	P****		
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**** Permitted use subject to the following conditions:

- 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.

Chapter 18.44

C COMMERCIAL DISTRICTS

Sections:

18.44.010	Purpose.
18.44.020	Special purpose—C-N neighborhood commercial district.
18.44.030	Special purpose—C-C central commercial district.
18.44.040	Special purpose—C-R regional commercial district.
18.44.050	Special purpose—C-S service commercial district.
18.44.060	Special purpose—C-F freeway interchange commercial district.
18.44.070	Special purpose—C-A automobile commercial district.
18.44.080	Required conditions.
18.44.090	Permitted and conditional uses.
18.44.095	Prohibited uses.
18.44.100	Underground utilities.
18.44.110	Off-street parking.
18.44.120	Off-street loading.
18.44.130	Signs.
18.44.140	Design review.

18.44.010 Purpose.

In addition to the objectives prescribed in Section 18.04.010 of this title, the C commercial districts are included in this title to achieve the following purposes:

- A. To provide appropriately located areas for retail stores, offices, service establishments, amusement establishments, and wholesale businesses, offering commodities and services required by residents of the city and its surrounding market area;
- B. To provide opportunities for retail stores, offices, service establishments, amusement establishments, and wholesale businesses to concentrate for the convenience of the public and in mutually beneficial relationship to each other;
- C. To provide space for community facilities and institutions that appropriately may be located in commercial areas;
- D. To provide adequate space to meet the needs of modern commercial development, including off-street parking and truck loading areas;
- E. To minimize traffic congestion and to avoid overloading of utilities by preventing the construction of buildings of excessive size in relation to the amount of land around them;
- F. To protect commercial properties from noise, odor, dust, dirt, smoke, vibration, heat, glare, heavy truck traffic, and other objectionable influences incidental to industrial uses;
- G. To protect commercial properties from fire, explosion, noxious fumes, and other hazards. (Prior code § 2-7.00)

18.44.020 Special purpose—C-N neighborhood commercial district.

The purpose of the C-N neighborhood commercial district is as follows:

- A. To provide appropriately located areas for retail stores, offices, and personal service establishments patronized primarily by residents of the immediate area;
- B. To permit development of neighborhood shopping centers of the size and in the appropriate locations shown on the general plan, according to standards that minimize adverse impact on adjoining residential uses. (Prior code § 2-7.01)

18.44.030 Special purpose—C-C central commercial district.

The purpose of the C-C central commercial district is as follows:

- A. To maintain compactness and encourage more intensive development in Pleasanton's central business district;
- B. To maximize the efficiency of the central district by limiting or prohibiting uses that break the continuity of commercial frontage or are incompatible with an attractive pedestrian shopping area;
- C. To facilitate the establishment of assessment districts for provision of off-street parking facilities by limiting or prohibiting drive-in type uses that would not benefit substantially from public off-street parking facilities. (Prior code § 2-7.02)

18.44.040 Special purpose—C-R regional commercial district.

The purpose of the C-R regional commercial district is as follows:

- A. To provide a large site at an appropriate location for a major shopping center drawing trade from the entire Amador-Livermore Valley;
- B. To ensure that a major center will be developed in accord with high standards of site planning, architecture, and landscape design;
- C. To minimize the adverse effect of major commercial facilities on nearby dwellings. (Prior code § 2-7.03)

18.44.050 Special purpose—C-S service commercial district.

The purpose of the C-S service commercial district is as follows:

- A. To provide appropriately located areas for commercial uses having features that are incompatible with the purposes of the other commercial districts;
- B. To provide sites for businesses that typically are not found in shopping centers, that usually have relatively large sites providing off-street parking, and that attract little or no pedestrian traffic. (Prior code § 2-7.04)

18.44.060 Special purpose—C-F freeway interchange commercial district.

The purpose of the C-F freeway interchange commercial district is as follows:

- A. To provide appropriately located areas for establishments catering to freeway travelers and tourists;
- B. To enhance the appearance of certain entrances to the city, and to protect motel and restaurant patrons from nuisances by limiting or prohibiting certain commercial service uses that often are unsightly or have nuisance features;
- C. To provide appropriately located areas for establishments that generally require large sites and do not require close proximity to other commercial uses. (Prior code § 2-7.05)

18.44.070 Special purpose—C-A automobile commercial district.

The purpose of the C-A Automobile Commercial District is to provide an opportunity for automobile dealers and closely related businesses to benefit from the proximity and high design standards possible in a shopping center type of automotive district. (Prior code § 2-7.06)

18.44.080 Required conditions.

- A. All uses shall comply with the regulations prescribed in Chapter 18.84 of this title, except in the C-R District where the zoning administrator and/or planning commission shall establish such regulations on a case-by-case basis in accordance with the purposes of Chapter 18.20 of this title.
- B. All uses, except as indicated below, shall be conducted entirely within a completely enclosed structure. Uses include, but are not limited to, all business transactions, services, processes and displays, but do not include off-street parking and loading areas.

1. Certain uses which by their nature require and ordinarily include outdoor activities (whether services, processes, display, or whatever) may conduct aspects of the business outside of a completely enclosed structure. Such uses include the following and such other similar uses as determined by the zoning administrator:
 - a. Service stations.
 - b. Outdoor dining areas as part of a restaurant.
 - c. Nurseries.
 - d. Garden shops.
 - e. Christmas tree sales lots.
 - f. Lumberyards.
 - g. Utility substations and equipment installations.
 - h. Amusement parks.
 - i. Auto sales, rental, or leasing.
 - j. Boat sales.
 - k. Drive-in theaters.
 - l. Outdoor art and craft shows.
 - m. Outdoor recreation and sports facilities.
 - n. Equipment rental yards.
 - o. Drive-in restaurants.
 - p. Stone and monument yards.
 - q. Commercial storage yards.
 - r. Mobilehome sales.
 - s. Truck and trailer sales.

Such uses shall require design review and/or use permit approval pursuant to the procedures of this title.

2. Temporary outdoor uses may be permitted pursuant to Section 18.116.040 of this title.
 3. Outdoor decorative displays for the purpose of enhancing the appearance of a structure or site, occupying no more than 50 square feet and not located in a public right-of-way or in any required parking area, will be 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 district all products produced on the site of any of the permitted uses shall be sold primarily at retail on the site where produced.
- D. 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 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. 1656 § 1, 1995; Ord. 1104 § 1, 1983; prior code § 2-7.07)

18.44.090 Permitted and conditional uses.

- A. Permitted and conditional uses in a C District are provided in Table 18.44.090 at the end of this section.

B. Multi-family dwellings 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.

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 adjoining walls with openings.

C. Any other use which is determined by the planning commission, 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 18.44.090

PERMITTED AND CONDITIONAL USES

The following uses shall be permitted uses or conditional uses in a C district where the symbol "P" for permitted use, "C" for conditional use, or "TC" for temporary conditional use appears in the column beneath the C district:							
Note:							
* Uses which are part of a completely enclosed mall complex, all activities take place entirely indoors.							
** Uses on peripheral sites physically separated from a central enclosed mall.							
	CR*(m)	CR**(p)	CN	CC	CS	CF	CA
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:							
1. Emergency standby electricity generator, fuel cell, and/or battery facilities provided that the facilities shall be tested from 8:00 a.m. to 5:00 p.m. Monday through Friday or from 10:00 a.m. to 12:00 noon on Saturday or Sunday only, the facilities shall not be tested for more than one hour during any day, and no testing shall be on "Spare The Air Days" in Alameda County;	P	P	P	P	P	P	P
2. Photovoltaic facilities;	P	P	P	P	P	P	P
3. Small electricity generator facilities that meet the following criteria:							
a. The fuel source for the generators shall be natural gas, bio diesel, or the byproduct of an approved cogeneration or combined cycle facility;							
b. The facilities shall use the best available control technology to reduce air pollution;							
c. The facilities shall not create any objectionable odors at any point outside of the property plane where the facilities are located;							

	CR*(m)	CR**(p)	CN	CC	CS	CF	CA
d. The facilities shall not exceed a noise level of 45 dBA at any point on a residentially zoned property outside of the property plane where the facilities are located; and							
e. On a site with fuel cell facilities, small electricity generator facilities shall not be permitted unless the aggregate wattage of the two facilities is less than one megawatt. If the aggregate wattage of the two facilities is one megawatt or greater, the small electricity generator facilities shall be subject to all requirements and processes prescribed in this title for medium or large electricity generator facilities, whichever is the most applicable, in the subject zoning district;							
f. The facilities shall be cogeneration or combined cycle facilities, if feasible;	P	P	P	P	P	P	P
4. Small fuel cell facilities that meet the following criteria:							
a. The facilities shall not create any objectionable odors at any point outside of the property plane where the facilities are located;							
b. The fuel cell 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							
c. On a site with electricity generator facilities, small fuel cell facilities shall not be permitted unless the aggregate wattage of the two facilities is less than one megawatt. If the aggregate wattage of the two facilities is 1 megawatt or greater, the small fuel cell facilities shall be subject to all requirements and processes prescribed in this title for medium or large fuel cell facilities, whichever is the most applicable, in the applicable subject district;							
Small fuel cell facilities are encourages to be cogeneration or combined cycle facilities	P	P	P	P	P	P	P
Accessory uses and structures located on the same site as a conditional use and the following accessory structures and uses located on the same site as a permitted use or a conditional use that has been granted a use permit:							
1. Medium electricity generator facilities that meet the applicable standards of Section 18.124.290 of this title	C	C	C	C	C	C	C

	CR*(m)	CR**(p)	CN	CC	CS	CF	CA
2. Medium fuel cell facilities that meet the applicable standards of Section 18.124.290 of this title	C	C	C	C	C	C	C
Adult entertainment establishments (see Chapter 18.114 of this title)	P	P		P	P		
Ambulance services				C	P		
Amusement parks					C		
Antique stores, no firearm sales				P			
Antique stores with sales of antique firearms				C			
Appliance sales and repair, provided repair services shall be incidental to retail sales	P	P		P	P		
Art galleries and artists' supply stores	P	P	P	P			
Auction rooms				C	C	C	
Automobile racing stadiums and drag strips					C		
Automobile rental, sales and/or leasing; no service	P			P	C	C	P
Automobile repairing, overhauling and painting		C			C		P
Automobile sales and service including new and used car sales		P			C	C	P
Automobile supply stores, no service or shop work	P	P	C	P	P		P
Automobile upholstery and top shops						C	P
Barbershops and beauty shops	P	P	P	P			
Bars and brew pubs, as defined in Chapter 18.08 of this title	C	C		C		C	
Beauty shops including massage services which cannot meet the criteria for beauty shops including massage services as written in the use category below	C	C	C	C			
Beauty shops including massage services of three or fewer massage technicians at any one time for which the applicant has obtained a massage technician permit from the police department, provides massages only between 8:00 a.m. and 9:00 p.m., and can meet the parking requirements as established in Chapter 18.88 of this title. If operation of the use results in conflicts pertaining to parking noise, traffic, or other factors, the planning commission may modify or add conditions to mitigate such impacts, or may revoke the zoning certificate for said use	P	P	P	P			
Bed and breakfast inns				C			
Bicycle shops	P	P	P	P	P		
Birthing center				C			
Blacksmiths' shops, not less than 300 feet from an R or O district				C	C		
Boat sales, service and repair					C	C	P
Boat sales, no service or repair	P				P		

	CR*(m)	CR**(p)	CN	CC	CS	CF	CA
Bookbinding					C	C	
Bookstores and rental libraries	P	P	P	P			
Bottling works					C		
Bowling alleys	P	C		C	C		
Building materials sales		C			C		
Bus depots, provided buses shall not be stored on-site and no repair work shall be conducted on-site		P		P	P	P	
Candy stores	P	P	P	P			
Carpet, drapery and floor-covering stores	P	P	C	P	P		
Carpet and rug cleaning and dyeing					C		
Catalog stores, no firearm sales	P	P		P			
Catalog stores with firearm sales	C	C		C	C		
Catering establishments	P	P	P	P	P		
Charitable institutions and operations, including, but not limited to, lodging houses or dormitories providing temporary quarters for transient persons, organizations devoted to collecting or salvaging new or used materials, or organizations devoted principally to distributing food, clothing and other supplies on a charitable basis and other similar charitable operations				C	C		
Childcare centers, if located a minimum of 300 feet away from any personal wireless service facility approved after the adoption of the city's Personal Wireless Service Facility Ordinance, Chapter 18.110 of this title, not including those personal wireless service facilities exempted in Section 18.110.010 of this title, and provided that state-mandated outdoor play areas face new or existing landscaping sufficient to buffer the play area from view, are separated from customer parking areas by a heavy wood fence or comparable barrier, are isolated from loading docks and associated delivery truck circulation areas, and contain landscaping for outdoor children's activities	C	C	C				
Christmas tree sales lots	P	TC	TC	TC	TC	TC	TC
Churches, parsonages, parish houses, monasteries, convents and other religious institutions				C			
Circuses, carnivals and other transient amusement enterprises	P	TC	TC	TC	TC	TC	TC
Clothing and costume rental establishment	P	P	P	P			
Clothing, shoe and accessory stores	P	P	P	P			
Columbariums and crematories, not less than 300 feet from an R district					C		

	CR*(m)	CR**(p)	CN	CC	CS	CF	CA
Commercial radio and television aerials, antennas, and transmission towers with design review approval specified under Chapter 18.20 of this title, having a minimum distance of 300 feet from the property lines of all of the following:	P			P	P		
1. Existing or approved residences or agricultural zoning districts or in planned unit developments with a residential or agricultural zoning designation;							
2. 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;							
3. Existing or approved public schools, private schools, and childcare centers, not including schools which only provide tutorial services;							
4. Neighborhood parks, community parks, or regional parks, as designated in the general plan; and							
5. 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 camouflage, 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.							

	CR*(m)	CR**(p)	CN	CC	CS	CF	CA
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 director of building inspection.							
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.							

	CR*(m)	CR**(p)	CN	CC	CS	CF	CA
Copying and related duplicating services and printing/publishing services using only computers, copy machines, etc., not including lithographing, engraving, or such similar reproduction services	P	P	P	P	P		
Dairy products plants					C		
Dairy products manufacturing for retail sale on premises only	P			C	P		
Dance halls (where no liquor is served)	P	C		C			
Delicatessen stores	P	P	P	P			
Department stores	P	P		P			
Department stores tire, battery and accessory shops	P	P					
Diaper supply services					P		
Drive-in theaters					C		
Drugstores and prescription pharmacies	P	P	P	P			
Dry goods stores	P	P	P	P			
Electrical equipment repair and electricians' shops					C		
Feed and fuel stores					C		
Financial institutions, including banks, savings and loan offices, finance companies, credit unions and related services	P	P	P	P	P		
Firearm sales	C	C		C			
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	C	C		C	C		
Florists	P	P	P	P			
Food lockers	P			C	P		
Food market including supermarkets, convenience markets and specialty stores	P	P	C	C			
Freight forwarding terminals					C		
Full-service, self-service and quick-service stations not less than 60 feet from residentially planned or zoned property, provided all operations except the sale of gasoline and oil shall be conducted within a building enclosed on at least three sides, and provided that the minimum site area shall be 20,000 square feet. Direct sales to the public shall be limited to petroleum products, automotive accessories, tobacco, soft drinks, candy and gum	C	C	C	C	C	C	C
with truck and trailer rental					C	C	
with a convenience market, excluding the sale of alcoholic beverages					C	C	
with a drive-through car wash		C			C	C	
Full service car wash		C			C	C	

	CR*(m)	CR**(p)	CN	CC	CS	CF	CA
Furniture stores	P	P		P	P	P	
Furniture upholstery shops					C	C	
Game arcades as defined by Section 18.08.207 of this title	C	C	C	C			
Garden centers, including plant nurseries	P	C			C	C	
Gift shops	P	P	P	P			
Glass replacement and repair shops					C	P	
Guards' living quarters					C		
Gunsmiths	P	P		P	P		
Gymnasiums and health clubs	P	C	C	C	P		
Gymnasiums and health clubs including massage services which cannot meet the criteria for gymnasiums and health clubs with massage services as written in the use category below	C	C	C	C	C		
Gymnasiums and health clubs including massage services of three or fewer massage technicians at any one time for which the applicant has obtained a massage technician permit from the police department, provides massages only between 8:00 a.m. and 9:00 p.m. and can meet the parking requirements as established in Chapter 18.88 of this title. If operation of the use results in conflicts pertaining to parking noise, traffic, or other factors, the planning commission may modify or add conditions to mitigate such impacts, or may revoke the zoning certificate for said use	P	C	C	C	P		
Hardware stores	P	P	P	P	P		
Heating and air conditioning shops					C		
Hobby shops	P	P	P	P			
Hospital equipment, sales and rental	P	P		C	P		
Hotels and motels		C		P		P	
Household repair shops					C		
Ice cream sales	P	P	P	P			
Ice vending stations		C	C	C	C	C	
Interior decorating shops	P	P	P	P			
Janitorial services and supplies	P			C	P		
Jewelry stores	P	P	P	P			
Kennels, and other boarding facilities for small animals not less than 300 feet from an R or O district					C		
Laboratories		P		P	P		
Laundries and dry cleaners where service is provided	P	P	P	P	P		
Laundries, self-service		P	P	P			
Laundry plants				C			
Leather goods and luggage stores	P	P	P	P			
Linen supply services					P		
Liquor stores	P	P	C	C			

	CR*(m)	CR**(p)	CN	CC	CS	CF	CA
Locksmiths	P	P	P	P			
Lumberyards, not including planing mills or sawmills not less than 300 feet from an R or O district					C		
Machinery sales					P		
Massage establishments, not in conjunction with medical uses, which cannot meet the criteria for massage establishments as written in the use category below	C	C		C			
Massage establishments, not in conjunction with medical uses, of three or fewer massage technicians at any one time, for which the applicant has obtained a massage technician permit from the police department, provides massages only between 8:00 a.m. and 9:00 p.m., and can meet the parking requirements as established in Chapter 18.88 of this title. If operation of the use results in conflicts pertaining to parking noise, traffic, or other factors, the planning commission may modify or add conditions to mitigate such impacts or may revoke the zoning certificate for said use	P	P		P			
Medical and orthopedic appliance stores	P	P		P			
Meeting halls	P	C		C	C	C	
Microbrewery	P***	P***		P***	p***		
*** Permitted use subject to the following conditions:							
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.							
Miniature golf	P	C					
Mortuaries				C	P		
Motorcycle sales, no service or repair	P			P			P
Motorcycle sales and service					C	C	C
Music stores	P	P	P	P			
Music and dance facilities which cannot meet the criteria for music and dance facilities as written in the use category below	P	C	C	C	C	C	
Music and dance facilities with no more than 20 students in the facility at any one time are permitted uses subject to the following conditions:	P	P	P	P	P	P	
1. The facility shall adhere to all occupancy, ADA, California Building Code, and exiting requirements;							
2. The zoning administrator finds that adequate parking is available for the said use.							
The standard city noise ordinance applies.							
Newsstands	P	P	P	P	P		

	CR*(m)	CR**(p)	CN	CC	CS	CF	C A
Office buildings		P	C	P			
Office supply and business machines stores	P	P	P	P			
Offices, including, but not limited to, business, professional and administrative offices	P	P	P	P			
Outdoor art and craft shows		TC	TC	TC			
Paint, glass and wallpaper shops	P	P		P	P		
Parcel delivery services including garage facilities for trucks, and repair shops facilities					C		
Parking facilities, including required off-street parking facilities located on a site separated from the uses which the facilities serve and fee parking in accordance with the standards and requirements of Chapter 18.88 of this title				C			
Pest control shops				C	P		
Pet and bird stores	P	P	P	P	P		
Photographic studios	P	P	P	P			
Photographic supply stores	P	P	P	P	P		
Picture framing shops	P	P	P	P			
Plant shops	P	P	P	P			
Plumbing, heating and ventilating equipment showrooms with storage of floor samples only	P	P		P	P		
Plumbing shops					P		
Pool halls	P	C		C			
Post offices	P	P	C	P			
Prefabricated structure sales					C		
Printing, including also lithographing and engraving and other reproduction services				C	P		
Private clubs and lodges				C	C		
Private museums				C	C		
Public utility and public service facilities including pumping stations, power transmission stations, power distribution stations, equipment buildings, service yards, drainageways and structures, water reservoirs, percolation basins, well fields, and storage tanks. These facilities must be found by the planning commission to be necessary for the public health, safety, or welfare		C	C	C	C	C	
"Radioactive materials uses" as defined in Section 18.08.445 of this title					C		
-Radio and television broadcasting studios		P	P	C	P	P	
Record and recording and sound equipment stores	P	P	C	P			
Recreation and sport facilities, indoor, which cannot meet the recreation and sport facility criteria as written in the use category below	C	C	C	C	C	C	

	CR*(m)	CR**(p)	CN	CC	CS	CF	CA
Recreation and sport facilities, indoor, including massage services which cannot meet the criteria for recreation and sport facilities, indoor, with massage services as written in the use category below [Staff Comment— This use category is addressed in the use category above and the use category below]							
Recreation and sport facilities, indoor, with no more than 20 students in the facility at any one time, and with no massage services or with massage services of three or fewer massage technicians at any one time, for which the applicant has obtained a massage technician permit from the police department, provides massages only between 8:00 a.m. and 9:00 p.m., and can meet the parking requirements as established in Chapter 18.88 of this title, are permitted uses subject to the following conditions:	P	P	P	P	P	P	
1. The facility shall adhere to all occupancy, ADA, California Building Code, and exiting requirements;							
2. The zoning administrator finds that adequate parking is available for the said use.							
The standard city noise ordinance applies.							
Recreation and sports facilities, outdoor, including racetracks, golf driving ranges, skateboard parks, riding stables, etc.					C		
Recycling collection facilities, small	C	C	C	C	C	C	
Refrigeration equipment sales					P		
Rental yards, including the rental of hand tools, garden tools, power tools, trucks and trailers and other similar equipment					C		
Residential uses (see subsection B of this section) see also "guards' living quarters," and Chapter 18.108 of this title				P	C	C	
Restaurants and soda fountains not including drive-ins or take-out food establishments	P	P	P	P	C	P	
Restaurants and soda fountains including drive-ins and take-out food establishments	P	C	C	C	C	C	
Saddleries	P	P		P	P		
Schools and colleges including trade, business, music and art schools, but not including general purpose or nursery schools which cannot meet the criteria for schools and colleges as written in the use category below	P	C	C	C	C	C	
Schools and colleges including trade, business, music and art schools, but not including general purpose or nursery schools, with no more than 20 students in the facility at any one time are permitted uses subject to the following conditions:	P	P	P	P	P	P	P

	CR*(m)	CR**(p)	CN	CC	CS	CF	CA
1. The facility shall adhere to all occupancy, ADA, California Building Code, and exiting requirements;							
2. The zoning administrator finds that adequate parking is available for the said use.							
The standard city noise ordinance applies.							
Scientific instrument shops	P	P		P	P		
Secondhand stores and pawnshops				C			
Self-service car wash				C			
Sheet metal shops				C			
Shoe repair shops	P	P	P	P			
Shoe stores	P	P	P	P			
Shooting galleries, indoor	P			C	P		
Shooting galleries, indoor, with firearm sales	C			C	C		
Sign painting shops	P			C	P		
Skating rinks, indoor	P	P			P	C	
Specialty stores selling those items normally sold in department stores	P	P		P			
Sporting goods stores, no firearm sales	P	P	P	P			
Sporting goods stores with firearm sales	C	C		C			
Sports arenas or stadiums					C	C	
Stamp and coin stores	P	P	P	P			
Stationery stores	P	P	P	P			
Stone and monument yards					P		
Storage buildings for household goods						P	
Storage yards for commercial goods, supplies and equipment including fuel storage, no less than 300 feet from any R or O district					C		
Swimming pool sales, supplies and/or service	P		C	C	P	C	
Tailor or dressmaking shops	P	P	P	P			
Taxicab stands		P	P	P	P	P	P
Taxidermists	P	P		P	P		
Television and radio sales and repair shops	P	P	P	P	P		
Theaters and auditoriums	P	P	C	P		C	
Tire sales and service, not including retreading and recapping or mounting of heavy truck tires		C		C	P		P
Tires, batteries and accessories	P	P					
Tobacco stores	P	P	P	P			
Tool and cutlery sharpening or grinding				C	P		
Toy stores	P	P	P	P			
Trailers and mobilehome parks in accordance with the regulations prescribed in Chapter 18.108 of this title					C	C	
Truck, trailer and/or RVs, sales and service					C	C	P
Truck scales					P	C	
Trucking terminals, not less than 150 feet from an R or O district					C		
Tutoring which cannot meet the criteria for tutoring as written in the use category below	C	C	C	C	C	C	

	CR*(m)	CR**(p)	CN	CC	CS	CF	CA
Tutoring with no more than 20 students at the facility at any one time are permitted uses subject to the following conditions:	P	P	P	P	P	P	
1. The facility shall adhere to all occupancy, ADA, California Building Code, and exiting requirements;							
2. The zoning administrator finds that adequate parking is available for the said use.							
The standard city noise ordinance applies.							
Variety stores	P	P	P	P			
Vending machine sales and service				C	P		
Veterinarians' offices and out-patient clinics, excluding any overnight boarding of animals, and including 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 director of building inspection			C				
Veterinarians' offices, out-patient clinics, and small animal hospitals, including short term overnight boarding of animals and incidental care such as bathing and trimming, provided that all operations are conducted entirely within a completely enclosed building which complies with specifications for sound-proof construction prescribed by the director of building inspection				C	P		
Veterinarians' offices and small animal hospitals including operations not conducted within an entirely enclosed building, not less than 300 feet from an R or O district					C		
Warehouses except for the storage of fuel or flammable liquids					C		
Watch and clock repair shops	P	P	P	P			
Waterbed shops including the sale of small incidentals, such as linens, wall hangings, and other similar items	P	P	P	P			
Wholesale establishments					C		
Wholesale establishments without stocks		P		P			

(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)

18.44.095 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. 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 director of public works 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. (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 Chapter 18.20 of this title. (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 Chapter 18.96 of this title. (Prior code § 2-7.12)

18.44.140 Design review.

All permitted and conditional uses in the C districts 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. (Prior code § 2-7.13)

CITY OF PLEASANTON
COUNTY OF ALAMEDA
STATE OF CALIFORNIA

RESOLUTION NO. 73-34

RE: POLICY WITH RESPECT TO THE LOCATION AND CONSTRUCTION OF FINANCIAL INSTITUTIONS INCLUDING BANKS, SAVINGS AND LOAN ASSOCIATIONS, FINANCE COMPANIES, CREDIT UNIONS AND RELATED SERVICES

WHEREAS, the City has considered at some length applications for location of savings and loan association uses in other geographical areas of the City than the downtown area, and

WHEREAS, it appears desirable and vital that in order to preserve and enhance the present and future development of the downtown core area of the City, financial institutions including banks, savings and loan associations, finance companies, credit unions and related services should be encouraged to locate in the first instance in the Central Business District and C-R (Regional Commercial) District as opposed to other outlying commercial locations.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

That the City of Pleasanton in considering the approval for the location and construction of a financial institution shall adhere to the following policy guidelines:

1. That the location and construction of any financial institution hereinabove referred to within the City of Pleasanton shall be encouraged and permitted in the Central Business District and C-R (Regional Commercial) District areas of the City and conditionally permitted in the C-C (Community Commercial), C-S (Commercial Service), C-N (Neighborhood Commercial) District and O (Office) Districts, and then, where application in other than the Central Business District is involved, only in the event that the applicant have, on the date the application is considered, already located within the Central Business

District a financial institution.

2. That in order to implement the above policy the zoning ordinance should be amended so as to permit financial institutions in the C-R (Regional Commercial) District and to conditionally permit financial institutions in the C-C (Community Commercial), C-S (Commercial Service), C-N (Neighborhood Commercial) and O (Office) Districts.
3. That the Planning Commission be requested to give great weight to City Council's policy herein expressed in considering applications for conditional use permits and to, based thereon, deny applications which, if granted, would result in the location of a financial institution in other than the Central Business District of the City of Pleasanton except when the applicant at the time the application is considered already has a financial institution located in the Central Business District.
4. In the event that the request in Paragraph (3) above is not honored by the Planning Commission, the City Council herein expresses its intention to avail itself of the provisions of §2-11.10 of the Ordinance Code allowing it to review a decision made by the City Planning Commission regarding a conditional use permit.

DATED: March 12, 1973

ATTEST:

William H. Edgar
William H. Edgar, City Clerk

Robert I. Reid
ROBERT I. REID, Mayor

APPROVED AS TO FORM

William A. Hirst
William A. Hirst, City Attorney

-2-

Date 3/12/73

Rescinded by Res 95-132

CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 87-541

**RESOLUTION AMENDING ESTABLISHED POLICY WITH RESPECT TO
THE LOCATION AND CONSTRUCTION OF FINANCIAL INSTITUTIONS
INCLUDING BANKS, SAVINGS AND LOAN ASSOCIATIONS, FINANCE
COMPANIES, CREDIT UNIONS AND RELATED SERVICES**

WHEREAS, at its meeting of March 12, 1973, Council adopted Resolution No. 73-34 establishing the policy regarding banking institutions in the downtown area of Pleasanton; and

WHEREAS, since that time, circumstances have made it necessary to re-evaluate the policy to determine whether it should be amended or remain unchanged; and

WHEREAS, the Director of Planning and Community Development presented a report (SR 87:530) to Council examining the current situation and presenting various alternatives;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON RESOLVES AS FOLLOWS:

Section 1: Council hereby amends Resolution No. 73-34, by establishing the following policy:

1. No bank, savings and loan, or financial institution shall locate a facility outside the downtown area, except in the C-R (Regional Commercial) District, unless
 - a. it has an existing facility in the downtown area, or
 - b. there are at least eight (8) banks, savings and loans, and financial institutions in the downtown area.
2. The existing banking institutions and savings and loans shall have the right to move out of downtown, and, if for any reason a bank or financial institution vacates downtown, until that number is back at eight, no other banking institution will be allowed to locate outside of downtown (except for the C-R District).
3. So long as the number of financial institutions in the CBD remains at a minimum of eight, other financial institutions may locate outside of the downtown area wherever zoning and conditional uses permit.

Resolution No. 87-541
Page Two

Section 2: This resolution shall become effective immediately upon its passage and adoption.

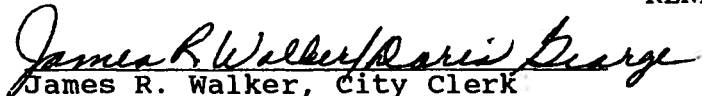
THIS RESOLUTION ADOPTED DECEMBER 1, 1987 BY THE FOLLOWING VOTE:

AYES: Councilmember Brandes and Mayor Mercer
NOES: Councilmember Wilson
ABSENT: None
ABSTAIN: Councilmembers Butler and Mohr

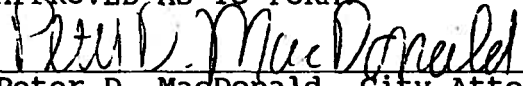
ATTEST:



KENNETH R. MERCER, MAYOR


James R. Walker, City Clerk
By Doris George, Deputy City Clerk

APPROVED AS TO FORM:



Peter D. MacDonald, City Attorney

CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 95-131

**RESOLUTION AMENDING STRATEGY 1c OF THE
DOWNTOWN PLEASANTON SPECIFIC PLAN
REGARDING FINANCIAL INSTITUTIONS**

WHEREAS, at its meeting of November 21, 1995, the City Council reviewed the report of the Director of Planning and Community Development (SR 95:390) regarding financial institutions in the downtown area of Pleasanton; and

WHEREAS, Council deemed it appropriate to amend its existing policies.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON RESOLVES AS FOLLOWS:

Section 1: Strategy 1c of the Downtown Pleasanton Specific Plan is amended to read as follows:

"STRATEGY 1c. Encourage financial institutions to locate a branch in the Downtown.

Financial institutions are desirable in Downtown and provide three vital components of commercial activity in the Downtown. First, these institutions dispense cash for potential Downtown shoppers. Most successful downtowns feature several financial institutions with cash machines located to serve the downtown market. Second, financial institutions, especially banks, generate foot traffic which, in turn, generates the potential for retail sales. Third, financial institutions provide a local employment base which generates local retail spending before, during and after work hours. All three of these factors contribute to fulfilling the goals and policies of this Specific Plan.

At the same time, financial institutions compete for a limited amount of valuable frontage which could be used for retail uses in the Downtown area. To the extent that existing financial institutions are successfully satisfying demand for financial services in the Downtown market area, they should be encouraged to remain."

Resolution No. 95-131

Page Two

Section 3: This resolution shall become effective immediately upon its passage and adoption.

I HEREBY CERTIFY THAT THE FOREGOING WAS DULY AND REGULARLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF PLEASANTON, AT A MEETING HELD ON NOVEMBER 21, 1995 BY THE FOLLOWING VOTE:

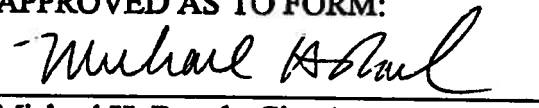
AYES: Councilmembers - Dennis, Michelotti, Mohr, Pico, and Mayor Tarver
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:



Peggy L. Ezidro, City Clerk

APPROVED AS TO FORM:



Michael H. Roush, City Attorney

CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 95-132

**RESOLUTION RESCINDING RESOLUTION NO.
87-541 (FINANCIAL INSTITUTION POLICY)**

WHEREAS, at its meeting of November 21, 1995, the City Council reviewed the report of the Director of Planning and Community Development (SR 95:390) regarding financial institutions in the downtown area of Pleasanton; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF PLEASANTON RESOLVES AS FOLLOWS:


Section 1: Resolution No. 87-541 (concerning the location of financial institutions in the downtown area) is hereby rescinded.

Section 2: This resolution shall become effective immediately upon its passage and adoption.

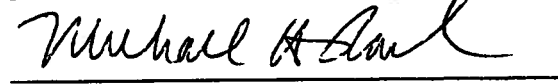
I HEREBY CERTIFY THAT THE FOREGOING WAS DULY AND REGULARLY ADOPTED BY THE CITY COUNCIL OF THE CITY OF PLEASANTON, AT A MEETING HELD ON NOVEMBER 21, 1995 BY THE FOLLOWING VOTE:

AYES: Councilmembers - Dennis, Michelotti, Mohr, Pico, and Mayor Tarver
NOES: None
ABSENT: None
ABSTAIN: None

ATTEST:


Peggy L. Ezidro, City Clerk

APPROVED AS TO FORM:


Michael H. Roush, City Attorney

CITY COUNCIL OF THE CITY OF PLEASANTON

ALAMEDA COUNTY, CALIFORNIA

ORDINANCE NO. 1668

**AN ORDINANCE AMENDING SECTIONS 18.40.030
AND 18.40.040 AND TABLE 18.44.090 OF THE
PLEASANTON MUNICIPAL CODE REGARDING
FINANCIAL INSTITUTIONS**

WHEREAS, at its meeting of November 21, 1995, the City Council reviewed the report of the Director of Planning (SR 95:390) regarding a change of the established policy regarding criteria for locating financial institutions;

**THE CITY COUNCIL OF THE CITY OF PLEASANTON DOES HEREBY ORDAIN
AS FOLLOWS:**

Section 1: Sections 18.40.030 and 18.40.040 of the Pleasanton Municipal Code are amended to read as follows:

"18.40.030 Permitted Uses

The following uses shall be permitted in the O district:

(Subsections A - J, no change)

K. Financial Institutions including banks, savings and loan associations, finance companies, credit unions and related services.

18.40.040 Conditional Uses

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

(Subsections A - F, no change)

Subsection G is hereby deleted."

Section 2: Chapter 18.44, Commercial Districts, is amended to read as follows:

Table 18.44.090

	CR	CR	CN	CC	CS	CF	CA
	(m)	(p)					

Financial Institutions including banks, savings and loan offices, finance companies, credit unions and related services.

P	P	P	P	P	P	-	-
---	---	---	---	---	---	---	---

Section 3: A summary of this ordinance shall be published once within fifteen (15) days after its adoption in "The Valley Times," a newspaper of general circulation published in the City of Pleasanton, and the complete ordinance shall be posted for fifteen (15) days in the City Clerk's office within fifteen (15) days after its adoption.

Section 4: This ordinance shall be effective thirty (30) days after the date of its final passage and adoption.

INTRODUCED at a regular meeting of the City Council of the City of Pleasanton on November 21, 1995.

ADOPTED at a regular meeting of the City Council of the City of Pleasanton on December 5, 1995 by the following vote:

AYES: Councilmembers -
NOES:
ABSENT:
ABSTAIN:


BEN C. TARVER, MAYOR

ATTEST:


Peggy L. Ezidro, City Clerk

APPROVED AS TO FORM:

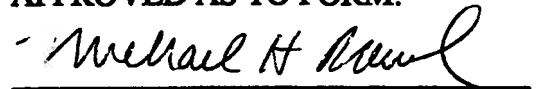
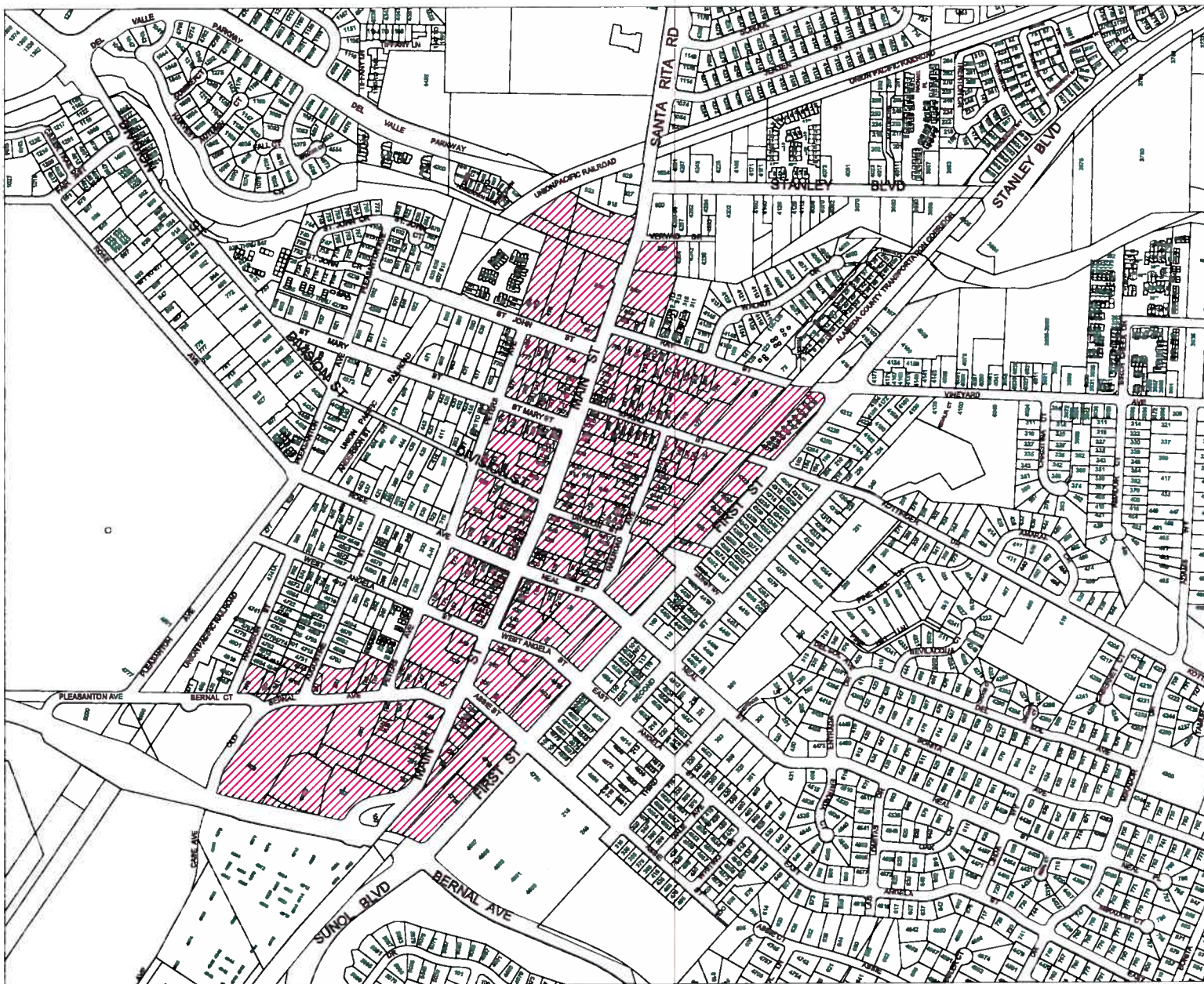

Michael H. Roush, City Attorney

EXHIBIT E



Notification Plot
City of Pleasanton

GIS

Department

